



Bend-La Pine Schools School Board Regular Meeting Agenda

December 13, 2022, 5:30 PM

Location:

Education Center, Board Room #314
520 NW Wall Street
Bend, OR 97703

1. <u>Call to Order</u>	Speaker(s): Chair Barnes Dholakia	
2. <u>Pledge of Allegiance</u>	Speaker(s): Chair Barnes Dholakia	
3. <u>New Board Member Oath of Office</u>	Speaker(s): Chair Barnes Dholakia	<u>5</u>
Oath of Office		5
4. <u>Review of Agenda</u>	Speaker(s): Chair Barnes Dholakia	<u>6</u>
Description: Any changes to the Agenda after posting on December 9, 2022, are shown below.		
Attachments:		
12.13.22 - Orden del día - BORRADOR		6
5. <u>District Recognitions</u>	A. Champion for Students Award	
Speaker(s): Superintendent Cook		
6. <u>Public Hearing</u>	Speaker(s): Chair Barnes Dholakia	
Description: Construction Manager/General Contractor (CM/GC) Process Findings		
7. <u>Public Comment</u>	Speaker(s): Chair Barnes Dholakia	<u>8</u>
Description: This is the time provided for individuals to address the Board.		
Public Comment is accepted via Google Form until 5:00 p.m. on Monday, December 12, 2022.		
Attachments:		
12.13.22 Public Comment		8
8. <u>Consent for Action</u>	Speaker(s): Chair Barnes Dholakia	
Description: Items that are routine in nature are placed on the Consent Agenda. Any item placed on the Consent for Action may be removed at the request of any Board member prior to the time a vote is taken. All remaining items of the Consent for Action are then disposed of in a single motion.		
A. Approval of Minutes		

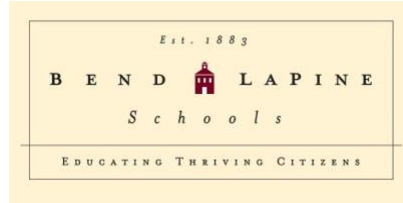
Description: November 8, 2022, Regular Board Meeting and November 15, 2022, Special Board Meeting
Reference: ORS 192.650 and ORS 332.057

Attachments:

11.8.22 Minutes - DRAFT	10
11.15.22 Minutes - DRAFT	15
B. Approval of Personnel Recommendations	17
Description: Administrative, Licensed, Classified, and Confidential Staff Recommended Hires, Resignations, and Retirements <i>Reference: ORS 332.505</i>	
Attachments:	
Certified Board Report 12.13.22	17
Classified Board Report 12.13.22	19
C. Approval of Board Policies	22
Attachments:	
Executive Summary: Board Policies for Adoption	22
IGDJ-BP: Interscholastic Athletics & Activities - draft 11.8.22	23
JG-BP: Student Conduct & Discipline - draft 10.2022	26
JG-BP Policy Public Comment with BLS Response	33
Board Ends/Results - draft 12.13.22	44
9. Consent for Information	
Speaker(s): Chair Barnes Dholakia	
Description: Items that are routine in nature and for informational purposes only are placed on the Consent for Information.	
A. Approval of Administrative Policies and Regulations	46
Attachments:	
Executive Summary: Administrative Policies and Regulations for Adoption	46
EBCD-AR: Delays & School Closures - draft 11.8.22	47
IGDK-AR: Non-District Sponsored Study, Tours, Trips & Competitions - draft 11.8.2022	50
EBCD-AR 11.9-11.22 Policy Public Comment with BLS Response	54
10. Action Items	
A. Land Purchase	57
Speaker(s): Mike Tiller, Executive Director of Facilities	
Attachments:	
Executive Summary: Land Purchase Resolution	57
Map: Bend High Campus and 606 SE Glenwood Drive	58
Resolution 1941: Purchase of Property at 606 SE Glenwood Drive	59
B. Construction Manager/General Contractor (CM/GC) Process	60
Speaker(s): Mike Tiller, Executive Director of Facilities	
Attachments:	
Executive Summary: Construction Manager/General Contractor (CM/GC) Construction Method	60
Resolution 1940: Construction Manager/General Contractor Process	61
C. Sale of Bonds and Certification of Bond Election Results	67
Speaker(s): Leah Bibeau, Finance Director	
Attachments:	
Executive Summary: Bond Resolution	67
Deschutes County 11.8.22 Election Results	68
Resolution 1939: Sale of Bonds and Certification of Bond Election Results	69
D. Budget Committee Vacancies	74
Speaker(s): Leah Bibeau, Finance Director	
Attachments:	
Executive Summary: Budget Committee	

E.	Bend Education Foundation Ex-Officio Board Member Position	75
	Speaker(s): Chair Barnes Dholakia	
	Attachments:	
	Executive Summary: Education Foundation Ex-Officio Board Member	75
11.	Reports	
A.	Board Ends/Results	76
	Speaker(s): Dave VanLoo, Director of School Improvement	
	Description: Report on item 1 of Board Ends/Results	
	Attachments:	
	Executive Summary: Progress Report Board End #1	76
	Presentation: Board Ends #1 Results December 2022	77
	Presentación: Finaliza Directorio #1 Resultados Diciembre 2022	103
B.	Staff Recruitment, Retention, and Diversity	129
	Speaker(s): Steve Herron, Chief Human Resources Officer	
	Attachments:	
	Executive Summary: BLS Staffing Report	129
	Presentation: BLS Staffing Report	130
	Presentación: Informe de dotación de personal de BLS	147
C.	Chair Report	
	Speaker(s): Chair Barnes Dholakia	
D.	Superintendent's Report	
	Speaker(s): Superintendent Cook	
12.	Discussion	
A.	Board Policies in Review	164
	Speaker(s): Chair Barnes Dholakia	
	Description: Board Policies, Governance Processes, Executive Limitations, Board Ends, and Board Staff Linkages that require School Board review.	
	Public feedback regarding the policies in review is accepted beginning Wednesday, December 14, 2022, through Tuesday, December 27, 2022, via Google Form.	
	Attachments:	
	Executive Summary: Board Policies in Review	164
	EEA-BP: Student Transportation Services - draft 12.2022	165
13.	Administrative Policy and Regulation Report	
	Speaker(s): Chair Barnes Dholakia	
A.	Administrative Policies and Regulations in Review	167
	Speaker(s): Superintendent Cook	
	Description: List of District Policies and/or Regulations that are currently under review by the District.	
	Public feedback regarding the policies in review is accepted beginning Wednesday, December 14, 2022, through Tuesday, December 27, 2022, via Google Form.	
	Attachments:	
	Executive Summary: Administrative Policies and Regulations in Review	167
	EEA-AR: Transportation Procedures - draft 12.2022	168
	GBL-AP: Personnel Records - draft 11.2022	171
	GBLA-AR: Disclosure of Information - 12.2022	175
	GBN/JBA-AR(1): Sexual Harassment Complaint Procedure - draft 12.2022	176
	GBN/JBA-AR(2): Federal Law (Title IX) Sexual Harassment Complaint Procedure - draft 12.2022	180
14.	Board Comments	
	Description: An opportunity for board members to provide comments or reflections.	
15.	Adjourn	

Description: Meeting will be adjourned with next Regular School Board Meeting scheduled for January 10, 2023.



Bend-La Pine Schools Board Member Oath of Office

New members must qualify by taking an oath of office before assuming the duties of the office.

"I, (state your name), do solemnly swear (or affirm) that I will support the Constitution of the United States, the constitution and the laws of the state of Oregon, and the policies of Bend-La Pine School District. During my term, I will faithfully and impartially discharge the responsibilities of the office to the best of my ability."

Legal reference: ORS 332.005



Escuelas de Bend-La Pine Agenda para reunión regular de la Junta Escolar

13 de diciembre, 2022, 5:30 PM

Lugar:

Education Center, Board Room #314
520 NW Wall Street
Bend, OR 97703

1. **Apertura de la reunión**
Ponente(s): Presidenta Barnes Dholakia
2. **Juramento a la bandera**
Ponente(s): Presidenta Barnes Dholakia
3. **Juramento al cargo de nuevos miembros de la junta**
Ponente(s): Presidenta Barnes Dholakia
4. **Revisión de la agenda**
Ponente(s): Presidenta Barnes Dholakia
5. **Reconocimientos del distrito**
 - A. Premio de Campeón para Estudiantes
Ponente(s): Superintendente Cook
6. **Audiencia pública**
Ponente(s): Presidenta Barnes Dholakia
Descripción: Conclusiones del proceso del administrador de construcción/contratista general (CM/GC)
7. **Comentarios públicos**
Ponente(s): Presidenta Barnes Dholakia
Descripción: Este es el tiempo designado para que las personas aborden a la junta. Los comentarios públicos se aceptan a través de Google Form hasta las 5:00 pm, el lunes 12 de diciembre del 2022.
8. **Consentimiento para la acción**
Ponente(s): Presidenta Barnes Dholakia
Descripción: Los temas de rutina por naturaleza se colocan en la agencia de consentimiento. Cualquier tema colocado en el consentimiento para la acción puede removerse a petición de cualquier miembro de la junta al momento de tomarse una votación. Todos los temas restantes del consentimiento para la acción después se remueven de una sola vez.
 - A. Aprobación de actas de la reunión
Descripción: 8 de noviembre del 2022, reunión regular de la junta y el 15 de noviembre del 2022, reunión especial de la junta. *Referencia: ORS 192.650 y ORS 332.057*
 - B. Aprobación de recomendaciones del personal
Descripción: Contrataciones recomendadas, renuncias y jubilaciones del personal administrativo, con licencia, clasificado y confidencial. *Referencia: ORS 332.505*
 - C. Aprobación de políticas de la junta
9. **Consentimiento para información**

Ponente(s): Presidenta Barnes Dholakia

Descripción: Los aspectos que son rutinarios por naturaleza y para propósitos informativos solamente se colocan en el consentimiento para información.

A. Aprobación de políticas y regulaciones administrativas

10. **Propuestas de acción**

A. Compra de terrenos

Ponente(s): Mike Tiller, Director Ejecutivo de Instalaciones

B. Proceso del administrador de construcción/contratista general (CM/GC)

Ponente(s): Mike Tiller, Director Ejecutivo de Instalaciones

C. Venta de bonos y certificación de resultados de las votaciones del bono

Ponente(s): Brad Henry, Oficial Principal de Operaciones y Finanzas

D. Vacantes del comité de presupuesto

Ponente(s): Brad Henry, Oficial Principal de Operaciones y Finanzas

E. Posición de miembro de la junta exoficio para la Fundación Educación de Bend

Ponente(s): Presidenta Barnes Dholakia

11. **Reportes**

A. Fines/Resultados de la Junta

Ponente(s): Dave VanLoo, Director de Mejoramiento Escolar

Descripción: Reporte sobre el punto 1 de los fines/resultados de la junta

B. Reclutamiento, retención y diversidad del personal

Ponente(s): Steve Herron, Oficial Principal de Recursos Humanos

C. Reporte del presidente

Ponente(s): Presidenta Barnes Dholakia

D. Reporte del Superintendente

Ponente(s): Superintendente Cook

12. **Discusión**

A. Políticas de la junta en revisión

Ponente(s): Presidenta Barnes Dholakia

Descripción: Políticas de la junta, procesos de gobierno, limitaciones ejecutivas, fines de la junta y enlaces del personal de la junta que requieren la revisión de la junta escolar. Los comentarios públicos sobre las políticas en revisión se aceptan a partir del miércoles 14 de diciembre del 2022 hasta el martes 27 de diciembre del 2022, a través de Google Form.

13. **Reporte de políticas y regulaciones administrativas**

Ponente(s): Presidenta Barnes Dholakia

A. Políticas y regulaciones administrativas en revisión

Ponente(s): Superintendente Cook

Descripción: Lista de políticas y/o regulaciones que actualmente están bajo revisión por el distrito. Los comentarios públicos sobre las políticas en revisión se aceptan a partir del miércoles 14 de diciembre del 2022 hasta el martes 27 de diciembre del 2022, a través de Google Form.

14. **Comentarios de la junta**

Descripción: Una oportunidad para que los miembros de la junta provean sus comentarios o reflexiones.

15. **Cierre de la reunión**

Descripción: La reunión se cerrará con la programación de la próxima reunión regular de la junta escolar para el 10 de enero del 2023.



PUBLIC COMMENT

December 13, 2022

Agenda Item 9.A. – Consent for Information

1. Kristina Ebner

- I would like to address the proposed AR that the board will be reviewing regarding weather and school closures.

Agenda Item 11.A. – Report: Board Ends/Results

1. Mark Molner

- Increased board visitations at schools and teacher interactions.

Non-Agended Item

1. Lily Eckert

- Hello, my name is Lily Eckert, and I am a Senior at Bend Senior High School. Given the district's commitment to sustainability and student involvement, we would like to create a student run district environmental board. The board would ideally consist of two students representing each of the four district high schools and meet monthly to collaborate in discussion of district environmental issues seen by students. We request the attendance of school board members at bi-monthly, student-led environmental board meetings. We have been working closely with our District Sustainability Coordinator Jackie Mueller and we'd be more than happy to create the student panel, and find students from each school that are willing to participate. Our ask of you is the presence and involvement of school board members at each of these meetings. As stated in Resolution act 1884 signed by unanimous vote of the board in 2009, it is the responsibility of all youth, adults, and institutions to advocate for and take climate action in order to protect this generation as well as future generations. We ask the board to include this issue in the agenda of the next scheduled meeting.

Allowing students to have a voice surrounding environmental issues is a crucial step to creating a more sustainable district as a whole. We thank you for your interest in hearing from the community, and look forward to working with you into the future to make our district more sustainable and efficient.

2. Bella Callfas

- Hello all, my name is Bella Callfas. I am a Junior at Bend Senior High School Speaking on behalf of Bend Senior High, we would like to address the 2019 Climate Resolution, previously passed unanimously by this board. One of the calls to action in the resolution is for all new and existing buildings to be efficient and to run on clean energy. Our last 4 new schools were opened without any renewables and a dependence on natural gas for heating. We would like to appeal to present members of the board, to be part of the climate change solution and do more to follow

the sustainability vision that Bend La Pine School has set forth to “educate and inspire students and staff to be leaders in a sustainable community”.

In resolution number 1884 from 2009, “many options and choices exist for schools and their staff to use natural resources more efficiently; to reduce, reuse, and recycle; to produce more sustainably sourced lunches, and to purchase clean energy and environmentally preferable products and supplies to protect our environment.”

Regarding the passage of Bond Measure 9-155, and the construction of a new Bend Senior High School, we ask the board to reaffirm its agreement to conduct Building Operation Assessments with the help of Energy Trust of Oregon. The students of Bend High care deeply about the sustainability and efficiency of their new school facilities. We wish to have more influence in the design process than that of previous schools, and for our school’s redesign to aim for net zero emissions. Bend High has had a long history of advocating for change, and we would like to continue this by asking the board to create concrete agreements to commit to sustainability in all future projects they oversee.



Bend-La Pine Schools School Board Regular Meeting Minutes

Meeting Location:

La Pine High School
51633 Coach Road
La Pine, OR 97739

Meeting Date: November 8, 2022

Board Members

Melissa Barnes Dholakia: Present
Kina Chadwick: Present
Marcus LeGrand: Present
Carrie McPherson Douglass: Present
Shimiko Montgomery: Present
Shirley Olson: Present
Amy Tatom: Present

Amy Tatom joined the meeting virtually.

1. Call to Order

Speaker(s): Chair Barnes Dholakia

Discussion: The meeting was called to order by Chair Barnes Dholakia at 5:53 p.m. ASL interpreters were Kayla Celedon and Kaitlyn Oldham. It was noted that closed captioning was being provided as well as a live Spanish interpretation on the BLS SchoolBoard YouTube page.

2. Pledge of Allegiance

Speaker(s): Chair Barnes Dholakia

Discussion: The La Pine High School Junior ROTC Color Guard presented the colors and the Pledge of Allegiance was led by Chair Barnes Dholakia.

3. Review of Agenda

Speaker(s): Chair Barnes Dholakia

Description: Any changes to the Agenda after posting on November 4, 2022, are shown below.

Attachments: 11.8.22 - Orden del día - BORRADOR

Discussion: There were no changes to the agenda.

4. District Recognitions

A. Champion for Students Award

Speaker(s): Superintendent Cook

Discussion: Superintendent Cook presented the Champion for Students award to Master Gunnery Sergeant Don Wilborn, LPHS ROTC Instructor, in recognition for his support of the students at La Pine High School through the ROTC program, for making a positive impact on countless students, and for having served as a great role model.

5. **Public Comment**

Speaker(s): Chair Barnes Dholakia

Description: This is the time provided for individuals to address the Board. Public Comment is accepted via Google Form until 5:00 p.m. Monday, November 7, 2022.

Attachments: 11.8.22 Public Comment

Discussion: There were no requests to provide public comment.

6. **Consent for Action**

Speaker(s): Chair Barnes Dholakia

Description: Items that are routine in nature are placed on the Consent Agenda. Any item placed on the Consent for Action may be removed at the request of any Board member prior to the time a vote is taken. All remaining items of the Consent for Action are then disposed of in a single motion.

Action(s): I move to approve the Consent for Action as presented. This motion, made by Marcus LeGrand and seconded by Carrie McPherson Douglass, Carried.

Voting Detail: Melissa Barnes Dholakia: Yea, Kina Chadwick: Yea, Marcus LeGrand: Yea, Carrie McPherson Douglass: Yea, Shimiko Montgomery: Yea, Shirley Olson: Yea, Amy Tatom: Yea

Voting Summary: Yea: 7, Nay: 0

A. **Approval of Minutes**

Description: October 11, 2022, Regular Board Meeting and October 25, 2022, Work Session

Reference: ORS 192.650 and ORS 332.057

Attachments: 10.11.22 Minutes – DRAFT and 10.25.22 Minutes - DRAFT

B. **Approval of Personnel Recommendations**

Description: Administrative, Licensed, Classified, and Confidential Staff Recommended Hires, Resignations, and Retirements

Reference: ORS 332.505

Attachments: Certified Board Report 11.8.22 and Classified Board Report 11.8.22

C. **Approval of Superintendent Cook 2021-22 Evaluation**

Attachments: Superintendent Cook Evaluation Summary - 2021-22 and 2022-23 Strategic Actions for Board Goals

7. **Consent for Information**

Speaker(s): Chair Barnes Dholakia

Description: Items that are routine in nature and for informational purposes only are placed on the Consent for Information.

Discussion: Chair Barnes Dholakia noted that the Consent for Information would be a new agenda item moving forward for items that are routine in nature and for informational purposes only. She noted that the district is adopting IGBI-AP and IBGI-AR.

A. **Administrative Policies and Regulations for Adoption**

Attachments: Executive Summary Administrative Policy and Regulation for Adoption, IGBI-AP: Bilingual Education - draft 9.29.22, IGBI-AR: Bilingual Education - draft 10.2022, IGBI-AP 10.12-10.25 Policy Public Comment, and IGBI-AR 10.12-10.25 Policy Public Comment

8. **Reports**

A. **South County Update**

Speaker(s): Scott Olszewski, Principal La Pine High School

Attachments: Executive Summary South County Update, Presentation: South County Report, and Presentación: Informe del Sur del Condado

Discussion: Scott Olszewski, La Pine High School Principal and South County Director, provided the annual South County Update. He presented an overview of all five schools, highlighting the strengths and needs of each. Academic and emotional supports for students as well as support and training for staff retention were noted as needs across all schools. Olszewski shared that small schools are good for kids and recognized the strong links between all of the schools in South County.

B. **Student Investment Account (SIA) Update**

Speaker(s): Deputy Superintendent Nordquist

Attachments: Executive Summary SIA, Presentation: Student Investment Account (SIA), and Presentación: Cuenta de Inversión Estudiantil (SIA)

Discussion: Deputy Superintendent Lora Nordquist provided a background on the Oregon Student Success Act and the Student Investment Account (SIA). The SIA goals and allowable uses of funds were discussed and the Bend-La Pine Schools priorities for SIA funding were highlighted. The successes that came from the 2021-2022 funding were discussed as well as challenges and barriers still facing the district: student needs exceeding district capacity and staffing needs due to lack of educators, not necessarily funding. Nordquist discussed the various student success programs at all levels across the district and how they are different at each level.

C. Chair Report

Speaker(s): Chair Barnes Dholakia

Discussion: Chair Barnes Dholakia noted that over the last month the Board has been reviewing the 18 applications received for the Zone 7 board member vacancy. She also shared that over the last few months, educating the community on the importance of school bonds to keep our schools maintained, outside of regular daily maintenance, has been a high priority. It was also noted that the Maxwell Center at Bend High School would be unveiled following the Veteran's Day assembly on Thursday.

D. Superintendent's Report

Speaker(s): Superintendent Cook

Discussion: Superintendent Cook shared that an advisory committee has been meeting to discuss the design of a student voice advisory council. The council will start with approximately 2-3 students from each of the high schools and one staff advisor. The council will be a conduit of student voice to and from the Board. Cook also shared that district administrators in the Leading Equitable Schools group met last week with the Center for Educational Leadership for ongoing training. It was also noted that with the state legislature heading into a long session, legislative discussions would begin soon.

9. Action Items

A. Oregon School Boards Association (OSBA) Board of Directors Election

Speaker(s): Chair Barnes Dholakia

Action(s): I move to approve Patti Norris for OSBA Board of Directors Position 3. This motion, made by Shirley Olson and seconded by Carrie McPherson Douglass, Carried.

Voting Detail: Melissa Barnes Dholakia: Yea, Kina Chadwick: Yea, Marcus LeGrand: Yea, Carrie McPherson Douglass: Yea, Shimiko Montgomery: Yea, Shirley Olson: Yea, Amy Tatom: Yea

Voting Summary: Yea: 7, Nay: 0

Attachments: Nomination Form: Patti Norris and Questionnaire and Resume: Patti Norris

Discussion: Chair Barnes Dholakia noted that in even-numbered years, member boards vote to elect regional representatives for odd-numbered positions on the Oregon School Boards Association (OSBA) Board of Directors. Bend-La Pine Schools is in Region 3, the Central Region, and this year there is only one candidate on the ballot, incumbent Patti Norris from Crook County School District.

B. Oregon School Boards Association (OSBA) Resolution

Speaker(s): Chair Barnes Dholakia

Description: Resolution to adopt the OSBA Legislative Priorities and Principles as recommended by the Legislative Policy Committee

Action(s): I move to approve the OSBA Legislative Priorities and Principles resolution as presented. This motion, made by Shimiko Montgomery and seconded by Marcus LeGrand, Carried.

Voting Detail: Melissa Barnes Dholakia: Yea, Kina Chadwick: Yea, Marcus LeGrand: Yea, Carrie McPherson Douglass: Yea, Shimiko Montgomery: Yea, Shirley Olson: Yea, Amy Tatom: Yea

Voting Summary: Yea: 7, Nay: 0

Attachments: Resolution to Adopt OSBA Legislative Priorities and Principles

Discussion: Chair Barnes Dholakia noted that the OSBA Legislative Priorities and Principles Resolution was before the Board for approval. The document, crafted by the Legislative Policy Committee (LPC), is a foundational document in guiding the legislative and advocacy work of OSBA members and staff.

C. Zone 7 Board Member Seat Vacancy

Speaker(s): Chair Barnes Dholakia

Description: Finalists will be selected to be interviewed for the Zone 7 Board Member vacancy

Action(s): I move to advance Kina Condit-Chadwick, Cameron Fischer, Timothy Hellmann, and Danielle Rosenfield to the finalist round for the vacant seat. This motion, made by Melissa Barnes Dholakia and seconded by Marcus LeGrand, Carried.

Voting Detail: Melissa Barnes Dholakia: Yea, Kina Chadwick: Yea, Marcus LeGrand: Yea, Carrie McPherson Douglass: Yea, Shimiko Montgomery: Yea, Shirley Olson: Yea, Amy Tatom: Yea

Voting Summary: Yea: 7, Nay: 0

Attachments: Zone 7 Vacancy Applications - REDACTED

Discussion: Chair Barnes Dholakia noted that 18 thoughtful and dedicated community members applied for the vacant Zone 7 board member seat. She noted that over the last few weeks, each board member has been reviewing each application to gather evidence of experience and/or expertise that aligns with the board goals as well as experience in or demonstrated commitment to community and/or public service. Each board member was provided a scoring sheet and voted for their top three candidates. Deputy Superintendent Nordquist and Board Clerk Bojanowski counted the votes and reported to Barnes Dholakia that there were no unanimous candidates. The names of the top four candidates were provided to the Board and after a brief discussion by the Board on how many candidates to move forward for final interviews, it was decided that all four candidates would be invited to final interviews.

10. Discussion

A. Board Policies in Review

Speaker(s): Chair Barnes Dholakia

Description: Board Policies, Governance Processes, Executive Limitations, Board Ends, and Board Staff Linkages that require School Board review. Public feedback regarding the policies in review is accepted beginning Wednesday, November 9, 2022, through Tuesday, November 22, 2022, via Google Form.

Attachments: Executive Summary Board Policy for Review and IGDJ-BP: Interscholastic Athletics & Activities - draft 11.8.22

Discussion: Chair Barnes Dholakia noted that IGDJ-BP: Interscholastic Athletics and Activities is a new board policy before the Board for review. It complies with OAR 581-022-2308(2) a new Division 22 rule requiring school districts to adopt policy with conditions of membership when entering into an agreement with a voluntary organization for interscholastic activities.

11. Administrative Policy and Regulation Report

Speaker(s): Chair Barnes Dholakia

Description: Executive Limitation 12 requires the Superintendent to amend administrative policies to comply with local, state, and federal law; provide the school board with information regarding substantive changes made to policies; and create policies consistent with new laws.

A. Administrative Policies and Regulations in Review

Speaker(s): Superintendent Cook

Description: List of District Policies and/or Regulations that are currently under review by the District. Public feedback regarding the policies in review is accepted beginning Wednesday, November 9, 2022, through Tuesday, November 22, 2022, via Google Form.

Attachments: Executive Summary Administrative Regulations for Review, EBCD-AR: Delays and School Closures - draft 11.8.22, and IGDK-AR: Non-District Sponsored Study, Tours, Trips, Competitions - draft 11.8.2022

Discussion: Superintendent Cook shared that EBCD-AR and IGDK-AR are currently being reviewed by the District.

EBCD-AR: Delays & Closures has updated language to reflect the district's practices and processes used to determine school delays and closures due to inclement weather or an emergency.

IGDK-AR: Non-Sponsored Study, Tours, Trips, and Competitions includes updated language to align with the district's involvement with non-district sponsored travel as well as grammatical corrections.

12. Board Comments

Description: An opportunity for board members to provide comments or reflections.

Discussion: Vice Chair Marcus LeGrand congratulated all of the sports teams for making it to the playoffs.

Director Carrie McPherson Douglass noted that the District could benefit from any of the 18 candidates and encouraged everyone not selected to consider applying to the Budget Committee and to look at openings for the upcoming election. She shared that she has recently been volunteering in her daughter's classroom and is amazed by the outstanding work of the school staff.

Director Shimiko Montgomery thanked the La Pine High School staff for hosting the meeting.

Director Shirley Olson echoed Director McPherson Douglass' sentiments and thanked the South County team.

Chair Barnes Dholakia appreciated the Color Guard for the presentation of the Colors.

Director Amy Tatom thanked Eric Powell for his presentation at the October Work Session and for allowing her to visit the program at the Education Center.

13. Adjourn

Description: Meeting will be adjourned with next Regular School Board Meeting scheduled for December 13, 2022.

Discussion: Chair Barnes Dholakia adjourned the meeting at 7:09 p.m.

Recorded by: Janet Bojanowski, Board Clerk



Bend-La Pine Schools School Board Special Meeting Minutes

Meeting Location:
Sky View Middle School
63555 18th Street
Bend, OR 97701

Meeting Date: November 15, 2022

Board Members

Melissa Barnes Dholakia: Present
Marcus LeGrand: Present
Carrie McPherson Douglass: Present
Shimiko Montgomery: Present
Shirley Olson: Present
Amy Tatom: Present

1. Call to Order

Speaker(s): Chair Barnes Dholakia

Discussion: The meeting was called to order by Chair Barnes Dholakia at 5:30 p.m. ASL interpreters were Erin Trimble and Hannah Westfall. It was noted that closed captioning was being provided as well as a live Spanish interpretation on the BLS School Board YouTube page.

2. Pledge of Allegiance

Speaker(s): Chair Barnes Dholakia

Discussion: The Pledge of Allegiance was led by Chair Barnes Dholakia.

3. Review of Agenda

Speaker(s): Chair Barnes Dholakia

Description: Any changes to the Agenda after posting on November 11, 2022, are shown below.

Attachments: 11.15.22 - Agenda de la reunión especial de la junta escolar

Discussion: There were no changes to the agenda.

4. Action Items

A. Zone 7 Board Member Vacancy Interviews

Speaker(s): Chair Barnes Dholakia

Description: Final interviews for Zone 7 Board Member Seat Vacancy

Action(s): I move to nominate Kina Condit-Chadwick to fill the vacant Zone 7 board member seat. This motion, made by Shimiko Montgomery and seconded by Amy Tatom, Carried.

Voting Detail: Melissa Barnes Dholakia: Nay, Marcus LeGrand: Yea, Carrie McPherson Douglass: Yea, Shimiko Montgomery: Yea, Shirley Olson: Yea, Amy Tatom: Yea

Voting Summary: Yea: 5, Nay: 1

Attachments: Zone 7 Vacancy Applications - Final Candidates - REDACTED

Discussion: Chair Barnes Dholakia introduced the four candidates: Kina Condit-Chadwick, Cameron Fischer, Timothy Hellmann, and Danielle Rosenfield. It was noted that Danielle was joining the meeting virtually. Barnes Dholakia reviewed the interview process for the meeting and then provided each candidate with three minutes for an opening statement. Board members took turns asking the candidates a series of eight questions with two minutes provided to each candidate for each question. The Board members alternated the order in which the candidates were called upon for answers. All candidates were provided the questions approximately 10 minutes prior to the start of the meeting. After all questions had been asked, the candidates were provided three minutes each for a closing statement.

Chair Barnes Dholakia recessed the meeting at 6:49 p.m. for a short break prior to the start of deliberations.

Chair Barnes Dholakia reconvened the meeting at 6:56 p.m.

Barnes Dholakia shared that each board member would write down the name of their first and second choice candidates and pass their selections to Board Clerk Bojanowski for tallying. The two candidates receiving the most first and second choice votes were moved forward for discussion: Kina Condit-Chadwick and Cameron Fischer. Barnes Dholakia reflected on how difficult the process has been with the number of qualified candidates and the new laws on providing virtual access to meeting proceedings. She shared her support for Fischer noting that the Board would benefit from her education background and previous board and committee service.

Director McPherson Douglass shared her support for Condit-Chadwick. She highlighted the importance of the community electing board members over the appointment process and noted that she was happy the next election was coming soon. She appreciated Condit-Chadwick centering student experience in all of their answers and reflected on the Board's need for LGBTQ+ representation of the departing board member.

Director Tatom noted that Fischer's background and experience was impressive before sharing that Condit-Chadwick had her support because of their concern for data, specifically in regards to LGBTQ+ students. She noted the importance of choosing a board member replacement that shared similar representation.

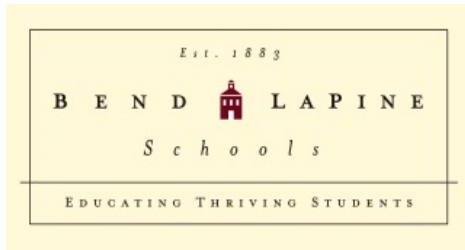
Vice Chair LeGrand noted that both candidates were phenomenal, but that Condit-Chadwick rose to the top for him with their representation in the community.

5. Adjourn

Description: Meeting will be adjourned with next Regular School Board Meeting scheduled for December 13, 2022.

Discussion: Chair Barnes Dholakia adjourned the meeting at 7:14 p.m.

Recorded by: Janet Bojanowski, Board Clerk



HUMAN RESOURCES

Education Center

*520 N.W. Wall Street
Bend, Oregon 97703-2699
(541) 355-1100
Fax: (541) 355-1109*

DATE: December 6, 2022
TO: Dr. Steven Cook, Superintendent
Board of Directors for Bend-La Pine Schools

FROM: Steve Herron, Chief Human Resources Officer

RE: Administrative and Licensed Recommended Hires, Resignations, and Retirees

The Human Resource Department recommends approval of the following hires, resignations and retirees at the school board meeting on December 13, 2022. All Hires are subject to successful drug testing, background check, and Oregon licensure.

CERTIFIED HIRES

NAME	POSITION	LOCATION	STATUS	HIRE DATE
Deke, Maryann	Special Ed Learning Specialist Job #5445	Special Programs	Temporary Full Time	12/12/2022
Mauze, Tracy	K-2 Primary Teacher Job #4752	Lave Ridge Elementary	Temporary Full Time	08/29/2022
McDonald, Lauren	SPED Teacher Job #4764	Silver Rail Elementary	Temporary Full Time	11/16/2022
Simpson, Steven	Counselor Job #5437	Sky View Middle School	Temporary Full Time	11/14/2022
Wilson, Jacqueline	Language Arts Teacher Job #5426	Sky View Middle School	Temporary Part Time	11/09/2022

CERTIFIED RESIGNATIONS

NAME	POSITION	LOCATION	HIRE/RESIGNED DATES
Goodall, James	Advanced Math	La Pine High School	08/27/2001 – 12/31/2022
Hayes, Don	Basic Math	Bend Senior High School	08/29/1984 – 09/30/2022
Larraneta, Jean	K-2 Primary Teacher	Buckingham Elementary	08/30/1988 – 12/31/2022
Lindsay, Donna	K-2 Primary Teacher	Silver Rail Elementary	08/30/1994 – 12/31/2022
Pressler, Sally	Language Arts Teacher	Bend Senior High School	08/28/1990 – 12/31/2022
Silver, Katherine	Student Success Coordinator	La Pine Elementary School	07/01/2021 – 12/09/2022

CERTIFIED RETIRE/REHIRE

NAME	POSITION	LOCATION	REHIRE/END DATES
Goodall, James	Advanced Math	La Pine High School	01/01/2022 – 06/30/2023
Hayes, Don	Basic Math	Bend Senior High School	10/01/2022 – 06/30/2023
Lindsay, Donna	K-2 Primary Teacher	Silver Rail Elementary	01/01/2022 – 06/30/2023
Pressler, Sally	Language Arts Teacher	Bend Senior High School	01/01/2022 – 06/30/2023



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ADMINISTRATIVE HIRES

NAME	POSITION	LOCATION	STATUS	HIRE DATE
Pigman, Doug	Executive Director of Facilities & Maintenance	Maintenance	Regular Full Time	12/1/2022

ADMINISTRATIVE RESIGNATIONS

NAME	POSITION	LOCATION	HIRE/RESIGNED DATES
Tiller, Michael	Executive Director of Facilities & Maintenance	Maintenance	12/30/2022

ADMINISTRATIVE RETIRE/REHIRES

NAME	POSITION	LOCATION	REHIRED/END DATES



HUMAN RESOURCES

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December 06, 2022

TO: Steve Cook, Superintendent
Bend-La Pine School Board of Directors

FROM: Steve Herron, Chief Human Resources Officer
Paul Dean, Director of Human Resources – Classified Staff

RE: Classified Recommended Hires, Classified & Confidential Resignations, and Classified Retirements

The Human Resources Department recommends approval of the following hires, resignations, and retirements at the School Board meeting on December 13, 2022.

