



# PHOENIX-TALENT SCHOOLS

EXCELLENCE *for* EVERYONE

Board Meeting - 6:00 PM

Thursday, September 15, 2022

In-Person at Phoenix Elementary School

<https://us02web.zoom.us/j/82975884108?pwd=OFZOTjNXZEk5T2pGYXErbzBSNzVPQT09>

Password: 865340

## AGENDA

- A. **Call to Order**
- B. **Accentuate the Positive**
- C. **Citizen Comments**
- D. **Superintendent Report**
- E. **Program Report: Community Care Team**
- F. **Consent Agenda**
  - 1. Approval of Agenda
  - 2. Approval of Minutes from 9/01/2022
  - 3. Personnel Report
  - 4. Board Policy Sections K & L
- G. **Action Items**
  - 1. **Appoint Budget Committee Members**
  - 2. **Approve Budget Committee Calendar for 23-24 Budget**
- H. **Information and Discussion**
  - 1. **Facilities/Bond Update**
  - 2. **Financial Update**
  - 3. **Legislative / OSBA Update**
  - 4. **Alameda Fire Update**
  - 5. **Enrollment Report**
  - 6. **Student Representative Appointment Process Discussion**
- I. **Review of the Next Meeting Agenda**
- J. **Adjournment**

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# PHOENIX-TALENT SCHOOLS

EXCELLENCE *for* EVERYONE

## Regular Board Meeting – *Draft Minutes*

Thursday, September 1, 2022 6:00 PM

Phoenix Elementary School, 215 North Rose Street, Phoenix, OR 97535

Michael Campbell: Present  
Sara Crawford: Present  
Polly Farrimond: Present  
Nancy McKinnis: Present  
Rick Nagel: Present  
Dawn Watson: Present  
Rebecca Weathers: Present

### A. Executive Session - 5:30 PM

**This is a closed meeting to the public.**

**The meeting is in accordance with ORS 192.660 (2) [a-personnel, d-negotiations, e-real estate]**

The meeting adjourned at 5:45 p.m.

### B. Call to Order

**The Board Meeting was called to order at 6:00 p.m.**

Staff present: Supt. Brent Barry and Board Secretary Denise Skinner.

### C. Accentuate the Positive

#### **PES Principal Shawna Schleif**

- Thank you board for supporting our extended inservice schedule. Our staff has been so appreciative of all of the professional development and the time to connect with one another. It really helps establish a positive culture, a sense of calm and comfort in our building.
- Mrs. Schleif extended gratitude to Kelly Soter for her leadership this week. We had a wonderful TWI meeting and it brought clarity to how we will foster growth in our two-way immersion program around our year of study.
- Mrs. Schleif thanked Alison Bailey and Tatiana Ramos Gallardo for helping front load the success of our students and teachers by providing individual student profiles for each of our students who have an IEP and hosting grade-level meetings to create clarity and provide collaboration on student support.

### **TES Principal Heather Lowe-Rogers**

- TES had their welcome party for the kindergartners last night and it was a lot of fun. Mrs. Lowe-Rogers thanked the kinder teachers and all the support staff for making it such a great night.
- Mrs. Lowe-Rogers thanked the board for approving the new playground at TES. It will be completed by the first day of school and there is a lot of anticipation for the students to see the new playground.
- Our plan for family engagement this year has a new vision of how we engage with our families. The new plan involves the family coming to meet the teacher, dropping off their supplies, and participating in a presentation about what it means to be a Jr. Pirate or a Mustang or a Hawk. We will talk about learning targets and set the stage for expectations.
- Mrs. Lowe-Rogers gave a shout out to the new teachers. Linnaea Funk Morales, Alex Schorr, Ashley Quay, Karlie Richardson, and our new IA Fabiola Granados Ayala are doing amazing and working hard to get things set up for the year. They are all incredible!
- Mrs. Lowe-Rogers thanked our community care specialists who delivered some amazing professional development classes to our classified staff this past week.

### **OHES Principal Brandon Hammond**

- Mr. Hammond has had such great help from everyone with any questions he may have had and he feels so supported. The staff is present and incredible.
- Mr. Hammond shared his story of finding a home here and the importance of having one with a strong foundation. Mr. Hammond related the need to establish a strong foundation as we build student success at Orchard Hill Elementary. This process began with the establishment of our building charter. The key foundational principles of the charter are Balanced, Valued, Inspired, Connected, Safe and Effective. Another component of our foundation has been through creating strong relationships within our building. Recently, we completed a walk about, which allowed our staff to connect and learn more about each other, helping to build relationships.

### **PTRA Principal Aaron Santi**

- Mr. Santi said that PTRA has partnered with Talent Maker City for their electives for this quarter. There will be an intro to carpentry with hand tools and an intro to ceramics.
- Parent orientation is on Tuesday evening the 6th from 6:30-7:30.
- We have new curriculum for Language Arts from Edmentum and it will be a step up for our families at the middle school level.

### **TMS Principal Katherine Holden**

- Last week Ms. Holden was feeling concerned about the registration numbers, as many students had not yet registered. She and staff made phone calls every day, connecting with families and getting them registered. As of today, there are only six students that we have not yet connected with to confirm registration.
- Ms. Holden said working with teachers this week has been amazing. We had great conversations about instructional practice, setting a tone, and starting the year strong. The openness, the positive attitudes and participation and engagement was awesome.
- Ms. Holden thanked Student Manager Misty Hutsell for printing, organizing, stapling, and hole punching over 300 student planners over the last couple of days.
- Ms. Holden gave a shout out to Registrar Julee Lockett. Julee is so dedicated and so caring and she makes the families of TMS feel welcome during the registration process.

### **PHS Principal Kalin Cross**

- We have had an awesome two weeks of professional development. The classified and certified staff were grateful for that time.
- We met with our teachers this week and discussed attendance and tardy priorities for keeping students accountable and communicating to parents the importance of being in school and on time. We talked about student behavior support and how we can be clear with our expectations.
- Ms. Cross gave a shout out to Carolena Campbell who is our Link Crew Leader. Carolena trained many student leaders this week who will welcome our freshman. The freshman will have a half day of intentional activities so that they have a sense of belonging. There will be two upper classmen for every 10-freshman students.
- Lisa Robin, who is our leadership teacher, will be working with our new students on Tuesday to create a welcoming environment.
- Ms. Cross is very grateful to David Ford for hosting a staff BBQ. It was a great way to get to know each other.
- Dave Ehrhardt and Maria Thompson have been working hard to make sure our teams still have practice even when there was smoke from wildfires. The first home football game is still on for tomorrow night at 7 pm at P-T Rising Field. Approximately 195 students are participating in a fall sport or activity. This includes our marching band, which is back with a full schedule of fall events in 2022. Homecoming Week is October 10-15 and will include our first Sports Hall of Fame induction since 2014.