Classified Hiring

Name	Position/Posting No.	Location	Temp/Regular Position	Hire Date
Bertrand, Nicole	Office Manager 5438	North Star	Reg 8.0 hrs / day	12/05/22
Campbell, Ross	Journeyman Plumber 5412	Maintenance	Reg 8.0 hrs / day	11/28/22
Carriker, Nancy	Custodial Assistant II 5418	La Pine High	Reg 8.0 hrs / day	11/28/22
Clinefelter, Jacqueline	Nutrition Server I 5127	La Pine Middle	Reg 3.75 hrs / day	11/10/22
Dunham, Cindy	Nutrition Server I 5127	Caldera	Reg 3.75 hrs / day	11/10/22
Ewing, Marie	Secretary II 5412	Pine Ridge Elementary	Reg 8.0 hrs / day	11/28/22
Freeburn, Jordan	EA – ELL 5415	Bend High	Temp 5.5 hrs / day	11/09/22
Goede, Eriko	Nutrition Server I 5127	Ponderosa	Reg 3.5 hrs / day	11/10/22
Hall, Alex	EA – Behavior Support 5429	Pilot Butte	Temp 5.3 hrs / day	11/07/22
Hand, Jennifer	EA – Inclusion 4994	La Pine Elementary	Reg 6.5 hrs / day	11/28/22
Haslett-Davidson, Meggan	EA – Inclusion 4994	Ponderosa	Reg 6.5 hrs / day	11/09/22
Hite, Tamara	EA – Inclusion 5073	Silver Rail	Reg 6.5 hrs / day	12/01/22
Hogan, Angela	EA – Student Instruction 5065	Bear Creek	Reg 5.57 hrs / day	12/05/22
Ingram, Sadie	Secretary I 5392	Rosland	Temp 6.0 hrs / day	11/17/22
Johnson, Jeff	Head Custodian III 5452	Ensworth	Reg 8.0 hrs / day	11/17/22



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Lawson, Graceanne	Accounts Payable Technician 5442	Business Office	Reg 8.0 hrs / day	01/03/22
Lee, Jennae	Nutrition Server I 5127	Westside Village	Reg 3.0 hrs / day	11/02/22
Lopez, Irma	Dispatcher 5383	Transportation	Reg 8.0 hrs / day	11/14/22
Martin, Kayla	Risk and Safety Specialist 5337	Education Center	Reg 8.0 hrs / day	11/21/22
Nelson, Jennifer	EA – Instruction 5367	La Pine Elementary	Reg 6.5 hrs / day	10/26/22
Noel, Morrigan	EA – Inclusion 4994	Ensworth	Reg 6.5 hrs / day	11/29/22
Overstreet, Katie	Nutrition Server I 5127	Cascade	Reg 3.75 hrs / day	10/28/22
Pare-Mayer, Elisa	EA - student Instruction 5434	Highland	Temp 3.75 hrs / day	11/07/22
Payne, Katherine	Nutrition Server I 5127	Rosland	Reg 3.25 hrs / day	11/10/22
Perez, Laurie	EA – Inclusion 4994	North Star	Reg 6.5 hrs / day	11/17/22
Rausch, BreeAnna	Nutrition Server I 5443	Bend High	Reg 3.75 hrs / day	11/15/22
Reynolds, Xiaoqiao	Nutrition Server I 5127	Elk Meadow	Reg 3.5 hrs / day	11/14/22
Schneider, Abby	Counseling Secretary II 5369	La Pine High	Reg 8.0 hrs / day	11/07/22
Stubblefield, Shannon	EA - Inclusion 4995	La Pine Middle	Reg 7.0 hrs / day	11/01/22
Sudul, Maranda	Nutrition Server I 5127	La Pine High	Reg 3.50 hrs / day	11/01/22
Tipton, Jeannie	EA – Inclusion 4995	Rosland	Reg 6.5 hrs / day	11/14/22
Wadsworth, Amber	Office Manager 5450	Lava Ridge	Reg 8.0 hrs / day	12/05/22
Wheat, Elizabeth	Nutrition Server I 5127	Highland	Reg 3.5 hrs / day	11/10/22
Wick, Kimberly	Nutrition Server I 5127	Bear Creek	Reg 3.75 hrs / day	11/10/22

Classified Resignations

Name	Position	Location	Resign Date
Haslett-Davidson, Meggan	EA - Inclusion	Ponderosa	11/09/22 – 12/06/22
Holt, Julie	Consulting Registered Nurse	Special Programs	04/07/21 – 11/18/22
Ladd, Jennifer	Nutrition Specialist III – Baker	Bend High	08/31/21 – 11/10/22



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Loomis, Amy	EA – Inclusion	Bend High	08/31/22 – 11/30/22
Lopez, Irma	Dispatcher	Transportation	11/14/22 – 12/06/22
McDonald, Lauren	EA – Inclusion	Ponderosa	08/31/21 – 11/15/22
Mosier, Julie	Nutrition Server I	Bend High	10/18/22 – 11/30/22
Simpson, Steven	EA – Inclusion	Sky View	09/20/21 – 10/25/22
Smith, Clark	Bus Driver	Transportation	11/30/21 – 11/21/22
Snyder, Christina	Online Student Success Monitor	Summit	10/19/20 – 12/16/22
Souter, Guy	Bus Driver	La Pine Transportation	11/29/21 – 12/16/22
Strouts, Steven	Head Custodian	Silver Rail	08/17/09 – 11/03/22

Classified Retirements

Name	Position	Location	Retire Date
Harris, Paul (Randy)	Bus Monitor	La Pine Transportation	11/03/08 – 12/01/22
Hughes, Gloria	EA Inclusion	Sky View	02/10/99 – 12/17/23
Inman, Teresa	Bus Driver	Transportation	11/01/19 – 02/01/23
Johnson, Teresa	EA Inclusion	La Pine Middle	08/30/93 – 01/04/23
Roepke, David	Custodial Crew I	WE Miller	06/25/18 – 11/15/22

Classified Retire-Rehires

Name	Position	Location	Rehire Date
Sieverson, Teresa	EA – Student Instruction	RE Jewell	01/01/23 – 06/16/23
Theiss, Char	Records Clerk	Special Programs	02/01/23 – 06/21/23



REPORT: Board Policies for Adoption (12/13/2022)

PRESENTED BY: Melissa Barnes Dholakia, Board Chair

EXECUTIVE SUMMARY:

Bend-La Pine Schools has a two-part, policy and regulation review process. Part one consists of the district sharing policies and regulations that are currently in review at a regularly scheduled school board meeting. Following the meeting, the district allows time for, and considers public feedback related to the proposed changes. Part two consists of the district review of feedback received and the presentation of the policies and regulations for adoption to the Board of Directors.

A brief summary of the proposed changes are listed below and a redline version of each follows this executive summary.

Policy Title	Reason for Update
IGDJ-BP: Interscholastic Athletics & Activities	New Board Policy. IGDJ complies with OAR 581-022-2308(2) – a new Division 22 rule requiring school districts to adopt policy with conditions of membership when entering into an agreement with a voluntary organization for interscholastic activities. No public comment received
JG-BP: Student Conduct & Discipline	Updated language reflects Bend-La Pine Schools’ commitment to restorative practices, school interventions and practices as a part of student discipline. District policy and regulation references have also been added. Policy has also been renamed from an administrative policy (AP) to a board policy (BP). See attached public comment received and notes from BLS in blue.
Board Ends/Results	Language in goal 2.b. has been simplified. Language in goal 3 has been ordered and simplified.

RECOMMENDED MOTION:

I move to approve IGDJ-BP: Interscholastic Athletics & Activities and JG-BP: Student Conduct and Discipline as presented.

BEND-LA PINE SCHOOLS

Administrative School District No. 1

Deschutes County, Oregon

BOARD POLICY

Name: Interscholastic Activities

Section: Instruction

Code: IGDJ-BP

The Board recognizes the integral role interscholastic activities¹ play in the character development and general enhancement of the education of its students. Accordingly, administrators, coaches, advisors, student participants, and others associated with the district's activities programs and events shall conduct themselves in a manner that is consistent with the letter and spirit of policies, rules, and regulations of the district and any associated voluntary organization². Each will be held accountable for their actions.

The district and its schools may only be members of and pay fees, if any, to a voluntary organization that administers interscholastic activities or that facilitates the scheduling and programming of interscholastic activities if the organization:

1. Implements and adheres to equity focused policies that:
 - a. Addresses the use of derogatory or inappropriate names, insults, verbal assaults, profanity, or ridicule that occurs at an interscholastic activity, including by spectators of the interscholastic activity;
 - b. Prohibits discrimination;
 - c. Permits a student to wear religious clothing in accordance with the student's sincerely held religious belief and consistent with any safety and health requirements; and
 - d. Balances the health, safety, and reasonable accommodation needs of participants on an activity-by-activity basis;
2. Maintains a transparent complaint process that:
 - a. Has a reporting system to allow participants of interscholastic activities or members of the public to make complaints about student, coach, or spectator behavior;
 - b. Responds to a complaint made within 48 hours of the complaint being received; and
 - c. Resolves a complaint within 30 days of the complaint being received unless the organization determines that there is good cause to extend the timeline for resolving the complaint;
3. Develops and implements a system of sanctions against schools, students, coaches, and spectators if a complaint is verified; and
4. Performs an annual survey of students and their parents/guardians to understand and respond to potential violations of equity focused policies or other discrimination.

Bend-La Pine Schools shall allow homeschooled students that reside in the district, students eligible to attend school and enrolled in a high school equivalency program³ that reside in the district, and students attending a public charter school that does not provide interscholastic activities that reside in the district,

¹ Interscholastic activities includes: for students any grade from kindergarten through grade 12, athletics, music, speech and other similar or related activities; for students in any grade from kindergarten through grade eight, activities that are offered only before or after regular school hours and that may, but are not required to, involve interaction among other schools.

² Includes a voluntary organization that administers interscholastic activities or that facilitates the scheduling and programming of interscholastic activities.

³ "High school equivalency program" means a program provided to assist a student in earning a certificate for passing an approved high school equivalency test such as the General Educational Development (GED) test.

the opportunity to participate in available interscholastic activities when the requirements found in Oregon law are met.

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

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

Volunteers may be approved to assist with district activities with prior approval from the principal or designee. [Volunteers are required to have successfully completed the volunteer background check process as described in KCA-AR: Volunteers / Criminal History Records Check prior to volunteering in any capacity.](#)

The principal shall investigate all allegations of district student ineligibility, staff recruitment violations or other student or staff conduct that may violate policies, administrative regulations, and/or the rules and regulations of the associated voluntary organization. The principal shall [promptly](#) notify the superintendent or designee of conduct that violates the terms of this policy and report to the associated voluntary organization if required.

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

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

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

The district will annually review interscholastic activities and participation to determine whether the current offerings reflect the students the district serves.

END OF POLICY

Legal Reference(s):

[ORS 326.051](#)
[ORS 332.075\(1\)\(e\)](#)
[ORS 332.107](#)
[ORS 339.450 - 339.460](#)
[OAR 581-015-2255](#)
[OAR 581-021-0045 – 0049](#)

[OAR 581-022-2308\(2\)](#)
[OAR 581-026-0005](#)
OAR 581-026-0700
OAR 581-026-0705
OAR 581-026-0710

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2022).
Montgomery v. Bd. of Educ., 188 Or. App. 63 (2003).
Senate Bill 1522 (2022).

Reviewed: 11/8/2022

Approved:

new/draft 11/8/2022

BEND-LA PINE SCHOOLS

Administrative School District No. 1

Deschutes County, Oregon

BOARD ADMINISTRATIVE POLICY

Name: Student Conduct and Discipline

Section: Students

Code: JG-BP AP

A primary purpose of the district is to provide a high-quality educational experience where all students experience success. As a community of learners, the district's commitment to the success of each and every student depends on the responsibilities of students, as well as the quality of relationships among students, families, teachers, administrators and other school personnel. ~~suitable educational environment for students of the district. Students shall pursue their prescribed course of study, comply with written rules of the district, submit to the lawful authority of teachers and district officials and conduct themselves in an orderly fashion.~~

POLICY GOALS

~~This Board policy is designed to:~~

Recognizing that discipline and restorative practices impact student achievement, Bend-La Pine Schools supports school interventions and practices that:

1. Protect students and school employees from harm;
2. Provide opportunities for students to learn from their mistakes;
3. Foster positive learning environments;
4. Keep students in school and attending class;
5. Impose disciplinary sanctions without bias against students from a protected class, as defined in ORS 339.351;
6. Implement a graduated set of age-appropriate responses to misconduct that are fair, nondiscriminatory and proportionate in relation to each student's individual conduct;
7. Employ a range of strategies for prevention, intervention and discipline that take into account a student's developmental capacities and that are proportionate to the degree and severity of the student's misbehavior;
8. Propose, prior to a student's expulsion, alternative programs of instruction or instruction combined with counseling for the student that are appropriate and accessible to the student in the following circumstances:
 - a. Following a second or subsequent occurrence within any three-year period of a severe disciplinary problem with the student
 - b. When it has been determined that the student's attendance pattern is so erratic that the student is not benefiting from the educational program; or
 - c. When a parent or legal guardian applies for the student's exemption from compulsory attendance on a semiannual basis as provided in ORS 339.030(2);
9. To the extent practicable, use approaches that are shown through research to be effective in reducing student misbehavior and promoting safe and productive social behavior; and
10. Ensure that school conduct and discipline codes comply with all state and federal laws concerning the education of students with disabilities.

MISCONDUCT GIVING RISE TO DISCIPLINE

Students shall be liable to discipline, suspension or expulsion for conduct that includes, but is not limited to:

1. Willful disobedience;
2. Open defiance of the authority of a school employee;
3. Possession or distribution of tobacco, alcohol, drugs and other controlled substances;

4. Use or display of profane or obscene language;
5. Willful damage or injury to school property;
6. Use of threats, intimidation, harassment or coercion against a student or a school employee as defined in [GBNA-AR and JFCF-BP policy JBA/GBN](#);
7. Intentional attempts, by word or conduct, to place a school employee or another student in fear of imminent serious physical injury.
8. Assault of a school employee or another student;
9. Possession or use of firearm or other weapon.

Various disciplinary procedures shall be used by district personnel to correct behavioral problems. Examples include, but are not limited to, reprimands, conferences, detention and denial of participation in co-curricular and extracurricular activities. Titles and/or privileges available to or granted to students maybe denied and/or revoked (e.g., valedictorian, salutatorian, student body, class or club office positions, field trips, senior trip, prom, graduation etc.).

A student code of conduct, developed under the leadership of the district administration, and in cooperation with staff, will be made available to parents and students and enforced in the school.

Individual school regulations that are not covered in the student code of conduct will be submitted in written form to the Superintendent for approval before such regulations are imposed on the students. Any revisions of the student code of conduct will be made with the full knowledge of the Superintendent. The student code of conduct is hereby incorporated into this policy by reference.

All district disciplinary procedures shall be consistent with Oregon law. District disciplinary procedures for students who are qualified to receive special education services shall comply with applicable federal and state student disability laws.

The use of physical restraint and/or seclusion is only permitted as a part of a behavioral support plan when other less restrictive interventions would not be effective and the student's behavior poses a reasonable threat of imminent, serious bodily injury to the student or others. Physical restraint or seclusion may not be used for discipline, punishment, or for the convenience of district staff. The use of mechanical, chemical, or prone restraint on a student is prohibited.

SCHOOL DISCIPLINE: PROBATION AND SUSPENSION

SCHOOL PROBATION

School probation may include detention and/or punishment deemed suitable by the school official. School probation may remove from the student the privilege of attending or participating in co-curricular activities and athletic events and non-curricular programs of the school.

School probation may be applied for as long as one calendar year. While on school probation, the student must comply with all the conditions of that probation. Failure to comply with conditions of probation is cause for a discipline hearing on the alleged violation of a term of probation.

Prior to being placed on school probation, the student shall be given an informal hearing by the school official. At the hearing:

- a. The student shall be told of the reason(s) for the pending action; and,

b. The student shall have the opportunity to present their his/her view of the alleged misconduct.

When a student is placed on school probation, the school official shall give written notice to the parent(s) or guardian(s) of the student, or the student if age 18 or over, of the school official's decision, the reason for that decision and the terms of the school probation.

A student placed on school probation may be referred for school counseling services. The Multi-Disciplinary Team shall be a resource to counseling efforts for a student with disabilities who has been placed on probation.

IN-SCHOOL SUSPENSION (COMMONLY REFERRED TO AS "ISS")

In-school suspension temporarily removes a student from attending their his/her regular classes and school activities until reinstatement has been accomplished or some other form of action is taken. An in-school suspension may be sanctioned by a school principal or designee as follows:

- a. After the student is notified of the reason(s) for the action and is given opportunity to present their his/her view of the alleged misconduct, the ISS may be imposed.
- b. Following the ISS, the suspending school official shall give written notice to the student's parent(s) or guardian(s), or to the student if age 18 or over, of the ISS decision and the reason(s) for the decision.
- c. The suspending school official shall specify the methods and conditions under which the student's schoolwork may be made up.

OUT-OF-SCHOOL SUSPENSION (COMMONLY REFERRED TO AS "SUSPENSION")

Out-of-school suspension temporarily removes from a student the privilege of attending school and all school activities until reinstatement has been accomplished or some other form of action is taken. Suspensions are made by the principal or his/her designee and are not to exceed ten (10) school days. In making a decision whether to place a student on suspension, the principal or designee must consider the age of the student and the past pattern of behavior by the student.

When a student is suspended:

- a. The student is to be notified of the reason(s) for the suspension and be given opportunity to present their his/her view of the alleged misconduct.
- b. The informal hearing may be postponed in emergency situations relating to health and safety and when there is a serious risk that substantial harm will occur if suspension does not take place immediately. A student suspended under emergency conditions shall have the rights specified above, as soon as the emergency condition has passed.
- c. The suspending school official shall give written notice to the student's parent(s) or guardian(s), or to the student if age 18 or over, of the suspension decision and the reason for the decision. These procedures may also be postponed in emergency situations relating to health and safety.
- d. The suspending school official shall specify the methods and conditions under which the student's schoolwork may be made up.
- e. A parent/guardian conference with the suspending school official regarding the student's behavior may be required prior to the student being readmitted. When the suspension is the result of misconduct in the classroom, the teacher involved shall be informed of the disciplinary action taken and be given the opportunity to attend all parent/guardian conferences.
- f. In the event the student or parent(s) or guardian(s) are dissatisfied with the suspension decision or the results of a parent/guardian conference they may seek and obtain a

conference with the school principal. If the parent(s)/guardian(s) are dissatisfied with the suspension decision after a conference with the principal, they may request the Superintendent's review of the decision, in writing, within 10 calendar days to assure due process was provided and to assure the discipline is consistent with Oregon law and Board policy. The Superintendent's review shall be limited to the record. A new hearing shall not be provided. The Superintendent's review shall be final and may not be appealed to the School Board.

- g. Upon return to school, the student may [participate in restorative opportunities as appropriate](#), or be referred to a school counselor. ~~The multi-disciplinary team shall be a resource to counseling efforts for a student with disabilities who has been suspended.~~
- h. In special circumstances, a suspension may be continued until some specific pending event occurs, such as a physical or mental examination or incarceration by court action.

A school official may apply more than one of the above-described discipline measures on the same student for the same misconduct.

EXPULSION

Expulsion is exclusion from the regular school program and all school activities. Expulsion shall not extend beyond one calendar year.

GROUND S

A student may be expelled only when the student's conduct poses a threat to the health or safety of students or school employees, when other strategies to change student conduct have been ineffective, or when expulsion is required by law. In making a decision whether to expel a student, the district must consider the age of the student and the past pattern of behavior by the student.

Notwithstanding the above, expulsion is mandatory and shall be implemented under the terms of [Board policy JFCJ-BP: Weapons in Schools](#), in the following circumstances:

- a. When a student is determined to have brought a firearm to a school, to school property under the jurisdiction of the school district or to an activity under the jurisdiction of the school district;
- b. When a student is determined to have possessed, concealed or used a firearm in a school, on school property under the jurisdiction of the school district or at an activity under the jurisdiction of the school district; or
- c. When a student is determined to have brought to or possessed, concealed or used a firearm at an interscholastic activity administered by a voluntary organization.

NOTICE REQUIREMENTS

When a student is recommended for expulsion, a hearing shall be provided. Notice of the hearing to the student and to the parent(s) or guardian(s) shall be made by certified mail or hand delivered by personal service. Where notice is made by mail, the notice shall be sent Certified Mail Return Receipt Requested and mailed at least five (5) calendar days before the date of the hearing. Personal service of notice shall be at least five (5) calendar days before the date of the hearing and the person giving the notice shall file a return of service. The school official and the parent(s) or guardian(s) of the student, or the student if age 18 or over, may mutually agree to waive the above defined notice period and schedule a hearing at an earlier date.

- a. The notice shall state the specific charge or charges being made by the school, a statement of intent to consider the charges as reason for expulsion and the date, time and location of the hearing.
- b. The parent(s) or guardian(s) of the student, or the student if age 18 or over, may waive the right to a hearing by notifying the district in writing of such waiver, or by failing to

appear after notice at the time, date and place set for the hearing. The parent(s) or guardian(s) of the student, or the student if age 18 or over, may make a request prior to the hearing date and time to have the hearing rescheduled. The district may in its sole discretion comply with such request.

EXPULSION HEARING

The hearings officer shall conduct expulsion hearings for the Board in accordance with the applicable Oregon Revised statutes, specifically ORS 332.061 and Oregon Administrative Rules.

At the hearing:

- a. The student may be represented by counsel or other persons.
- b. The student shall be permitted to be present and hear the evidence presented on behalf of the district.
- c. The student shall be permitted to introduce evidence by testimony, writings or other exhibits.
- d. Strict rules of evidence shall not apply to the proceedings. However, this provision shall not limit the hearing officer's control of the meeting.
- e. The hearings officer or the student may make a record of the hearing. The District will request that the Hearings Officer tape record the hearing, but the unavailability of the audio tape due to a malfunction or loss shall not invalidate the hearing.
- f. An interpreter shall be provided by the school district in cases where the student or student's parent(s) or guardian(s) do not understand the spoken English language.

The hearings officer will determine the facts of each case on the evidence provided at the hearing and submit written findings and a recommendation for disciplinary action to the Superintendent.

The decision of the Superintendent shall be final, except as noted below. The decision shall be made in writing to the student and to the parent(s) or guardian(s) of the student. The action of the Superintendent may be:

- a. No action, the student may immediately return to school;
- b. A type of discipline especially suited to the offense;
- c. Administrative probation (as defined above), which may be applied for as long as the rest of the semester in which the probation notice is given, or when so close to the end of a semester that it would not be effective, for as long as the entire semester following the probation notice. While on administrative probation, the student must comply with the terms of that probation. Failure to comply with all rules set out in the conditions for probation is cause for a discipline hearing on the alleged violation;
- d. Expulsion, as defined, above. Prior to the expulsion the Superintendent or designee shall consider and propose to the student and document to the parent, in writing, appropriate and accessible alternative programs of instruction or instruction combined with counseling. This information and notice of alternative education programs shall be included with the written expulsion order and delivered to the student and **their his/her** parent(s) or guardian(s).
- e. A combination of the discipline options set forth above.

BOARD REVIEW AND APPEALS

The Board reserves the right to review any and all decisions regarding expulsions made on its behalf by the Superintendent.

The parent(s) and guardian(s), or the student if age 18 or over, shall have the right to appeal an expulsion decision made by the Superintendent for review by the Board. The request for appeal shall be made in

writing and delivered to the Superintendent's office within 10 calendar days of the decision. The Board shall give notice of the hearing to the appellant within the timelines as provided in Section 2 above, above, and shall conduct the hearing as provided in Section 3 above. In addition:

- a. The Board shall be provided findings as to the facts and the decision of the Hearings Officer. This material shall be made available at the same time to the parent or guardian and to the student, if age 18 or over.
- b. The Board review shall be only on the "written record." The "written record" includes all evidence and documentation in the student's hearing file.
- c. A new evidentiary hearing will not be held.
- d. At the discretion of the Board, the Board may allow the student/parent and the school representatives to present arguments.
- e. After a review of the "written record," the Board may ask questions of the student/parent and the school representatives.
- f. The Board will conduct the review in executive session and will inform the parents/[guardian](#) and student of its decision in writing.

The Board will affirm, modify or rescind the decision of the Superintendent. The decision of the Board shall be final.

Upon return to school, the student will be placed in a grade, level or class commensurate with [their his/her](#) abilities and credits at the time of [their his/her](#) return.

ALTERNATIVE PROGRAMS

Except for expulsion for a violation of the Board policy on firearms, prior to a student's expulsion or leaving school, the school administrator shall disseminate written information about alternative programs of instruction or instruction combined with counseling for the student that are appropriate and accessible to the student and the parent, legal guardian or person in parental relationship with the student in the following circumstances at least once every six months:

- a. Following a second or subsequent occurrence within any three-year period of a severe disciplinary problem with the student;
- b. When it has been determined that the student's attendance pattern is so erratic that the student is not benefiting from the educational program; or
- c. When a parent or legal guardian applies for the student's exemption from compulsory attendance on a semiannual basis as provided in ORS 339.030(2).

The notice of alternative programs provided under this section shall be delivered by personal service or certified mail to the parent or guardian and student. When the parent or guardian's language is other than English, the district must provide the notice in a manner that the parent or guardian can understand. The notice must include the following information:

- a. The student conduct which is the basis for consideration of alternative education;
- b. A list of alternative programs available to the student for which the district would provide financial support in accordance with ORS 339.620, except that when notice is given after a parent or guardian applies for the student's exemption from compulsory attendance the district is not obligated to provide financial support;
- c. The program recommended for the student based on the student's learning styles and needs;
- d. The procedures for enrolling the student in the recommended programs.

END OF POLICY

Legal Reference(s):

ORS 243.650

ORS 332.061

ORS 332.072

ORS 332.107

ORS 339.115

ORS 339.240 to -339.280

~~ORS 339.250~~

ORS 659.850

OAR 581-021-0045

OAR 581-021-0050 to -0075

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

~~Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986).~~

Tinker v. Des Moines Sch. Dist., 393 U.S. 503 (1969)

Shorb v. Grotting and Powers Sch. Dist., Case No. 00CV-0255 (Coos County Circuit Ct.) (2000).

Ferguson v. Phoenix Talent Sch. Dist. #4, 172 Or. App. 389 (2001).

~~No Child Left Behind Act of 2001, 20 U.S.C. § 7912 (2006).~~

District Reference(s)

GBN-BP: Sexual Harassment

GBNA-AR: Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying Reporting Process – Staff

JFCF-BP: Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence or Domestic Violence – Student

JFCJ-BP: Weapons in Schools

JFCM-AP: Threats of Violence

JGAB-AR: Use of Restraint and Seclusion

JGDA/JGEA-BP: Discipline of Disabled Students

KGBB-BP: Firearms Prohibited

Adopted: 9/26/89

Reviewed: 10/8/96, 1/14/97, 4/9/02, 2/24/04, 1/8/13, 8/19/14, 12/9/19, 10/11/22

Approved: 2/24/04, 1/22/13, 9/23/14, 12/20/19



Policy and Regulation Public Comment JG-BP: Student Conduct & Discipline

Public Comment:	Submitted by:	Bend-La Pine Schools Notes:
<p>I object to the listing of "willful disobedience" as something that is punishable. [REDACTED] was "willfully disobedient" when the situation, in my view and [REDACTED], required disobedience. Who decides what "willful disobedience" means? Often teachers and staff try to exert power over students, which results in "disobedience."</p>	<p>Rebecca Easton</p>	<p>Bend-La Pine Schools Student Services team is working to calibrate and communicate more clearly the philosophy of restorative practices district wide. Current resources and trainings are also being reviewed in an effort to build capacity and support across the district.</p>
<ol style="list-style-type: none"> 1. Staff members have not all been trained on the new discipline model. What is the district's plan to train everyone? 2. How will the model be implemented daily into school schedules? 3. What should the feedback between admin and staff look like? So far, there hasn't been much feedback given to staff. 4. What is the ultimate plan for students who are unable to remain at their neighborhood schools? 	<p>Christine Clark</p>	<p>Bend-La Pine Schools Student Services team is working to calibrate and communicate more clearly the philosophy of restorative practices district wide. Current resources and trainings are also being reviewed in an effort to build capacity and support across the district.</p>
<ol style="list-style-type: none"> 1) All employees are not trained in restorative justice practices. Until paid training for all employees, this should not become the standard. 2) When are employees supposed to have these conversations? There is not time in the day to have a meaningful, restorative justice conversation. Before school, students are not in school until the bell rings. After school, students have to catch busses. the rest of the day, employees and students are in classes. 3) In order for restorative conversations to be had, they need to occur within a certain time period after the event that needs to be discussed. Employees cannot leave classes and their lessons to have this conversation. Conversations cannot be had at the expense of thirty other students in the class, who are 	<p>Jessica Colburn</p>	<p>Bend-La Pine Schools Student Services team is working to calibrate and communicate more clearly the philosophy of restorative practices district wide. Current resources and trainings are also being reviewed in an effort to build capacity and support across the district.</p>



Policy and Regulation Public Comment JG-BP: Student Conduct & Discipline

Public Comment:	Submitted by:	Bend-La Pine Schools Notes:
<p>ready to learn. Additionally, who is going to watch our classes while we have these conversations? There are not enough employees to cover our immediate needs, much less cover a class for a restorative justice conversation.</p> <p>4) What are the next steps? There will be students this process does not work for, making an unsafe environment for them, other students, and employees.</p> <p>5) How will this process be clearly and effectively communicated between admin and staff? Employees cannot have these conversations, send a student to the office, and then have the student back in class the next day with no follow-up.</p>		
<p>I think it would be helpful to have a clearly defined policy on students physically hurting staff members; something similar to the policy regarding students bringing weapons to school. The policy should be organized, clear, and equitable across grade levels. For example, if we can have a policy for K-12 regarding bringing weapons to school then we can have one for K-12 regarding physically harming staff members. To be clear, I am not expecting an immediate suspension, just a clearly stated measures on what happens when a student reacts physically to a staff member. If there are building policies regarding this practice I have yet to see one.</p>	Sydney Murphy	<p>Thank you for your feedback. Bend-La Pine Schools is currently assessing where suggested language may be appropriate in policy.</p>
<p>I don't have any specific line or paragraphs to reference, however the following comments deal with the concerns around implementation of RJ as proposed in board policy. The philosophy of RJ practices are well founded. In addition, RJ and non-exclusionary practices are trauma informed, equitable, and it take less time to solve a problem durably than traditional disciplinary measures. However, if there is an "ask" of union</p>	Jake Slodki	<p>Bend-La Pine Schools Student Services team is working to calibrate and communicate more clearly the philosophy of restorative practices district wide. Current resources and trainings are also being reviewed in an effort to build capacity and support across the district.</p>



Policy and Regulation Public Comment JG-BP: Student Conduct & Discipline

Public Comment:	Submitted by:	Bend-La Pine Schools Notes:
<p>members to implement this without the correct level of professional development there should be no expectation that this will be implemented districtwide. There will, of course, be silos of implementation with varying degrees of fidelity based on the comfort level of administration and staff. As a whole the Bend La Pine school district has a disconnect between what is offered as PD and who takes advantage of those opportunities. For example during the voluntary Innovation Conference where two nationally recognized speakers, who are considered experts in their field, presented to the attendees. As this was a voluntary event only those interested in Proficiency based Grading and Equity in Schools attended. Is this the intended audience? It could be said those who did not attend are the individuals who need to attend the most. In order to bring this back around to the RJ practices within Board Policy I will say that the perception is that only sites whose administration and staff are fully committed to the Social Justice Window will use RJ the way it is intended. The rest, will continue to implement poorly or not at all and in the end results in a conflict between written board policy and union members.</p>		
<p>My name is Ashley Ertle. I am a Title Reading teacher at RE Jewell. I have been teaching for 18 years. For the last 8 years I have been teaching in the Bend La Pine School District. More importantly I am a mother to two students, ages five and eight, attending elementary school in the Bend La Pine School District.</p> <p>I am very concerned about how significant behavior is being responded to in our schools. I have spoken with classroom teachers and educational assistants from Jewell who feel the</p>	<p>Ashley Ertle</p>	<p>Bend-La Pine Schools Student Services team is working to calibrate and communicate more clearly the philosophy of restorative practices district wide. Current resources and trainings are also being reviewed in an effort to build capacity and support across the district.</p>



Policy and Regulation Public Comment JG-BP: Student Conduct & Discipline

Public Comment:	Submitted by:	Bend-La Pine Schools Notes:
<p>same way. I have also spoken to concerned parents at Jewell and other Bend La Pine elementary schools expressing the same concerns. I would like to work towards a conversation or start to a solution.</p> <p>I do not believe the BRYT program currently is use is helping students with significant behavior. In fact, I believe we are enabling negative learned behaviors. I do not believe this program promotes a positive learning environment for all students, and it is allowing other students to normalize and excuse observed inappropriate behaviors.</p> <p>The Jewell staff is one of the most compassionate, supportive, child-centered, and trauma informed group of educators I have ever worked with. On a daily basis I am watching major behavior issues from specific students monopolize their time, energy, emotional well-being, and ability to educate their students. As a colleague to these teachers, I am telling you that teachers are not okay. As a parent to students who are witnessing and on the receiving end of this practice, it is unacceptable.</p> <p>I have researched the BRYT program and the resources needed in order to make it successful.</p> <ul style="list-style-type: none"> • “Services: BRYT combines clinical support (counseling, crisis intervention, psychoeducation, referrals), academic support (partnership with teachers to develop an academic plan, help students manage school work, and provide basic tutoring), family support (frequent communication with families, crisis support, education, and leadership development), and care coordination (transition planning, coordination and 		



Policy and Regulation Public Comment JG-BP: Student Conduct & Discipline

Public Comment:	Submitted by:	Bend-La Pine Schools Notes:
<p>communications with school staff and community providers). Providing these four services in an integrated, individualized, and sustained approach over time is the key to make a difference for students and families.”</p> <p>(https://www.brooklinecenter.org/services/school-based-support/bryt-program/)</p> <ul style="list-style-type: none"> • In addition to these defined services, it was noted “As many of the schools included in this case study report were quick to identify, services and supports that make up the backbone of a school’s BRYT program are frequently scaled up into actionable, whole-school frameworks and solutions that allow educators to address student mental health at large.” <p>(https://www.brooklinecenter.org/services/school-based-support/bryt-program/)</p> <p>These things might sound reasonable on paper, but I am telling you as an educator, they are not realistic in our academic setting. Time constraints, educational responsibilities to ALL students, and professional training are just a few of the things that make this an impossibility.</p> <p>I want to be clear, support from administration and staff at our school is not what is hindering this program. At Jewell we are fortunate enough to have [REDACTED] running our BRYT program and two administrators, [REDACTED] and [REDACTED], who spend a majority of their day deescalating physical and emotional outbursts from all grade levels around the school.</p> <p>You have asked for feedback referencing specific lines or paragraphs in the policy regarding the JG-BP: Student Conduct</p>		



Policy and Regulation Public Comment JG-BP: Student Conduct & Discipline

Public Comment:	Submitted by:	Bend-La Pine Schools Notes:
<p>& Discipline review. I think a great way to do this is to outline an example of an everyday occurrence at Jewell. In the example several lines of the following policy are being broken (starred below).</p> <p>Bend La Pine Schools Student Conduct and Discipline Policy</p> <p>Recognizing that discipline and restorative practices impact student achievement, Bend-La Pine Schools supports school interventions and practices that:</p> <ul style="list-style-type: none"> *1. Protect students and school employees from harm; *2. Provide opportunities for students to learn from their mistakes; *3. Foster positive learning environments; *4. Keep students in school and attending class; *5. Impose disciplinary sanctions without bias against students from a protected class, as defined in ORS 339.351; *6. Implement a graduated set of age-appropriate responses to misconduct that are fair, nondiscriminatory and proportionate in relation to each student's individual conduct; *7. Employ a range of strategies for prevention, intervention and discipline that take into account a student's developmental capacities and that are proportionate to the degree and severity of the student's misbehavior; *8. Propose, prior to a student's expulsion, alternative programs of instruction or instruction combined with counseling for the student that are appropriate and accessible to the student in the following circumstances: a. Following a second or subsequent occurrence within any three-year period of a severe disciplinary problem with the student b. When it has been determined that the student's attendance pattern is so erratic that the student is 		



Policy and Regulation Public Comment JG-BP: Student Conduct & Discipline

Public Comment:	Submitted by:	Bend-La Pine Schools Notes:
<p>not benefiting from the educational program; or c. When a parent or legal guardian applies for the student's exemption from compulsory attendance on a semiannual basis as provided in ORS 339.030(2);</p> <p>*9. To the extent practicable, use approaches that are shown through research to be effective in reducing student misbehavior and promoting safe and productive social behavior; and</p> <p>*10. Ensure that school conduct and discipline codes comply with all state and federal laws concerning the education of students with disabilities.</p> <p>MISCONDUCT GIVING RISE TO DISCIPLINE</p> <p>Students shall be liable to discipline, suspension or expulsion for conduct that includes, but is not limited to:</p> <p>*1. Willful disobedience;</p> <p>*2. Open defiance of the authority of a school employee;</p> <p>*3. Possession or distribution of tobacco, alcohol, drugs and other controlled substances;</p> <p>*4. Use or display of profane or obscene language;</p> <p>*5. Willful damage or injury to school property;</p> <p>*6. Use of threats, intimidation, harassment or coercion against a student or a school employee as defined in GBNA-AR and JFCF-BP policy JBA/GBN;</p> <p>*7. Intentional attempts, by word or conduct</p> <p>Example: While teaching small group intervention to a group of students (8, fifth graders) we could hear yelling and banging from across a long hall (100 ft. away) I walked over to find a student on the ground banging [redacted] feet on the wall and yelling to [redacted] "This is my break time stupid. This is not a miscommunication. I hate this school. I don't have to do what</p>		



Policy and Regulation Public Comment JG-BP: Student Conduct & Discipline

Public Comment:	Submitted by:	Bend-La Pine Schools Notes:
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<p>you tell me. I won't leave." A second-grade class was walking by the student to get to lunch while a third grade class was in session directly across the hall (6 ft. away). I asked the student if ■ needed anything or wanted help. ■ continued to yell, telling me ■ didn't have to do what I was asking ■ to do. The plan in place is to ignore the behavior because ■ will escalate. ■ cannot be physically moved and therefore continues to disrupt the learning environment. So... I allow ■ to call me stupid, allow ■ to tell me ■ doesn't have to do what I ask, and walk back to my classroom.</p> <p>You might think, why can't another adult sit with ■ to help deescalate?</p> <ol style="list-style-type: none"> 1. With this student, engagement during this time leads to escalated behavior. 2. ■ is on ■ way to another student with similar needs who has a scheduled session with ■ at the same time. 3. ■ are in the cafeteria with 150 kindergarten, first, and second grade students starting lunch. <p>Also to note:</p> <ol style="list-style-type: none"> 1. I have left ■ fifth graders in a classroom by themselves during their 30-minute reading intervention block to check on the safety of one child. A majority of this intervention group is an underserved population. When I return, I have lost their attention and they have lost their access to small group intervention. 2. A second-grade class is being exposed to a physical outburst and watching an ■ student verbally assault another teacher. How are they responding to this experience internally? What are they learning from this? 3. A third-grade class directly across the hall has halted instruction due to the yelling and kicking outside of their door. 		
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Policy and Regulation Public Comment

JG-BP: Student Conduct & Discipline

Public Comment:	Submitted by:	Bend-La Pine Schools Notes:
<p>How are they responding to this experience internally? What are they learning from this? How is it fair for an entire class to have their access to education to be taken away due to one student's continuing outburst?</p> <p>This is an example of behavior that is happening frequently and regularly in our schools. I highly encourage School Board members to spend an entire day, or more, to get a better idea of how students, teachers, and staff are faring.</p>		
<p>While I love the idea of adding restorative justice to our student discipline policies, I am concerned about how this will be implemented in practice in the general education classroom without adding more staff to help make this a reality. Will the board commit to add more Support positions to support school staff execute these policies?</p>	Jen Norman	<p>Bend-La Pine Schools Student Services team is working to calibrate and communicate more clearly the philosophy of restorative practices district wide. Current resources and trainings are also being reviewed in an effort to build capacity and support across the district.</p>
<p>My name is Trina Grube, I am a 3rd grade teacher at NSE. I have taught for BLS since 2013. I believe my own children [REDACTED] [REDACTED] have gotten an excellent education and I believe public schools are the backbone of democracy. I love my job and am frustrated with the climate that is being created at schools. I have watched seasoned co-workers go through mental health crisis this year due to the behavior challenges in the classroom. On a daily basis there are teachers crying (literally) for help. How will we keep quality teachers and provide excellent education for all students when chairs and desks are (again literally) being thrown?</p> <p>I understand restorative justice and believe in inclusive education for all. My own brother, born in the late 1960's, [REDACTED]</p>	Tina Grube	<p>Bend-La Pine Schools Student Services team is working to calibrate and communicate more clearly the philosophy of restorative practices district wide. Current resources and trainings are also being reviewed in an effort to build capacity and support across the district.</p>



Policy and Regulation Public Comment JG-BP: Student Conduct & Discipline

Public Comment:	Submitted by:	Bend-La Pine Schools Notes:
<p>██████████ was the beneficiary of education for all. I believe in ownership of wrong-doing and making things right through repair with community. I want ALL students to access education, but not at the cost of others accessing theirs.</p> <p>I love the concept of the BRYT program. This could be wonderful if it could be fully supported and prepared for, but it is very clearly not. My understanding and lived experience is that at the beginning of the 2021 school year we were moving to "full inclusive" classroom. I even hear the phrase several times, "we're learning to fly the plane as we build it." If this wasn't the most misdirected alalogy.... What trained pilot would jump in an try to fly a half built plane, and plan to be successful? That didn't stop the district from requiring teachers and administrators to do so. Half built planes and pilots with no training crash. We're currently experiencing that.</p> <p>I believe BRYT could potentially be successful, but not the way it was implemented. There was little to no training to prepare teachers. Now we are being asked to go from being highly trained general education teachers to being asked to have a full quiver of experience, skills and techniques to work with extremely volatile students who have extreme needs that we are not currently trained or staffed for. A bit like asking a new private pilot to take on flying fighter jets.</p> <p>In reference to the current discipline policy: Students shall be liable to discipline, suspension or expulsion for conduct that includes, but is not limited to:</p> <ol style="list-style-type: none"> 1. Willful disobedience; 2. Open defiance of the authority of a school employee; 		



Policy and Regulation Public Comment JG-BP: Student Conduct & Discipline

Public Comment:	Submitted by:	Bend-La Pine Schools Notes:
<p>3. Possession or distribution of tobacco, alcohol, drugs and other controlled substances;</p> <p>4. Use or display of profane or obscene language;</p> <p>5. Willful damage or injury to school property;</p> <p>6. Use of threats, intimidation, harassment or coercion against a student or a school employee as defined in GBNA-AR and JFCF-BP policy JBA/GBN;</p> <p>7. Intentional attempts, by word or conduct</p> <p>Two examples from ██████████ in the last two years. I had a student last year move from a supported classroom into General Education. For several months while I had an exceptional student-teacher (2 full time adults in the classroom) ██████ was successful. When ██████ departed, ██████ behavior deteriorated, despite behavior plans and our best effort to support ██████. ██████ last full day with me ██████ grabbed a mop and attempted to strike me with the handle in the head. As you can imagine, I was not able to teach my remaining students while avoiding being hit. This year I have a student who displays almost daily policy numbers 1, 2, 4, 5 and 6. On the last day before break the student threatened the rest of the class in violent terms. ██████ was removed from the class and an admin had to spend the majority of ██████ day with this student.</p> <p>These situations are happening EVERY DAY. Please, come spend the better part of the day with us to really understand what's happening. I want all students to access their education, including the students who are on task, following directions and trying their best. What about their right as well to a quality education?</p>		

PURPOSE

The Bend-La Pine Schools Board of Directors, in collaboration with the Superintendent and District Leadership, has established Board Ends to provide a common set of goals that guide the work of the district. Measures are defined to ensure that the best available evidence is used to report progress on these goals.

PROMISE

Every student in Bend-La Pine Schools is known by name, strengths, and needs, and graduates ready for college, career and community engagement, and life.

GOALS

Outcomes and Experiences

1. Students are engaged and develop a **strong academic foundation** as measured by the following, overall and for historically underserved subgroups:
 - a. Mastery of English Language Arts (ELA) & Math foundational knowledge and skills by the end of 1st Grade, as measured standardized assessments
 - b. ELA, Math, & Science proficiency rates in 3rd-8th grades, as measured by the Oregon Statewide Assessment System (OSAS)
 - c. ELA and Math growth rates in 4th-8th grades as measured by the Oregon Statewide Assessment System (OSAS)
 - d. The percent of 9th graders on track for graduation, as measured by credit attainment toward graduation requirements
 - e. The percent of students designated as English learners that are on track to acquire English proficiency, as measured by Oregon's English Language Proficiency Assessment (ELPA)
 - f. Efficacy of academic programs, as measured by surveys and/or focus groups

2. Students have a **passion, purpose, and plan** for their future as measured by the following, overall and for historically underserved subgroups:
 - a. The percent of high school students who graduate in four years, who graduate in five years, and who complete high school in five years
 - b. The percent of graduates who earn a diploma plus complete at least one of the following career and life indicators:
 - i. Two or more credits of Advanced Placement (AP), ~~or~~ International Baccalaureate (IB), **or college credit eligible coursework**
 - ~~ii. Two semester or three quarter hours of college credit eligible coursework~~
 - iii. Oregon State Seal of Biliteracy
 - iv. Two years of Junior ROTC
 - v. CTE Concentrator (Two or more credits in a program)
 - vi. Meets the college readiness benchmark for both language arts and mathematics on high school OSAS, ACT, or SAT assessments
 - vii. Meets **automatic full** admission requirements for all Oregon Public Universities
 - c. Students' preparedness for their future, as measured by surveys and/or focus groups

3. Students, families, and staff **experience wellness, inclusion, and belonging** in our schools as measured by the following, overall and for historically underserved subgroups:
 - a. Student, family, and staff experiences of key elements of school culture (including voice, belonging, and emotional/psychological wellness), as measured by surveys and/or focus groups
 - b. Bias incident data and trends
 - c. ~~The gap in student, family, and staff experiences by subgroups of key elements of school culture (including voice, belonging, and emotional/psychological wellness), as measured by surveys and/or focus groups~~
4. Operational systems align and support an academically effective and sustainable organization.

Updated and Adopted: 10/11/2022

DRAFT



REPORT: Administrative Policies & Regulations for Adoption (12/13/2022)

PRESENTED BY: Steve Cook, Superintendent

EXECUTIVE SUMMARY:

Bend-La Pine Schools has a two-part, policy and regulation review process. Part one consists of the district sharing policies and regulations that are currently in review at a regularly scheduled school board meeting. Following the meeting, the district allows time for, and considers public feedback related to the proposed changes. Part two consists of the district review of feedback received and the presentation of the policies and regulations for adoption to the Board of Directors.

A redline version of each follows this executive summary. The regulations will be adopted as presented.

Policy / Regulation Title	Reason for Update
EBCD-AR: Delays & School Closures	<p>Updated language reflects the district’s practices and processes used to determine school delays and closures due to inclement weather or an emergency.</p> <p>See attached public comment received and notes from BLS in blue.</p>
IGDK-AR: Non-District Sponsored Study, Tours, Trips & Competitions	<p>Updated language aligns with the district’s involvement with non-district sponsored travel. Grammatical corrections have also been made.</p> <p>No public comment received</p>

BEND-LA PINE SCHOOLS

Administrative School District No. 1

Deschutes County, Oregon

ADMINISTRATIVE REGULATION

Name: **Delays and**

Emergency School Closures

Section: Support Services

Code: EBCD-AR

In case of hazardous or emergency conditions, the Superintendent **or designee** may alter district, **school**, and transportation schedules appropriate to the particular condition. Such alterations include closure of all schools, closure of selected schools or grade levels, delayed openings of schools and early dismissal of students. The Superintendent **or designee** will develop and maintain such plans and procedures as are necessary to carry out alternate school and **transportation bus** schedules.

At the beginning of each school year, students, parents/**guardians**, and staff will be informed of the procedures used to notify them in case of **a school delay and/or school emergency** closure.

DEFINITION OF TERMS

- **School Closure:** schools are closed for the day due to weather or emergency. In this scenario, the school building will not be used. Unless otherwise noted, all evening meetings and activities are cancelled.
- **Delayed Start:** schools will have a delayed start. In this scenario, buses will run on a schedule later than the normal schedule and drive time may be impacted due to conditions.
- **Early Closure:** schools may be closed early due to weather or emergency. In this scenario, the students who ride a school bus may be released early to give buses extra time to complete routes. Generally, school buildings will not be used once closed and all evening meetings and activities are cancelled.

4. INCLEMENT WEATHER PHILOSOPHY

The philosophy of ~~the~~ Bend-La Pine Schools District is to keep schools open and operate **district transportation services buses** except under extreme adverse conditions.

During a weather event ~~snow and ice days~~, if the district determines that ~~more than half of the students can safely attend school~~, school facility conditions are safe and that the district transportation department can safely operate school buses, the district will hold school and offer **transportation bus** services. Parents/**guardians** may choose to transport their own students or ~~to~~ keep their **students children** at home due to safety concerns. **Students will be excused from school when parents/guardians inform their students' school of the absence through established absence reporting methods.**

~~During the winter months, roads shall be checked daily to ensure that students can be transported safely. The district maintains contact with the Redmond and La Pine Transportation Departments, local law enforcement agencies, and state transportation agencies, as appropriate.~~

~~Under extreme conditions, if it is determined that the weather and/or roads are not safely passable, schools will be issued a two-hour delay or be closed entirely. (The La Pine and South County areas may operate on a separate schedule). If schools are closed, all after-school activities will generally be cancelled. If schools are delayed 2 hours, morning kindergarten classes will be cancelled.~~

~~Additional information and/or specific answers to questions may be obtained by calling the inclement weather line at 541.323.SNOW (7669), or by accessing the District website at www.bend.k12.or.us.~~

2. PROCEDURE FOR COMMUNICATING, DETERMINING DISTRICT ROAD CONDITIONS AND RECOMMENDATION OF SCHOOL DELAY OR CLOSURE

During a weather event, the district will assess conditions and determine if changes to school operations are necessary. Depending on weather and circumstances, these assessments may include:

- Driving affected areas in Bend, La Pine and Sunriver in passenger vehicles to assess road conditions, weather hazards, snow depth, ice, etc.,
- Assessing school facility conditions to ensure parking lots and primary sidewalks are accessible to students and staff,
- Monitoring weather forecasts in partnership with the National Oceanic and Atmospheric Administration (NOAA),
- Monitoring smoke and fire conditions through the Oregon Department of Environmental Quality (DEQ),
- Communicating with local and state road departments,
- Monitoring regional roadway cameras,
- Communicating with local and regional law enforcement agencies.

Any closures, or delays will be communicated through the following methods:

- District text message system (BL Connect),
- District website (www.bend.k12.or.us),
- District weather delay or closure hotline (541-323-7669 English and 541-355-0044 Spanish),
- Notification of bus route changes through MyStop (<https://bls.fyi.mystop>),
- Postings to the district's social media pages, and
- Via local media outlets as quickly as possible.

During an emergency, Bend-La Pine Schools will send an alert via the district's text messaging system, BL Connect, in the case of an evacuation, lockdown, emergency, or weather-related event that calls for the cancellation of a school day or changes to the school day start or end times. Notification will be sent **after** students and staff have been secured and emergency responders have been notified.

BL Connect will not be used in the case of drills, medical incidents involving specific students or secure building events. General press and community releases will not be sent through BL Connect.

Should schools need to be closed during the day after students have arrived or been picked up and transported to school, the closure will be communicated through the various methods mentioned above, and media and parents/guardians will be notified. Students will not be transported home without parent/guardian notification and contact.

~~a. Weather conditions shall be monitored the night before an anticipated storm.~~

~~b. The Transportation Supervisor will drive the Bend area early in the morning. The La Pine Transportation Operations Manager will drive the La Pine area.~~

~~c. The La Pine Transportation Operations Manager will contact the South County Chief Academic Officer prior to making a South County recommendation.~~

~~d. Approximately 30-45 minutes before informing the Deputy Superintendent, the Transportation Supervisor will call the following:~~

- ~~1. Oregon Department of Transportation~~
- ~~2. Local Police and Sheriff Departments, as necessary~~
- ~~3. La Pine Transportation Operations Manager~~
- ~~4. Consult with District Maintenance personnel~~
- ~~5. Consult with Redmond School District Transportation Supervisor~~
- ~~6. Other district personnel, as necessary~~

~~e. The Transportation Supervisor and the La Pine Transportation Operations Manager shall communicate their recommendations to the Deputy Superintendent (close, delayed start, open, etc.). The Deputy Superintendent will confirm their recommendations and consult with the Superintendent for a final decision (La Pine area decisions will involve the South County Chief Academic Officer).~~

~~f. If the decision is to close or delay starting, the District will implement the chain of communication (decision usually by 5:30 a.m.).~~

~~g. If a delayed start is implemented, the Transportation Supervisor will monitor the condition for the next 30 minutes for any change. Only if the condition dramatically changes will a recommendation to close the District be forwarded.~~

DATED: 6/9/87

REVISED: 10/22/01

Reviewed: 10/22/01, 2/2/09, 1/14/13, 11/8/22

Approved: 6/9/87, 10/22/01, 2/2/09, 1/14/13,

BEND-LA PINE SCHOOLS
Administrative School District No. 1
Deschutes County, Oregon

Name: Non-District Sponsored Study, Tours, Trips,
Competitions
Section: Instruction
Code: IGDK-AR

ADMINISTRATIVE REGULATION

Bend-La Pine Schools ~~The District~~ does not sponsor, endorse, or financially contribute to outside-sponsored study- travel, exchange programs, tours, trips and competitions as a part or extension of the school curricula. During school breaks and summer months, some students and ~~district staff teachers-~~ participate in such programs, but these arrangements are made on an individual basis through representatives of the sponsoring organization or group. The District does not recruit for nor have input into the selection of programs, many of which are not open to all students. Such travel-study, exchanges, tours, trips and competitions are under the sole auspice and control of the sponsoring organizations or groups. NOTE: these regulations do not pertain to J-1 visa student exchanges or District-sponsored exchanges.

Because ~~district~~ staff is often retained as tour coordinators and supervisors and students as primary clients in these activities, the following regulations are provided:

1. Principals may allow the posting of advertisements on the school's community activities bulletin board designated for announcements and advertising of activities not sponsored by the District.
2. Representatives of outside-sponsoring organizations or groups may request the use of a school facility to meet with families and students who have indicated an interest in a particular program. These requests shall be processed in the same manner as other requests for building facility use and charged according to facility use rental guidelines. Meetings shall occur outside regular school hours.
3. Students who raise funds for their personal participation in such programs may not raise monies as a representative of a school or the District. District or school supplies, materials, equipment or facilities may not be used in conjunction with related fundraising.
4. All communications must clearly identify the sponsor as being other than the District or school. The District or school name shall not be used.
5. School supplies, materials and equipment shall not be used in promoting these programs.
6. Some outside-sponsoring organizations retain staff as coordinators and ask them to act as recruiting agents in their schools and/or district. Staff is prohibited from using their contact with students in the discharge of their employment duties and responsibilities to advertise or recruit for outside-sponsored travel, which involves their supervision of students. Staff shall not advise parents regarding selection of such trips or tours.
7. Employee leave related to these activities is subject to legal and contractual guidelines; and
8. Some students who plan to participate in a study-travel program may wish to apply this experience toward school credit. Such a possibility is provided under District administrative regulations. Credit arrangements must be agreed upon between the principal ~~or designee~~, and student prior to participation.

Bend-La Pine Schools ~~The school district~~ and its ~~administrators-~~staff ~~or and~~ agents are not in a position to provide advice relative to these activities because they are neither sponsored nor promoted by the District. Parents/~~guardians~~ are advised to consider carefully activities available to their ~~children sons and daughters~~. Staff has an obligation to ensure patrons of the District do not assume such activities are school- or District-sponsored or funded.

Approved:11/8/2004, 1/3/2005, 4/11/2005, 4/28/2008

DATED: November 8, 2004

REVISED: January 3, 2005

REVIEW DATE: March 28, 2005, April 28, 2008

REVIEWED BY: Leadership Council, Cabinet

APPROVED: April 11, 2005, April 28, 2008

draft 11/8/2004

**IGDK-AR: NON-DISTRICT-SPONSORED STUDY TRAVEL, EXCHANGE PROGRAMS, TOURS,
TRIPS, COMPETITIONS REFERENCE GUIDE**

Though not all-inclusive, this guide is intended to serve as a quick reference. Questions should be directed to [site administrators and/or](#) building principals.

	OKAY TO DO	NOT OKAY TO DO
Advertising	With principal or site administrator approval and in accordance with administrative regulations, you can post announcements, promotional, and advertising materials may be posted on community-designated bulletin board(s) in district facilities within the school .	You cannot Announcements, promotions, advertisements, and/or recruitment during contracted workday (including as a teacher during class time or as an advisor during club meetings) is prohibited .
Access to/Recruitment of Students	Student Directory Information may be requested and released in accordance with JOA-BP: Directory Information . With District Communications Office approval, you can purchase with private funds mailing labels of district students.	You cannot use Class time or contact with students in the discharge of employment responsibilities or duties to announce, promote, advertise, and/or recruit students is prohibited .
School Facilities Use	You can schedule and hold Informational or organizational meetings may be held with interested families and students according to Facility Use building-use guidelines and processes.	You cannot hold Meetings in a the school, including classrooms, without approved Facility Use agreements in place are prohibited . building use and applicable rental payment.
Meetings	You can hold Informational or organizational meetings outside contracted workday.	You cannot hold Informational or organizational meetings held during contracted workday are prohibited .
Fundraising	Private student fundraising must take place happen outside school hours without school or District affiliation.	Student fundraising as representatives of the school or District either during or outside school hours is prohibited.

Communications	You must Clearly identify the sponsor as other than the school or District.	You cannot Identification or imply of school or District sponsorship is prohibited.
Advising		You cannot Advise families or students on what other-sponsored travel, exchanges, tours, trips, and/or competitions they should select is prohibited.
Resources (Supplies, Materials, Equipment, Time)	You must use Use of personal supplies, materials, equipment, and/or postage when promoting, recruiting, informing, or organizing these events. You must use Use of personal equipment (including telephones and computers) and time to conduct promotional, recruitment, informational, organizational business related to these events.	You cannot use school or District supplies, materials, equipment (including telephones and computers), and/or postage to promote, recruit, inform, or organize these events is prohibited. You cannot use Contracted work hours to conduct promotional, recruitment, information, organizational business related are not to be used to organize events. to these events.
Employee Leave	You must use Leave shall be used in accordance with legal and contractual guidelines to participate in these events.	You may not illegally Fraudulent use leave or misrepresent use of leave to participate in these events is prohibited.

draft 11/8/2018



Policy and Regulation Public Comment
EBCD-AR: Delays & School Closures
 Received by 5:00 p.m. November 22, 2022

Public Comment:	Submitted by:	Bend-La Pine Schools Notes:
<p>Please take weather/road conditions in South County into consideration before making the decision on a delay or closure.</p>	<p>Kelly McKinney</p>	<p>Road conditions in South County are and will continue to be assessed during inclement weather, as stated under the section titled “PROCEDURE FOR COMMUNICATING, DETERMINING AND RECOMMENDATION OF SCHOOL DELAY OR CLOSURE”</p>
<p>I have the following questions and concerns regarding this policy:</p> <p>*In number 2, procedure for communicating changes to school day (delay or closure)--what is the timing by which staff and families can expect to hear from the district? Without a clear cutoff time, parents may proceed according to regular routines and leave students at bus stops that won't be serviced. Similarly, staff is depending on these calls to determine when to safely leave for work.</p> <p>*Early Closure definition: this doesn't seem safe for staff and students to release only bus students. If the weather is risky enough to send some students home, then all students should be released so that their families and the staff can focus on driving safely.</p> <p>*In the deleted section at the end, there are many clarifications that seem helpful to this policy. Overall, this policy is vague and not informative.</p> <p>For safety it needs to include the following information that has</p>	<p>Avery Gerber</p>	<p>Specific communication times have been removed as it is often a fluid process in determining closures and/or delays. Bend-La Pine Schools will communicate as early as possible in the event of a delay and/or closure.</p> <p>Practices for notification, release, bus route change information, etc. will be communicated as early as possible in the event of a delay and/or closure.</p>



Policy and Regulation Public Comment
EBCD-AR: Delays & School Closures
 Received by 5:00 p.m. November 22, 2022

Public Comment:	Submitted by:	Bend-La Pine Schools Notes:
<p>been deleted: cutoff times for sending out alerts for weather delays, determination of how many and which personnel will be driving/assessing the roads and at which times, and information on when/how a delayed start may be turned into a school closure day.</p> <p>For safety it would also be best to include links to updated bus snow routes, deadlines when all schools will have these, and plans for how those will be communicated to families.</p>		
<p>To say I was disappointed and concerned over the tone of this document is a gross understatement. It has been scrubbed and sanitized of language that demonstrates transparency and equitable accountability to all members and families of this district.</p> <p>Last year, following a particularly unsafe lack of delay/closure during a storm, south county district employees spoke up. As a result, Dr. Cook traveled to LaPine for a "listening session" where he proceeded to hold the floor for over 20 minutes before offering our south county staff the opportunity to share concerns on behalf of themselves but mostly on behalf of our south county families. NONE of those concerns or any evidence of that session exist in this document. Once again, it appears the unique needs of south county schools have been overlooked and our sense of disenfranchisement continues to grow. The District's concern for our safety does not appear to be on a par with that of Bend area staff and families.</p>	<p>Carrie Crossley</p>	<p>Road conditions and the status of delay and/or closure in South County will continue to be assessed during inclement weather, as stated under the section titled "PROCEDURE FOR COMMUNICATING, DETERMINING AND RECOMMENDATION OF SCHOOL DELAY OR CLOSURE"</p>



Policy and Regulation Public Comment
EBCD-AR: Delays & School Closures
 Received by 5:00 p.m. November 22, 2022

Public Comment:	Submitted by:	Bend-La Pine Schools Notes:
<p>1) PROCEDURE FOR COMMUNICATING, DETERMINING DISTRICT ROAD CONDITIONS AND RECOMMENDATION OF SCHOOL DELAY OR CLOSURE, why are "weather conditions shall be monitored before an anticipated storm" and "Transportation Operations Manager will drive La Pine Area" both struck out? La Pine has drastically different weather conditions from Bend. It is important for South County to have someone in South County, in conjunction with other organizations like law enforcement and ODOT, to report road conditions. Camera's and satellite images are not sufficient.</p> <p>2) The last paragraph about if a late start is called and things will be monitored for 30 minutes for any change, needs to be reinstated. Central Oregon weather, especially in South County, can change very quickly. As a parent, I understand that need for a definite position of late start or no-school, but a possible change (no matter how small) needs to remain an option to ensure the safety of all Bend-La Pine students and employees.</p>	<p>Jessica Colburn</p>	<p>Road conditions and the status of delay and/or closure in South County will continue to be assessed during inclement weather, as stated under the section titled "PROCEDURE FOR COMMUNICATING, DETERMINING AND RECOMMENDATION OF SCHOOL DELAY OR CLOSURE"</p> <p>Specific communication times have been removed as it is often a fluid process in determining closures and/or delays. Bend-La Pine Schools will communicate as early as possible in the event of a delay and/or closure.</p>
<p>This is very vague and gives me no confidence that safety will be taken into consideration. There is more crossed off than clarified. It doesn't read as a very equitable policy. If any student isn't able to get to school because of weather safety then they simple shouldn't be excused from school. ALL students should be able to have access to what is being taught that day, not those that aren't able to get to school have to some how make up the work in their free time.</p>	<p>Momi Honda</p>	<p>Students will be excused from school when parents/guardians inform their students' school of the absence through established absence reporting methods. Excused absences for weather related absences will follow established make up procedures.</p>



DISCUSSION ITEM: Purchase of Real Property

PRESENTED BY: Mike Tiller, Executive Director of Facilities

EXECUTIVE SUMMARY:

One of the exciting and much needed projects in the 2022 bond is to complete the Bend Senior High School master plan. The high school campus is one of our smallest with the main campus at 26.5 acres and the 15th street fields at roughly 9 acres. Our typical high school footprint is 50 acres. Today we have an opportunity to add .79 acres at the main campus. The land is currently owned by Weee Properties, LLC and houses a plumbing contractor.

The site is situated immediately west of the Technology Building on the south side of the Bend High campus at 606 SE Glenwood Drive (see map attached). We have agreed to pay the recently appraised value of \$1.1 million, subject to Board approval. The purchase is subject to completion of a survey, title review and an environmental assessment of the property, which are in process. This property would be included in the design process for Bend Senior High School as we complete the implementation of the master plan over the next few years.

ADMINISTRATIVE RECOMMENDATION:

We recommend approval of Resolution 1941.

RECOMMENDED MOTION:

I move to approve Resolution 1941 as presented.

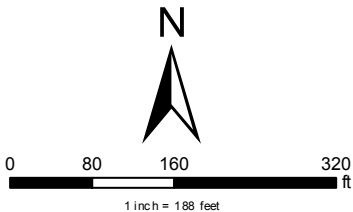
606 SE Glenwood Drive

Wee Properties, LLC



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, Deschutes County GIS

Date: 10/19/2022



RESOLUTION 1941

AUTHORIZING PURCHASE OF REAL PROPERTY LOCATED AT 606 SE GLENWOOD DRIVE, BEND, OREGON, SUBJECT TO LEGAL REVIEW OF THE SURVEY, TITLE REPORT AND ENVIRONMENTAL ASSESSMENT

WHEREAS, Bend-La Pine Schools (District) is interested in expanding the Bend Senior High School campus.

WHEREAS, the property at 606 SE Glenwood Drive, adjacent to the south of Bend Senior High School, has been offered to District at the appraised value.

WHEREAS, the Board of Directors of District, has determined that it is in the best interest of the District to purchase real property located at 606 SE Glenwood Drive, Bend, Oregon for the appraised value of \$1.1 million.

NOW, THEREFORE, District Board of Directors resolves as follows:

The Board of Directors of Bend-La Pine Schools resolves to authorize the purchase of real property located at 606 SE Glenwood Drive for \$1,100,000 plus closing costs subject to legal review and approval of a survey, title report and environmental assessment of the property; and authorizes the Superintendent or Chief Operations and Financial Officer to sign the purchase transaction documents.

Moved by _____

Second by _____

Yes votes _____ No votes _____

Chair

Vice Chair

Board Secretary

Dated this 13th day of December, 2022



DISCUSSION ITEM: Construction Manager/General Contractor (CM/GC) Construction Method

PRESENTED BY: Mike Tiller, Executive Director of Facilities

EXECUTIVE SUMMARY:

Project: Bend High School Modernization

Public Notice: Per ORS 279C a notice was published in the Daily Journal of Commerce on November 23rd, 2022 and 30th to hold a public hearing on the findings and exemptions from competitive bidding requirements. Any interested person may appear and comment.

Situation: The project includes constructing multiple new buildings and additions along with renovating existing buildings and reconstructing fields, parking lots, sidewalks and other aspects of the site. The project is anticipated to be constructed in three phases over approximately six years while the school remains occupied. Due to the schedule and complexity of construction, the on-site occupation of the building by students and staff during construction, and the critical timing of construction to meet the delivery schedule, the CM/GC process will allow us to complete the work in a safe, more efficient manner.

Solicitation Process: The Request for Proposals for CM/GC services will be published in the Daily Journal of Commerce and the district website, likely in January 2023.

ADMINISTRATIVE RECOMMENDATION:

Board members are asked to review these Findings, Conclusions, and Proposed Resolution, ask questions, take public comments, and provide input at the December 13, 2022, School Board Meeting. Board action on this proposal is recommended. Due to the complicated nature of the project, critical timing, and schedule, staff recommends approval Resolution 1940 for the use of the CM/GC Contracting Method.

RECOMMENDED MOTION:

I move to approve Resolution 1940 as presented.

RESOLUTION 1940

RESOLUTION 1940 GRANTING BIDDING EXEMPTION, AUTHORIZING CONSTRUCTION OF THE BEND HIGH MODERNIZATION BY MEANS OF A CONSTRUCTION MANAGER/GENERAL CONTRACTOR AND AUTHORIZING SELECTION BY REQUEST FOR PROPOSALS

WHEREAS, ORS Chapter 279A authorizes the School District’s Board of Directors to designate itself as the public contract review boards for the School District, and

WHEREAS, the Board of Directors of Administrative School District #1, Bend La Pine Schools, has designated itself as the public contract review board for the School District, and in that capacity has authority to exempt certain contracts from the competitive bidding requirements of ORS Chapter 279C, and

WHEREAS, ORS 279C.335(2) provides for a process for exempting certain public improvement contracts from competitive bidding and the School District’s Model Procurement Rules authorize the selection of a contractor through the CM/CG process as set forth in DJ-AR 49-0600, and

WHEREAS, the School District Board of Directors determines that the Bend High School Modernization should be constructed by a CM/GC.

The School District Board of Directors finds as follows:

1. The School District Board of Directors adopts the specific findings of fact set forth above.
2. The exemption of the CM/GC contract from competitive bidding will promote competition and will not encourage favoritism because the CM/GC will be chosen by the request for proposals process, and the major portion of the construction work will be performed by subcontractors chosen by competitive bidding.
3. The exemption of the CM/GC contract from competitive bidding will result in substantial cost savings to the School District, for the reasons set forth in the findings above.
4. The exemption of the CM/GC contract also appears to be in the best interest of the School District in that the use of the CM/GC process will permit the School District to complete the construction within a GMP and within a reasonable time with minimum redesign effort.

NOW, THEREFORE, the School District Board of Directors resolves as follows:

The contract for construction of the Bend High Modernization by a Construction Manager/General Contractor for a Guaranteed Maximum Price is exempted from competitive bidding, and the Construction Manager/General Contractor shall be selected by the Request for Proposal method in accordance with the School District’s Model Procurement Rules, DJ-AR 49-0650, and the process described in the above findings.

Moved by _____

Second by _____

Yes votes _____ No votes _____

Chair

Vice Chair

Board Secretary

Dated this 13th day of December, 2022

**FINDINGS OF FACT FOR THE USE OF
THE CONSTRUCTION MANAGER/GENERAL CONTRACTOR (CM/GC)**

Before the Administrative School District #1, Bend La Pine Schools Board of Directors

Administrative School District #1)	Findings of Fact
For the)	Conclusion of Law
Bend High School Modernization)	

SITUATION

On November 8, 2022, the voters of Administrative School District #1 – Bend La Pine Schools approved a \$249,729,668 bond levy of which \$178,678,126 was set aside for the design and construction to rebuild and renovate Bend Senior High School. The project includes constructing multiple new buildings and additions along with renovating existing buildings and reconstructing fields, parking lots, sidewalks and other aspects of the site. The project is anticipated to be constructed in three phases over approximately six years while the school remains occupied. Due to the schedule and complexity of construction, the on-site occupation of the building by students and staff during construction, and the critical timing of construction to meet the delivery schedule, the Facility Development Office is recommending that the School District use the Construction Manager/General Contractor (CM/GC) with a Guaranteed Maximum Price (GMP) construction delivery method. The use of this delivery method requires a specific exemption from the standard competitive bid process for a general contractor that allows the use of this alternative contracting method be granted by the Board.

The guiding applicable statutes are: ORS 279C.300 which requires, with certain exceptions, that all public improvement contracts be based on competitive bidding and, under ORS 279C.375, be awarded to the lowest responsive and responsible bidder. ORS 279A.050 and ORS 279A.060 permit the Board of Directors of the School District to act as the public contract review authority and to grant, under certain conditions, specific exemptions from the requirement for competitive bidding pursuant to ORS 279C.335(2) and ORS 279C.330. The Bend La Pine Public Schools Model Procurement Rules allow for alternative contracting methods, DJ-AR.

FINDINGS OF FACT

The School District makes the following findings regarding use of the CM/GC alternative contracting method for the above-referenced public improvement contract:

FINDING #1 – CM/GC WILL NOT DIMINISH COMPETITION NOR ENCOURAGE FAVORITISM

Finding: It is unlikely that the use of the CM/GC alternative contracting method will encourage favoritism, or substantially diminish competition, in the awarding of this public improvement contract.

FINDING #2 – CM/GC WILL RESULT IN SUBSTANTIAL COST SAVINGS

Finding: Use of the CM/GC alternative contracting method will result in substantial cost savings to the School District.

Information regarding the following was considered in justification of the School District’s conclusion in reaching these findings:

1. Operational, Budget and Financial Data

Operational Data:

The CM/GC will be selected through a competitive process in accordance with a Request For Proposals (RFP) process authorized by the Board of Directors, pursuant to OAR137- 49-0650. Competition will not be inhibited nor will favoritism be encouraged.

A. SOLICITATION PROCESS: Pursuant to ORS 279C.360, the CM/GC solicitation will be advertised at

least twice in the Daily Journal of Commerce.

- B. FULL DISCLOSURE: To ensure full disclosure of all information, the RFP solicitation package will include:
1. Detailed Description of the Project
 2. Contractual Terms & Conditions
 3. Selection Process
 4. Evaluation Criteria
 5. Role of Evaluation Committee
 6. Provisions for Comments
 7. Complaint Process and Remedies Available
- C. SELECTION PROCESS: Other highlights of the selection process will include:
1. A pre-proposal vendor conference will be announced and held. This conference will be open to all interested parties. During this pre-proposal conference, as well as any time prior to ten (10) days before the close of the solicitation, interested parties will be able to ask questions, request clarifications and suggest changes in the solicitation documents if such parties believe that the terms and conditions of the solicitation are unclear, inconsistent with industry standards, or unfair and unnecessarily restrictive of competition.
 2. Sealed proposals will be submitted to the Main Office Reception at the Education Center at 520 NW Wall Street, Bend, Oregon and opened publicly at the time specified in the advertisements.
 3. The evaluation process will determine whether a proposal meets the screening requirements of the RFP, and to what extent. The following process will be used:
 - a. Proposals will be evaluated for completeness and compliance with the screening requirements of the RFP. Those proposals that are materially incomplete or non-responsive will be rejected.
 - b. Proposals considered complete and responsive will be evaluated to determine if they meet and comply with the qualifying criteria of the RFP. If a proposal is unclear, the proposer may be asked to provide written clarification. Those proposals that do not meet all requirements will be rejected.
 - c. Proposals will be independently scored by the voting members of the Selection Committee. Scores will then be combined and assigned to the proposals.
 - d. If the Selection Committee chooses to conduct interviews, the Selection Committee will convene to select a group of finalists from the highest-scoring proposers for formal interviews.
 - e. The Selection Committee will conduct the interviews.
 - f. The Selection Committee will use the interview to confirm the scoring of the proposal and to clarify any questions. Based upon the revised scoring, the Selection Committee will rank the proposers.
 - g. The Facilities Development Office will negotiate a contract for Phase 1 (pre-construction services) with the top-ranked firm. If an agreement cannot be reached, the School District will have the option to enter into an agreement with the second-ranked firm, and so forth, or cancel the solicitation.
 - h. A guaranteed maximum price (GMP) will be negotiated after the 100% Design Development phase and before the 100% Construction Documents design phase of the Project. The GMP will be present to the School District Board of Directors for approval.
 4. Competing proposers will be notified in writing of the selection of the apparent successful proposal and will be given seven (7) calendar days after receipt of the notice to review the RFP file and evaluation report at the office of Facilities Development. Any questions or concerns about the selection process will be subject to the requirements of the School District's Model Procurement Rules, and OAR 137- 49-0450, must be in writing, and must be delivered to the School Districts' Deputy Superintendent within seven (7) calendar days after receipt of the

selection notice. No protest of the award selection shall be considered after this time period.

Budget and Financial Data:

The contract achieved through the CM/GC process will require the CM/GC to use an open competitive selection process to bid all components of the job. The CM/GC's overhead and fee makes up 10-15% of the total cost, and will be evaluated as one of the scoring criteria. Overhead, which includes supervision, bonding, insurance, and mobilization, must be within the industry standard range of approximately 10%. The CM/GC's fee must be within the industry standard range of 3-5%. Since these amounts will be scored as part of the competitive RFP process, the entire dollar value of the project will be awarded through open competitive processes, at either the general contractor or subcontractor level. The CM/GC process also provides these additional benefits:

(a) FEWER CHANGE ORDERS: When the CM/GC participates in the design process, fewer change orders occur during project construction. This is due to the CM/GC's better understanding of the owner's needs and the architect's design intent. As a result, the project is more likely to be completed on time and within budget. In addition, fewer change orders reduce the administrative costs of project management for both the School District and the contractor. The phased demolition of parts of the existing building and campus while maintaining system functionality and coordinating new construction will be complex. The use of a CM/GC will allow for early procurement of materials, improved cost-estimating, logistics coordination, and should reduce the overall quantity of change orders due to unforeseen circumstances. Prior to construction the CM/GC will assist the design team in developing the schedule, cost estimate, and select materials.

(b) GMP CHANGE ORDERS COST LESS: The reduced number of CM/GC change orders discussed above are processed at a lower cost under the GMP. The design-bid-build method typically results in the contractor charging 15% markup on construction change orders. The GMP method applies a lower predetermined markup. The experience of the School District has been that the markup is in the range of 3-5%.

(c) SAVINGS: Under the GMP method the School District will enjoy the full savings if actual costs are below the GMP. When the CM/GC completes the project, any savings between the GMP and the actual cost accrue to the School District.

(d) CONTRACTOR'S FEE IS LESS: Contracts with CM/GC's are designed to create a better working relationship with the contractor. As a consequence, the overhead and profit fee is generally in the 3-5% range, and contractors indicate this is slightly lower than the fee anticipated on similar design-bid-build contracts.

2. Public Benefits

Early selection of the CM/GC creates more informed, better quality decision making by the project construction team. A more efficient construction team saves the District money and provides other public benefits. The CM/GC method will reduce financial risk to the School District. Reduced risk provides a significant value and potential savings.