### **Director of Equity & Community Care Kelly Soter**

- Ms. Soter gave a shout out to the amazing Community Care team. Laura Millette, Rosario Medina and Katie McCormick jumped in full force and hit the ground running. These wonderful people also led professional development with all our classified staff just two days after their first day of work! We ran mini-sessions on topics such as Introduction to Community Care, Classroom WISE (well-being, information and strategies for educators), Recognizing Racial Aggressions, and Interrupting Bias. The team made connections with staff, set up community resource spaces, had meetings with community partners, and did some amazing networking. Ms. Soter gave a shout out to Brissia Morales for helping to design the flyers.
- Our team had an introduction to the Every Student Belongs rule and a very brief introduction to Bias Incidents at every school. Our Coaching for Educational Equity (CFEE) team helped provide the information for the training. Our next step will be meeting with each building principal to support equity needs at each site, including additional professional learning together.
- We had a wonderful TWI staff meeting this week. There was excitement and energy in bringing everyone together. We were able to talk about student learning and we outlined our common agreements for the year as we launched new curriculum. We will meet monthly with our TWI teams to continue this work throughout the year.

**Amy Honts of Sodexo** shared that there have been a lot of changes and we going back to the basics. There has been a lot of planning and Ms. Honts thanked Debbie Rogers, Holly Haviland and Yazmin Karabinas for their help in the planning, training staff, and submission of data to ODE. We will be starting the school year with full staff and will be bringing back the salad bars and have more food service options. Since we are a community eligible district, all meals will be free for all students.

**Director Sara Crawford** appreciated the invitation to the welcome back breakfast last Tuesday. The excitement and energy was palatable in the stadium and it was fantastic to see new faces.

### **D. Public Comments**

#### **Discussion:**

Chair Michael Campbell asked if there were any citizens who would like to make a comment. Laura Latham introduced herself to the board and said that she is a sixth grade language arts and social studies teacher at TMS and this year's certified association president.

## E. Superintendent Report

### Discussion:

Supt. Barry said that hearing this accentuate the positive is a great way to start the new year. He is so thankful for this team and it feels and looks different from ever before. There is more intention, strategic PD and training, and it is amazing.

Supt. Barry gave a shout out to Denise Skinner, Board Secretary, for getting BoardBook started. This is our first meeting using it and we are all in the learning stage.

Today was the all-staff BBQ to wrap up the inservice week. Our own Bob Stapp of Preachers BBQ provided the food. Supt. Barry thanked those board members who were able to attend.

Supt. Barry gave updates on the following:

- ESSER Funding - Yazmin Karabinas provided documents that provided details on funding, expenditures (both current and projected), on ESSER I, II, and III funds.
- Supt. Barry shared the results of the Panorama survey. All local districts participated in the survey.
- Safe School meeting with our local law enforcement was this week to prep for the beginning of the year. We discussed what our reunification plan is in the event of a tragic event, whether it is a natural disaster or an act of violence. We will be using many free resources from the "I Love You Guys" Program, which was started by the father of a Columbine victim. We also discussed expanding our SRO program to our elementary schools.
- The OSBA annual conference schedule is up. The conference is November 11-13 so please let Denise know if you plan to attend so she can get you registered.
- Supt. Barry shared his goals again and said they are essentially unchanged but he wanted to re-share since some board members were unable to attend the last meeting.

## F. Consent Agenda

### Action(s):

I move approval of the consent agenda with the exclusion of policy JFCJ and JBB. This motion, made by Rick Nagel and seconded by Rebecca Weathers, Carried.

### Voting Detail:

Michael Campbell:	Yea	Rick Nagel	Yea
Sara Crawford:	Yea	Dawn Watson	Yea
Polly Farrimond:	Yea	Rebecca Weathers	Yea
Nancy McKinnis:	Yea		

**F. Consent Agenda** (cont.)

F. 1. Approval of Agenda

F. 2. Approval of Minutes from 8/11/2022

F. 3. Personnel Report

F. 4. Board Policy Rewrite Section J

**Discussion:** Director Rick Nagel motioned to approve the consent agenda with the exception of policy JFCJ - Weapons in Schools and Sara Crawford requested policy JBB - District Equity Policy be removed as well. Director Rebecca Weathers seconded the motion.

**G. Action Items**

G.1. **\*\*REVISED\*\*** Declaration of Surplus Items

**Action(s):**

I move to approve the revised surplus list as presented. This motion, made by Nancy McKinnis and seconded by Polly Farrimond, carried.

**Voting Detail:**

Michael Campbell: Yea  
Sara Crawford: Yea  
Polly Farrimond: Yea  
Nancy McKinnis: Yea  
Rick Nagel: Yea  
Dawn Watson: Yea  
Rebecca Weathers: Yea

**Voting Summary:** Yea: 7, Nay: 0

G.2. Establish Meal Prices

**Action(s):**

I move approval of the recommended adult meal prices and student second meal prices. This motion, made by Sara Crawford and seconded by Rebecca Weathers, carried.

**Voting Detail:**

Michael Campbell: Yea  
Sara Crawford: Yea  
Polly Farrimond: Yea  
Nancy McKinnis: Yea  
Rick Nagel: Yea  
Dawn Watson: Yea  
Rebecca Weathers: Yea

**Voting Summary:** Yea: 7, Nay: 0

**Discussion:** Sodexo submitted their recommendations for adult meals and student second meal prices based on the Oregon School Nutrition Reimbursement Rates. Since the district is approved for CEP for the 2022-2023 school year, meal prices will not affect students' first meal.

### G.3. Board Operating Agreement

**Action(s):**

I move approval of the Board Operating Agreement as presented. This motion, made by Polly Farrimond and seconded by Rebecca Weathers, carried.

**Voting Detail:**

Michael Campbell: Yea  
Sara Crawford: Yea  
Polly Farrimond: Yea  
Nancy McKinnis: Yea  
Rick Nagel: Yea  
Dawn Watson: Yea  
Rebecca Weathers: Yea

**Voting Summary:** Yea: 7, Nay: 0

**Discussion:**

The Board Operating Agreement was presented at the last meeting for review and discussion.

### G.4. Board Self-Evaluation Form

**Action(s):**

I move approval of the Board Self-Evaluation form as presented. This motion, made by Sara Crawford and seconded by Dawn Watson, carried.

**Voting Detail:**

Michael Campbell: Yea  
Sara Crawford: Yea  
Polly Farrimond: Yea  
Nancy McKinnis: Yea  
Rick Nagel: Yea  
Dawn Watson: Yea  
Rebecca Weathers: Yea

**Voting Summary:** Yea: 7, Nay: 0

**Discussion:** The board self-evaluation document was for information & discussion at the last meeting.

### G.5. Board Policy JBB - District Equity Policy

**Action(s):**

I move to approve policy changes as presented. This motion, made by Michael Campbell and seconded by Rick Nagel, carried.

G.5. Board Policy JBB - District Equity Policy (cont.)

**Voting Detail:**

Michael Campbell: Yea  
Sara Crawford: Nay  
Polly Farrimond: Yea  
Nancy McKinnis: Yea  
Rick Nagel: Yea  
Dawn Watson: Yea  
Rebecca Weathers: Yea

**Voting Summary:** Yea: 6, Nay: 1

**Discussion:**

Director Crawford asked to have policy JBB - District Equity Policy removed from the consent agenda for further discussion. Director Crawford would like to have more action-based language as to how the district directs or implements this policy. Mrs. Crawford would like to have Kelley Soter who is now leading the EDI Committee take a look at the policy again.