THE CM/GC CONTRACTING METHOD ESTABLISHES A MAXIMUM PRICE PRIOR TO COMPLETION OF DOCUMENTS: The CM/GC will be able to obtain a complete understanding of the School District's needs, the architect's design intent, the scope of the project, and the operational needs of the students, teachers, and administration of the school by participating in the design development phase. With the CM/GC participating in this phase they will be able to offer suggestions for improvements and make suggestions that will reduce costs. With the benefit of this knowledge, the CM/GC will also be able to guarantee a maximum price to be paid by the School District for constructing the project.

3. Value Engineering

The CM/GC process offers a unique opportunity for value engineering that is not possible through the design-bid-build process.

- A. VALUE ENGINEERING AND CM/GC PARTICIPATION IN THE DESIGN PROCESS: An essential part of each construction project is the value engineering evaluation. Value engineering is the means used to determine the best project design that meets the needs and priorities of the owner, within the owner's budget. Value engineering is done most effectively by a team consisting of the owner, architect, consultants, and the contractor. When the contractor participates, the team can render the most comprehensive evaluation of all factors that affect the cost, quality, and schedule of the project.
- B. VALUE ENGINEERING WITH THE DESIGN-BID-BUILD PROCESS: If the School District were to utilize the design-bid-build method the contractor would not participate in this evaluation, hence, value engineering would be conducted without the benefit of:
- The ability to set the schedule;
 - The ability to sequence work; and
 - Commitment from the contractor to implement the design within the schedule and budget.

Through integrated participation, a project scope and design evolve that has greater value for the owner, and is not likely to be the same project created by the design-bid-build method.

4. Specialized Expertise Required

The construction project is highly complex because it involves construction on an existing school site while the building is in use. Use of a CM/GC in conjunction with the team approach will result in a better coordinated project, speed completion, and minimize disruption to operations. The CM/GC: guarantees the maximum price to complete the project; determines the construction schedule; establishes the sequence of work; is contractually bound to implement the final project design within the GMP; and participates as an essential member of the project design and construction team. Several benefits of participation by the CM/GC on this project will be realized: developing the design documents to reflect the best work plan that accommodates both the School District and contractor; the best grouping of the bid packages that will help insure better trade coverage; the most efficient construction staging area on the school campus; the most cost effective route through campus and buildings for the various utilities; and help with adjusting the work plan when the needs change along the way.

5. Public Safety

Because the site is in use during the construction process, safety is of critical importance. By being involved in all phases of the project, including the design and construction, understanding the structural peculiarities of the existing building, and knowing the scope and technical complexity of the project, the CM/GC will be able to provide a safe environment for the students, teachers, and school administration throughout the entire project.

6. Market Conditions

The School District's ability to accurately estimate the cost of this project is complicated by the multitude of construction market conditions that exist today in Oregon (e.g., competition of other projects, environmental issues that limit construction materials, shortage of qualified craftsman, etc.), as well as the difficulty in establishing the best work sequence. Because the project has a limited budget, it is essential to reduce the risk of cost overruns.

7. Technical Complexity

A CM/GC is necessary to manage the complex design and construction of this project, as well as the on-site occupation of the building by students and staff and the critical timing of construction to meet delivery schedules. Each of the three construction phases of the project will require partial demolition of the existing building and site while maintaining functionality of the overall school and essential services throughout the duration of the project. Due to construction timelines on each phase it's anticipated this project will be completed over approximately six years which will be challenging logistically have many impacts on facility operations. In working with a CM/GC and staff the schedule for the work can be determined to minimize the impact to the operation of the school and still meet the anticipated completion date of August, 2028.

8. Funding Sources

The School District's voters approved a \$249,729,668 bond levy of which \$178,678,126 was set aside for the design and construction of the Bend High Modernization.

CONCLUSIONS OF LAW

Use of the CM/GC process for the Bend High School Modernization complies with the criteria outlined in ORS 279C.335(2), including the factors in ORS 279C.330:

1. It is unlikely the exemption will encourage favoritism or substantially diminish competition. The selection process will be fair and open to all interested proposers as established within above findings.
2. The exemption will result in substantial cost savings to the School District. Also, value will be added to the project that could not otherwise be obtained.



DISCUSSION ITEM: Bond Sale and Election Results Certification

PRESENTED BY: Brad Henry, Chief Operations and Financial Officer

EXECUTIVE SUMMARY:

In November, 2022 voters approved, with almost 60% support, a construction levy authorizing the District to issue \$249.7 million in general obligation bonds to finance the construction of 89 projects across the District. In February, 2023 we will issue the first of these bonds to fund the first of these projects. Our plan is to issue the second, and final, portion of the bonds in 2025. Resolution 1939 authorizes staff to work with our bond counsel and financial advisor to take steps necessary to issue the bonds. In addition, this resolution is used to “determine the results of the November election”, which is a step required by statute. The “final official results” from Deschutes County are included after the resolution.

The new bonds will be sold using a competitive bid process with bid opening on February 16, 2023 and the transaction scheduled to close on March 2, 2023. These bonds will mature over a period not to exceed 25 years from date of issuance.

ADMINISTRATIVE RECOMMENDATION:

We recommend approval of Resolution 1939.

RECOMMENDED MOTION:

I move to approve Resolution 1939 as presented.

Official Final Results
Statement of Ballots Cast

Deschutes County, November 8, 2022 General Election

All Precincts, All Districts, All Counter Groups, All ScanStations, 9-155, Administrative School District
No 1, All Boxes

Total Ballots Cast: 74455, Registered Voters: 157880, Overall Turnout: 47.16%
36 precincts reported out of 36 total

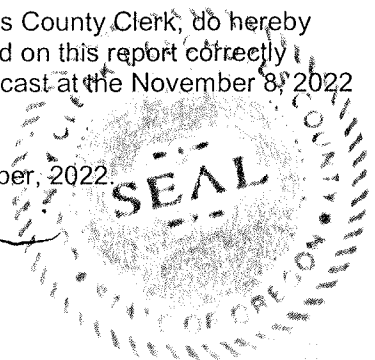
9-155, Administrative School District No 1 (Vote for 1)
36 precincts reported out of 36 total

Precinct	Ballots Cast	Reg. Voters	Total Votes	Yes		No		Over Votes	Under Votes
Precinct 01	2186	2887	2084	1537	73.75%	547	26.25%	0	102
Precinct 02	2754	3791	2618	1494	57.07%	1124	42.93%	0	136
Precinct 03	3461	4498	3319	2507	75.53%	812	24.47%	0	142
Precinct 04	2790	4014	2675	1859	69.50%	816	30.50%	0	115
Precinct 05	3779	5241	3612	2238	61.96%	1374	38.04%	1	166
Precinct 06	2341	3904	2211	1503	67.98%	708	32.02%	0	130
Precinct 07	1271	1650	1223	890	72.77%	333	27.23%	0	48
Precinct 08	658	830	634	400	63.09%	234	36.91%	0	24
Precinct 09	1545	2766	1438	900	62.59%	538	37.41%	0	107
Precinct 11	1155	1554	1105	721	65.25%	384	34.75%	0	50
Precinct 12	703	912	673	319	47.40%	354	52.60%	0	30
Precinct 13	762	1022	730	388	53.15%	342	46.85%	0	32
Precinct 16	1320	1610	1274	778	61.07%	496	38.93%	0	46
Precinct 20	4030	5703	3847	2287	59.45%	1560	40.55%	0	183
Precinct 21	2672	3505	2558	1200	46.91%	1358	53.09%	0	114
Precinct 23	1051	1955	994	408	41.05%	586	58.95%	0	57
Precinct 24	851	1364	822	268	32.60%	554	67.40%	0	29
Precinct 25	3330	5191	3134	2008	64.07%	1126	35.93%	0	196
Precinct 26	1924	2688	1849	1122	60.68%	727	39.32%	0	75
Precinct 27	2026	2785	1942	1481	76.26%	461	23.74%	0	84
Precinct 32	2010	3226	1878	1188	63.26%	690	36.74%	0	132
Precinct 33	3109	4038	2986	1737	58.17%	1249	41.83%	0	123
Precinct 34	2790	4597	2588	1620	62.60%	968	37.40%	0	202
Precinct 35	3789	4570	3646	2443	67.00%	1203	33.00%	0	143
Precinct 37	422	570	405	210	51.85%	195	48.15%	0	17
Precinct 38	1286	1810	1241	669	53.91%	572	46.09%	0	45
Precinct 39	4756	7105	4594	1984	43.19%	2610	56.81%	0	162
Precinct 40	976	1608	924	299	32.36%	625	67.64%	0	52
Precinct 41	5	6	5	1	20.00%	4	80.00%	0	0
Precinct 42	2936	4494	2812	1271	45.20%	1541	54.80%	0	124
Precinct 43	1857	2327	1780	865	48.60%	915	51.40%	0	77
Precinct 44	2672	3912	2541	1496	58.87%	1045	41.13%	2	129
Precinct 46	3041	4550	2871	1840	64.09%	1031	35.91%	0	170
Precinct 47	2541	3142	2419	1700	70.28%	719	29.72%	0	122
Precinct 49	402	483	390	233	59.74%	157	40.26%	0	12
Precinct 50	1254	2009	1205	401	33.28%	804	66.72%	0	49
Total	74455	106317	71027	42265	59.51%	28762	40.49%	3	3425

I, Steve Dennison, Deschutes County Clerk, do hereby certify that the votes recorded on this report correctly summarize the tally of votes cast at the November 8, 2022 General Election.

Dated this 2nd day of December, 2022.


Steve Dennison
Deschutes County Clerk



RESOLUTION NO. 1939

A RESOLUTION OF ADMINISTRATIVE SCHOOL DISTRICT NO. 1 (BEND-LA PINE SCHOOLS), DESCHUTES COUNTY, OREGON AUTHORIZING THE SALE OF GENERAL OBLIGATION BONDS.

SECTION 1. FINDINGS

The Board of Directors (the “Board”) of Administrative School District No. 1 (Bend-La Pine Schools), located in Deschutes County, Oregon a common school district of the State of Oregon (the “District”) finds:

- a. The District is authorized pursuant to the Oregon Constitution and Oregon Revised Statutes Chapters 287A and 328 to issue general obligation bonds to finance capital costs; and
- b. The District adopted a resolution authorizing submission to the voters of the District the question of authorizing general obligation bonds to finance capital costs as set forth in the measure; and
- c. Deschutes County certified that the issuance of District general obligation bonds was approved by a majority of the qualified voters of the District voting at the November 8, 2022 election; and
- d. The District adopts this resolution to provide the terms under which the general obligation bonds may be sold.

SECTION 2. BONDS AUTHORIZED

The District hereby authorizes the issuance of general obligation bonds as described in the ballot title approved by the District’s voters at the November 8, 2022 election (the “Bonds”).

SECTION 3. DESIGNATION OF AUTHORIZED REPRESENTATIVES

The District designates the Chair, Superintendent, Chief Operating and Financial Officer (each an “Authorized Representative”) or a designee of an Authorized Representative to act on behalf of the District as specified in Section 8 hereof.

SECTION 4. SECURITY

Pursuant to ORS 287A.315, the District hereby pledges its full faith and credit and taxing power to pay the Bonds. The District hereby covenants for the benefit of the Owners to levy annually, as necessary, a direct ad valorem tax upon all of the taxable property within the District which is sufficient, after taking into consideration discounts taken and delinquencies that may occur in the payment of such taxes and other legally available amounts, to pay all Bond principal and interest when due. This tax shall be in addition to all other taxes of the District, and this tax shall not be limited in rate, amount or otherwise, by Sections 11 or 11b of Article XI of the Oregon Constitution.

SECTION 5. FORM OF BONDS

The Bonds shall be issued in substantially the form as approved by the Authorized Representative. The Bonds may be printed or typewritten, and may be issued as one or more temporary Bonds which shall be exchangeable for definitive Bonds when definitive Bonds are available.

SECTION 6. EXECUTION OF BONDS

The Bonds shall be executed on behalf of the District with the manual or facsimile signature of an Authorized Representative of the District.

SECTION 7. REDEMPTION

The Bonds may be subject to optional redemption or mandatory redemption prior to maturity as determined under Section 8 hereof.

SECTION 8. DELEGATION FOR ESTABLISHMENT OF TERMS AND SALE OF THE BONDS

The Authorized Representative is hereby authorized, on behalf of the District without further action of the Board (and such actions of the Authorized Representative, if taken prior to the adoption of this resolution, are hereby affirmed and authorized), to:

- a. Issue the Bonds in one or more series which may be sold at different times.
- b. Participate in the preparation of and authorize the distribution of the preliminary and final official statements and any other disclosure documents for each series of the Bonds.
- c. Establish the final principal amounts, maturity schedules, interest rates, and other terms for each series of the Bonds.
- d. Either publish a notice of sale, receive bids and award the sale of that series to the bidder complying with the notice and offering the most favorable terms to the District, or select one or more underwriters or lenders and negotiate the sale of that series with those underwriters or lenders and execute and deliver a bond purchase agreement or other document in connection with such sale.
- e. Enter into covenants regarding the use of the proceeds of the Bonds and the projects financed with the proceeds of the Bonds.
- f. Undertake to provide continuing disclosure for each series of the Bonds in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission.
- g. If applicable, take all action and execute all documents necessary to obtain a grant under the Oregon Department of Education's Oregon School Capital Improvement Matching Program.
- h. Apply for ratings for each series of Bonds.
- i. Determine whether to purchase municipal bond insurance or obtain other forms of credit enhancement (including the Oregon School Bond Guaranty Program) for each series of Bonds and enter into related documents.
- j. Appoint service providers for each series of the Bonds and enter into agreements with those service providers.
- k. Determine whether each series of Bonds will bear interest that is excludable from gross income under the Internal Revenue Code of 1986, as amended, or is includable in gross income under that code. If a series bears interest that is excludable from gross income under that code, the Authorized

Representative may enter into covenants to maintain the excludability of interest on that series of the Bonds from gross income.

l. If permitted by federal law, issue any series of Bonds as taxable bonds that are eligible for federal interest subsidies or tax credits, and enter into related covenants.

m. Make any clarifying changes to this Resolution or additional covenants not inconsistent with this Resolution.

n. Execute any documents and take any other action in connection with the Bonds which the Authorized Representative finds will be advantageous to the District.

SECTION 9. DEFAULT AND REMEDIES.

The occurrence of one or more of the following shall constitute an Event of Default under this Resolution and the Bonds:

a. Failure by the District to pay Bond principal, interest or premium when due (whether at maturity, or upon redemption after a Bond has been properly called for redemption);

b. Failure by the District to observe and perform any covenant, condition or agreement on its part to be observed or performed for the benefit of Owners of Bonds, for a period of sixty (60) days after written notice to the District by the Owners of fifty-one (51%) percent or more of the principal amount of Bonds then Outstanding specifying such failure and requesting that it be remedied; provided however, that if the failure stated in the notice cannot be corrected within such sixty (60) day period, it shall not constitute an Event of Default so long as corrective action is instituted by the District within the sixty (60) day period and diligently pursued, and the default is corrected as promptly as practicable after the written notice referred to in this paragraph; or

c. The District is adjudged insolvent by a court of competent jurisdiction, admits in writing its inability to pay its debts generally as they become due, files a petition in bankruptcy, or consents to the appointment of a receiver for the payments.

The Owners of fifty-one (51%) percent or more of the principal amount of Bonds then Outstanding may waive any Event of Default and its consequences, except an Event of Default as described in (a) of this Section.

Upon the occurrence and continuance of any Event of Default hereunder the Owners of fifty-one (51%) percent or more of the principal amount of Bonds then Outstanding may take whatever action may appear necessary or desirable to enforce or to protect any of the rights of the Owners of Bonds, either at law or in equity or in bankruptcy or otherwise, whether for the specific enforcement of any covenant or agreement contained in this Resolution or the Bonds or in aid of the exercise of any power granted in this Resolution or in the Bonds or for the enforcement of any other legal or equitable right vested in the Owners of Bonds by the Resolution or the Bonds or by law. However, the Bonds shall not be subject to acceleration.

No remedy in this Resolution conferred upon or reserved to Owners of Bonds is intended to be exclusive and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Resolution or now or hereafter existing at law or in equity. No delay or omission to exercise any right or power accruing upon any default shall be construed to be a waiver thereof, but any such right and power may be exercised from time to time and as often as may be deemed expedient. To entitle the

Owners of Bonds to exercise any remedy reserved to them, it shall not be necessary to give any notice other than such notice as may be required by this Resolution or by law.

SECTION 10. DEFEASANCE

The District may defease the Bonds by setting aside, with a duly appointed escrow agent, in a special escrow account irrevocably pledged to the payment of the Bonds to be defeased, cash or direct obligations of the United States in an amount which, in the opinion of an independent certified public accountant, is sufficient without reinvestment to pay all principal and interest on the defeased Bonds until their maturity date or any earlier redemption date. Bonds which have been defeased pursuant to this Section shall be deemed paid and no longer outstanding, and shall cease to be entitled to any lien, benefit or security under this Resolution except the right to receive payment from such special escrow account.

SECTION 11. ESTABLISHMENT OF FUNDS AND ACCOUNTS

The following funds and accounts shall be created and continually maintained, except as otherwise provided, so long as the Bonds remain unpaid.

a. Debt Service Account. The District shall maintain the debt service account in the District's debt service fund for the payment of principal, premium, if any, and interest on the Bonds as they become due. All accrued interest, if any, and all taxes levied and other moneys available for the payment of the Bonds shall be deposited to the debt service account.

b. Project Fund. The District shall maintain the project fund into which the proceeds of the Bonds shall be deposited, for the purpose of accounting for and paying all costs of the projects and the costs related to the preparation, authorization, issuance, and sale of the Bonds. Any interest earnings on moneys invested from the project fund shall be retained in the project fund. The District's share of any liquidated damages or other moneys paid by defaulting contractors or their sureties will be deposited into the project fund to assure the completion of the projects.

Upon completion of the projects and upon payment in full of all costs related thereto, any balance remaining in the project fund shall be deposited to the Debt Service Account for payment of debt service.

SECTION 12. PROFESSIONALS

The District hereby affirms Hawkins Delafield & Wood LLP as bond counsel for the issuance of the Bonds and Piper Sandler & Co., as financial advisor.

SECTION 13. DETERMINATION OF RESULT OF ELECTION.

The District hereby determines the results of the election pursuant to ORS 255.295(1) based on the information provided by Deschutes County.

SECTION 14. RESOLUTION TO CONSTITUTE CONTRACT

In consideration of the purchase and acceptance of any or all of the Bonds by those who shall own the Bonds from time to time (the "Owners"), the provisions of this Resolution shall be part of the contract of the District with the Owners and shall be deemed to be and shall constitute a contract between the District and the Owners. The covenants, pledges, representations and warranties contained in this Resolution or in the closing documents executed in connection with the Bonds, including without limitation the District's covenants and pledges contained in Section 4 hereof, and the other covenants and

agreements herein set forth to be performed by or on behalf of the District shall be contracts for the equal benefit, protection and security of the Owners, all of which shall be of equal rank without preference, priority or distinction of any of such Bonds over any other thereof, except as expressly provided in or pursuant to this Resolution.

ADOPTED by the Board of Directors of Administrative School District No. 1 (Bend-La Pine Schools), located in Deschutes County, Oregon this 13th day of December 2022.

**ADMINISTRATIVE SCHOOL DISTRICT NO. 1
(BEND-LA PINE SCHOOLS)
DESCHUTES COUNTY, OREGON**

By: _____
Chair, Board of Directors

ATTEST:

By: _____
Superintendent



DISCUSSION ITEM: 2023-24 Budget Committee

PRESENTED BY: Brad Henry, Chief Operations and Financial Officer

EXECUTIVE SUMMARY:

The Bend-La Pine Schools' (BLS) Budget Committee is comprised of the seven elected members of the School Board and seven members of the community. The Budget Committee works with district staff to review and approve the school district's budget each year. A Budget Committee member's term is three years.

The following Budget Committee member's terms expired on June 30, 2022:

- Matt Hillman
- Cara Marsh-Rhodes

Cara Marsh-Rhodes has expressed her desire to continue to serve on the Budget Committee. Matt Hillman has decided to not continue. The Board can choose to reappoint Marsh-Rhodes by majority vote. Bend-La Pine Schools Board of Directors must appoint a replacement to the vacant position.

RECOMMENDED MOTION:

I move to reappoint Cara Marsh-Rhodes to a 3-year term in the position 5 seat on the Bend-La Pine Schools' Budget Committee and *(to appoint _____ to the vacant position 4 seat **or** advertise the vacant position 4 seat to the community).*



DISCUSSION ITEM: Bend Education Foundation Ex-Officio Board Member

PRESENTED BY: Melissa Barnes Dholakia, Board Chair

EXECUTIVE SUMMARY:

The Education Foundation for Bend-La Pine Schools is an independent, 501(c)(3) non-profit organization that comprises parents, civic and business leaders, educators, and concerned citizens who believe a vibrant public school system is essential to the social and economic well-being of our community. With guidance from their Board of Directors, the Foundation sets specific funding priorities to generate opportunities to engage students, parents, teachers, and community partners in creating and participating in a well-rounded and robust learning environment. Through volunteerism, donations, sponsorships, and fundraising events they seek to sustain Foundation programs that are designed to increase educational and extra-curricular opportunities for all district students and to encourage creative and innovative curriculum.

The Board of Directors for the Education Foundation includes an ex-officio member from the BLS Board of Directors. On September 14, 2021, Director Shimiko Montgomery was appointed to the position with the Education Foundation. On September 21, 2022, Director Montgomery was appointed to the State Board of Education. Due to conflicts with the meeting time of both Boards, Director Montgomery has resigned her position with the Education Foundation leaving the seat vacant.

RECOMMENDED MOTION:

I move to appoint _____ as the ex-officio member to the Education Foundation Board of Directors.



REPORT: Data on Board End 1: Strong Academic Foundation

PRESENTED BY: Dave VanLoo, Ph.D., Director of School Improvement

EXECUTIVE SUMMARY:

The Bend-La Pine Schools Board of Directors, in collaboration with the Superintendent and District Leadership, has established Board Ends to provide a common set of goals that guide the work of the district. Associated with these Board Ends are data metrics that are intended to provide high quality, systems-level evidence of Bend-La Pine schools' impact on achieving these Ends.

District Board Ends fall broadly into four domains:

1. Students are engaged and develop a **strong academic foundation**.
2. Students have a **passion, purpose, and plan** for their future.
3. Students, families, and staff **experience wellness, inclusion, and belonging** in our schools.
4. Operational systems align and support an academically effective and sustainable organization.

This report focuses on data relevant to the first Board End of a strong academic foundation for students. Metrics related to Board End #1 focus on evidence of student learning and achievement, and also on the prevalence and magnitude of inequitable student outcomes, throughout elementary and secondary schools. As this is the first opportunity for the Board to review these data since adopting Board Ends in September, these data provide an important baseline for future work. This report will focus on the best available evidence to which the district has access. It also will call attention to several gaps in available student data resulting from the COVID-19 pandemic.



Board End #1: Strong Academic Foundation (December 2022)

Dave VanLoo, Ph.D.

Strong Academic Foundation

District Performance & Gap Closing

1a: 1st grade ELA & math achievement

1b: 3rd–8th grade ELA & math achievement

1c: 4th–8th grade ELA and math growth

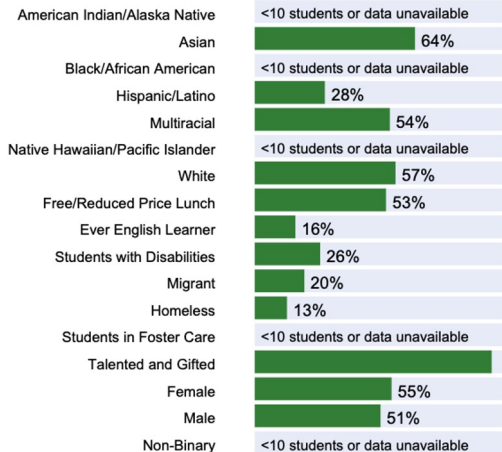
1d: 9th grade on-track

1e: ELL on-track to exit ELL services

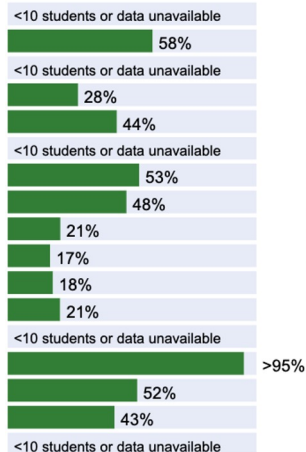
1f: Perception data



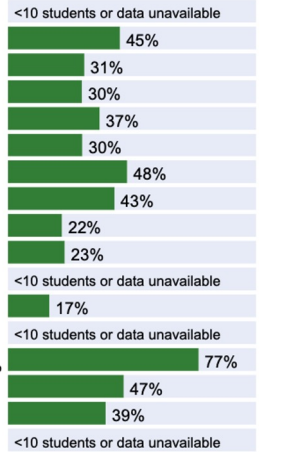
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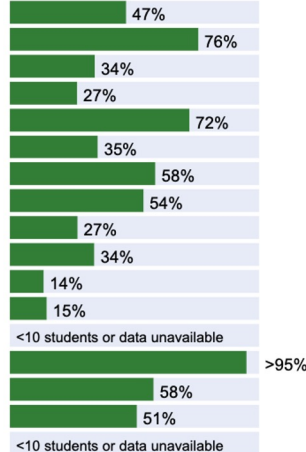
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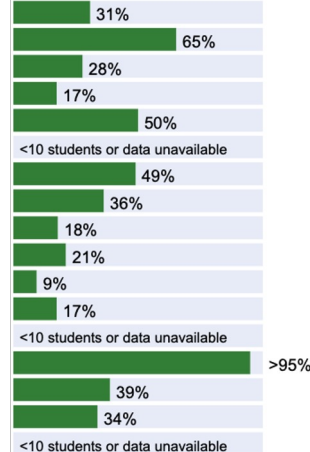
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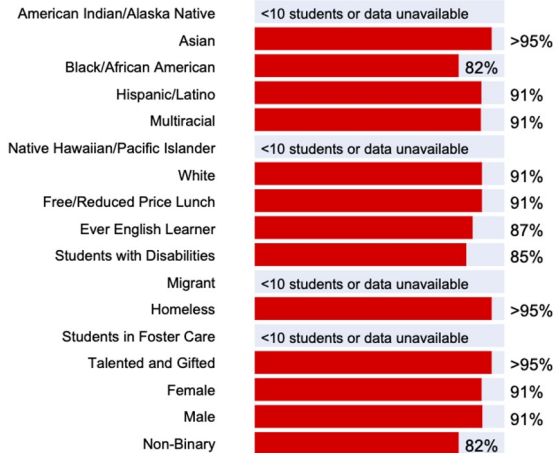
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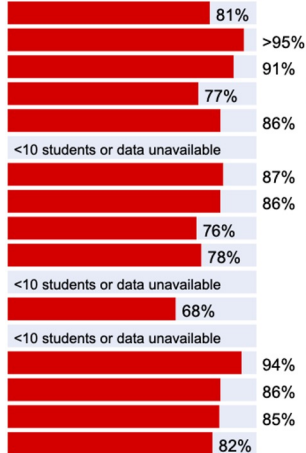
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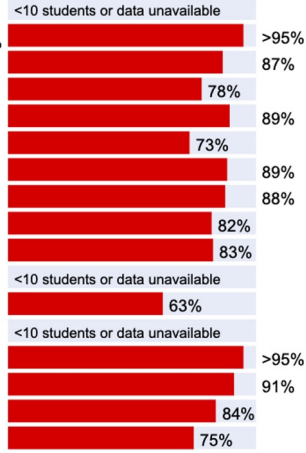
Grade 9 ON-TRACK TO GRADUATE



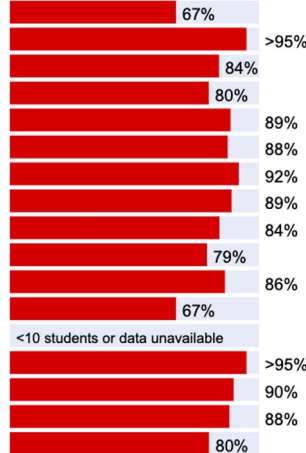
Grade 9 ON-TRACK TO GRADUATE



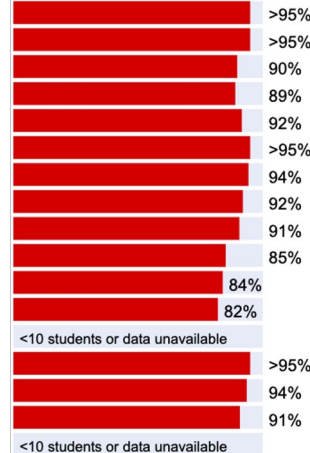
Grade 9 ON-TRACK TO GRADUATE



Grade 9 ON-TRACK TO GRADUATE



Grade 9 ON-TRACK TO GRADUATE





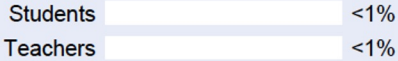
17,151

Student Enrollment

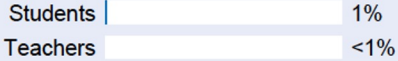
Bend-La Pine Demographics 2021-22

DEMOGRAPHICS

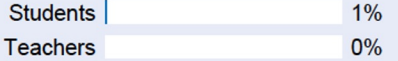
American Indian/Alaska Native



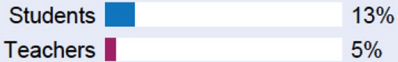
Asian



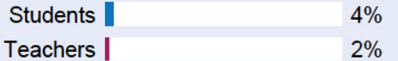
Black/African American



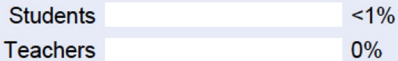
Hispanic/Latino



Multiracial



Native Hawaiian/Pacific Islander



White



8%

Ever English Learners



30

Languages Spoken

11%

Students with Disabilities

15%

Mobile Students

>95%

Free/Reduced Price Lunch



The “Economic Disadvantage” Issue

Almost all students were considered Economically Disadvantaged in 2021–22.

Economic disadvantage typically comprises nearly 80% of the district’s Historically Underserved (HU) group, which is 40–50% of total enrollment.

For 2021–22 we can’t use HU and we are missing data on our largest HU group.



How to Read Charts

This chart includes

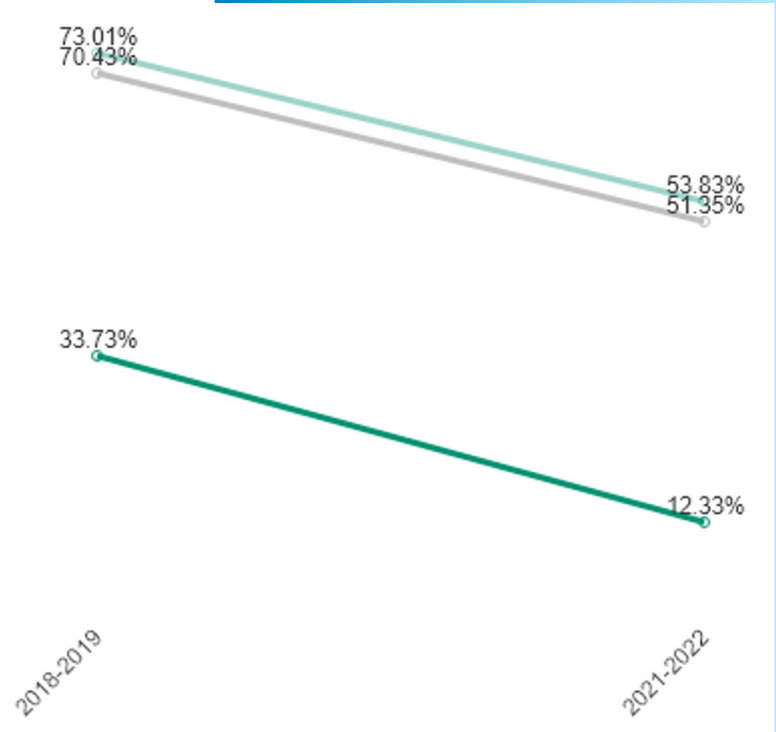
All Students (**Gray** Line)

Student group of interest

(**Dark Color** Line)

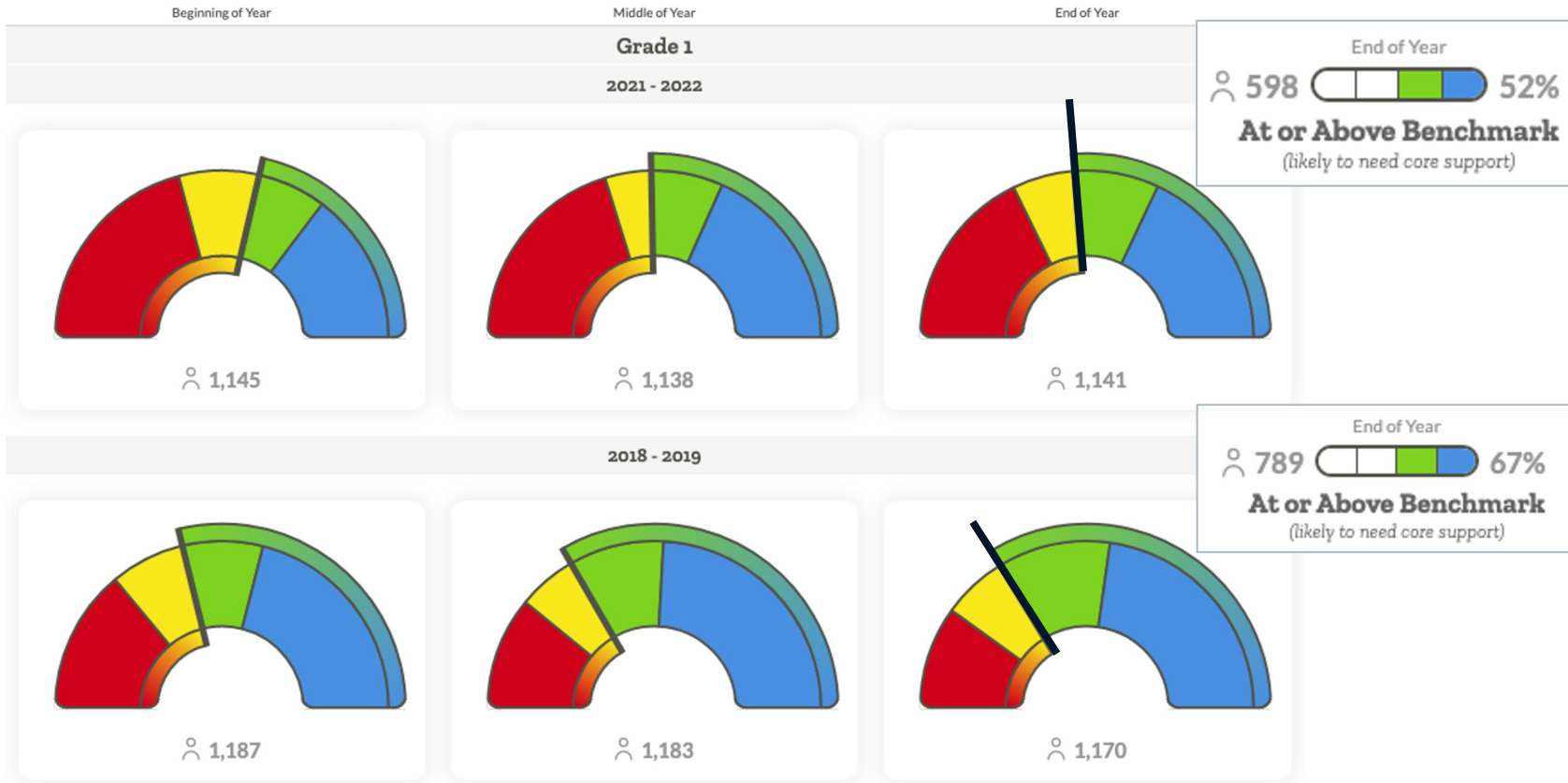
Not student group of interest (**Light Color** Line)

Compares 2018–19 and 2021–22



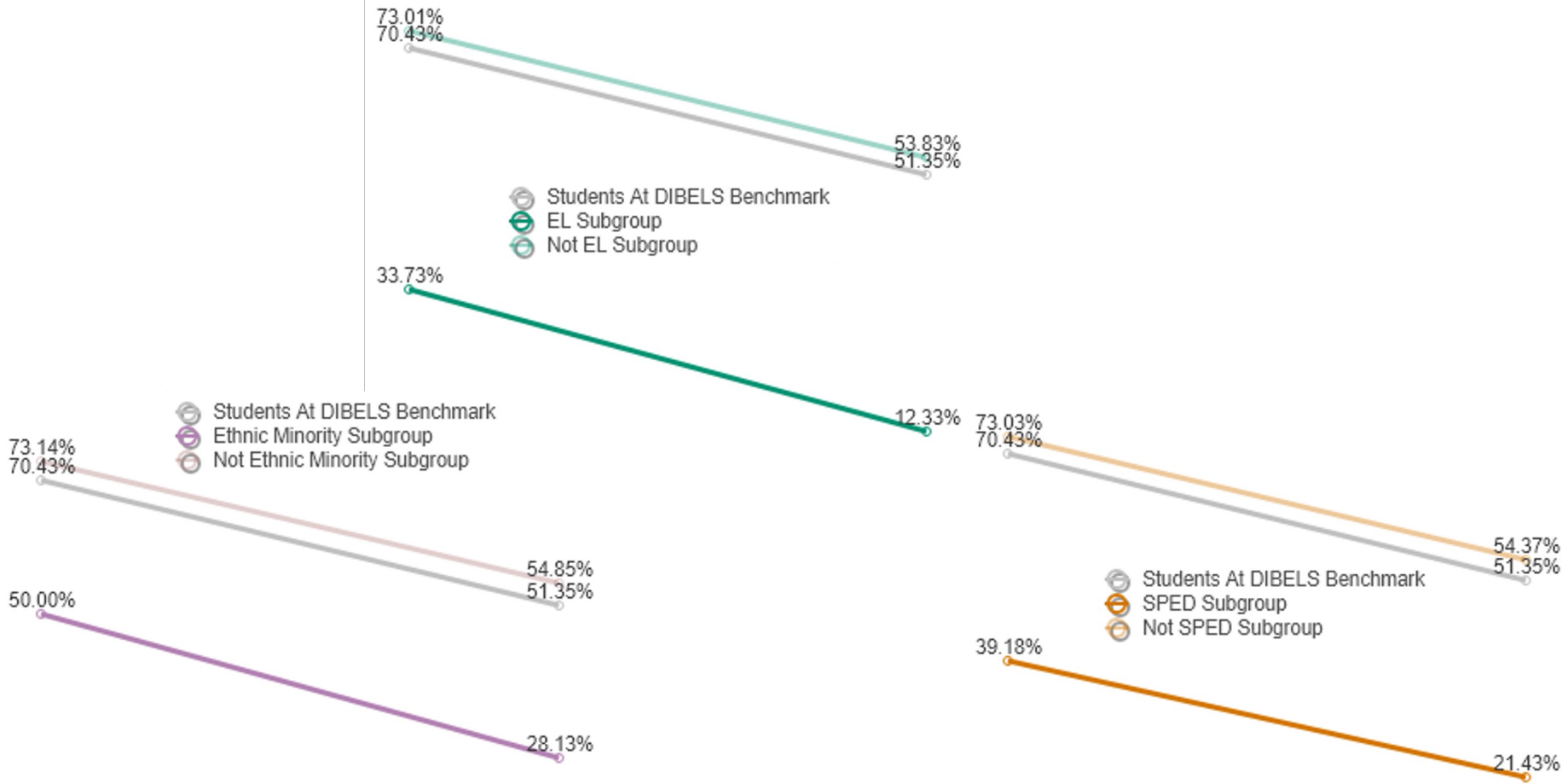
End 1a: First Grade ELA & Math Achievement





1a: First Grade End of Year ELA Achievement (Acadience Reading)

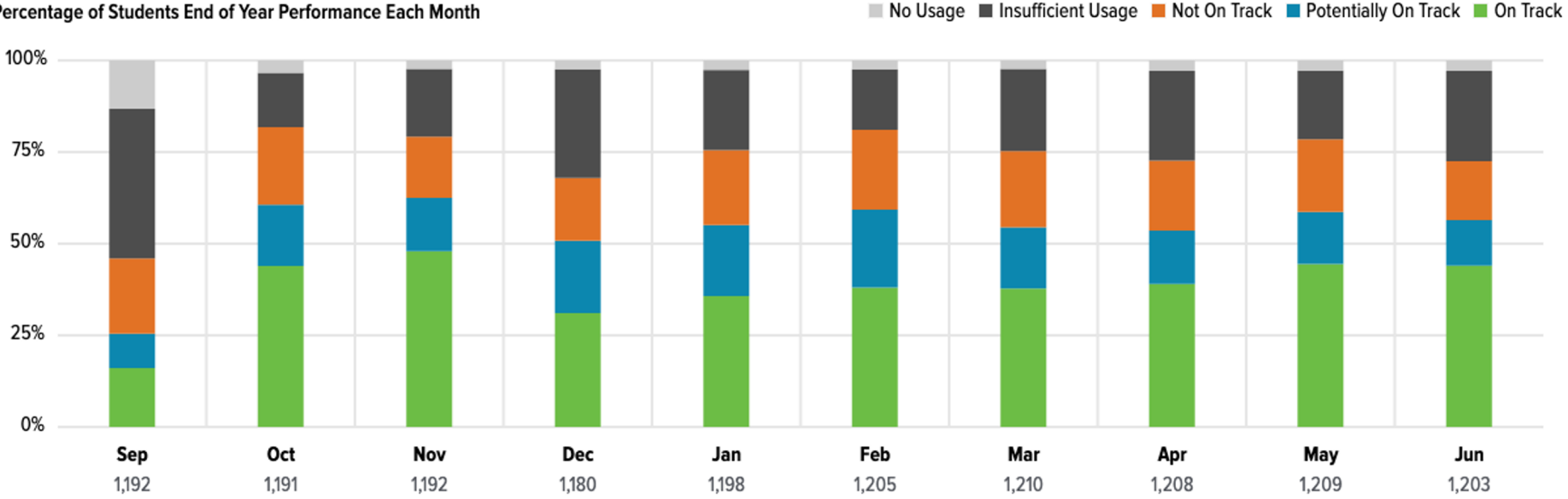




1a: First Grade "Best" ELA Score (Acadience 18-19 to 21-22)



Percentage of Students End of Year Performance Each Month

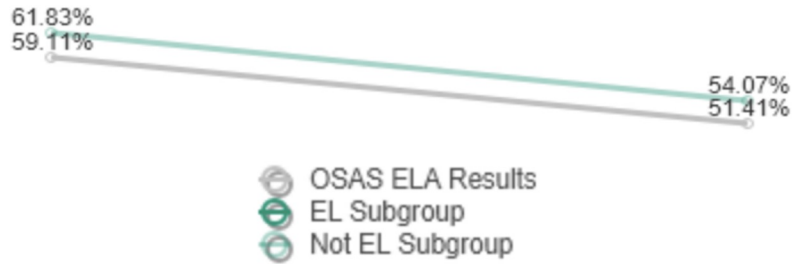


1a: First Grade End of Year Math Achievement 2021-22 (Dreambox Math)



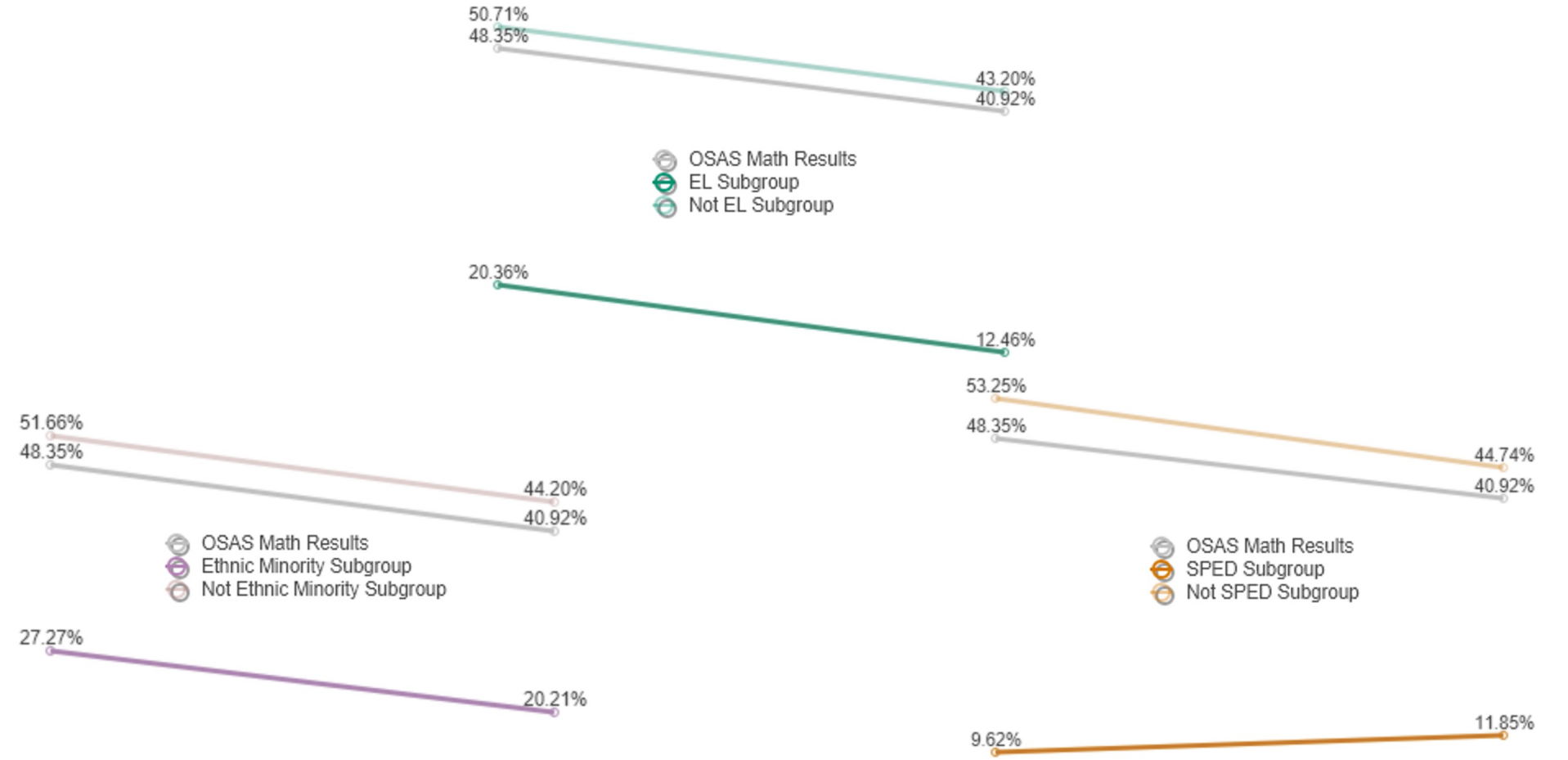
End 1b: 3rd–8th Grade OSAS Achievement





1b: Percentage of 3rd-8th Grade Students Meeting Standard on OSAS ELA (2018-19 to 2021-22)






1b: Percentage of 3rd–8th Grade Students Meeting Standard on OSAS Math (2018–19 to 2021–22)



End 1c: 4th–8th Grade OSAS Growth





2021-22

Academic Progress

Grades 3-8

INDIVIDUAL STUDENT PROGRESS

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

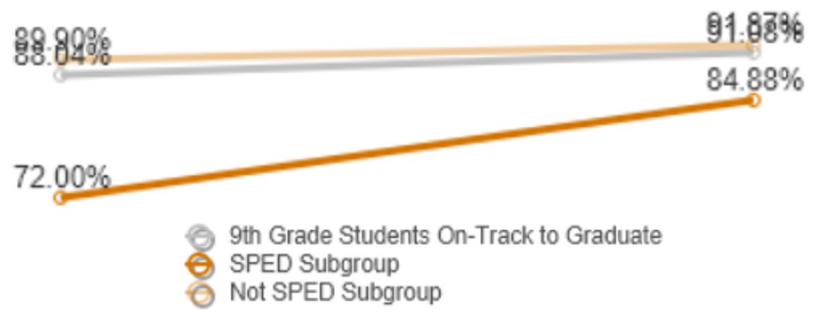
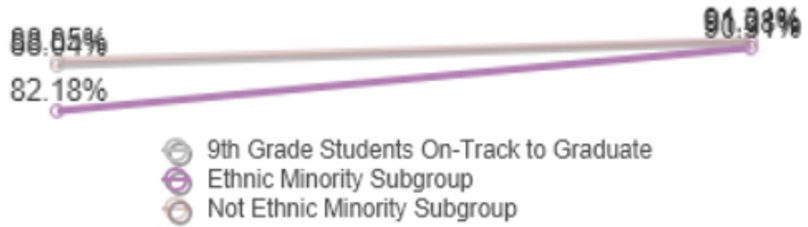
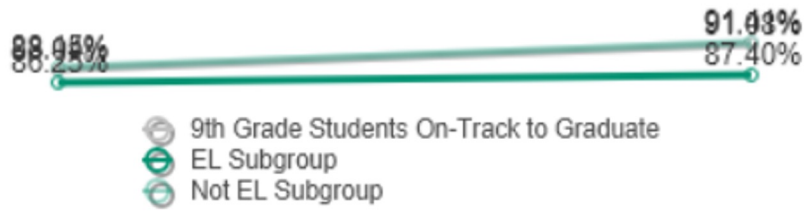
Data not available in 2021-22

1b: 4th–8th Grade OSAS Growth



End 1d: 9th Grade On-Track





1d: 9th Grade On-Track (2018-19 to 2021-22)



End 1e: On-Track for English Language Proficiency



<u>Student Group Label</u>	<u>Grade Group</u>	<u>Total Number of Els (21-22)</u>	<u>Total ELs On Track to ELP (21-22)</u>	<u>Percent of ELs On Track to ELP (21-22)</u>	<u>Percent of ELs On Track to ELP (18-19)</u>
English Learner	ES	273	146	54	63
English Learner	MS	129	43	33	35
English Learner	HS	127	44	35	44
English Learner	ALL	529	233	44	54
EL-Students with Disabilities	ES	39	15	39	47
EL-Students with Disabilities	MS	38	5	13	15
EL-Students with Disabilities	HS	46	6	13	30
EL-Students with Disabilities	ALL	123	26	21	33

1e: On-Track for English Language Proficiency



End 1f: Perceptions of Efficacy of Academic Programs



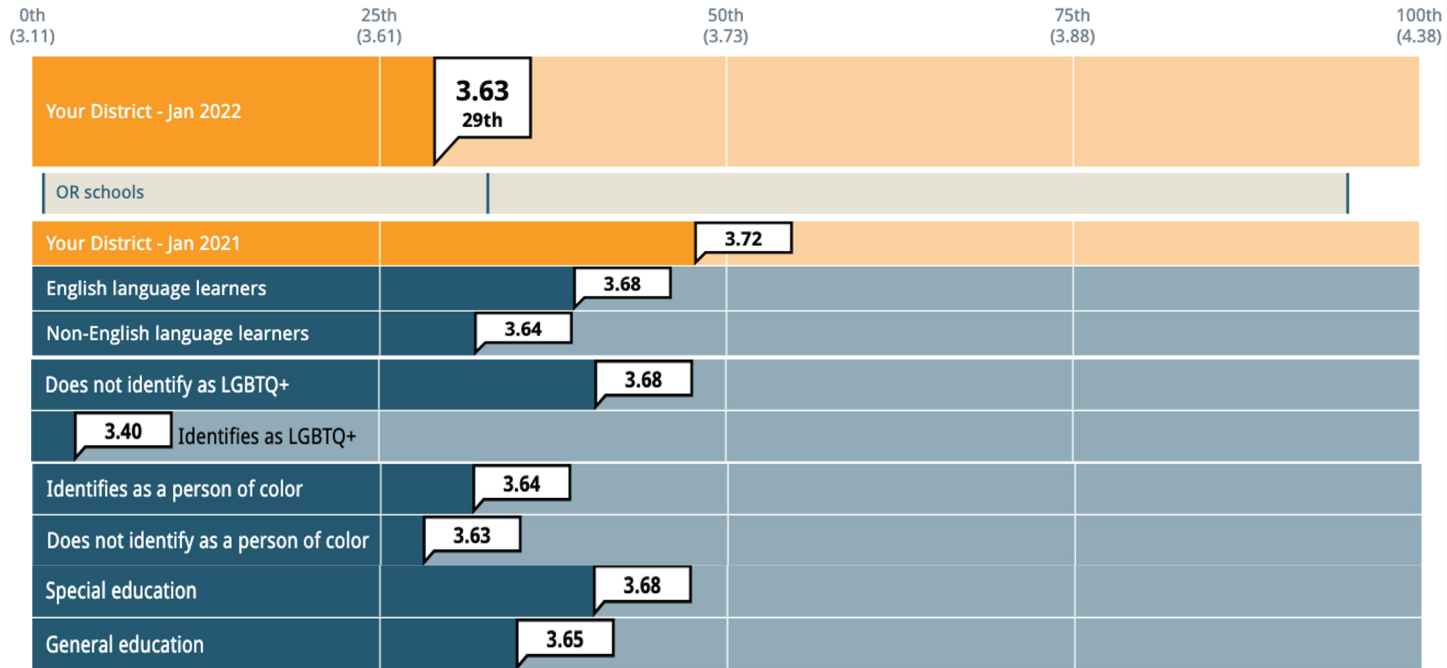
YouthTruth Survey Context

**January 2021 –
Fully Remote Learning**

**January 2022 –
Fully In-Person Instruction**



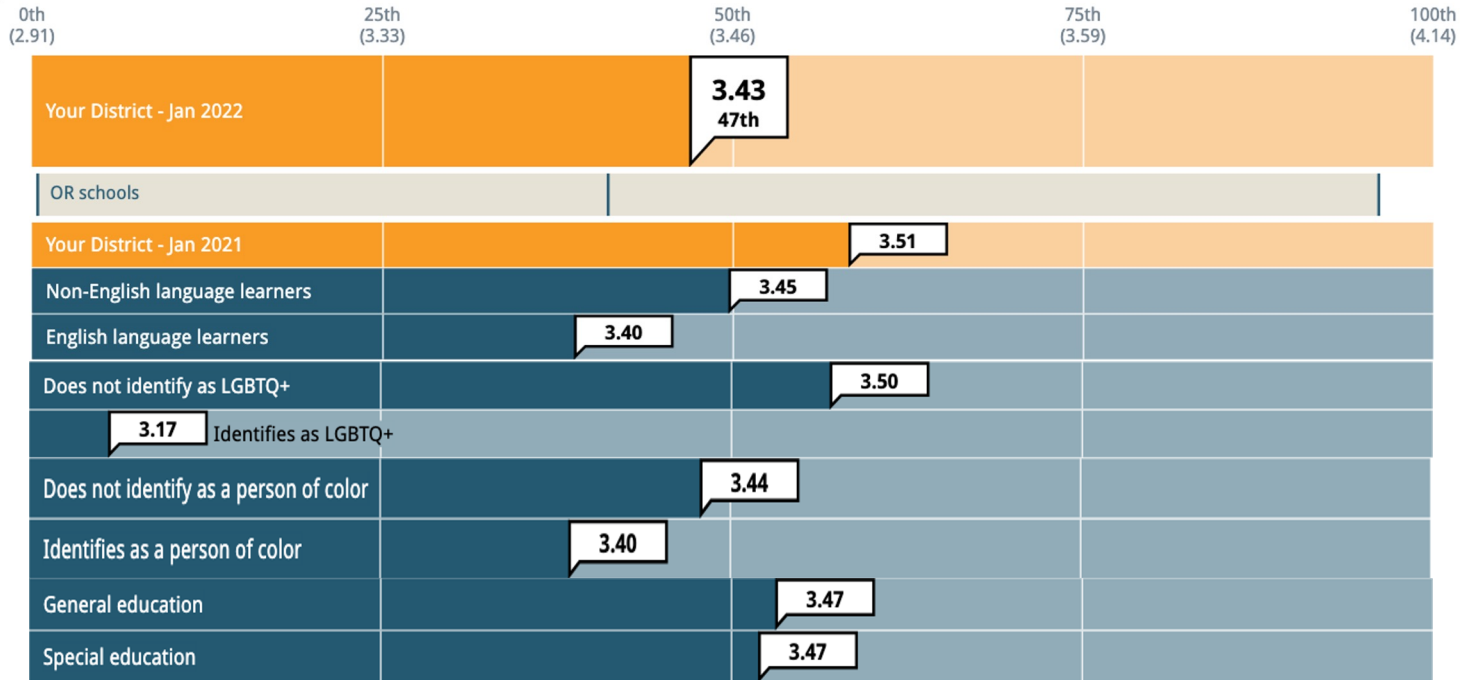
MS Students – Academic Challenge



Theme – The degree to which students feel they are challenged by their coursework and their teachers



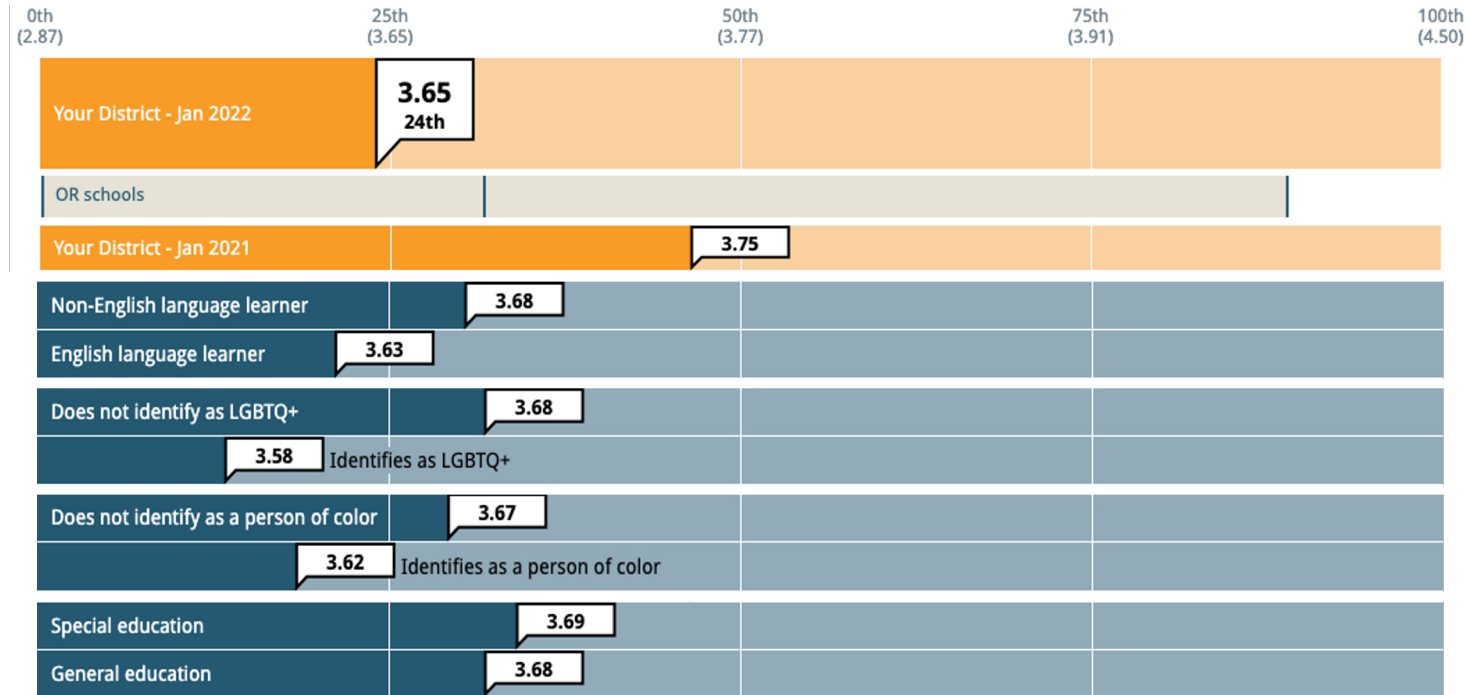
MS Students – Engagement



Theme – The degree to which students perceive themselves as engaged with their school and their education



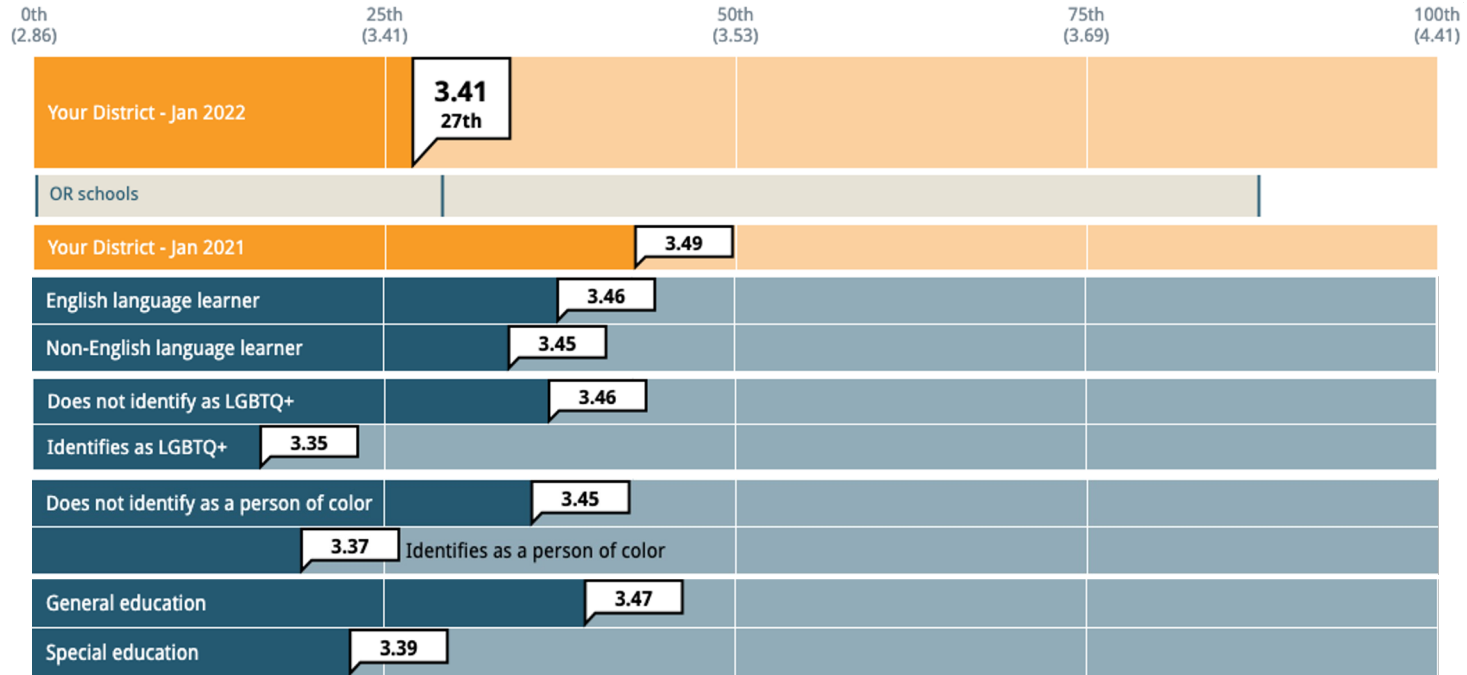
HS Students – Academic Challenge



Theme – The degree to which students feel they are challenged by their coursework and their teachers



HS Students – Engagement



Theme – The degree to which students perceive themselves as engaged with their school and their education







Meta de la Mesa Directiva #1: sólida base académica (diciembre de 2022)

Dave VanLoo, Ph.D.

Sólida base académica

Desempeño del Distrito y eliminación de desventajas

1a: Logros de primer grado en Artes del Idioma Inglés (ELA, por sus siglas en inglés) y Matemáticas

1b: Logros de 3° a 8° grado en ELA y Matemáticas

1c: Progreso de 4° a 8° grado en ELA y Matemáticas

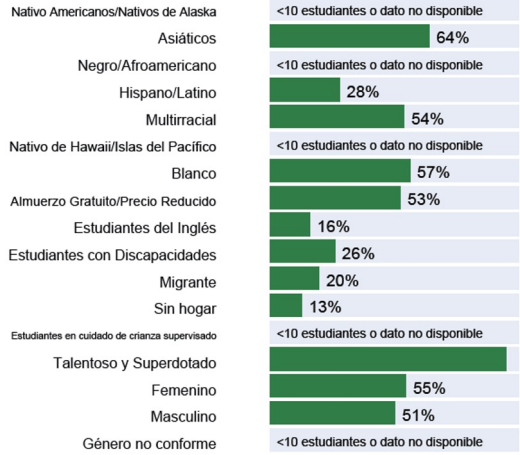
1d: 9° grado encarrilado

1e: Aprendiz del Idioma Inglés (ELL, por sus siglas en inglés) en vías de concluir los servicios ELL

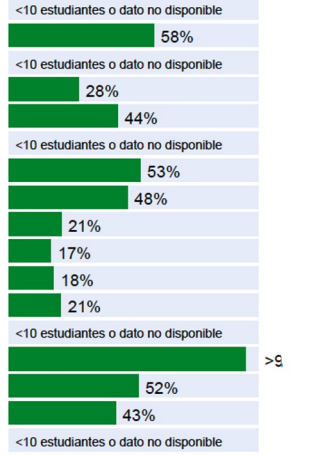
1f: Datos de percepción



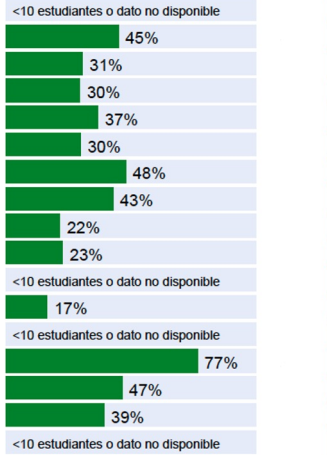
Grado 3
ARTES DE LENGUAJE DEL INGLÉS



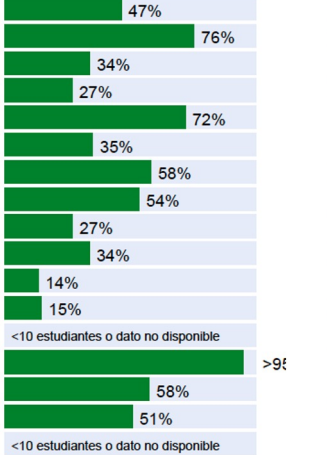
Grado 3
ARTES DE LENGUAJE DEL INGLÉS



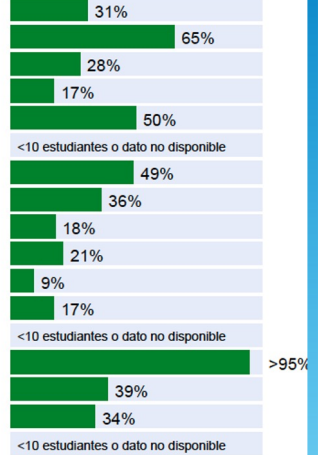
Grado 3
ARTES DE LENGUAJE DEL INGLÉS



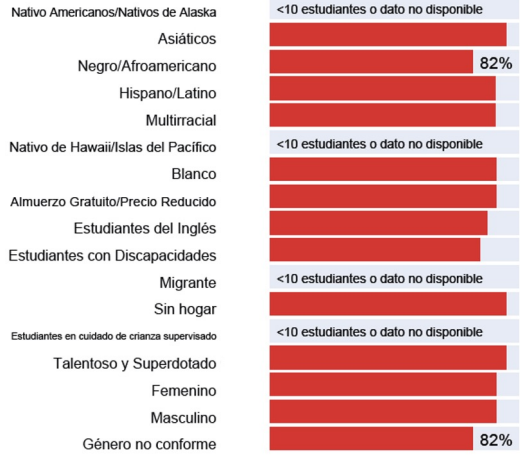
Grado 3
ARTES DE LENGUAJE DEL INGLÉS



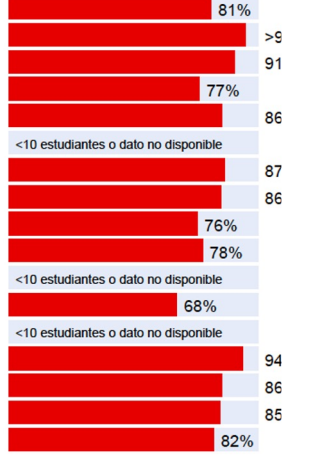
Grado 3
ARTES DE LENGUAJE DEL INGLÉS



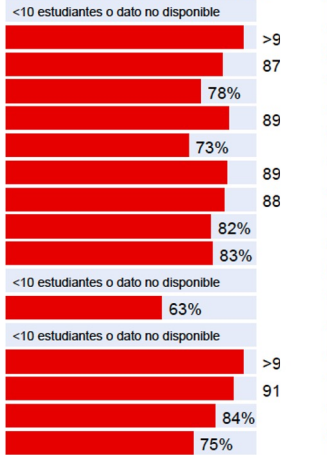
Grado 9
EN CAMINO A GRADUARSE



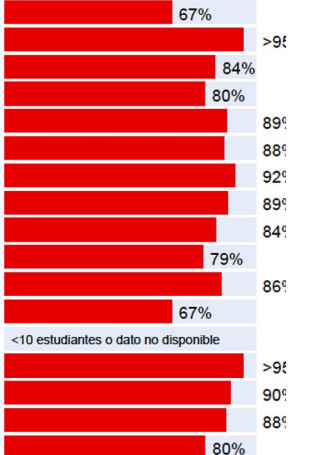
Grado 9
EN CAMINO A GRADUARSE



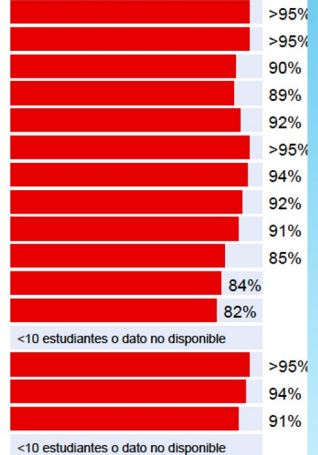
Grado 9
EN CAMINO A GRADUARSE



Grado 9
EN CAMINO A GRADUARSE



Grado 9
EN CAMINO A GRADUARSE



Estudiantes que Servimos



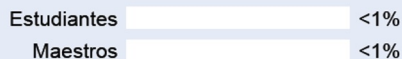
17,151

Estudiantes Inscritos

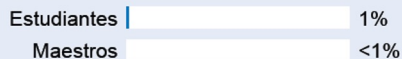
Datos demográficos de Bend-La Pine 2021-22

DEMOGRAFÍA

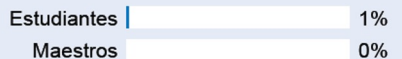
Nativo Americanos/Nativos de Alaska



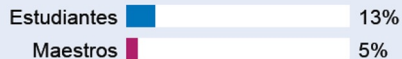
Asiáticos



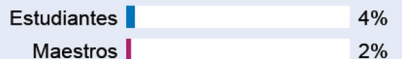
Negro/Afroamericano



Hispano/Latino



Multirracial



Nativo de Hawaii/Islas del Pacífico



Blanco



8%

Estudiantes del Inglés



30

Idiomas Hablados

11%

Estudiantes con Discapacidades

15%

Estudiantes Móviles

>95%

Almuerzo Gratuito/ Precio Reducido



El problema de la “desventaja económica”

Casi todos los estudiantes fueron considerados en desventaja económica en 2021-22.

Los estudiantes en desventaja económica generalmente comprenden casi el 80 % del grupo Históricamente Desatendido (HU, por sus siglas en inglés) del distrito escolar, que representa el 40-50 % de la inscripción total de alumnos.

Para 2021-22 no podemos usar HU y nos faltan datos sobre nuestro grupo de HU más grande.