Supt. Barry said that he would take this as a board directive and bring it to staff to have them look at the policy again. We will then bring those proposed changes to the board for review and action if needed. Director McKinnis would also like to see the language changed and she hopes that we address this policy annually.

G.6. Board Policy JFCJ – Weapons in the Schools

**Action(s):**

I motion to table the policy as presented for further discussion. This motion, made by Rick Nagel and seconded by Rebecca Weathers, carried.

**Voting Detail:**

Michael Campbell: Yea  
Sara Crawford: Yea  
Polly Farrimond: Yea  
Nancy McKinnis: Yea  
Rick Nagel: Yea  
Dawn Watson: Yea  
Rebecca Weathers: Yea

**Voting Summary:** Yea: 7, Nay: 0

**Discussion:** Director Rick Nagel made a motion to remove this policy from the consent agenda because he does not feel that the district should allow anyone on school district premises (except law enforcement) with a firearm, including those who have a concealed weapons permit.

The board decided to bring the policy back at a future date for further discussion.

## G.7. OSBA Board Nomination for Position 5, Southern Region

### **Action(s):**

I move to nominate Dawn Watson for the OSBA Board Position 5 for the Southern Region. This motion, made by Polly Farrimond and seconded by Rick Nagel, Carried.

### **Voting Detail:**

Michael Campbell: Yea  
Sara Crawford: Yea  
Polly Farrimond: Yea  
Nancy McKinnis: Yea  
Rick Nagel: Yea  
Dawn Watson: Abstain (Without Conflict)  
Rebecca Weathers: Yea

**Voting Summary:** Yea: 6, Nay: 0, Abstain (Without Conflict): 1

### **Discussion:**

The rules were suspended under Information and Discussion item #3, OSBA Board Nomination for position 5, Southern Region and was moved to action item 7.

The board nominated Dawn Watson for its vote for OSBA Board Position 5, Southern Region.

## H. RECESS

The meeting was recessed at 7:30 PM for a short intermission and resumed at 7:40 PM.

## I. Information and Discussion

### I.1. Financial Update

#### **Discussion:**

Supt. Barry said that the revenue forecast came out yesterday and there were record breaker collections, which means there will be a record breaker kicker as well. The forecast is positive but we will still need all hands on deck with the next legislative session.

### I.2. Facilities/Bond Update

**Discussion:** Supt. Barry referred to the Healthy and Safe School Plan report and said if they have any questions, to reach out to Jon.

Director Crawford asked where we are in the next steps for getting the Colver Road property approved into the UGB. Supt. Barry said it still has to Jackson County for approval but he will get with Jay to find out the remaining process.

Sara Crawford asked about the Long Range Facility Plan and Supt. Barry suggested that we have Jay Harland write a memo to the board.

### I.3. Legislative/OSBA Update

**Action(s):**

I move to suspend the rules and move information and discussion item #3 OSBA Update for the nomination of OSBA Board Position 5, to an action item. This motion, made by Rick Nagel and seconded by Polly Farrimond, Carried.

**Voting Detail:**

Michael Campbell: Yea

Sara Crawford: Yea

Polly Farrimond: Yea

Nancy McKinnis: Yea

Rick Nagel: Yea

Dawn Watson: Yea

Rebecca Weathers: Yea

**Voting Summary:** Yea: 7, Nay: 0

**Discussion:**

Director Crawford recently attended the LPC meeting and they are looking ahead to what they are calling the Legislative Road Show. October 24 will be the southern Oregon roadshow and ESD helps facilitate that meeting. During that meeting, there was discussion with it being election season, that if there is a candidate that is asking for an endorsement for their campaign, OSBA suggests that board members be careful in using their board title with the endorsement and that you use (for identification purposes only) when you use your school board title.

Vice Chair Watson recently attended the Rural School Committee meeting and they talked about how they want to define a rural school. They are currently working on that definition and the next meeting is on September 15.

Michael Campbell said that OSBA has opened up nominations for Board Position 5, Southern Region currently held by Dawn Watson. Vice Chair Watson was asked if she would like to be nominated again and she said yes.

### I.4. Alameda Fire Update

**Discussion:**

Supt. Barry said that our community care specialists are taking this on as well. Part of community care is making sure that our fire-impacted families have housing and other support that they may need.

Director Sara Crawford reminded us of the Phoenix Rising celebration on the 17th at PES from 11:00AM to 3:00PM.

Supt. Barry said that there will be a long-term recovery group celebration on the 10th at Blue Heron Park or the high school, depending on whether there is smoke or not.

#### I.5. Equity, Diversity, & Inclusion

**Discussion:**

Director Nancy McKinnis said that the EDI committee did not meet during the summer. During the Every Student Belongs presentation at the high school, there was an invitation for folks to join the EDI committee. It was also shared that there is going to be a process to report bias incidents. Director McKinnis would like to see the board participate in EDI training.

#### I.6. Review Budget Committee Applications

**Discussion:**

Chair Campbell said that Denise has reached out to all three committee members asking if they would like to reapply for an additional 3-year term. Two of the three submitted their applications.

Supt. Barry said that the other committee member moved into the Medford School District so she was unable to submit her application again. If there are no other applications received before the September 15 meeting, we will just keep the vacancy open and posted.

#### I.7. Review Budget Calendar for the 23-24 Budget Year

**Discussion:**

Chair Campbell said the budget calendar for 2023-2024 is presented for review and will be an action item at the next meeting.

#### I.8. Review Employee Handbook

**Discussion:**

Chair Campbell said the employee handbook is provided just for review and will not be an action item.

Supt. Barry said that this was the most comprehensive employee handbook that we have had in years and thanked Jessica Hamlin and her staff for their work.

#### I.9 Discuss Student Representative Appointments

**Discussion:**

Chair Campbell asked for any discussion on a timeline for appointments and the method of choosing student representatives.

Supt. Barry said we would direct staff to make announcements, possibly even by PHTV, and solicit students who may be interested in submitting an application that week after school starts. Supt. Barry suggested that we have a discussion on a process at the September 15 meeting, interview students during the October 6 meeting and then have those students who are appointed attend their first meeting at the October 20 meeting, which is a daytime meeting.

#### I.10. Board Self-Evaluation Timeline

**Discussion:**

Chair Campbell referred to the Self-Evaluation form that was just adopted and asked for discussion on when the board thought would be a good time to do the evaluation.

After much discussion, the board decided to wait until after the OSBA conference in November.

#### I.11. Superintendent Board Operating Agreement

**Discussion:**

Chair Campbell suggested appointing a small committee with a couple of board members to get their opinions. Chair Campbell and Director Crawford volunteered to meet with Supt. Barry in the coming months.

#### I.12. Board Policy Rewrite Sections K & L

**Discussion:** Chair Campbell asked for comments or questions on board policy sections K & L.

Director Crawford had questions regarding the policy of KAB - Parental Rights.

Vice Chair Watson had comments about the policy of KG-AR and vaping.

Supt. Barry said we would have staff either update the verbiage or include something in the application regarding tobacco products and vaping for KG-AR.

#### J. Review of the Next Meeting Agenda

**Discussion:**

Chair Michael Campbell reviewed the draft agenda for 9/15/22.