Cómo leer gráficas

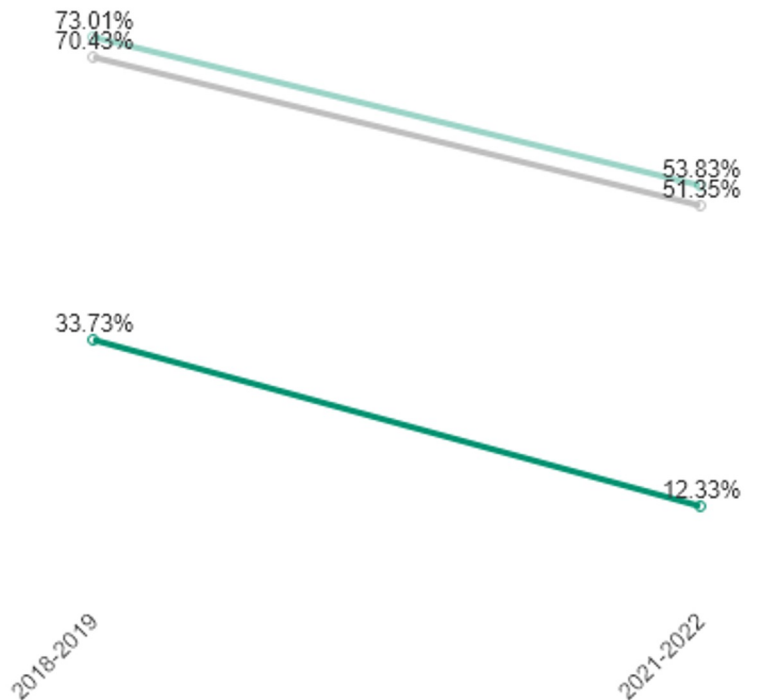
Esta gráfica incluye

Todos los estudiantes (línea gris)

Grupo de estudiantes de interés (línea de **color oscuro**)

Grupo de interés no estudiantil (línea de **color claro**)

Compara 2018-19 y 2021-22



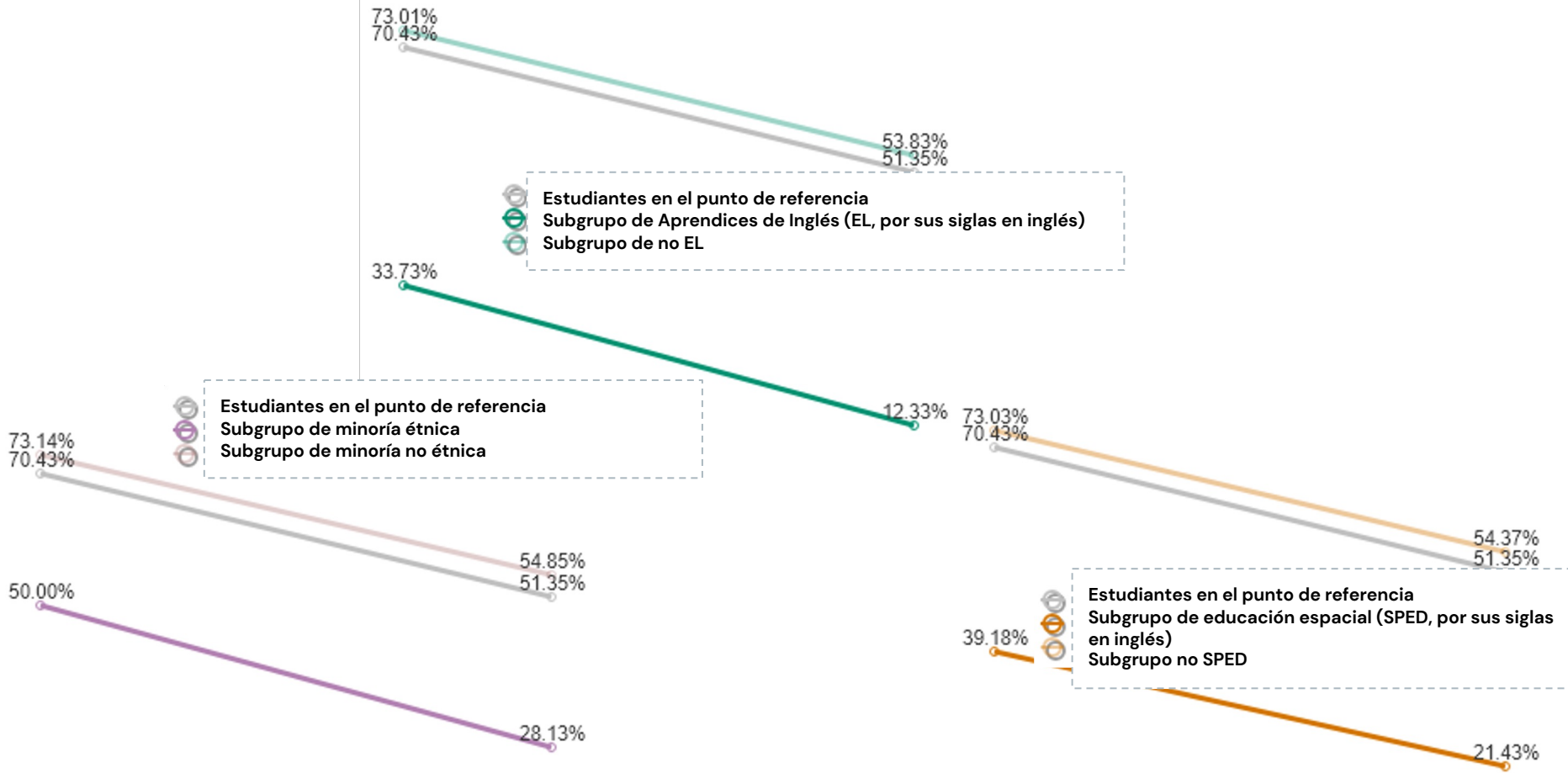
Meta 1a: Logros en ELA y Matemáticas





1a: Logros de primer grado en ELA de fin de año (Lectura Acadience)

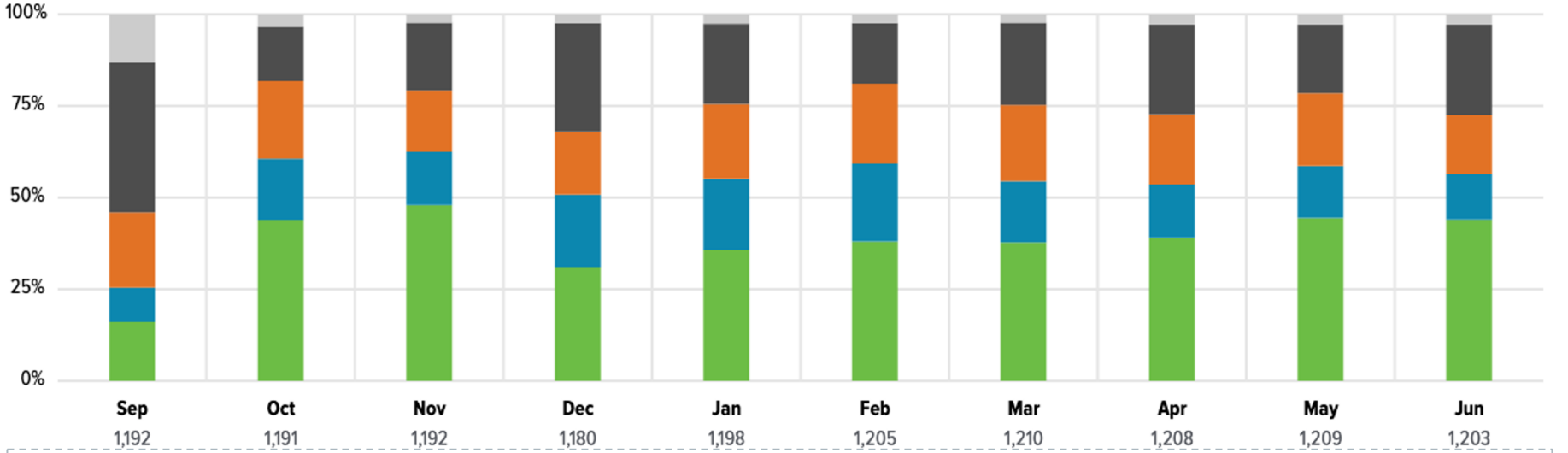




1a: "Mejor" puntaje de primer grado en ELA (Acadience 18-19 a 21-22)



Percentage of Students End of Year Performance Each Month



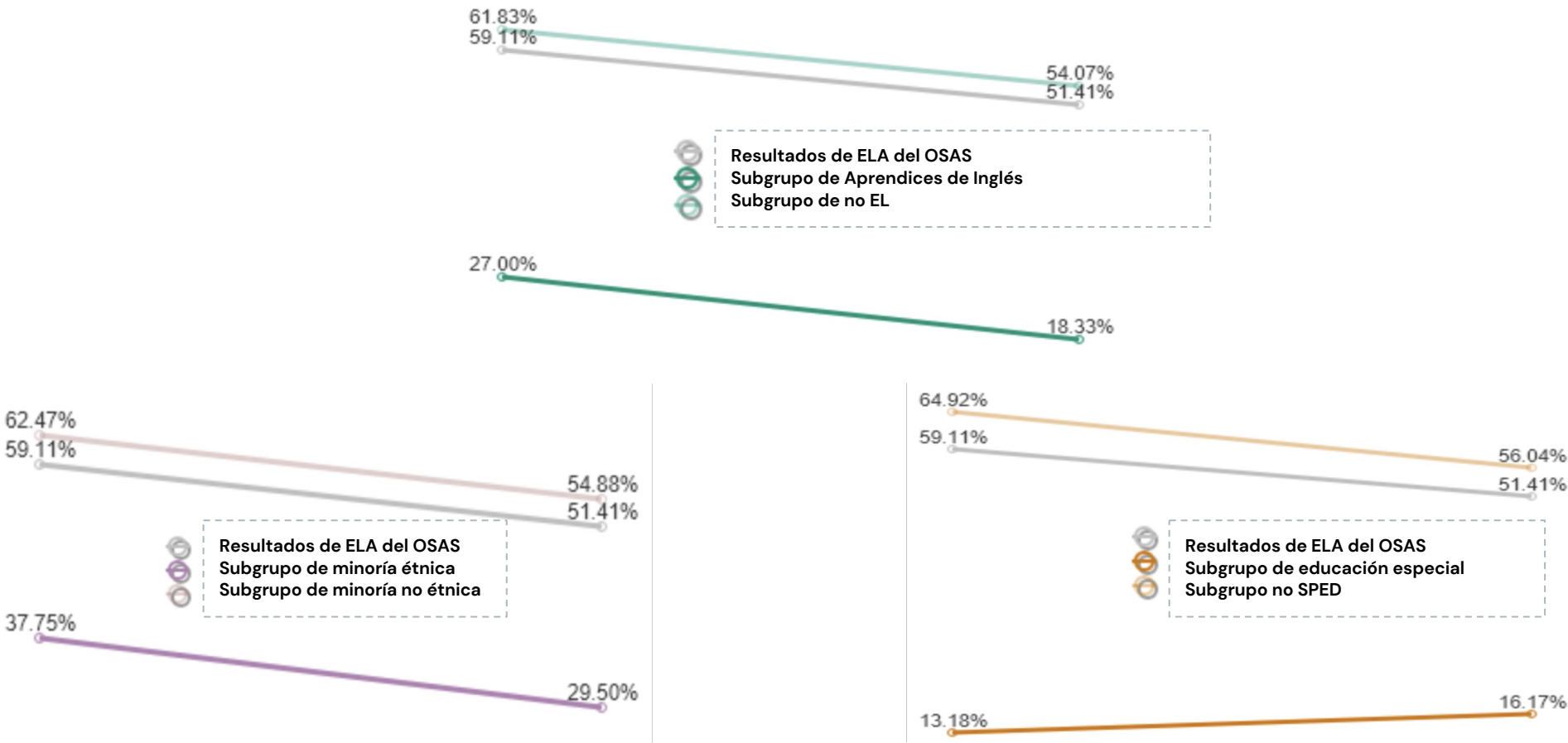
Replace English Months Above With Spanish Months, or add below

1a: Logros de primer grado en Matemáticas de fin de año 2021-22 (Matemáticas Dreambox)



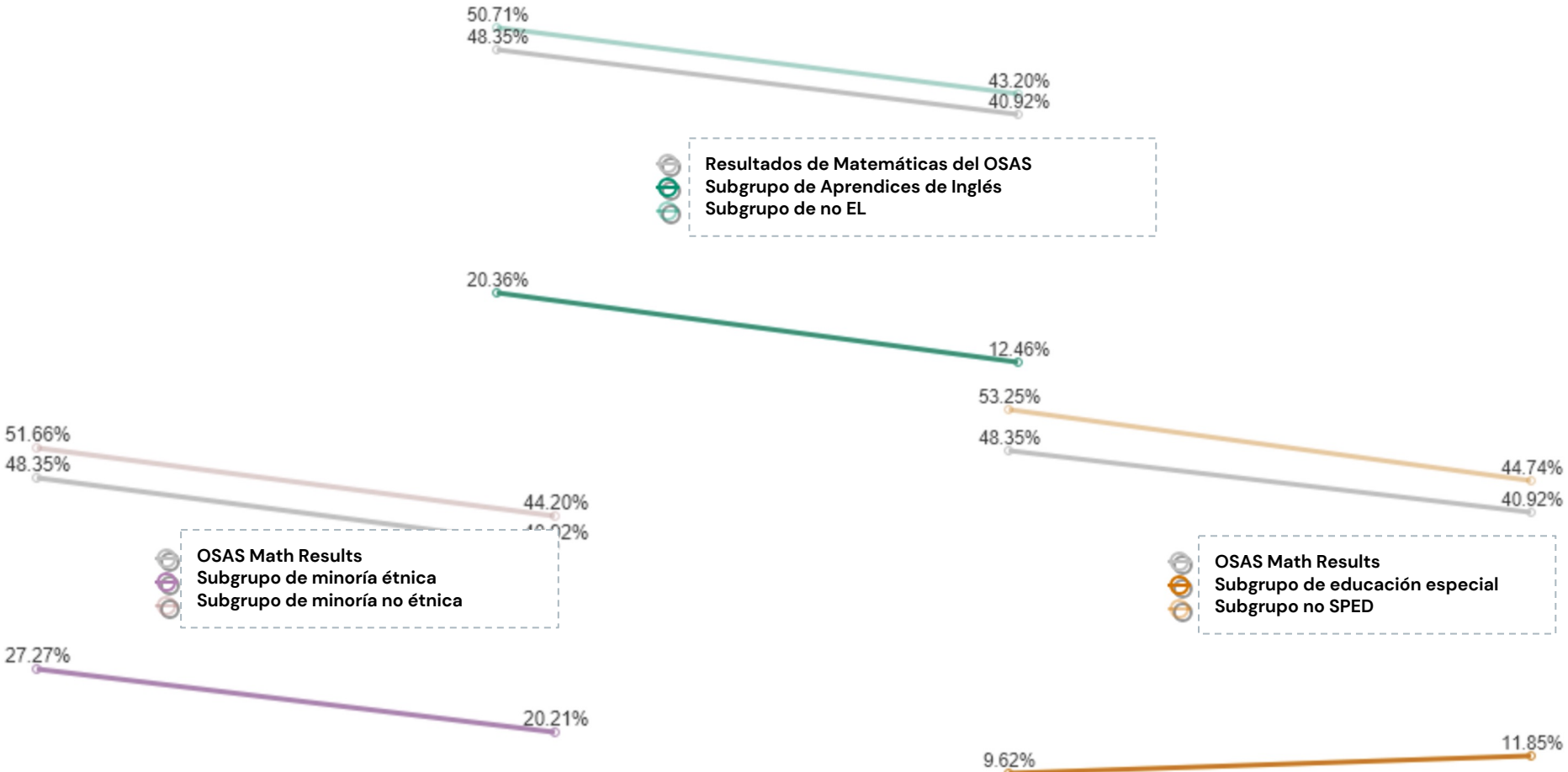
Meta 1b: Logros de 3° a 8° grado en el Sistema de Evaluación Estatal de Oregón (OSAS, por sus siglas en inglés)





1b: Porcentaje de estudiantes de 3° a 8° grado que cumplen con el estándar en ELA del OSAS (2018-19 a 2021-22)





1b: Porcentaje de estudiantes de 3° a 8° grado que cumplen con el estándar en Matemáticas del OSAS (2018-19 a 2021-22)



**Meta 1c: Crecimiento de 4°
a 8° grado en el OSAS**



Progreso Académico

Grados 3-8

PROGRESO INDIVIDUAL DEL ESTUDIANTE

Progreso de un año a otro en el arte del lenguaje inglés y matemáticas.

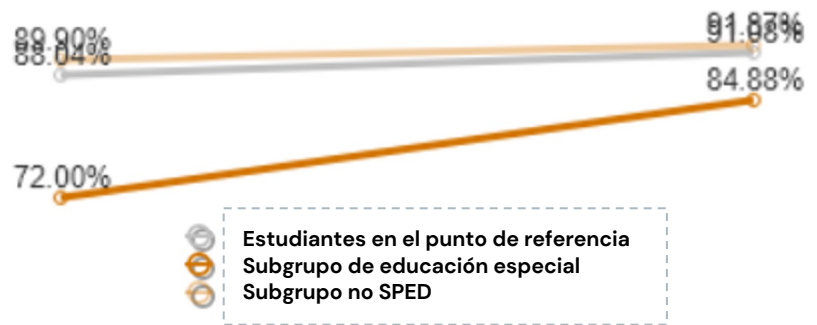
Datos no disponibles en 2021-22.

1b: Crecimiento de 4° a 8° grado en el OSAS



**Meta 1d: 9° grado
encarrilado**





1d: 9° grado encarrilado (2018-19 a 2021-22)



Meta 1e: Encarrilados hacia el dominio del idioma inglés (ELP, por sus siglas en inglés)



<u>Etiquetado de grupos de estudiantes</u>	<u>Grupo de grado</u>	<u>Número total de ELs (21-22)</u>	<u>Total de ELs encarrilados al ELP (21-22)</u>	<u>Porcentaje de ELs encarrilados al ELP (21-22)</u>	<u>Porcentaje de ELs encarrilados al ELP (18-19)</u>
Aprendiz de inglés	ES	273	146	54	63
Aprendiz de inglés	MS	129	43	33	35
Aprendiz de inglés	HS	127	44	35	44
Aprendiz de inglés	TODOS	529	233	44	54
Estudiantes EL con discapacidades	ES	39	15	39	47
Estudiantes EL con discapacidades	MS	38	5	13	15
Estudiantes EL con discapacidades	HS	46	6	13	30
Estudiantes EL con discapacidades	TODOS	123	26	21	33

1e: Encarrilados hacia el dominio del idioma inglés



Meta 1f: Percepciones de eficacia de los programas académicos



Contexto de la encuesta YouthTruth (Verdad Juvenil, por sus traducción al inglés)

Enero 2021 –

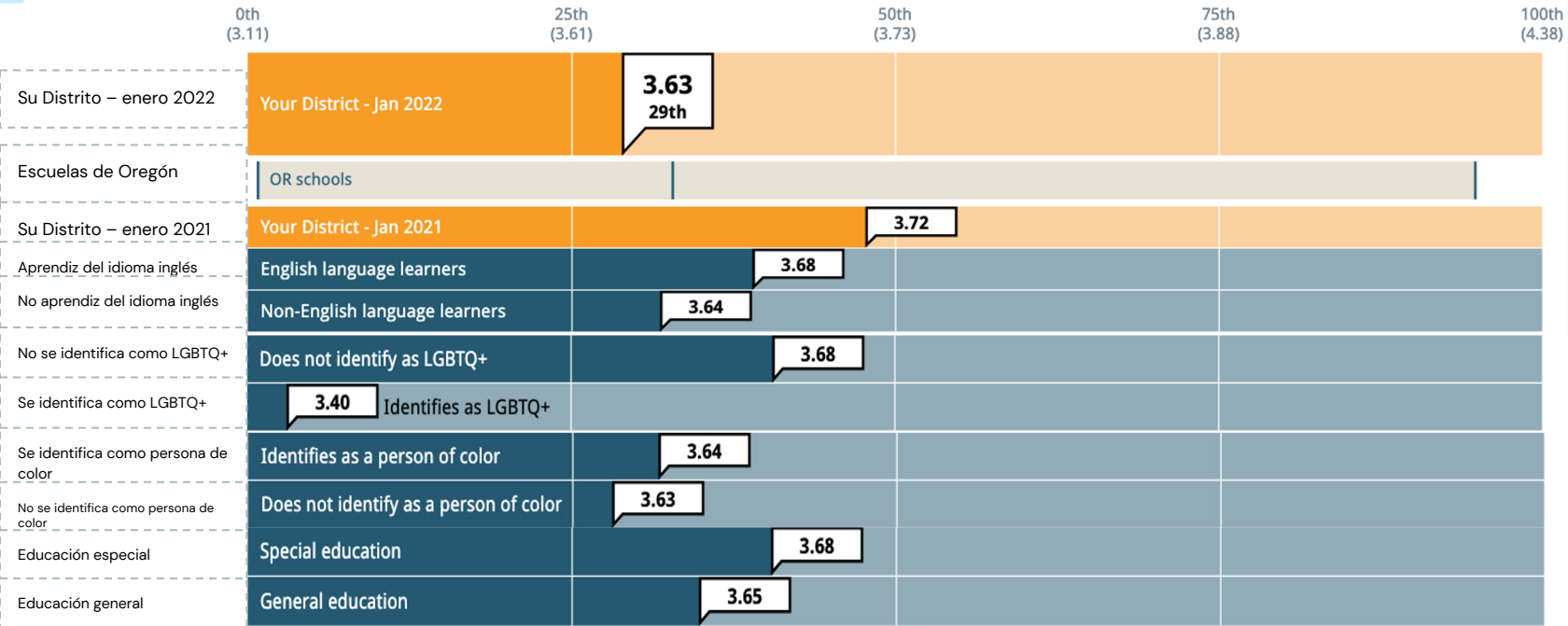
**Aprendizaje completamente
remoto**

Enero 2022 –

**Enseñanza completamente en
persona**



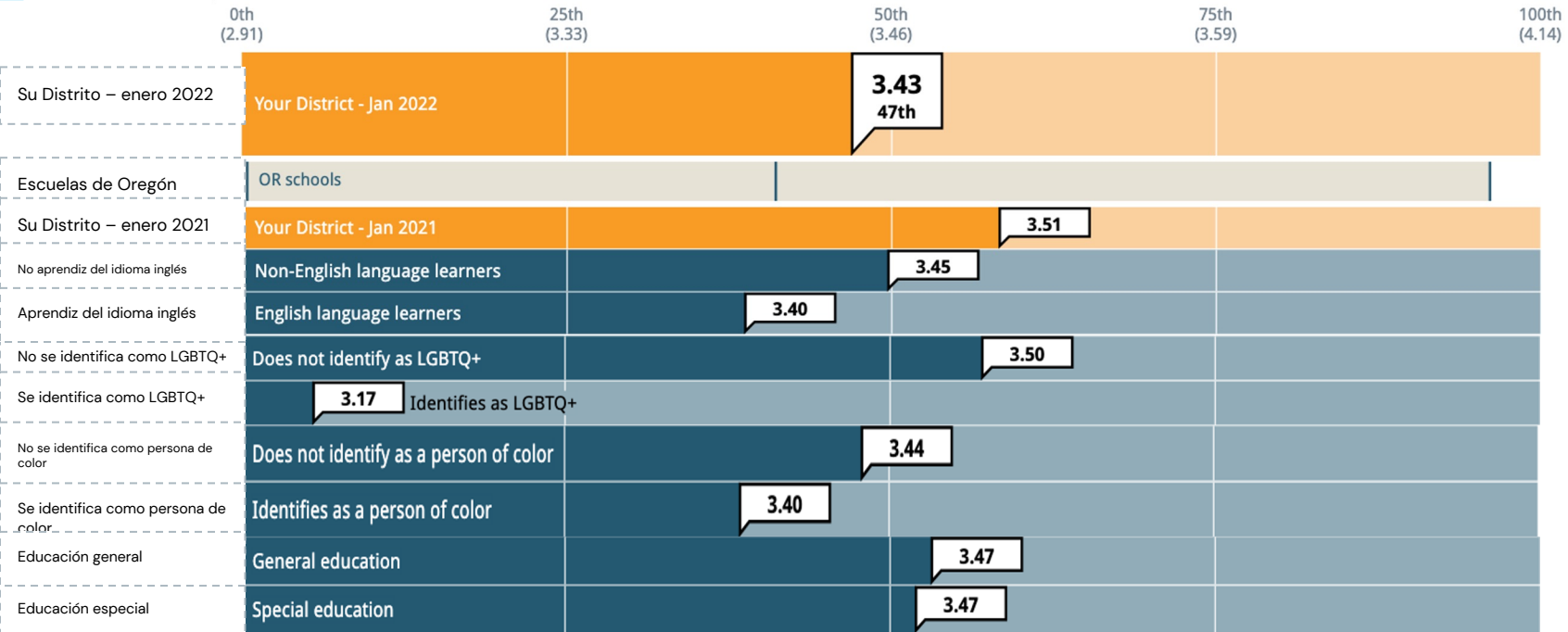
Estudiantes de Secundaria – Desafío académico



Tema: el grado en que los estudiantes se sienten desafiados por sus cursos y sus maestros



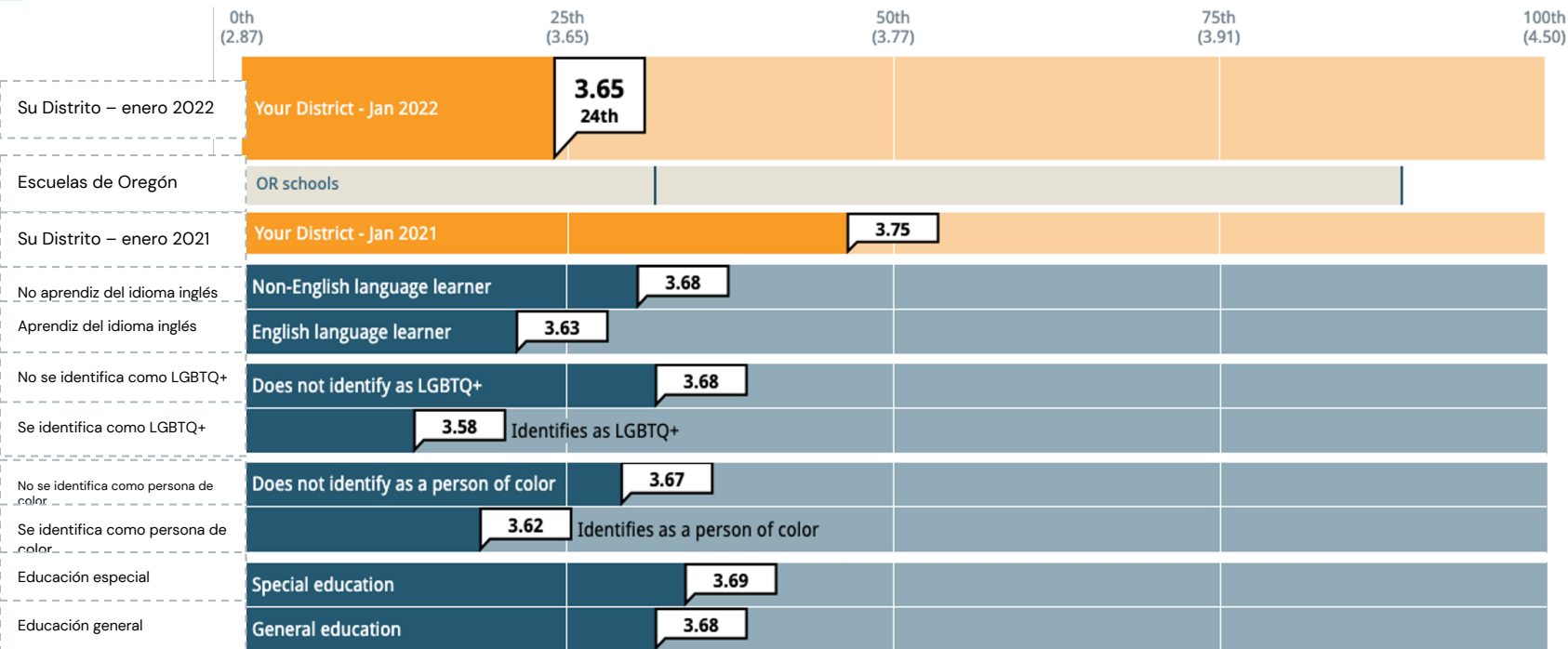
Estudiantes de Secundaria – Compromiso



Tema: el grado en que los estudiantes se perciben a sí mismos como comprometidos con su escuela y su educación.



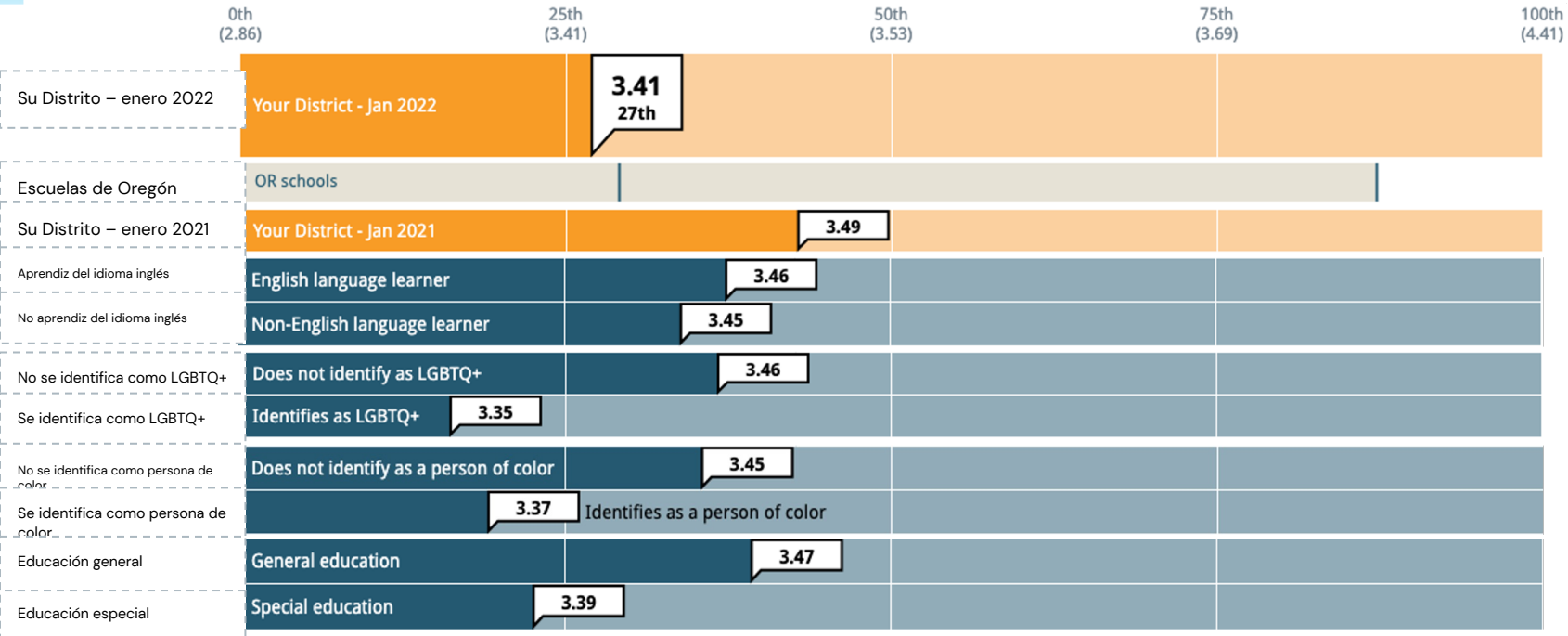
Estudiantes de Preparatoria – Desafío Académico



Tema: el grado en que los estudiantes se sienten desafiados por sus cursos y sus maestros



Estudiantes de Preparatoria – Compromiso



Tema: el grado en que los estudiantes se perciben a sí mismos como comprometidos con su escuela y su educación







REPORT: BLS Staffing Report

PRESENTED BY: Steve Herron, Chief Human Resources Officer
Ryan Kelling, Director of Recruitment & Retention

EXECUTIVE SUMMARY:

This report addresses the Bend-La Pine School Board's goals of having staffing (that) reflects the diversity of students and families and provides information on staff and operational systems (that) align and support an academically effective and sustainable organization.

This report will address Bend-La Pine (BLS)'s staffing levels, staff demographics, a comparison of staff and student demographics, and hiring trends and patterns recognized.

Since 2018, there have been gains in the staff's gender balance, as well as in the number of non-white staff as represented as a percentage of overall staff over the past four years. However, discrepancy between the number of non-white staff and non-white students, as represented by percentage of total staff/student enrollment, persists.

The report also illustrates that as a district, we have a year-round hiring cycle, with predictable spikes in hiring of employees in May, June, and August to prepare for the upcoming school year.

Finally, the report highlights new efforts underway and continuing into the 2023-24 school year to better meet the Board's goals for staff diversity.



BLS Staffing Report

Steve Herron, Chief Human Resources Officer
Ryan Kelling, Director of Recruitment & Retention

Topics:

- **Staffing Levels, Staff Demographics**
- **Student/Staff Demographic Comparison**
- **Hiring Trends and Patterns**



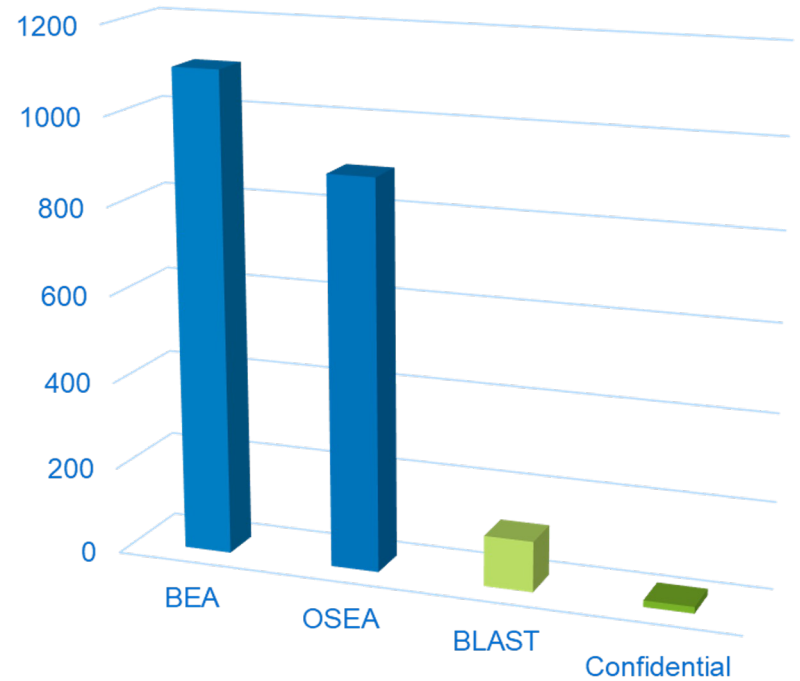
Staffing Levels & Demographics

2021-22 Data



Staffing Levels

Regular Staff:	2,126
Certified:	1,103
Classified:	892
Administrative:	116
Confidential:	15



Demographic Data

2018

2020

2022

Sex:

Male

Female

Male

Female

Male

Female

29.7%

70.3%

34.5%

65.5%

33%

67%

Race/

Ethnicity:

White

Latinx

Black

Other

White

Latinx

Black

Other

White

Latinx

Black

Other

93.5%

4%

.2%

2.3%

92.8%

4.8%

.4%

2%

91.2%

5.6%

.7%

2.4%

Sources: 2018, 2020, and 2022 EEO-5 Reports

Demographic Data By Employee Group

	Male	Female
All	33%	67%
BEA	31%	69%
OSEA	31%	69%
Admin	57%	43%

	White	Latinx	Black	Other
All	91.2%	5.6%	<1%	2.4%
BEA	91%	5%	<1%	3%
OSEA	88%	7%	1%	4%
Admin	94%	3%	–	3%

Comparative Racial/Ethnic Demographics

Students 2021-22	
White	82%
Latinx	12%
Black	1%
Asian	1%
American Indian	1%
Pacific Islander	<1%
Multi-racial	4%

Staff 2021-22	
White	91%
Latinx	6%
Black	<1%
Asian	1.3%
American Indian	<1%
Pacific Islander	<1%
Multi-racial	<1%

Staff Hiring

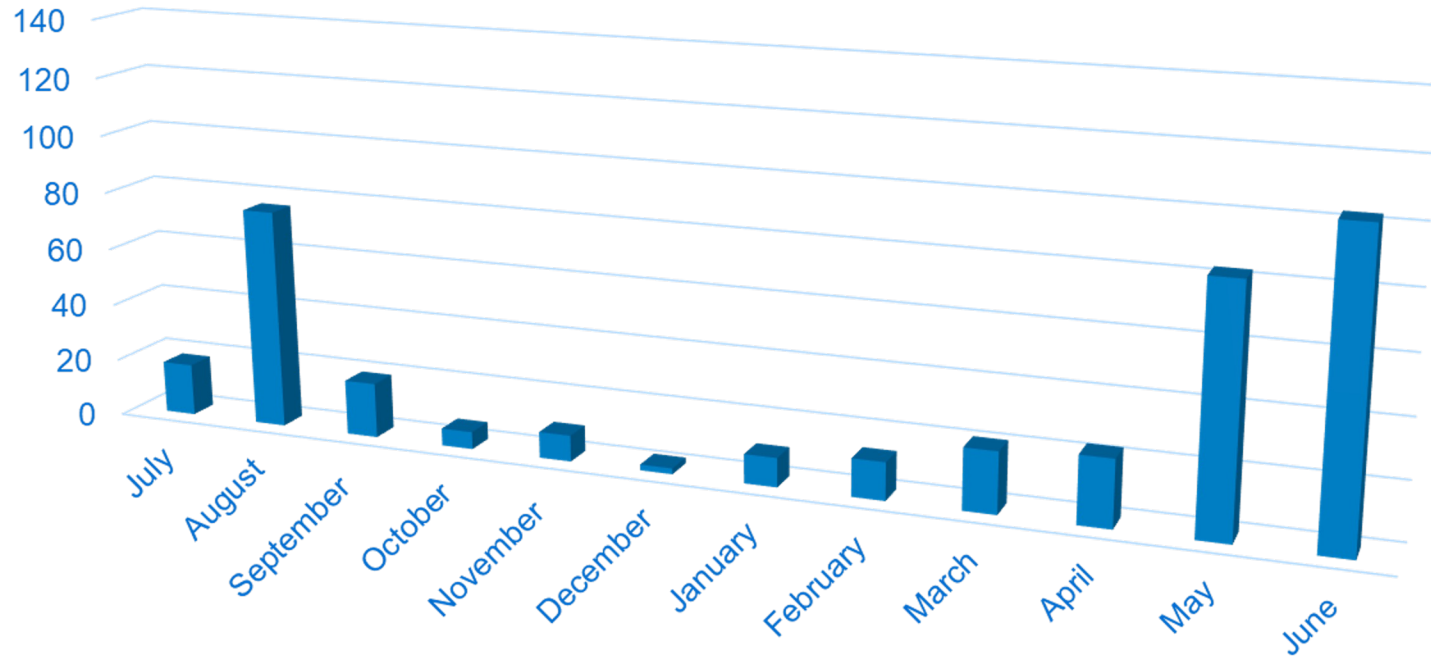
2021-22 Data



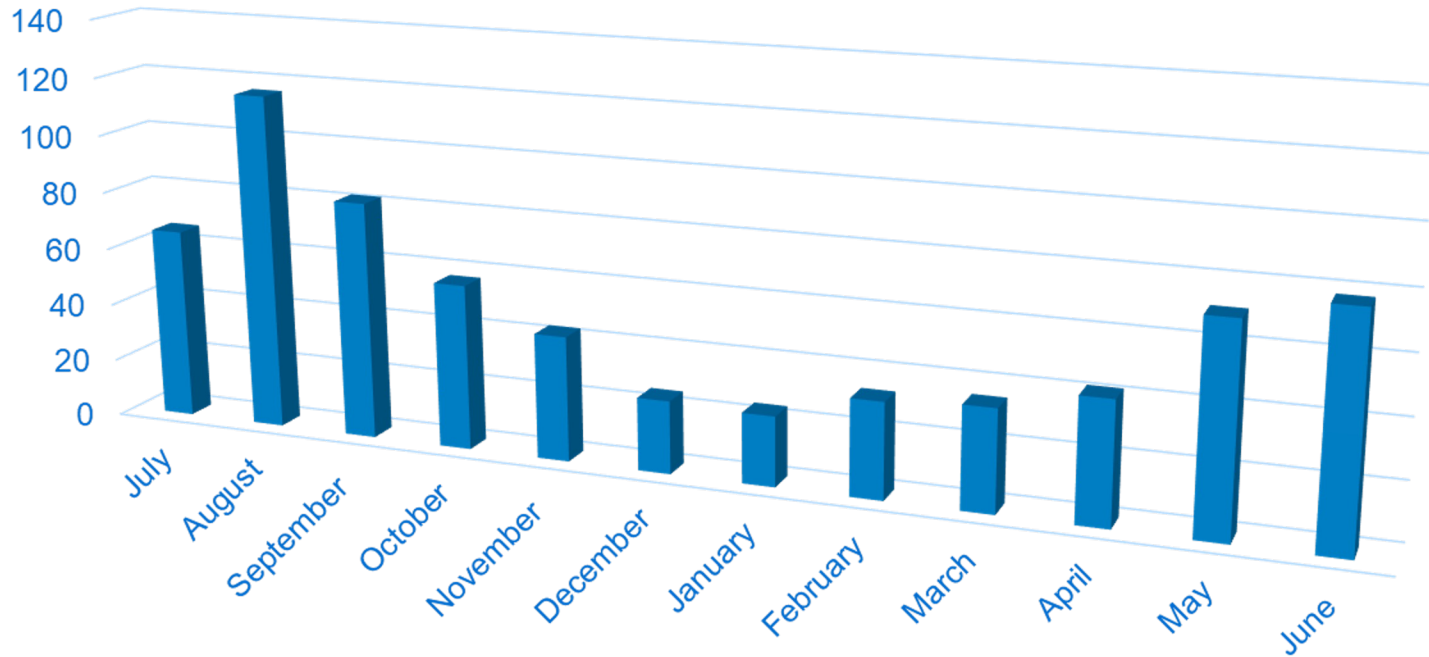
Hiring Actions 7/1/21 – 6/30/22

Regular hiring actions:	1,058	
Outside hires:	530	(24.9%)
Outside Certified hires:	142	(12.8%)
Outside Classified Hires:	381	(42.7%)
Outside Admin. & Confidential:	7	(5.3%)

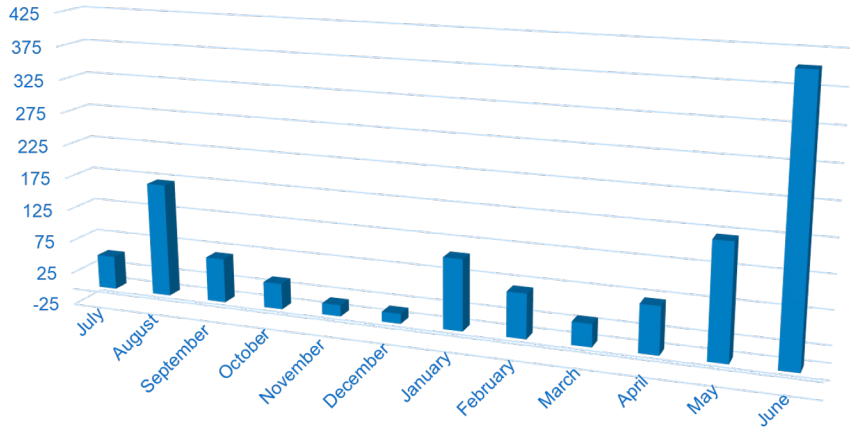
Certified Hiring Actions 7/1/21 – 6/30/22: 383



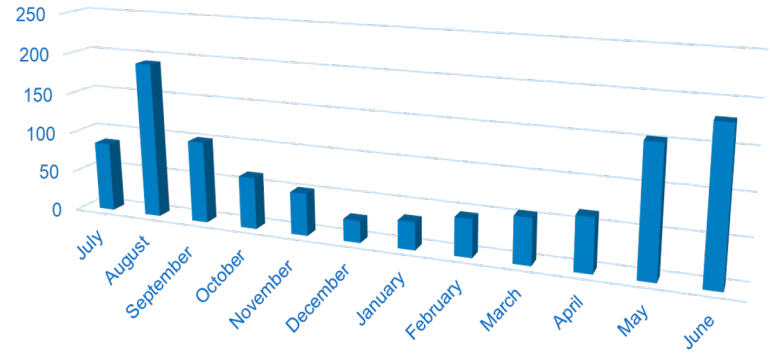
Classified Hiring Actions 7/1/21 – 6/30/22: 672



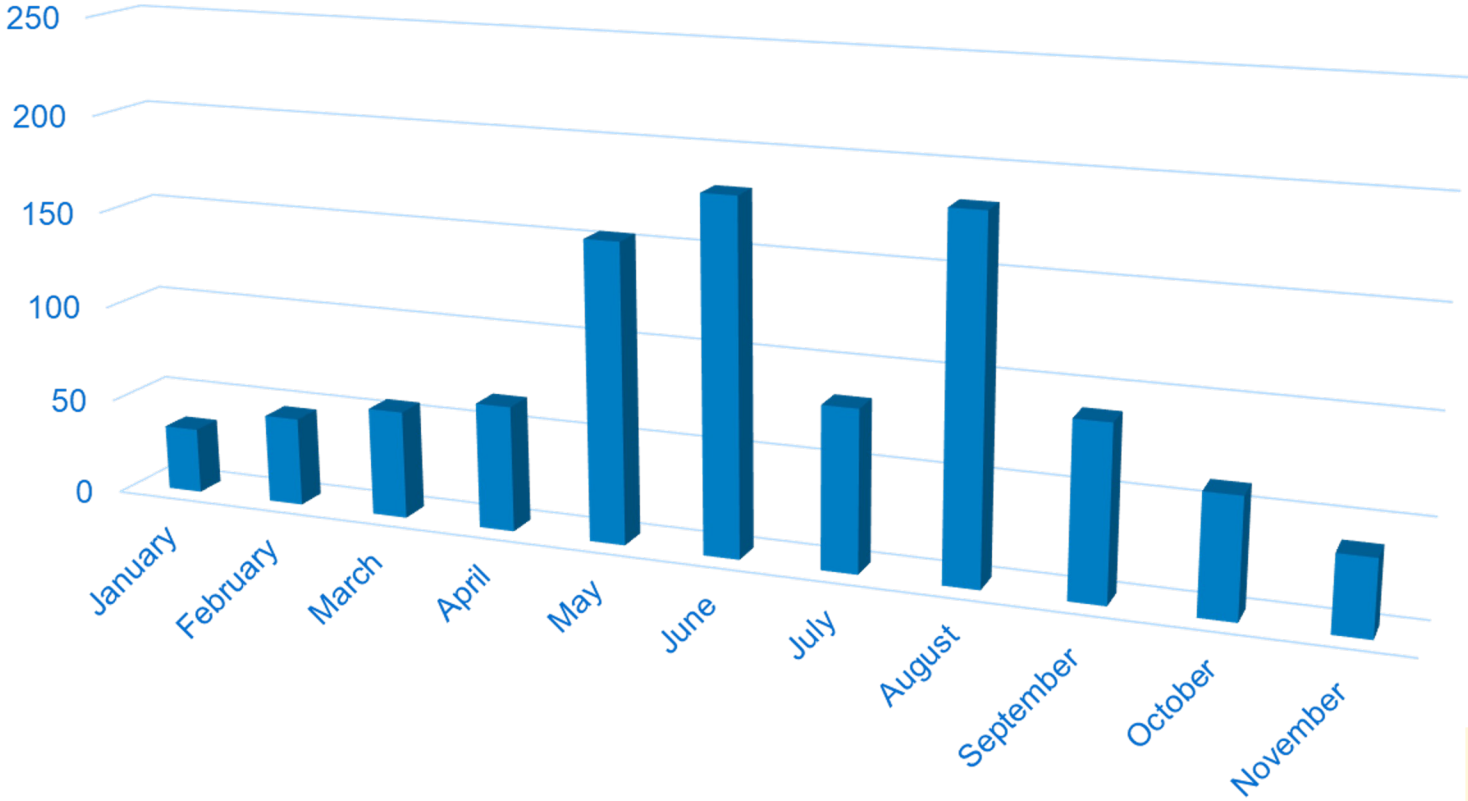
All Hiring Actions 7/1/20 – 6/30/21: 1,221



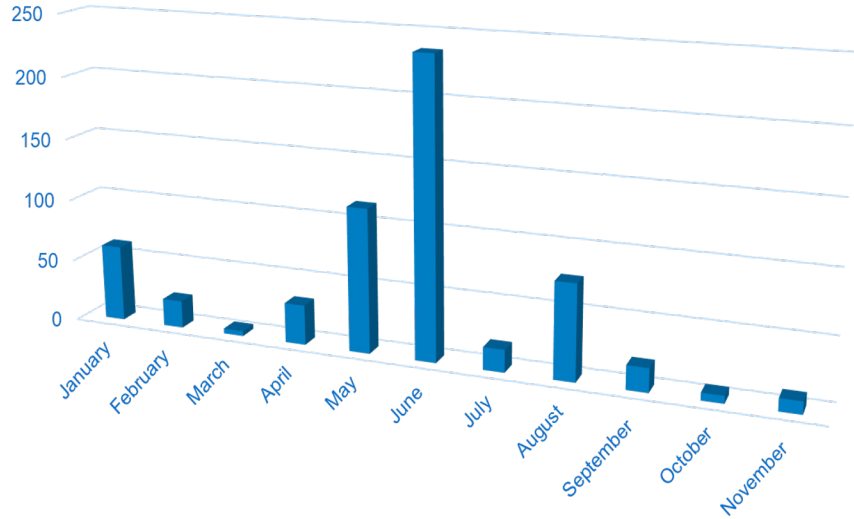
All Hiring Actions 7/1/21 – 6/30/22: 1,058



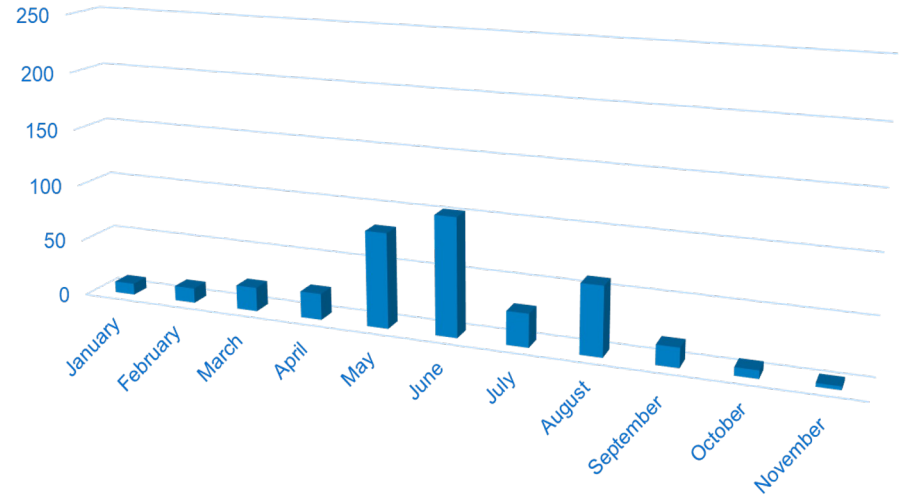
All Hiring Actions 1/1/22 – 11/22/22



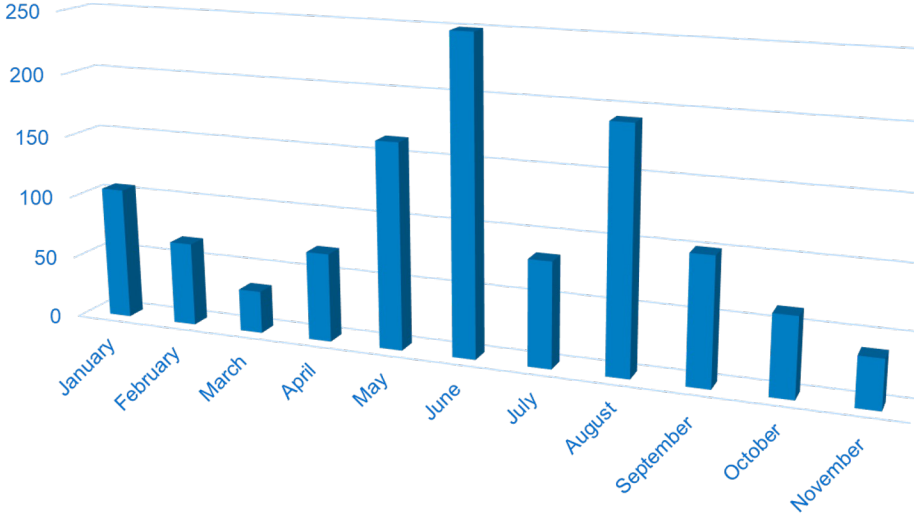
Certified Hiring Actions 1/1/21 – 11/5/21



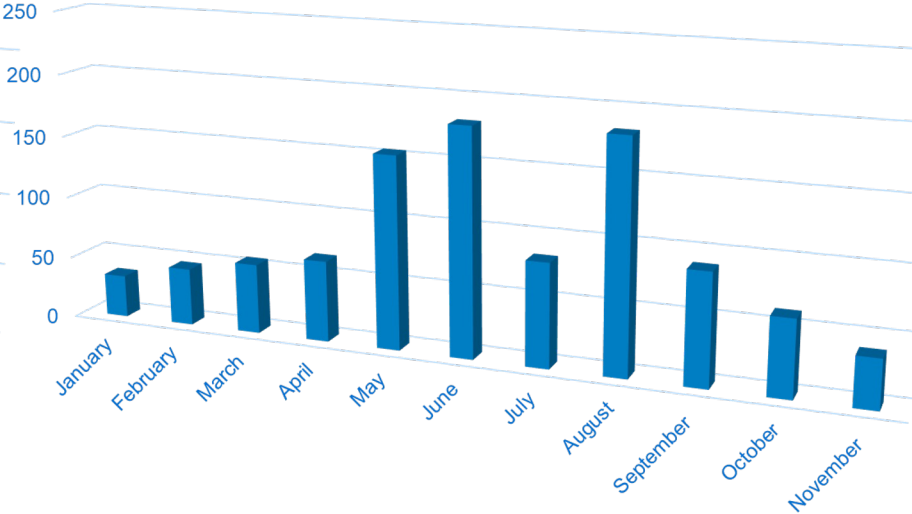
Certified Hiring Actions 1/1/22 – 11/22/22



All Hiring Actions 1/1/21 – 11/5/21



All Hiring Actions 1/1/22 – 11/22/22



Next Steps

- **Last Year's Report**
 - Expand functionality of HRIS platform
 - Drive hiring cycle earlier in year
- **Recruitment Actions**
 - Job Fairs & Recruiting Opportunities
 - Vacancy Posting site diversification
- **Systemic Actions**
 - Alternative Pathways (“Grow Your Own”)
 - Teaching 101 @ BSHS
 - Unconscious Bias in Hiring Panel

Questions?



Informe de dotación de personal de BLS

Steve Herron, jefe de Recursos Humanos
Ryan Kelling, director de Reclutamiento y Retención

Temas:

- Niveles de dotación de personal, datos demográficos del personal
- Comparación demográfica de estudiantes/personal
- Tendencias y patrones de contratación



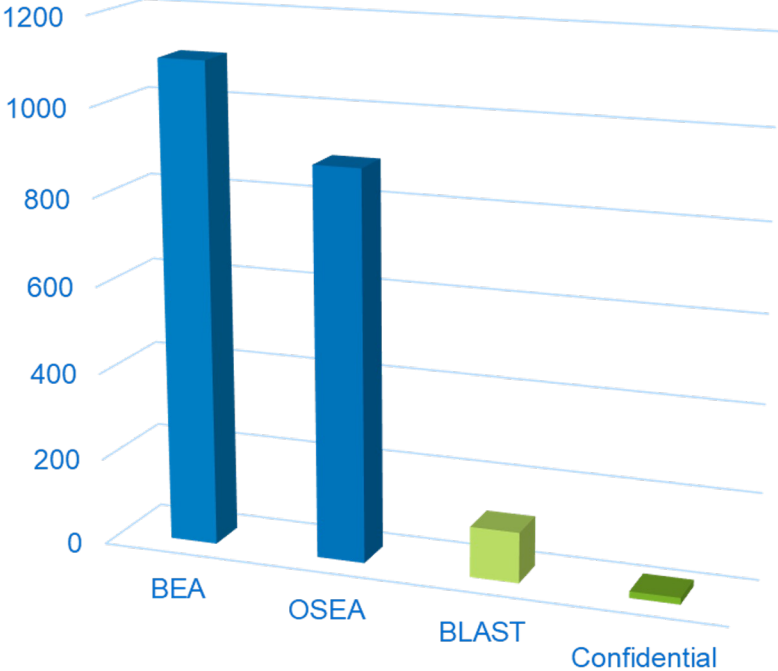
Niveles de dotación de personal y datos demográficos

Datos de 2021-22



Niveles de dotación de personal

Personal Regular:	2,126
Certificado:	1,103
Clasificado:	892
Administrativo:	116
Confidencial:	15



Datos demográficos

2018

2020

2022

Sexo: Masculino Femino
29.7% 70.3%

Masculino Femino
34.5% 65.5%

Masculino Femino
33% 67%

Race/

Ethnicity: Blanca Latina Negra Otra Blanca Latina Negra Otra Blanca Latina Negra Otra
93.5% 4% .2% 2.3% 92.8% 4.8% .4% 2% 91.2% 5.6% .7% 2.4%

Fuentes: Informes EEO-5 de 2018, 2020 y 2022

Datos demográficos por grupo de empleados

	Masculino	Femenino
All	33%	67%
BEA	31%	69%
OSEA	31%	69%
Admin	57%	43%

	Blanca	Latina	Negra	Otra
All	91.2%	5.6%	<1%	2.4%
BEA	91%	5%	<1%	3%
OSEA	88%	7%	1%	4%
Admin	94%	3%	–	3%

Datos demográficos raciales/étnicos comparativos

Estudiantes de 2021-22	
Blanca	82%
Latina	12%
Negra	1%
Asiática	1%
Indígena estadounidense	1%
Islaña del pacífico	<1%
Multirracial	4%

Personal de 2021-22	
Blanca	91%
Latina	6%
Negra	<1%
Asiática	1.3%
Indígena estadounidense	<1%
Islaña del pacífico	<1%
Multirracial	<1%

Contratación de personal

Datos de 2021-22

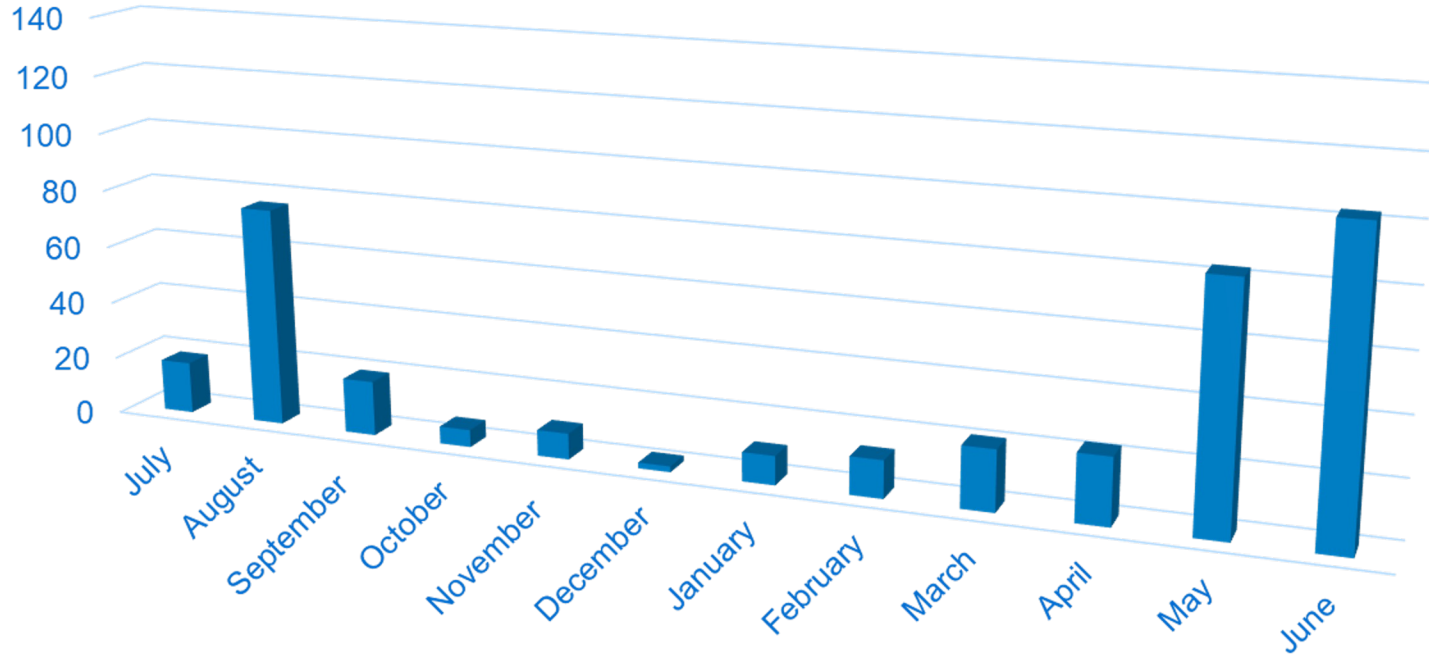


Acciones de contratación 1/7/21-30/6/22

Acciones regulares de contratación:	1,058	
Contrataciones externas:	530	(24.9%)
Contrataciones externas de personal certificado:	142	(12.8%)
Contrataciones externas de personal clasificado:	381	(42.7%)
Administradores externos & confidenciales:	7	(5.3%)

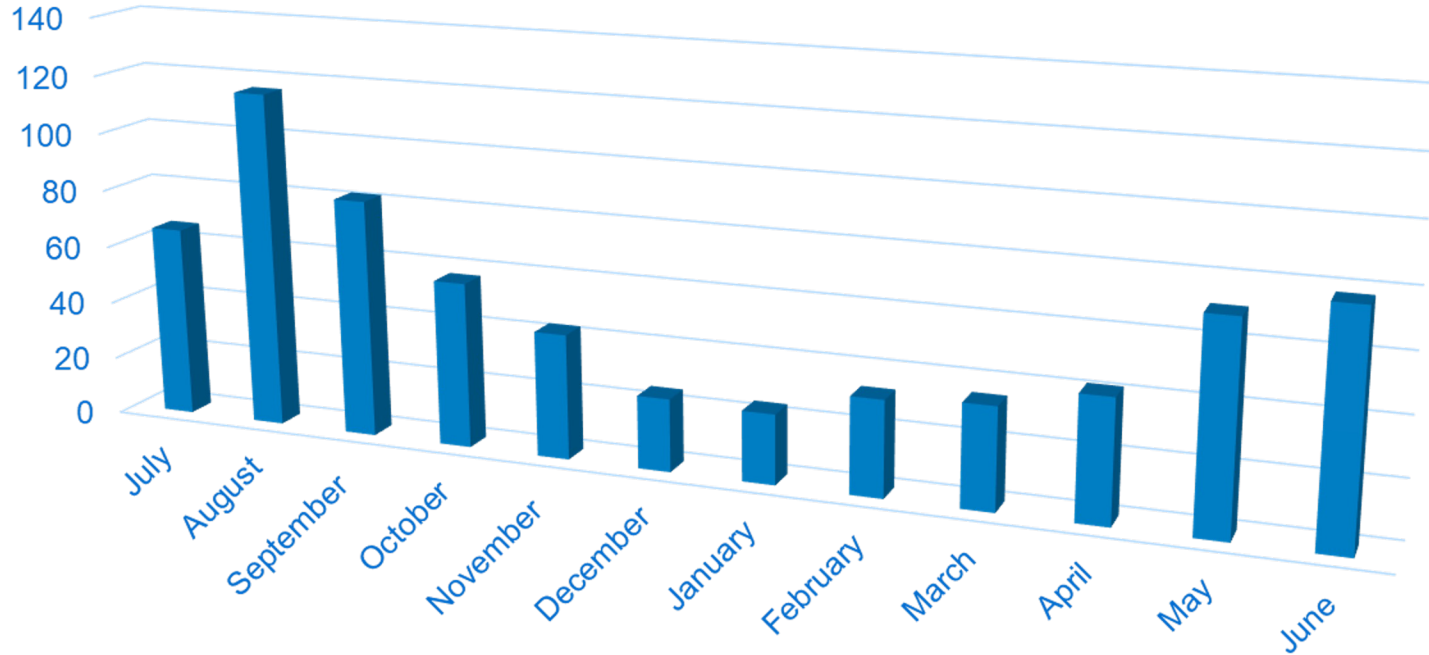
Certificado

Acciones de contratación 1/7/21-30/6/22: 383

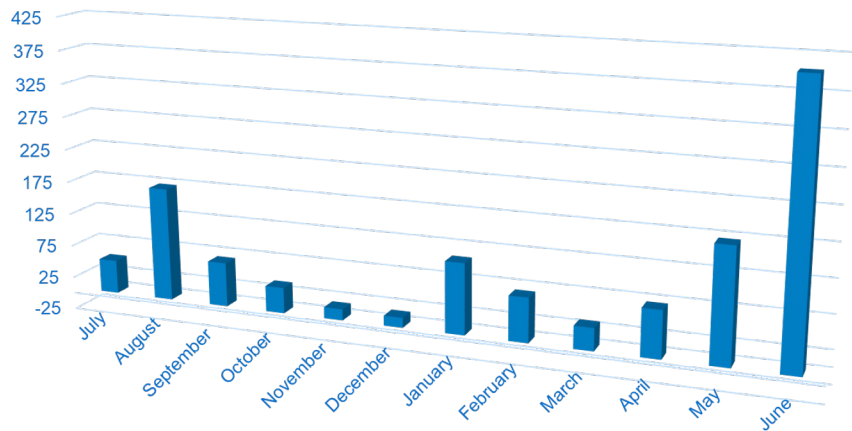


Clasificado

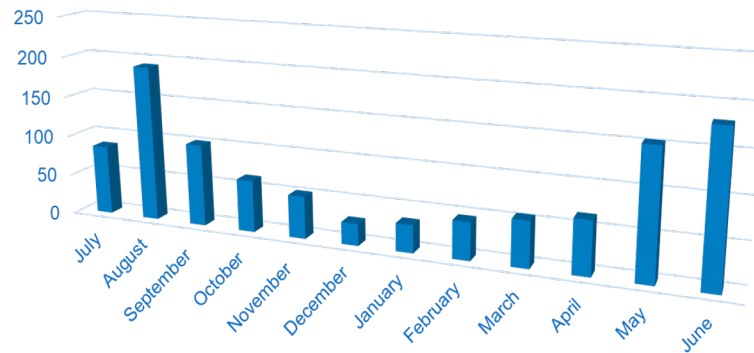
Acciones de contratación 1/7/21-30/6/22: 672



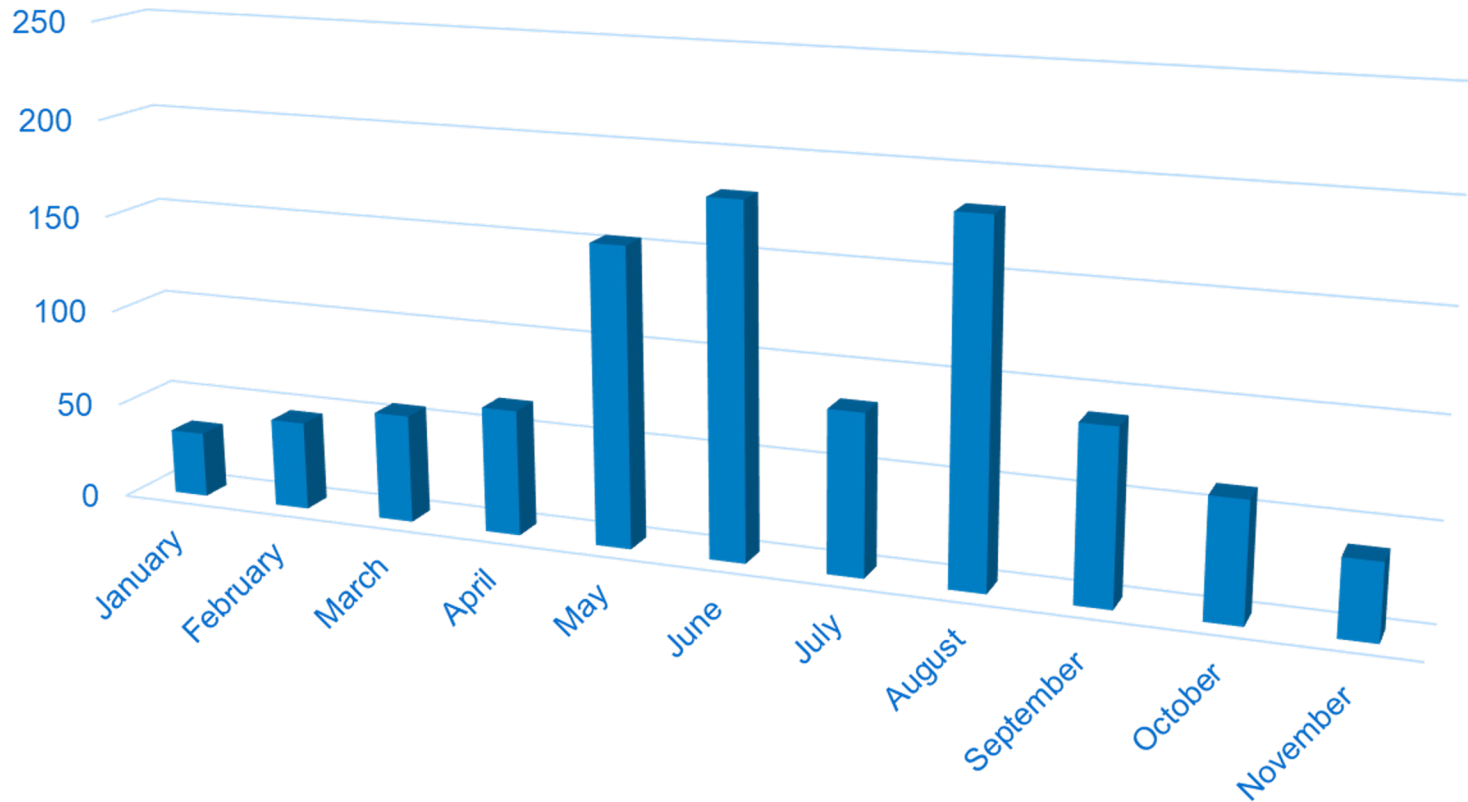
Todas las acciones de contratación 1/7/21-30/6/22: 1,221



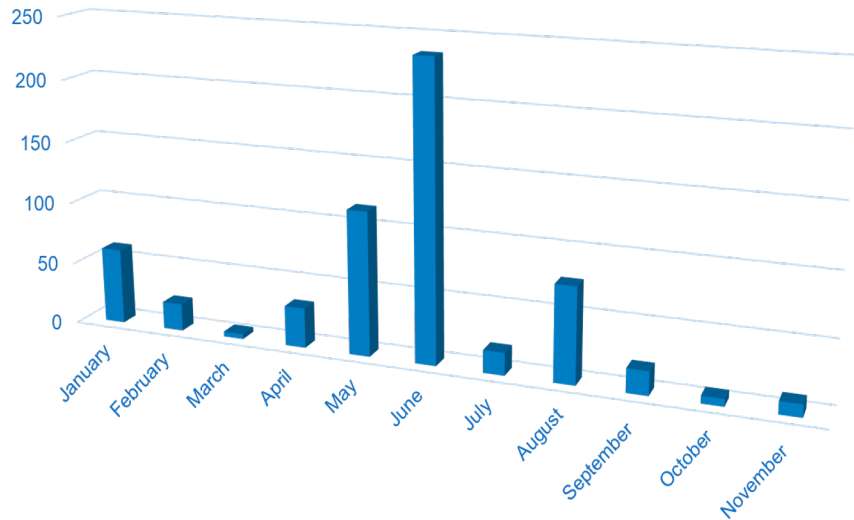
Todas las acciones de contratación 1/7/21-30/6/22: 1,058



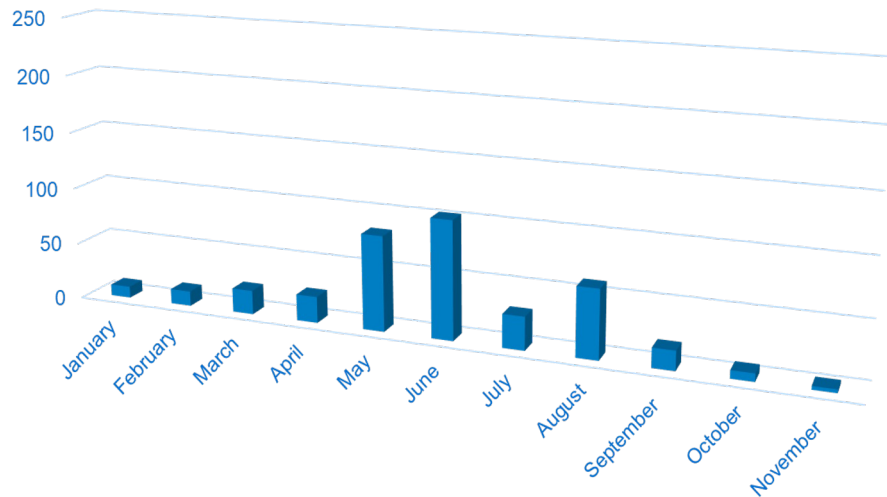
Todas las acciones de contratación 1/1/22-22/11/22



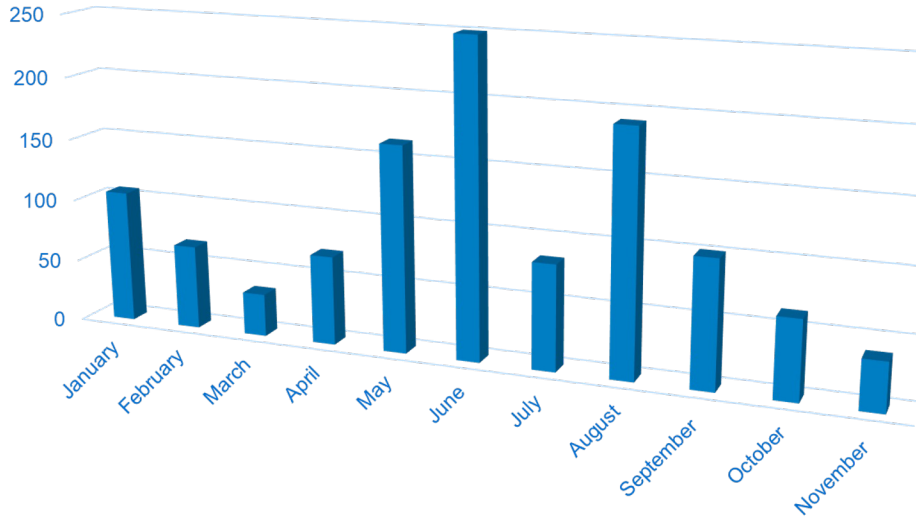
Acciones de contratación de personal certificado 1/11/21-5/11/21



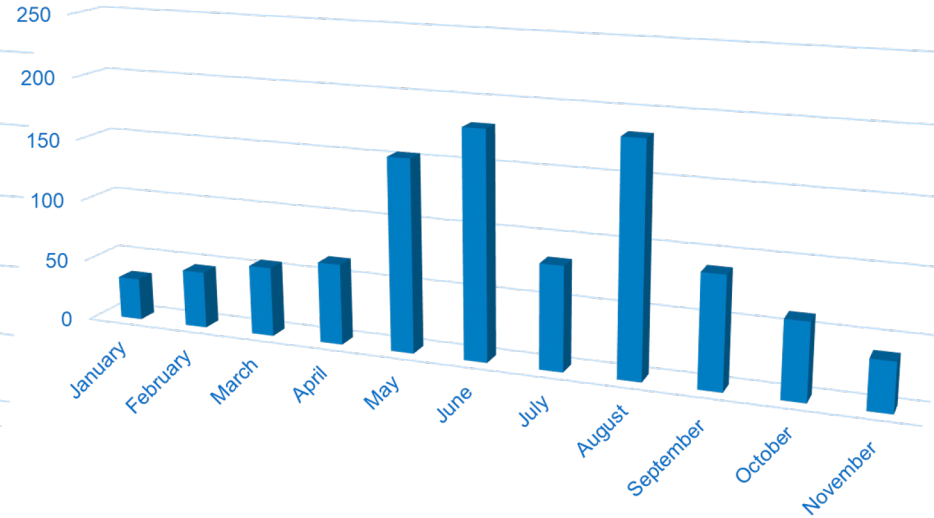
Acciones de contratación de personal certificado 1/1/22 – 11/22/22



Todas las acciones de contratación 1/1/21-11/5/21



Todas las acciones de contratación 1/1/22 – 11/22/22



Próximos pasos

- **Informe del año pasado**
 - Ampliar la funcionalidad de la plataforma HRIS
 - Impulsar el ciclo de contratación más temprano en el año
- **Acciones de Reclutamiento**
 - Ferias de empleo y oportunidades de contratación
 - Diversificación del sitio de publicación de vacantes
- **Acciones Sistémicas**
 - Vías Alternativas (“Grow Your Own”)
 - Enseñanza 101 en BSHS
 - Sesgo inconsciente en el panel de contratación

¿Preguntas?



REPORT: Board Policies for Review (12/13/2022)

PRESENTED BY: Melissa Barnes Dholakia, Board Chair

EXECUTIVE SUMMARY:

As a part of policy governance, the Board of Directors for Bend-La Pin Schools has a policy review process for the governance process, executive limitations, board ends, board staff linkages, and specific district policies that require board review and approval. The first part of the process consists of the Board sharing policies that are currently in review. Following the meeting, the Board will allow time for and consider public feedback related to the proposed changes.

The following Board Policies are currently in review. A brief summary of the proposed changes are listed below and a redline version of each follows this executive summary.

Policy Title	Reason for Update
EEA-BP: Student Transportation Services	Policy has undergone a full rewrite to reflect legal requirements and incorporate equity focused on student transportation services. Policy has also been renamed from an administrative policy (AP) to a board policy (BP).

Feedback regarding the proposed changes will be accepted until 5:00 p.m. on December 27, 2022.

To provide comment on any of the policies in review, please visit the [Policies page](#) of the District website or complete the comment form linked [here](#). Comment form opens Wednesday, December 14, 2022.

School transportation services will be provided for students to and from school; and when available, will be provided for transporting students to and from curricular and extracurricular activities sponsored by the district, transporting from one school or facility to another, transporting for school-sponsored field trips that are extensions of classroom learning experiences. Transportation will be provided for foster and unhouse students to and from the student's school of origin¹ as required by law. Services shall be provided throughout the regularly scheduled year and during the regular school day as determined by the district.