#### K. Adjournment

**Discussion:**

There being no further business before the Board, the meeting was adjourned at 8:45 PM.

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Michael Campbell, Chair

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Brent Barry, Superintendent

Phoenix-Talent Schools District 4

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The following symbols are used on some sample policies:

- \* May be subject to collective bargaining.
- \*\* As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005(4) and 125.300-125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.
- [ ] Brackets occur in sample policies to indicate the need for districts to select or tailor information specific to their particular situations.

# Phoenix-Talent Schools District 4

Code: KAB  
Adopted: 10/05/17  
Orig. Code(s): KAB

## Parental Rights\*\*

The Board recognizes the importance of promoting parental input in decision making related to their student’s health and general well-being; in determining district and student needs for educational services; and in program development and district operations. To assist the district in this effort, and in accordance with law, ~~the Every Student Succeeds Act of 2015 (ESSA)~~, the district affirms the right of parents, upon request, to inspect:

1. A survey created by a third party before the survey is administered or distributed by the district to a student, including any district survey containing “covered survey items”<sup>1</sup> ~~as defined by ESSA~~;
2. Any instructional material used by the district as part of the educational curriculum for the student;
3. Any instrument used in the collection of personal information from students for the purpose of marketing or for selling that information or otherwise providing that information to others for that purpose.

As provided by law, parents of district students will also, upon request, be permitted to excuse their student from “covered activities”<sup>2</sup> ~~as defined by ESSA~~. The rights provided to parents under this policy, transfer to the student when the student turns 18 years of age, or is an emancipated minor under applicable state law.

The superintendent will ensure that activities requiring parental notification are provided as required by law and that reasonable notice of the adoption or continued use of this policy is provided to parents of students enrolled in district schools. The input of parents will be encouraged in the development, adoption and any subsequent revision of this policy.

The superintendent shall develop administrative regulations to implement this policy, including provisions as may be necessary to ensure appropriate notification to parents of their rights under federal law and district procedures to request review of covered materials, excuse a student from participating in covered activities and protect student privacy in the event of administration or distribution of a survey to a student.

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<sup>1</sup> “Covered survey items” ~~under ESSA~~ include one or more of the following items: political affiliations or beliefs of the student or the student’s family; mental and psychological problems of the student or the student’s family; sex behavior or attitudes; illegal, antisocial, self-incriminating or demeaning behavior; critical appraisals of other individuals with whom respondents have close family relationships; legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers; religious practices, affiliations or beliefs of the student or the student’s parent; and income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program.

<sup>2</sup> “Covered activities,” requiring notification, ~~under ESSA~~ include activities involving the collection, disclosure or use of personal information collected from students for the purpose of marketing or for selling that information or otherwise providing that information to others for that purpose; the administration of any survey containing one or more of covered survey items; and any nonemergency, invasive physical examination or screening that is required as a condition of attendance and administered and scheduled by the school in advance. See the administrative regulation for additional definitions.

## END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

Every Student Succeeds Act of 2015, 20 U.S.C. § 7928 (2012).

Protection of Pupil Rights, 20 U.S.C. § 1232h (2012); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2017).

Family Education Rights and Privacy Act, 20 U.S.C. § 1232g (2012).

# Phoenix-Talent Schools District 4

Code: KAB-AR  
Adopted: 10/05/17  
Orig. Code(s): KAB-AR

## Parental Rights\*\*

The following definitions and procedures will be used to implement the parental rights: requirements of the Every Student Succeeds Act of 2015 (ESSA):

### Definitions

1. “Survey,” as defined by federal law and as used in Board policy and this regulation, includes an evaluation. It does not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (IDEA);
2. “Covered survey items” means one or more of the following items: political affiliations or beliefs of the student or the student’s family; mental and psychological problems of the student or the student’s family; sex behavior or attitudes; illegal, antisocial, self-incriminating or demeaning behavior; critical appraisals of other individuals with whom respondents have close family relationships; legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers; religious practices, affiliations or beliefs of the student or the student’s parent; and income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program;
3. “Covered activities,” requiring notification, ~~under ESSA~~ means those activities involving the collection, disclosure or use of personal information collected from students for the purpose of marketing or for selling that information or otherwise providing that information to others for that purpose; the administration of any survey containing one or more covered survey items; and any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered and scheduled by the school in advance and not necessary to protect the immediate health and safety of the student, or of other students. This provision does not apply to physical examinations or screenings that are permitted or required by law, including physical examinations or screenings permitted without parental notification;
4. “Third parties” include, but are not limited to, school volunteers, parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control;
5. “Instructional material” means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual materials and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments;
6. “Personal information” means individually identifiable information including a student or parent’s first and last name; a home or other physical address (including a street name and the name of the city or town); telephone number; or a social security identification number;

7. “Invasive physical examination” means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion or injection into the body. It does not include a hearing, vision or scoliosis screening and does not apply to any physical examination or screening that is permitted or required by an applicable state law, including physical examinations or screenings that are permitted without parental notification.

### **Requests to Inspect Materials**

Parents may inspect surveys, instructional materials or instruments used to collect personal student information for marketing purposes before such items are administered or distributed by a school to a student as follows:

1. Requests may be directed to the school office by phone or in person;
2. Requests must be received by the district no later than five working days following receipt of notification by the district of its intent to administer or distribute such items;
3. Materials may be reviewed at the school office or mailed by the district;
4. Requests to mail materials must be accompanied by a self-addressed, stamped envelope.

### **Requests to Excuse Student from Covered Activities**

A parent may request that his/her student be excused from participation in any of the following covered activities:

1. The collection, disclosure or use of personal information collected from students for the purpose of marketing or selling that information to others;
2. Any district or third party survey;
3. The administration of nonemergency, invasive physical examinations or screenings.

All such requests must be:

1. Directed to the principal in writing;
2. Received by the district no later than five working days following receipt of notification by the district of its intent to administer or distribute such items.

### **Student Privacy**

The district recognizes its responsibility to protect student privacy in the event of administration or distribution of a survey to a student containing one or more covered survey items.

A student’s personal information that may be collected as a result of such surveys will be released only with prior, written parental permission. The district will use reasonable methods to identify and authenticate the identity of the parents, students, school officials, and any other parties to whom the district discloses personally identifiable information from educational records.

## **Notification**

Each principal shall be responsible for ensuring appropriate notification to parents of their rights under federal law, Board policy and this regulation. Accordingly, notification will:

1. Be made at least annually at the beginning of the school year or at other times during the school year when enrolling students for the first time in school;
2. Include the specific or approximate dates during the school year when covered activities are scheduled or expected to be scheduled.

# Phoenix-Talent Schools District 4

Code: KBA  
Adopted: 4/19/18  
Orig. Code(s): KBA

## Public Records

“Public record” means any information that:

1. Is prepared, owned, used or retained by the district;
2. Is related to an activity, transaction or function of the district; and
3. Is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the district.

Public record does not include messages on voice mail or on other telephone message storage and retrieval systems, or spoken communication that is not recorded.

A request to inspect or receive a copy of a public record shall be in writing and will be presented to the district administrator’s office.

Board meetings and records will be matters of public information subject to such restrictions as are set by federal law or regulation, by state statute or by permanent court rulings.

The Board’s official minutes, its written policies and its financial records will be available at the superintendent’s office for inspection by any citizen desiring to examine them during hours when the superintendent’s office is open. All such information will be made available to individuals with disabilities in any appropriate format, upon request and with appropriate advanced notice. Auxiliary aids and services available to ensure equally effective communications to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.

The Board supports the right of the people to know about programs and services of their schools and will make every effort to disseminate information. Each principal is authorized to use all means available to keep parents and others of his/her particular school’s community informed about the school’s program and activities.

No records will be released for inspection by the public or any unauthorized persons – either by the superintendent or any other person designated as custodian for district records – if such disclosure would be contrary to the public interest, as described in state law.

The Board reserves the right to establish a fee schedule which will reasonably reimburse the district for the actual cost of making public records available pursuant to law. The district will not be obligated to complete a request for which the requester has not paid the fee as permitted by state law. There will be no additional charge for auxiliary aids and services provided for qualified persons with disabilities.

Employee and volunteer addresses, electronic mail addresses (other than district electronic mail addresses assigned by the district to district employees), social security numbers, dates of birth and telephone numbers contained in personnel records maintained by the district are exempt from public disclosure pursuant to Oregon Revised Statute (ORS) 192.368445 and ORS 192.355502(3). Such information may be released only upon the written request of the employee or volunteer or as otherwise provided by law. This exemption does not apply to a substitute teacher, as defined in ORS 342.815, when requested by a professional education association of which the substitute teacher may be a member. District electronic mail addresses assigned by the district to district employees are not exempt.

The district will not disclose the identification badge or card of an employee without the employee's written consent if the badge or card contains the employee's photograph and the badge or card was prepared solely for internal use by the district to identify district employees. A duplicate of the photograph used on the badge or card shall not be disclosed.

The district shall not, in accordance with state law, disclose personal information for the purpose of enforcement of federal immigration laws.

The district shall retain and maintain its public records in accordance with Oregon Administrative Rule (OAR) 166, Division 400.

END OF POLICY

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**Legal Reference(s):**

[ORS 180.805](#)

[ORS Chapter 192](#)

[OAR 137-004-0800\(1\)](#)

[OAR 166-400](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12111-12213 (2012); 29 C.F.R. Part 1630 (2017); 28 C.F.R. Part 35 (2017).

OREGON DEP'T OF JUSTICE, OREGON ATTORNEY GENERAL, *Public Records and Meetings Manual* (2014).

Americans with Disabilities Act Amendments Act of 2008.

REPLACED

# Phoenix-Talent Schools District 4

Code: KBA (**from August Policy Update**)  
Adopted: 4/19/18  
Orig. Code(s): KBA

## Public Records **Request\*\***

~~“Public record” means any information that:~~

- ~~1. Is prepared, owned, used or retained by the district;~~
- ~~2. Is related to an activity, transaction or function of the district; and~~
- ~~3. Is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the district.~~

**A request to inspect or receive a copy of a public record shall be in writing and will be presented to the district office.**

A “public record” includes any writing that contains information relating to the conduct of the public’s business, **prepared, owned, used or retained by the district regardless of physical form or characteristics, unless otherwise exempted by law.**<sup>1</sup> ~~“Writing” includes~~ **means** handwriting, typewriting, printing, photographing and every means of recording, including letters, words, pictures, sounds, or symbols or combination thereof and all papers, maps, files, facsimiles or electronic recordings. Public record does not include **any writing that does not relate to the conduct of the public’s business and that is contained on a privately owned computer** ~~messages on voice mail or on other telephone message storage and retrieval systems, or spoken communication that is not recorded.~~<sup>2</sup>

~~A request to inspect or receive a copy of a public record shall be in writing and will be presented to the [superintendent’s] office.~~

~~Board meetings and records will be matters of public information subject to such restrictions as are set by federal law or regulation, by state statute or by pertinent court rulings.~~

~~The Board’s official minutes, its written policies and its financial records will be available at the superintendent’s office for inspection by any citizen desiring to examine them during hours when the superintendent’s office is open. All such information will be made available to individuals with disabilities in any appropriate~~ **an accessible** format, upon request and with appropriate advanced notice. Auxiliary aids and services available to ensure equally effective communications to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.

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<sup>1</sup> **There are multiple definitions for “public record” in ORS 192. This definition comes from ORS 192.311 and applies to the inspection of records.**

<sup>2</sup> **In accordance with Bialostosky v. Cummings, 319 Or. App. 352 (2022), an individual board member may be considered a public body for public record purposes. Consequently, records created and retained solely by individual board members may be considered public records.**

The Board supports the right of the people to know about programs and services of their schools and will make **reasonable** every efforts to disseminate information. Each principal is authorized to use **all available** means available to keep parents and others of his/her **in the** particular school's community informed about the school's program and activities.

~~No records will be released for inspection by the public or any unauthorized persons—either by the superintendent or any other person designated as custodian for district records—if such disclosure would be contrary to the public interest, as described in state law.~~

The Board reserves the right to establish a fee schedule which will reasonably reimburse the district for the actual cost of making public records available pursuant to law. The district will not be obligated to complete a request for which the requester has not paid the fee as permitted by state law. There will be no additional charge for auxiliary aids and services provided for ~~qualified~~ persons with disabilities.

Employee and volunteer **personal residential** addresses, **personal** electronic mail addresses (~~other than district electronic mail addresses assigned by the district to district employees~~), social security numbers, dates of birth and **personal telephone or cellular numbers, and other information listed in Oregon Revised Statute (ORS) 192.355 as exempt**, contained in personnel records maintained by the district are exempt from public disclosure pursuant to ~~Oregon Revised Statute (ORS) 192.363 - 368 and ORS 192.355(3)~~. **District electronic mail addresses assigned by the district to district employees are not exempt.** ~~Such information may be released only upon the written request of the employee or volunteer or as otherwise provided by law. This exemption does not apply to a substitute teacher, as defined in ORS 342.815, when requested by a professional education association of which the substitute teacher may be a member. District electronic mail addresses assigned by the district to district employees are not exempt.~~

The district will not disclose the identification badge or card of an employee without the employee's written consent if the badge or card contains the employee's photograph and the badge or card was prepared solely for internal use by the district to identify district employees. A duplicate of the photograph used on the badge or card shall not be disclosed.

The district shall not, in accordance with state law, disclose personal information for the purpose of enforcement of federal immigration laws.

The district shall retain and maintain its public records in accordance with Oregon Administrative Rule (OAR) **166-005-0010 and Chapter 166**, Division 400 **and ORS Chapter 192**.

END OF POLICY

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**Legal Reference(s):**

[ORS 180.805](#)

[ORS Chapter 192](#)

[OAR 137-004-0800\(1\)](#)

[OAR 166-005-0010](#)

[OAR 166-400](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2012~~8~~); 29 C.F.R. Part 1630 (2017~~2021~~); 28 C.F.R. Part 35 (2017~~2021~~).

OREGON DEP'T OF JUSTICE, OREGON ATTORNEY GENERAL, *Public Records and Meetings Manual* (2014).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).