Students living within specified attendance boundaries shall receive transportation services to their respective schools. In addition, students, including those receiving special education services, may be eligible for transportation for health and/or safety reasons.

END OF POLICY

¹"School of origin" means the school that a student attended when permanently housed or the school in which the student was last enrolled. When the student has completed the final grade served by the school of origin, the term "school of origin" shall include the designated receiving school at the next grade level for all feeder schools.

LEGAL REFERENCE(S)

[ORS 327.006](#)
[ORS 327.033](#)
[ORS 327.043](#)
[ORS 332.405](#)
[ORS 332.415](#)
[ORS 339.240 - 339.250](#)
[ORS 343.155 - 343.246](#)
[ORS 343.533](#)
[ORS 811.210](#)
[ORS 811.215](#)
[ORS 815.055](#)
[ORS 815.080](#)
[ORS 820.100 - 820.190](#)
[OAR 581-021-0050 - 0075](#)
[OAR 581-022-2345](#)
[OAR 581-023-0040](#)
[OAR 581-053-0002](#)
[OAR 581-053-0003](#)
[OAR 581-053-0004](#)
[OAR 581-053-0010](#)
[OAR 581-053-0031](#)
[OAR 581-053-0040](#)
[OAR 581-053-0053](#)
[OAR 581-053-0060](#)
[OAR 581-053-0070](#)
[OAR 581-053-0210](#)
[OAR 581-053-0220](#)
[OAR 581-053-0230](#)
[OAR 581-053-0240](#)
[OAR 735-102-0010](#)

Every Student Succeeds Act of 2015, 20 U.S.C. §§ 6315, 7912 (2018)
McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§ 11431-11435 (2012)

STUDENT TRANSPORTATION SERVICES

~~Home-to-school student transportation services shall be provided within the guidelines of applicable federal and state law, administrative rules and Board policy.~~

~~The superintendent is authorized to establish student transportation shuttle service between schools of the district and for curricular and extracurricular student transportation needs. This authorization is limited by the adopted budget and applicable Board policy.~~

~~All students attending any private or parochial school under the compulsory school attendance laws shall, where the private or parochial school is along or near the bus route designated by the Board, be provided equally the riding privileges given to public school students.~~

Legal Reference(s):

~~ORS 327.006~~

~~ORS 327.033~~

~~ORS 327.043~~

~~ORS 332.405~~

~~ORS 332.415~~

~~ORS 339.240-339.250~~

~~ORS 343.155-343.246~~

~~ORS 343.533~~

~~ORS 811.210~~

~~ORS 815.055~~

~~ORS 815.080~~

~~ORS 820.105-820.190~~

~~OAR 581-021-0050 to -0075~~

~~OAR 581-022-1530~~

~~OAR 581-053-0002 to -0015~~

~~OAR 735-102-0010~~

~~Letter Opinion, Office of the Attorney General (Nov. 22, 1988)~~

~~DATED: 05/26/92~~

~~REVISED: 2/13/96, 1/14/97,~~

~~REVIEW DATE: 04/22/02~~

~~REVIEWED BY: Leadership Council~~



REPORT: Administrative Policies & Regulations for Review (12/13/2022)

PRESENTED BY: Steve Cook, Superintendent

EXECUTIVE SUMMARY:

Bend-La Pine Schools has a two-part, policy and regulation review process. Part one consists of the district sharing policies and regulations that are currently in review at a regularly scheduled school board meeting. Following the meeting, the district allows time for, and considers public feedback related to the proposed changes. Part two consists of the district review of feedback received and the presentation of the policies and regulations for adoption to the Board of Directors.

The following administrative policies and regulations are currently in review. A brief summary of the proposed changes are listed below and a redline version of each follows this executive summary.

Policy / Regulation Title	Reason for Update
EEA-AR: Transportation Procedures	Updated language reflects student transportation legal requirements, alignment with current district practice and also incorporates equity.
GBL-AP: Personnel Records	Updates include a complete rewrite and now includes disclosure of information language that was previously in GBLA-AR, which is recommended for deletion.
GBLA-AR: Disclosure of Information	Recommend deletion of GBLA-AR. Disclosure information is now included in GBL-AP: Personnel Records
GBN/JBA-AR (1): Sexual Harassment Complaint Procedure	JBA/GBN-AR was previously consolidated into AC-AR. This AR addresses reporting and investigation procedures for a sexual harassment complaint.
GBN/JBA-AR (2): Federal Law (Title IX) Sexual Harassment Complaint Procedure	JBA/GBN-AR was previously consolidated into AC-AR. This AR addresses reporting and investigation procedures for a Title IX sexual harassment complaint.

Feedback regarding the proposed changes will be accepted until 5:00 p.m. on December 27, 2022. To provide comment on any of the policies in review, please visit the [Policies page](#) of the District website or complete the comment form linked [here](#). Comment form opens Wednesday, December 14, 2022.

Miles from school will be determined by the Director of Transportation or designee in accordance with Oregon Administrative Rule (OAR) 581-023-0040(1)(e).

The district may use Type 10 School Activity Vehicles to transport students from home to school, school to home, and to and from district-sponsored activities.

The district may also provide transportation using federal funds² or through cooperative agreements with local victim's assistance units for a student to attend a safe district school³ out of the student's attendance area for any student who is a victim of violent criminal offense occurring in or on the grounds of the school the student attends or the student attends a school identified as persistently dangerous. If there are no other schools within the district a student may transfer to, the district may establish a cooperative agreement with other districts in the area for a transfer. Transportation for students who transfer for such purposes will be provided in accordance with the agreement.

Students attending any private, parochial or public charter school under the compulsory school attendance laws will, where the private, parochial or public charter school is along or near the bus route, be provided equally the riding privileges given to public school students. Preschool students with disabilities who have transportation as a related service and children from birth to age three who are enrolled in an eligible program shall be provided home to school transportation.

A seat that fully supports each person and meets the minimum standards and specifications of law will be provided at all times. A person who weighs 40 pounds or less must be properly secured with a child safety system that meets the minimum standards and specifications established by the Oregon Department of Transportation under ORS 815.055. A person over 40 pounds or who has reached the upper weight limit for the forward-facing car seat must use a booster seat until they are four feet nine inches tall or age eight and the adult belt properly fits⁴. A person who is taller than four feet nine inches or eight years of age or older must be properly secured with a safety belt or harness that meets the requirements under ORS 815.055. In accordance with ORS 811.210 and 811.215 vehicles in excess of 10,000 pounds used for student transportation are exempt from statutory requirements unless they have been equipped with lap belts. Vehicles in excess of 10,000 pounds that have been equipped with lap belts must meet child car seat requirements as set forth in law.

School buses carrying students will be considered extensions of the school experience. All students using school transportation will abide by the code of conduct posted on each school bus or activity vehicle. Violations of such code, as well as other conduct which is improper or which jeopardizes the safety of self or others, will be reported by the school bus or activity vehicle driver to the Director of Transportation or designee. The Director of Transportation or designee will, as soon as possible, inform the appropriate district administrator of such occurrence. Violators may be denied use of transportation for a period of time as deemed appropriate by the district administrator and/or Director of Transportation.

District administrators or their designee shall ensure transportation officials and drivers receive notice of students having special medical or behavioral protocols identified in student records. Appropriate training related to specific protocols, including confidentiality requirements, will be provided to drivers.

Aides or assistants that ride a school bus shall receive training on emergency procedures and their role in the safe transportation of all students on the bus.

² "Federal funds" means funds available through Title IV, Part A, and Title V, Part A.

³ If there is not another school in the district to which students can transfer, districts are encouraged, but not required, to explore other appropriate options, i.e., an agreement with a neighboring district.

⁴ "Proper fit" means the lap belt of the safety belt or safety harness is positioned low across the thighs and the shoulder belt is positioned over the collarbone and away from the neck.

The school bus or activity vehicle driver will be responsible for the school bus or activity vehicle at all times, from departure to return. The driver will not participate in any activities that might impair their driving abilities.

Bend-La Pine Schools will comply with all state and federal laws and regulations pertaining to school bus transportation.

Elementary students grades K-5 living beyond one mile of their attendance area school and secondary students grades 6-12 living beyond one and one-half miles of their attendance area school will be provided transportation by the district or, in specific situations, the district may consider the following:

- The district may pay mileage reimbursement, at a rate per mile that is determined by the district, to parents/guardians who transport their own students to school or to an established district-determined bus stop if:
 1. The student's residence is situated beyond the required distances from a school or bus stop as stated above when the student is attending their attendance area school; or if a magnet student is on a route that is cancelled; and
 2. The district determines the need.

Courtesy Rides

Students who do not qualify for transportation as defined above may request a courtesy ride under the following procedure:

- After October 1 of each school year, a parent/guardian/staff member can submit a Courtesy Transportation Request form. The Courtesy Transportation Request form shall be submitted to the Transportation Department. The process for determining space for a courtesy ride may take several weeks.
- After November 1, the Transportation Director, or designee will evaluate the availability of seats for courtesy rides on transportation routes. The parent/guardian is responsible for getting the student to and from the stop safely. If capacity is available, the Transportation Department will notify the requestor. Stops will not be added to existing routes to accommodate courtesy riders.

If there are fewer available seats than requested, the Transportation Director, or designee will deliver the Courtesy Transportation Request forms and the number of available seats to the principal(s) of the schools on such routes. The principal(s) will determine which students shall be offered courtesy rides, taking the following into consideration, in no particular order:

- State-identified historically-underserved populations;
- Childcare access;
- Students with dual households;
- Other relevant factors in the discretion of the principal(s)

The Transportation Director, or designee will inform the requester of the determination. The determination of the principal(s) is not subject to review.

Students offered courtesy rides are not guaranteed courtesy rides for the remainder of the school year. Courtesy rides are subject to space and availability and may be terminated if space is no longer available.

~~BEND – LA PINE SCHOOL DISTRICT NO 1~~

~~ADMINISTRATIVE REGULATIONS~~

~~CODE: EEA-AR~~

~~DATED:~~

~~REVISED:~~

~~REVIEW DATE:~~

~~REVIEWED BY:~~

~~REIMBURSEMENT IN LIEU OF TRANSPORTATION~~

~~Elementary students grades K-5 living beyond one mile of the school they attend and secondary students grades 6-12 living beyond one and one-half miles of the school they attend will be provided transportation by the district or, in specific situations, the district shall consider the following:~~

~~The district shall pay mileage reimbursement, at a rate per mile that is determined by the district, to parents who transport their own students to school or to an established district-determined bus stop if:~~

~~1. The student's residence is situated beyond the required distances from a school or bus stop as stated above;~~

~~2. Requested by the district;~~

~~3. It is more economical for the district to pay mileage reimbursement than to schedule a bus to the given area.~~

~~If individuals transport students other than their own, to be eligible for reimbursement they must have current insurance with district-specified limits of coverage to completely protect the district from liability in the event of accident. Proof of current insurance coverage must be supplied to the district by those individuals who are eligible to receive mileage reimbursement.~~

BEND-LA PINE SCHOOS

Administrative School District No. 1

Deschutes County, Oregon

ADMINISTRATIVE POLICY REGULATION

Name: Personnel Records

Section: Personnel

Code: GBL-APAR

An official personnel file will be established for each person employed by the district. Personnel files will be maintained in a central location.

All records containing employee medical condition information such as workers' compensation reports and release or permission to return to work forms will be kept confidential, in a separate file from personnel records. Such records will be released only in accordance with the requirements of the Americans with Disabilities Act or other applicable law.

The Superintendent will be responsible for establishing procedures regarding the control, use, safety and maintenance of all personnel records. Employees will be given a copy of evaluations, complaints and written disciplinary actions placed in their personnel file. All charges resulting in disciplinary action shall be considered a permanent part of a **teacher's** (should this say "certified employee instead?") personnel file and shall not be removed for any reason. Employees may submit a written response to any materials placed in their personnel file.

Except as provided below, or required by law, district employees' (including former employees) personnel records will be available for use and inspection only by the following:

1. The individual employee. An employee may arrange with the Human Resources Department to inspect the contents of their personnel file on any day the Human Resources Department is open for business;
2. Others designated by the employee in writing may arrange to inspect the contents of the employee's personnel file in the same manner described above;
3. The comptroller or auditor, when such inspection is pertinent to carrying out their respective duties, or as otherwise specifically authorized by the Board. Information so obtained will be kept confidential. No files will be removed from their central location for personal inspection;
4. A Board member when specifically authorized by the Board. Information will be kept confidential. No files will be removed from their central location for personal inspection;
5. The Superintendent and members of the central administrative staff designated by the Superintendent;
6. District administrators and supervisors who currently or prospectively supervise the employee;
7. Employees of the Human Resources Department;
8. Attorneys for the district or the district's designated representative on matters of district business;
9. Upon receiving a request from a prospective employer issued under Oregon Revised Statute (ORS) 339.374(1)(b), the district, pursuant to ORS 339.378(1), shall disclose the requested information if it has or has had an employment relationship with a person who is the subject of the request, no later than 20 days after receiving such request. The records created by the district pursuant to ORS 339.388(8)(c) are confidential and are not public records as defined in ORS 192.311. The district may use the record as a basis for providing the information required to be disclosed about an employee under ORS 339.378(1);
10. Upon request from a law enforcement agency, the Oregon Department of Human Services, the Teacher Standards and Practices Commission, or the Oregon Department of Education, in conducting an investigation related to suspected abuse or suspected sexual conduct, to the extent allowable by state and federal law, including laws protecting a person from self-incrimination;
11. Upon request from a prospective employer or a former employee, authorized district officials may disclose information about a former employee's job performance to a prospective employer and such disclosure is

presumed to be in good faith. Presumption of good faith is rebutted by showing the information disclosed was knowingly false or deliberately misleading, was rendered with malicious purpose or violated any civil right of the former employee protected under ORS 659 or ORS 659A.

The Superintendent may permit persons other than those specified above to use and to inspect personnel records when, in their opinion, the person requesting access has a legitimate official purpose. The Superintendent will determine in each case, the appropriateness and extent of such access.

Release of personnel records to parties other than those listed above, will be in line with KBA-AR: Public Records. The district will attempt to notify the employee of the request and that the district believes it is legally required to disclose certain records.

END OF POLICY

Legal Reference(s):

[ORS 30.178](#)
[ORS 339.370 – 339.374](#)
[ORS 339.378](#)
[ORS 339.388](#)
[ORS 342.143](#)
[ORS 342.850](#)
[ORS 652.750](#)
[ORS Chapter 659](#)
[ORS Chapter 659A](#)
[OAR 581-022-2405](#)

OSEA v. Lake County Sch. District, 93 Or. App. 481 (1988).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12112 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).
Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. § 2000ff-1 (2018).

Reviewed: 1/2007, 12/2022

Adopted: 1/29/2007

~~**BEND—LA PINE SCHOOL DISTRICT NO 1
ADMINISTRATIVE REGULATIONS
CODE: GBL-AR
DATED:
REVISED:
REVIEW DATE:
REVIEWED BY:**~~

~~**PERSONNEL RECORDS**~~

~~An official personnel file will be established for each person employed by the district. Such files will be maintained in the district's personnel services department. Information will be kept confidential. No files will be removed from their central location for personal inspection.~~

~~All records containing employee medical condition information such as workers' compensation reports and release/permission to return to work forms will be kept confidential in a separate file from personnel records. Such records will be released only in accordance with requirements of the Americans with Disabilities Act or other law as may be applicable.~~

~~The superintendent will be responsible for establishing regulations regarding the control, use, safety and maintenance of all personnel records. Employees will be given a copy of evaluations, complaints and written disciplinary actions to be placed in their personnel file and may submit a written response to be attached to the file copy.~~

~~Except as provided below or required by law, district employees' personnel records will be available for use and inspection by only the following authorized individual(s):~~

- ~~1.— The individual employee. An employee or designee may arrange with the personnel services department to inspect the contents of his/her personnel file on any day the personnel services department is open for business;~~
- ~~2.— Others designated in writing by the employee;~~
- ~~3.— The comptroller or auditor, when such inspection is pertinent to carrying out their respective duties, or as otherwise specifically authorized by the Board. Information so obtained will be kept confidential. No files will be removed from their central location for personal inspection;~~
- ~~4.— A member of the Board, designated by the Board, when relevant to personnel actions then under consideration by the entire Board;~~
- ~~5.— The superintendent, his/her secretary and members of the central administrative staff;~~
- ~~6.— District administrators and supervisors who currently or prospectively supervise the employee;~~
- ~~7.— Employees of the personnel services department;~~
- ~~8.— Attorneys for the district or the district's designated representative on matters of district business;~~
- ~~9.— Law enforcement officers conducting an investigation requested by the superintendent;~~

- ~~10.— Individuals assigned to applicant screening or interview teams when the employee has applied for another position in the district.~~

~~The superintendent may permit persons other than those specified above to use and inspect employee records when, in his/her opinion, the person requesting access has a legitimate official purpose. The superintendent will determine in each case the appropriateness and extent of such access.~~

~~Release of personnel records to parties other than those authorized to inspect them will be only upon receipt of a court order requiring their release.~~

~~Records placed in personnel files should include, but are not limited to, the following:~~

- ~~1.— Application forms and other applicant communications;~~
- ~~2.— Offer of position;~~
- ~~3.— Acceptance of offer;~~
- ~~4.— Position descriptions;~~
- ~~5.— Employment contracts and personnel action forms;~~
- ~~6.— Performance evaluations;~~
- ~~7.— Records of academic growth or training programs;~~
- ~~8.— Copies of certificates and other required documents;~~
- ~~9.— Transfer requests;~~
- ~~10.— Requests for leaves of absence for non-medical reasons and replies;~~
- ~~11.— Letter of commendation or reprimand;~~
- ~~12.— Comments the employee may wish made and added to records;~~
- ~~13.— Letters of resignation and other termination documents.~~

~~A copy of these provisions shall be placed conspicuously near all personnel files.~~

~~A log book will be kept with the personnel files to record the name, date, purpose of access and materials added or deleted when an employee's file is inspected.~~

~~The superintendent and his/her secretary as well as the personnel services department staff are exempt from signing the log book.~~

Authorized district officials may disclose information about a former employee's job performance to a prospective employer. District officials are immune from civil liability for such disclosures under the following conditions:

1. The disclosure of information regarding the former employee's job performance is upon request of the prospective employer or the former employee. This disclosure is presumed to be in good faith. Presumption of good faith is rebutted by showing the information disclosed was:
 - a. Knowingly false;
 - b. Deliberately misleading;
 - c. Rendered with malicious purpose; or
 - d. Violated civil rights.
2. The disclosure is of the disciplinary records¹ of a district employee who has been convicted of a crime listed in ORS 342.143. These records are not exempt from disclosure under ORS 192.501 or ORS 192.502 and shall be released to any person upon request. Prior to the disclosure of a disciplinary record an education provider shall remove any personally identifiable information from the record that would disclose the identity of a child, a crime victim or a school employee who is not the subject of the disciplinary record.
3. The disclosure is the result of a request from a law enforcement agency, the Department of Human Services or the Teachers Standards and Practices Commission regarding the records of investigations of suspected child abuse by a district employee.

Not later than 20 days after receiving a request under ORS 339.374, an education provider that has or has had an employment relationship with the applicant shall disclose the information requested and any disciplinary records that must be disclosed as provided by ORS 339.388(7).

END OF REGULATION

Legal Reference(s):

ORS 30.178
ORS 339.370 - 339.375
ORS 339.388(7)

ORS Chapter 659
ORS Chapter 659A

¹ Disciplinary records is defined as records related to a personnel discipline action or materials or documents supporting that action.

BEND-LA PINE SCHOOLS

Administrative School District No. 1
Deschutes County, Oregon

ADMINISTRATIVE REGULATION

Name: Sexual Harassment Complaint Procedures

Section:

Code: GBN/JBA-AR (1)

Reports and complaints of sexual harassment should be made to the following individual(s):

Chief Human Resources Officer / Title IX Coordinator
520 NW Wall Steet
Bend, OR 97703
541-355-1100
titleix.coordinator@bend.k12.or.us

The district official receiving the complaint shall issue the required written notice as outlined under Oregon Procedures in Board Policy JBA/GBN-BP: Sexual Harassment.

Reporting Procedures

All reports and information will be promptly investigated in accordance with the following procedures:

STEP 1

The district official receiving the report or complaint shall promptly initiate an investigation using procedures and standards, including but not limited to, those identified in Board Policy JBA/GBN-BP: Sexual Harassment and will notify the complainant or reporting person, any impacted person who is not a reporting person (if appropriate), each reported person, and where applicable the parents of a reporting person, impacted person, or reported person, when such investigation is initiated. The official will arrange such meetings as may be necessary to discuss the issue with all concerned parties within 10 business days after receipt of the report or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings of the investigation shall be reduced to writing. The official conducting the investigation shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law within 30 business days of receipt of the report or complaint.

A copy of the required written notice(s) and the date and details of notification of the notice of investigation and results of the investigation, together with any other documentation related to the sexual harassment incident, including disciplinary action taken or recommended, shall be forwarded to the Superintendent.

STEP 2

If a complainant is not satisfied with the decision at Step 1, the complainant may submit a written appeal to the Superintendent or designee. Such appeal must be filed within 10 calendar days after receipt of the Step 1 decision. The Superintendent or designee may arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal within 10 business days of receipt of the appeal. The Superintendent or designee shall provide a written decision to the complainant within 10 business days after completion of meetings deemed necessary to discuss the appeal.

STEP 3

If a complainant is not satisfied with the decision at Step 2, the complainant may submit a written appeal to the Board Chair. Such appeal must be filed within 10 calendar days after receipt of the Step 2 decision. The Board will review the decision of the Superintendent or designee in a public meeting to determine what action is appropriate. The Board may use executive session if the subject matter qualifies under Oregon law. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, and adopting the Superintendent's or designee's decision. All parties involved, including the district administration, may be asked to attend a hearing for the purposes of making further explanations and clarifying the issues. The Board shall provide a written decision to the complainant within 30 business days following the completion of the hearing.

If the Board chooses not to hear the complaint, the Superintendent's or designee's decision in Step 2 is final. The Superintendent's or designee's written decision must meet the requirements of OAR 581-022-2370(4)(b).

The Superintendent is authorized to amend these procedures (including timelines) when the Superintendent feels it is necessary for the efficient handling of the complaint. Notice of any amendments will be promptly provided to the parties.

Complaints against a principal may start at Step 2 and may be filed with the Superintendent or designee. The Superintendent or designee will cause the required notices to be provided. The Superintendent or designee will investigate the complaint and will notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law. If the complaint remains unresolved within 10 business days of receipt by the Superintendent or designee, the complainant may appeal to the Board as described in Step 3.

Complaints against the Superintendent or a Board member (other than the Board Chair) may start at Step 3 and should be referred to the Board Chair on behalf of the Board. The Board Chair will cause required notices to be provided. The Board Chair shall present the complaint to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 30 business days, in open session what action, if any, is warranted. The Board Chair shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law.

Complaints against the Board Chair may start at Step 3 and should be referred to the Board Vice Chair or district legal counsel on behalf of the Board. The Board Vice Chair will cause required notices to be provided. The Board Vice Chair shall present the complaint to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 30 business days, in open session what action, if any, is warranted. The Board Vice Chair shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law.

Direct complaints related to employment may be filed with the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries.

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.

Additional information regarding filing of a complaint or report may be obtained through the principal, compliance officer or Superintendent.

All documentation related to sexual harassment complaints may become part of the student's education record or employee's personnel file, as appropriate. Additionally, a copy of all sexual harassment complaints or reports and documentation will be maintained as a confidential file and stored in the district office.

The Superintendent shall report the name of any person holding a teaching license or registered with Teacher Standards and Practices Commission (TSPC) or participating in a practicum under Oregon Administrative Rule (OAR) Chapter 584, Division 17, when, after appropriate investigation, there is reasonable cause to believe the person may have committed an act of sexual harassment. Reports shall be made to TSPC within 30 days of such a finding. Reports of sexual contact with a student shall be given to a representative from law enforcement or Oregon Department of Human Services, as possible child abuse.

draft 12/2022

NOTIFICATION

SEXUAL HARASSMENT COMPLAINT PROCEDURES AND RESOURCES

Rights of Complainant

- The right to work, attend, or be present at district schools and activities free from any sexual harassment.
- The right to file a complaint pursuant to AC-BP: Non-Discrimination, when a person feels the person is or has been the victim of sexual harassment.
- The right to be notified when the investigation is concluded and as to whether a violation of the policy was found to have occurred, to the extent allowable under state and federal confidentiality laws.

A person who initiates a complaint in good faith may not be retaliated against. The initiation of a complaint by an employee in good faith about behavior that may violate the policy may not adversely affect any terms or conditions of employment or work environment of the staff member who initiated the complaint. The initiation of a complaint by a student or student's parent in good faith about behavior that may violate this policy may not adversely affect the educational assignments or educational environment of the student who initiated the complaint.

Complaint Procedure

Complaints of sexual harassment should be made to the building principal or site administrator. Complaints against a building principal or site administrator should be made to the Superintendent or designee. Complaints against the Superintendent should be made to the Board Chair. The sexual harassment complaint procedure is set forth in GBN/JBA-AR(1) Sexual Harassment Complaint Procedure and GBN/JBA-AR(2): Federal Law (Title IX) Sexual Harassment Complaint Procedure can be found on the district's website.

School and District Services for Employees and Students

The following district services are available to victims of sexual harassment who are employees of the district:

- Employee Assistance Program through Uprise Health / OEBB (<https://members.uprisehealth.com/> access code: OEBB)
- [SafeOregon / www.safeoregon.com/report-a-tip/](http://www.safeoregon.com/report-a-tip/) : employees can report anything from vandalism to theft to cyberbullying
- Human Resources (541-355-1100)
- School Resource Officers

The following district services are available to victims of sexual harassment who are students of the district:

- **Available at schools:** [school counselors](#), [school nurses](#), [FAN advocates](#) and [School Resource Officers](#)
- [First Step / www.firststeporegon.org](http://www.firststeporegon.org) : access to the free counseling and support resources
- [SafeOregon / www.safeoregon.com/report-a-tip/](http://www.safeoregon.com/report-a-tip/) : students can report anything from vandalism to theft to cyberbullying
- YouthLine – a free and confidential teen-to-teen help line
 - Text: text the phrase “teen2teen” to 839863
 - Talk: 877-968-8491
 - Email: Teen2Teen@LinesForLife.org

State and Community Based Services

A victim of sexual harassment can locate services available in our community by accessing the Oregon Attorney General's Sexual Assault Task Force website <http://oregonsatf.org/help-for-survivors/#deschutes>

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave, Room 3310, Seattle, WA 98174-1009. Direct complaints related to employment may be filed with the U.S. Department of Labor (1-866-487-2365), Equal Employment Opportunity Commission (909 First Avenue, Suite 400, Seattle, WA 98104, (800-669-4000) or Oregon Bureau of Labor and Industries (800 NE Oregon St., Suite 1045, Portland, OR 97232, 971-673-0764).

Privacy Rights

The district will keep all documentation related to sexual harassment complaints as confidential as is allowable under the law. Please note that the district may be required to disclose records in some instances per the Family Education Rights and Privacy Act (FERPA), the Oregon Public Records Law, the Oregon Public Employees Collective Bargaining Act, or a court order, subpoena, or discovery request.

Please note that civil and criminal remedies that are not provided by the school or district may be available through the legal system and those remedies may be subject to statutes of limitations.

Additional Definitions

“Actual knowledge” means notice of sexual harassment or allegations of sexual harassment to the district’s Title IX Coordinator or any official of the district who has authority to institute corrective measures on behalf of the district, or to any employee of an elementary or secondary school.¹

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent² and requesting that the district investigate the allegation of sexual harassment.³

“Supportive measures” means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district’s educational environment, or deter sexual harassment.⁴ The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures.

Formal Complaint Procedures

Upon receipt of a formal complaint, the district will provide the parties⁵ written notice of the following:

1. Notice of the district’s grievance process, including any informal resolution process.
2. Notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details⁶ known at the time and with sufficient time to prepare a response before any initial interview.
3. That the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility be made at the conclusion of the grievance process.
4. That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.

¹ This standard is not met when the only official with knowledge is the respondent.

² “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

³ A complainant must be participating in or attempting to participate in the education program or activity of the district with which the formal complaint is filed.

⁴ Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

⁵ Parties include the complainant and the respondent, if known.

⁶ Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.

5. The parties may inspect and review evidence.
6. A reference to any provision in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

The Title IX Coordinator will contact the complainant and the respondent to discuss supportive measures. If necessary, the Title IX Coordinator will arrange for an individualized safety and risk analysis. If necessary, a student or non-student employee may be removed or placed on leave.

Investigation

The Title IX Coordinator will coordinate the district's investigation. The investigation must:

1. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence.
2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the district and not on the parties.⁷
3. Provide an equal opportunity for the parties to present witnesses, and other inculpatory and exculpatory evidence.
4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
5. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice.⁸ The district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint.⁹ Prior to completion of the investigative report, the district must send to each party and party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 business days to submit a written response, which the investigator will consider prior to completion of the investigative report;
8. Create an investigative report that fairly summarizes relevant evidence and is sent to each party and party's advisor in electronic format or hard copy at least 10 business days prior to any hearing (if required or provided) or other time of determination of responsibility. The party and advisor will be allowed to review and provide a written response.

⁷ The district cannot access, consider, disclose, or otherwise use a party's records that are made of or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's capacity, and which are maintained in connection with the provision of treatment to the party, unless the district obtains the party's (or eligible student's parent's) voluntary, written consent to do so.

⁸ In addition to an advisor, complainants and respondents may also be entitled to other accompaniment as required by law or as necessary for conducting of grievance procedures, including but not limited to translators, services for students with disabilities and parents of minor students.

⁹ This includes the evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the investigation. The district must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

After the district has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision maker(s) must afford each party the opportunity to submit written, relevant questions¹⁰ that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Credibility determinations are not based on the person's status as a complainant, respondent or witness.

No person designated as a Title IX Coordinator, investigator, decision-maker, or any person designated by the district to facilitate an informal resolution process may have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

If, in the course of an investigation, the district decides to investigate allegations about the complainant or respondent that are not included in the notice previously provided, the district must provide notice of the additional allegations to the parties whose identities are known.

At no point in the process will the district, or anyone participating on behalf of the district, require, allow, rely upon, or otherwise use questions or evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Determination of Responsibility

The respondent must be deemed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

The standard to be used for formal complaints in determining whether a violation has occurred is the clear and convincing evidence standard.¹¹

The person deciding the question of responsibility (the "decision-maker") must be someone other than the Title IX Coordinator or the investigator(s). The decision-maker must issue a written determination which must include:

1. Identification of the allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the district's code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including:
 - a. A determination regarding responsibility;
 - b. Any disciplinary sanctions the district imposes on the respondent; and
 - c. Whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and
6. The district's procedures and permissible bases for the complainant and respondent to appeal.

The district must provide the written determination to the parties simultaneously.

¹⁰ Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the question and evidence concern specific incidents of the complainants prior sexual behavior with respect to the respondent and are offered to prove consent.

¹¹ A clear and convincing evidence standard of evidence is understood to mean concluding that a fact is highly probable to be true. U.S. Department of Education, Title IX Regulations commentary, p. 1268, FN 1409.

The determination regarding responsibility becomes final either on the date that the recipient provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Remedies

The Title IX Coordinator is responsible for effective implementation of any remedies.

The disciplinary sanctions may include:

1. Discipline up to and including suspension and expulsion;
2. Removal from various activities, committees, extra-curricular, positions, etc.
3. Disqualification for awards and honors;
4. Discipline up to and including termination, in accordance with laws, agreements, contracts, handbooks, etc.

Other remedies may include:

5. Educational programming.

Dismissal of a Formal Complaint

The district must dismiss a formal complaint with regard to Title IX sexual harassment if the alleged conduct:

1. Would not constitute sexual harassment, even if proved;
2. Did not occur in the district's education program or activity¹²; or
3. Did not occur against a person in the United States.

The district may dismiss a formal complaint with regard to Title IX sexual harassment if at any time during the investigation or hearing, if provided:

4. A complainant notifies the Title IX Coordinator in writing that the complaint would like to withdraw the formal complaint or any allegations therein;
5. The respondent is no longer enrolled or employed by the district; or
6. Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal of a formal complaint, the district must promptly send written notice of the dismissal and the reason(s) therefor simultaneously to the parties.

The dismissal of a formal complaint under Title IX does not preclude the district from continuing any investigation and taking action under a different process. The district may have an obligation to continue an investigation and process under a different process.

Consolidation of Complaints

¹² Includes locations, events, or circumstances over which the district exercised substantial control over both the respondent the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution. (Title 34 C.F.R. §106.44(a))

The district may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by one or more complainant against one or more respondents, or by one party against another party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Informal Resolution

If the district receives a formal complaint, at any time prior to reaching a determination regarding responsibility, the district may offer an optional informal resolution process, provided that the district:

1. Provides written notice to the parties disclosing:
 - a. The allegations;
 - b. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
 - c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary written consent to the informal resolution process; and
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Appeals

Either party may file an appeal from a determination regarding responsibility or from a dismissal of a formal complaint, within 10 calendar days of the decision, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
4. Additional bases may be allowed, if made available equally to both parties.

When an appeal is filed, the district must:

1. Notify the other party in writing;
2. Implement appeal procedures equally for both parties;
3. Ensure the decision-maker(s) for the appeal is not the same person as the decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
4. Ensure the decision-maker for the appeal is free from conflicts of interest and bias;
5. Give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging the outcome;
6. Issue a written decision describing the result of the appeal and the rationale for the result; and

7. Provide the written decision simultaneously to both parties.

Timelines

The district will complete the following portions of the grievance process within the specified timelines:

1. General grievance process (from receipt of formal complaint to determination of responsibility: 90 business days;
2. Appeals (from receipt of appeal): 60 business days;
3. Informal resolution process: 60 business days.

Temporary delays of the grievance process, or limited extensions of time will be allowed for good cause¹³ with written notice to the parties.

Records

Records will be created and maintained in accordance with the requirements in Title 34 C.F.R. §106.45(a)(10).¹⁴

Training

Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process must receive training on the definition of sexual harassment, the scope of the district's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and information resolution processes. The training must also include avoiding prejudgment of the facts at issue, conflicts of interest and bias.

Decision-makers must receive training on any technology to be used at a live hearing and on issues of relevance of questions and evident, including when questions about evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

Investigators must receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes, must promote impartial investigations and adjudications of formal complaints of sexual harassment and must be made publicly available on the district's website or available upon request for inspection by members of the public.

¹³ Good cause may include considerations such as the absence of a party, a party's advisor or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. (Title 34 C.F.R. § 106.45(b)(1)(v))

¹⁴ This includes creating a record for each investigation. This record must include:

- Supportive measures, or reasons why the response what not clearly unreasonable under the circumstances;
- Basis for the conclusion that the district's response was not deliberately indifferent; and
- What measures were taken to restore or preserve equal access to the district's educational program or activity. (Title 34 C.F.R. § 106.45(a)(10)(ii))

Most records (including training) must be retained for at least seven years.

NOTIFICATION

SEXUAL HARASSMENT COMPLAINT PROCEDURES AND RESOURCES

Rights of Complainant

- The right to work, attend, or be present at district schools and activities free from any sexual harassment.
- The right to file a complaint pursuant to AC-BP: Non-Discrimination, when a person feels the person is or has been the victim of sexual harassment.
- The right to be notified when the investigation is concluded and as to whether a violation of the policy was found to have occurred, to the extent allowable under state and federal confidentiality laws.

A person who initiates a complaint in good faith may not be retaliated against. The initiation of a complaint by an employee in good faith about behavior that may violate the policy may not adversely affect any terms or conditions of employment or work environment of the staff member who initiated the complaint. The initiation of a complaint by a student or student's parent in good faith about behavior that may violate this policy may not adversely affect the educational assignments or educational environment of the student who initiated the complaint.

Complaint Procedure

Complaints of sexual harassment should be made to the building principal or site administrator. Complaints against a building principal or site administrator should be made to the Superintendent or designee. Complaints against the Superintendent should be made to the Board Chair. The sexual harassment complaint procedure is set forth in GBN/JBA-AR(1) Sexual Harassment Complaint Procedure and GBN/JBA-AR(2): Federal Law (Title IX) Sexual Harassment Complaint Procedure can be found on the district's website.

School and District Services for Employees and Students

The following district services are available to victims of sexual harassment who are employees of the district:

- Employee Assistance Program through Uprise Health / OEBB (<https://members.uprisehealth.com/> access code: OEBB)
- [SafeOregon / www.safeoregon.com/report-a-tip/](http://www.safeoregon.com/report-a-tip/) : employees can report anything from vandalism to theft to cyberbullying
- Human Resources (541-355-1100)
- School Resource Officers

The following district services are available to victims of sexual harassment who are students of the district:

- **Available at schools:** [school counselors](#), [school nurses](#), [FAN advocates](#) and [School Resource Officers](#)
- [First Step / www.firststeporegon.org](http://www.firststeporegon.org) : access to the free counseling and support resources
- [SafeOregon / www.safeoregon.com/report-a-tip/](http://www.safeoregon.com/report-a-tip/) : students can report anything from vandalism to theft to cyberbullying
- YouthLine – a free and confidential teen-to-teen help line
 - Text: text the phrase “teen2teen” to 839863
 - Talk: 877-968-8491
 - Email: Teen2Teen@LinesForLife.org

State and Community Based Services

A victim of sexual harassment can locate services available in our community by accessing the Oregon Attorney General's Sexual Assault Task Force website <http://oregonsatf.org/help-for-survivors/#deschutes>

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave, Room 3310, Seattle, WA 98174-1009. Direct complaints related to employment may be filed with the U.S. Department of Labor (1-866-487-2365), Equal Employment Opportunity Commission (909 First Avenue, Suite 400, Seattle, WA 98104, (800-669-4000) or Oregon Bureau of Labor and Industries (800 NE Oregon St., Suite 1045, Portland, OR 97232, 971-673-0764).

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Please note that civil and criminal remedies that are not provided by the school or district may be available through the legal system and those remedies may be subject to statutes of limitations.