[Bialostosky v. Cummings, 319 Or. App. 352 \(2022\)](#).

# Phoenix-Talent Schools District 4

Code: KBA-AR  
Adopted: 4/19/18  
Orig. Code(s): KBA-AR

## Public Records

In compliance with Oregon law the following guidelines apply to the dissemination, inspection and examination of the public records of the district:

1. A public records request shall be submitted in writing through the superintendent's office at 401 West Fourth Street, Phoenix, Oregon.
2. Upon receipt of a written request, the district shall respond within five business days<sup>1</sup> acknowledging receipt of the request or completing<sup>2</sup> the district's response to the request. If the district provides an acknowledgment of the request, it must:
  - a. Confirm that the district is the custodian of the requested record;
  - b. Inform the requester that the district is not the custodian of the requested record; or
  - c. Notify the requester that the district is uncertain whether the district is the custodian of the requested record.
3. If the district is the custodian of the requested record, as soon as reasonably possible but not later than 10 business days after the date the district is required to acknowledge receipt of the request as described above, the district shall:
  - a. Complete its response to the public records request. If the district determines that a record is exempt from public disclosure, the district will include a statement to that effect and that the requester may appeal the decision pursuant to state law; or
  - b. Provide a written statement that the district is still processing the request and a reasonable estimated date by which the district expects to complete its response based on the information currently available.
4. The time periods, established by Oregon law and identified above in Section 2 or 3, will not apply to the district if compliance would be impracticable because:
  - a. The staff or volunteers<sup>3</sup> necessary to complete a response to the public records request are unavailable;
  - b. Compliance would demonstrably impede the district's ability to perform other necessary services; or

<sup>1</sup> "Business day" means a day other than Saturday, Sunday or a legal holiday, and on which at least one paid employee of the district is scheduled to and does report to work. Business day does not include any day on which the central administration offices of the district are closed.

<sup>2</sup> The district response to a public records request will be considered complete when it complies with criteria in Oregon law (ORS 192.329).

<sup>3</sup> Staff member or volunteers who are on leave or are not scheduled to work are considered to be unavailable.

c. Of the volume of the public records request being simultaneously processed by the district.

The district shall, as soon as practicable and without unreasonable delay, acknowledge a public records request and complete the response to the request.

5. The district may request additional information or clarification from the requester for the purpose of expediting the district's response to the request as permitted by law. If the district requests additional information or clarification, in good faith, the obligation to complete the request is suspended until the requester provides the requested information or clarification or affirmatively declines to provide the information or clarification.
6. If a copy of a public record is requested, the district will provide a single copy. If a request to inspect a public record is made and the record is maintained in a machine readable or electronic form, the custodian shall provide the record in the form requested, if available. If the public record is not available in the form requested, it will be provided in the form the record is maintained. If a person who is a party to a civil judicial proceeding to which the district is a party or who has filed notice under Oregon Revised Statute (ORS) 30.275(5)(a) asks to inspect or to receive a copy of a public record that the person knows relates to the proceeding or notice, the individual must submit the request in writing to the designated custodian of district records and at the same time to the district's attorney.
7. Information will be made available to individuals with disabilities in an appropriate format upon request and advance notice. Auxiliary aids and services available to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.
8. Where the labor effort exceeds 30 minutes, labor, material and out-of-pocket charges will be reimbursed to the district. Labor will be calculated at the hourly rate of the employee affected. Materials and out-of-pocket charges will be reimbursed at the established rate of \$.25 per page. Auxiliary aids and services for qualified persons with disabilities will be available at no additional charge.

If the district has informed the requester of a permitted fee, the obligation of the district to complete its response to the request is suspended until the fee has been received by the district. If the requester fails to pay the fee within 60 days of the date he/she was they were informed of the fee or fails to pay the fee within 60 days of the date on which the district informed them of the denial of the fee waiver, the district shall close the request.
9. The district reserves the right to restrict the inspection of some public records to the district's facilities.

# Phoenix-Talent Schools District 4

Code: KBA-AR (from August Policy Update)

Revised/Reviewed: 4/19/18

## Public Records Request

In compliance with Oregon law the following guidelines apply to the dissemination, inspection and examination of the public records of the district:

1. A public records request shall be submitted in writing through the superintendent's office at 401 West Fourth Street, Phoenix, Oregon.
2. Upon receipt of a written request, the district shall respond within five business days<sup>1</sup> acknowledging receipt of the request or completing<sup>2</sup> the district's response to the request.

If the district provides an acknowledgment of the request, it must:

- a. Confirm that the district is the custodian of the requested record;
  - b. Inform the requester that the district is not the custodian of the requested record; or
  - c. Notify the requester that the district is uncertain whether the district is the custodian of the requested record.
3. If the district is the custodian of the requested record, as soon as reasonably possible but not later than 10 business days after the date the district is required to acknowledge receipt of the request as described above, the district shall:
    - a. Complete its response to the public records request **in accordance with ORS 192.329(2)**. If the district determines that a record is exempt from public disclosure, the district will include a statement to that effect and that the requester may appeal the decision pursuant to state law; or
    - b. Provide a written statement that the district is still processing the request and a reasonable estimated date by which the district expects to complete its response based on the information currently available.
  4. The time periods, established by Oregon law and identified above in Section 2 or 3, will not apply to the district if compliance would be impracticable because:
    - a. The staff or volunteers<sup>3</sup> necessary to complete a response to the public records request are unavailable;
    - b. Compliance would demonstrably impede the district's ability to perform other necessary services; or

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<sup>1</sup> "Business day" means a day other than Saturday, Sunday or a legal holiday, and on which at least one paid employee of the district is scheduled to and does report to work. Business day does not include any day on which the central administration offices of the district are closed.

<sup>2</sup> The district response to a public records request will be considered complete when it complies with criteria in Oregon law (ORS 192.329).

<sup>3</sup> Staff member or volunteers who are on leave or are not scheduled to work are considered to be unavailable.

c. Of the volume of the public records request being simultaneously processed by the district.

~~The~~ **In these situations, the** district shall, as soon as practicable and without unreasonable delay, acknowledge a public records request and complete the response to the request.

5. The district may request additional information or clarification from the requester for the purpose of expediting the district's response to the request as permitted by law. If the district requests additional information or clarification, in good faith, the obligation to complete the request is suspended until the requester provides the requested information or clarification or affirmatively declines to provide the information or clarification. **If the requester fails to respond within 60 days to a good faith request from the district for information or clarification, the district shall close the request.**
6. If a copy of a public record is requested, the district will provide a single copy. If a request to inspect a public record is made and the record is maintained in a machine readable or electronic form, the custodian shall provide the record in the form requested, if available. If the public record is not available in the form requested, it will be ~~provided~~ **made available** in the form the record is maintained.
7. If a person who is a party to a civil judicial proceeding to which the district is a party or who has filed notice under Oregon Revised Statute (ORS) 30.275(5)(a) asks to inspect or to receive a copy of a public record that the person knows relates to the proceeding or notice, the individual must submit the request in writing to the designated custodian of district records and at the same time to the district's attorney.
8. Information will be made available to individuals with disabilities in an ~~appropriate~~ **accessible** format upon request and advance notice. Auxiliary aids and services available to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.
9. Where the labor effort exceeds 30 minutes, labor, material and out-of-pocket charges will be reimbursed to the district. Labor will be calculated at the hourly rate of the employee affected. Materials and out-of-pocket charges will be reimbursed at the established rate of \$.25 per page. Auxiliary aids and services for qualified persons with disabilities will be available at no additional charge.

If the district has informed the requester of a permitted fee, the obligation of the district to complete its response to the request is suspended until the fee has been received by the district. If the requester fails to pay the fee within 60 days of the date ~~he/she was~~ **they were** informed of the fee or fails to pay the fee within 60 days of the date on which the district informed them of the denial of the fee waiver, the district shall close the request.

~~The district reserves the right to restrict the inspection of some public records to the district's facilities.~~

# Phoenix-Talent Schools District 4

Code: KBB  
Adopted: 12/01/83  
Orig. Code(s): KBB

D

## School Sponsored Information Programs

As an ongoing effort to keep the public informed, regular publications may be prepared by the School District and by the individual schools.

District budget publications shall include information about the financial condition of the School District and shall explain the District's need for financial support from the community.

E

END OF POLICY

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### Legal Reference(s):

[ORS 192.640](#)

L

[ORS 332.107](#)

E

T

F

# Phoenix-Talent Schools District 4

Code: KBCA  
Adopted: 12/01/83  
Orig. Code(s): KBCA

## News Releases

~~The Board and the Administration may provide the community with timely information through the use of news releases.~~

~~Each school administrator shall provide the Superintendent with news and information of a positive nature concerning events, personnel, students, and programs within the school.~~

Information about district activities and issues will be provided to the community in a way which will create and maintain a dignified and professionally responsible image for the district.

The procedures listed below will be followed in giving official information to the news media:

1. The Board chair will be the official spokesperson for the Board, unless this duty is delegated;
2. News releases that are of districtwide interest or that pertain to established district policy will be the responsibility of the superintendent;
3. The superintendent will establish procedures for the dissemination of news releases pertaining to the district.

END OF POLICY

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### Legal Reference(s):

[ORS 192.640](#)

[ORS 332.107](#)

# Phoenix-Talent Schools District 4

Code: KBCAA/GBEBE/JHCCE  
Adopted: 8/24/95  
Orig. Code(s): KBCAA/GBEBE/JHCCE

## News/Media - HIV, AIDS or HBV

The District shall appoint a District spokesperson who shall respond to media inquiries regarding rumored or identified HIV, AIDS or HBV<sup>1</sup> cases.

The spokesperson shall stress:

1. School districts are not informed of a person infected with HIV, AIDS or HBV unless the infected person or his/her parent releases the information;
2. School districts, if informed, may not release the information unless the infected person or parent gives permission for such release;
3. School districts may not prevent a staff member from working if he/she is able to perform his/her job responsibilities. Students have a right to continue to attend school.

The District shall ask the local health department or other health authorities to assist the District spokesperson in responding to media inquiries.

END OF POLICY

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### Legal Reference(s):

[ORS 326.565](#)  
[ORS 326.575](#)  
[ORS 332.061](#)  
[ORS 336.187](#)  
[ORS 342.850 \(7\)](#)  
[ORS 433.008](#)  
[ORS 433.045](#)

[OAR 333-012-0270](#)  
[OAR 333-018-0000](#)  
[OAR 333-018-0005](#)  
[OAR 333-018-0030](#)  
[OAR 581-015-0005](#)  
[OAR 581-022-1440](#)

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<sup>1</sup> HIV - Human Immunodeficiency Virus; AIDS - Acquired Immune Deficiency Syndrome; HBV - Hepatitis B Virus

# Phoenix-Talent Schools District 4

Code: KBCB  
Adopted: 12/01/83  
Orig. Code(s): KBCB

## News Conferences and Interviews

*(This aligns with policy BCB)*

When individual Board members receive requests from press media representatives for information about Board meetings or actions, members will refer these representatives to the Board chair, who is the spokesperson for the Board. The chair may designate others to speak on behalf of the Board at their discretion.

Press conferences will be authorized by the Board chair.

Nothing in this policy is intended to limit the rights of individual Board members to speak their personal opinions.

~~School District employees who are requested to speak for the District should respond within the scope of their personal responsibility or knowledge and should not attempt to speak for other offices or discuss topics for which they have no personal responsibility.~~

~~The School Board may designate a Board member or the Superintendent to be their spokesperson when appropriate.~~

END OF POLICY

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### Legal Reference(s):

[ORS 192.640](#)

[ORS 332.107](#)

# Phoenix-Talent Schools District 4

Code: KBCE  
Adopted: 12/01/83  
Orig. Code(s): KBCE

D

## Sports Event News Coverage

News coverage of sporting events in the District shall be scheduled and coordinated by the Athletic Director or Athletic Coordinator.

News coverage of competitive sporting events at the elementary level will be discouraged.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

L

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F

# Phoenix-Talent Schools District 4

Code: KBF  
Adopted: 12/01/83  
Orig. Code(s): KBF

D

## Use of Students in Public Information Program

Printed material prepared by the District and related to activities of the District may be distributed by the students of the District.

Materials, other than regular schoolwork, that will be sent home with students must be approved by the Superintendent or building principal.

Out-of-school information, such as Y.M.C.A. or Parks and Recreation offerings, will be approved by the Superintendent's office.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

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# Phoenix-Talent Schools District 4

Code: KC  
Adopted: 12/08/16  
Orig. Code(s): KC

## Community Involvement in Decision Making

*(Community involvement elements have been incorporated into several policies, including BDDH, public comment at board meetings.)*

The Board believes that community participation in the affairs of schools is essential if the district and the community are to maintain mutual confidence, and respect and work together to improve the quality of education for all students.

All citizens will be encouraged to express ideas, concerns and judgments about the school's administration, the staff and the Board.

The Board also encourages the involvement of citizens, both as individuals and as groups, to act as advisers and resource people to the district and to their own local schools.

The advice of the public will be given careful consideration in the decision making process of the Board.

END OF POLICY

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### Legal Reference(s):

[ORS 329.125](#)

[ORS 332.107](#)

# Phoenix-Talent Schools District 4

Code: KE  
Adopted: 9/20/84  
Orig. Code(s): KE

## Employee Participation in Community Activities

The Board encourages the employees of District #4 to participate constructively in activities of the community which have as their objectives the improvement of the general welfare of the community, state, and nation. (For purposes of determining employer liability, employee participation in community activities other than those directly involving the buildings, students, programs, or parent organizations of the School District shall not be construed as part of the duties of their employment.)

In their relationships with community groups, a conscientious effort should be made by employees to make school life a part of community life and to bring the community close to the schools. Employees should endeavor to know the community and its opportunities for students.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

Oregon Constitution, Article XV, Section 8.

# Phoenix-Talent Schools District 4

Code: KF  
Adopted: 12/01/83  
Orig. Code(s): KF

## Community Instructional Resources

Citizens who voluntarily contribute their time and talents to the improvement and enrichment of the school program are valuable assets. The Board encourages individuals or groups to become involved in the school program by volunteering to perform appropriate tasks during and after school hours under the direction and supervision of professional personnel.

Volunteers will be encouraged from all backgrounds and all age groups. Volunteers may be involved working with students or performing tasks not involving children. School personnel will identify appropriate tasks for volunteers and will plan in-service activities for them so they may become skilled in performing those tasks. Volunteers will assist and reinforce skills taught by the professional staff.

The Superintendent shall develop such regulations as are necessary for the coordination of the volunteer program in the District and for the protection and safety of both the volunteer and the District.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

Equal Access Act, 20 U.S.C. Sections 4071-4074.

Westside Community Board of Education v. Mergens, 496 U.S. 226 (1990).

# Phoenix-Talent Schools District 4

Code: KG  
Adopted: 4/05/07  
Revised/Readopted: 9/16/21  
Orig. Code(s): KG

## Community Use of District Facilities

The Board supports the community education concept, which encourages the use of District facilities by community members for recreation, education and service activities. The following categories have been determined in order of priority for building and grounds usage:

1. Activities directly related to the required K-12 school program, including graduation; (Group I)
2. Activities related to the extracurricular K-12 school program such as sports and seasonal programs. (Group I)
3. Community school sponsored programs such as classes and workshops; (Group II)
4. Youth-related non-school activities; (Group III)
5. Adult-related non-school activities. (Group III)

The Board expects the users to treat the facilities with respect. A Facilities Use Request (application for use) form must be submitted by the person or group to the school office in coordination with administrators of the involved facility. The users must agree to all guidelines on the Facilities Use Request form. Upon approval by the site administrator, the request will be forwarded to the District Administrative Offices for the Facilities Director to review for approval. The Facilities Director also will indicate any parameters that may be stipulated for specific facility use. The original copy of the agreement will remain in the District Office, with copies distributed to the appropriate building administrator, building custodial staff and facility user.

Approval for using the facilities will be granted for a period not to exceed three months. Requests must be resubmitted if the user desires to continue usage.

The Superintendent will encourage the involvement of staff, parents and the community in the development of specific building use regulations.

END OF POLICY

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### Legal Reference(s):

[ORS Chapter 244](#)  
[ORS 260.432](#)

[ORS 332.107](#)  
[ORS 332.172](#)

# Phoenix-Talent Schools District 4

Code: KG-AR  
Revised Reviewed: 9/06/18; 9/16/21  
Orig. Code(s): KG-AR(1)

## Community Use of District Facilities

The Board recognizes the need for the use of school facilities by community organizations or groups when such use of facilities does not interfere with any school program and/or student activities.

The Superintendent shall establish regulations for community use of school facilities. Such regulations shall be made available to the community at the District Office and at each school building.

### General Regulations

1. A cook/cafeteria worker may be required to be on duty for at least two hours for any activities involving non-school groups that utilize the kitchen facilities in any cafeteria.
2. A custodian may be required to be on duty for at least two hours for an activity which utilizes a school building during times when custodians are not usually present.
3. Approval for use of school facilities shall not be considered as an endorsement or approval of the activity group or organization nor the purposes they represent.
4. Upkeep fees and other costs will be adjusted each year as deemed warranted.
5. It is the intent of the District to avoid competing with private enterprise. To this end:
  - a. School district equipment and/or furniture will not be rented or loaned out separately except by approval of the Facilities Director.
  - b. School buildings or other facilities may be used for profit making purposes only if private facilities are unavailable. A \$500,000 commercial general liability certificate of insurance must be filed with the school-district naming the school-district as an additional named insured.
  - c. Food shall be prepared and/or served in school cafeterias only by school-related groups who profits will be used to benefit students.
6. All requests and arrangements for use of school facilities shall be returned to the building principal at least seven days in advance. Upon being approved by the building principal or his/her designee, the request will be forwarded to the Facilities Director or designee at District Office. (Requestor will be notified of approval or non-approval by the Facilities Director or designee.)
7. Renter or sponsor of groups shall assume all liability for damage to buildings, contents, and/or groups and agrees to hold harmless Phoenix-Talent School District #4 and its employees and/or agents of any responsibility for said liability. In the event facilities are misused, the Facilities Director or his/her designee will notify the user in writing. Such misuse will result in refusing further use of the facilities to that user.

Proof of liability insurance or an insurance binder naming the school district as an “additional insured” on the insured’s policy will be required, unless a school sanctioned activity, before requests are approved.

8. User groups assume full responsibility for the supervision of all minors and visitors when using the buildings.
9. The use of alcoholic beverages, narcotics, controlled substances, tobacco or drugs is not permitted on school premises.
10. Scoreboards or timers are not to be used except by authorized personnel.
11. Showers are not to be used except by special permission of the principal or his/her designee.
12. Athletic equipment, the weight room, shops, and/or any classrooms containing special equipment, such as typewriters, computers, science lab, etc., are not available except by approval of the principal.
13. Fees and/or deposits shall be paid in advance at the District office.
14. Keys will not be issued to user groups or individuals except by special circumstances at the discretion of the Facilities Director or his/her designee.

### **Use of Colver Fields Regulations**

Failure to comply with the following may result in monetary penalties and/or restriction from use of the Colver Field area.

1. Removal or addition of soil will not be allowed without prior approval from the Facilities Director or his/her designee.
2. Modifications, including any additions or deletions, related to the electrical system will not be allowed without prior approval from the Facilities Director or his/her designee.
3. Modifications, including additions or deletions, related to the irrigation system will not be allowed without prior approval from the Facilities Director or his/her designee.
4. Adjustments to the irrigation time clocks/programmers will not be allowed without prior approval from the Facilities Director or his/her designee.
5. Gates and cable locks must be secured upon exiting. The person listed as the responsible party on the “Facilities Use Agreement” will be responsible for securing Colver Road Facility after each use.
6. Herbicides/Pesticides shall not be applied without prior approval of the Facilities Director or his/her designee.
7. No pruning or altering of trees/shrubbery will be allowed without prior approval of the Facilities Director or his/her designee.
8. All trash/debris resulting from the stated activity must be placed in the appropriate containers prior to exiting the Colver Road area.

9. No dumping of lawn/vegetation trimmings will be allowed on the Colver Road property. Significant penalties may result from such action.
10. Structural altering of buildings and/or bleachers will not be allowed without prior approval of the Facilities Director or his/her designee.
11. Application of paint/stain to buildings and/or bleachers will not be allowed without prior approval of the Facilities Director or his/her designee.
12. Animals will not be allowed without prior approval of the Facilities Director or his/her designee.
13. No motorized vehicle will be allowed on the playing field areas.

### **Maintenance Fees**

In order to assist in maintaining heavily used District facilities, the District School Board has approved requiring payment of fees by groups, organizations or individuals when considered appropriate. For detailed information, please refer to the current established "Maintenance Fee Schedule" and Appendix A & B (Attached).

**PHOENIX-TALENT SCHOOL DISTRICT #4**  
**Maintenance Fees Schedule**

Maintenance fees will be charged to any group, organization or individual for use of District facilities and equipment as per the following schedule, Appendix A and Appendix B:

I. Non-Profit Groups

- A. Groups using facilities on a regular basis shall pay a fee of \$55 per day requested, plus Appendix B, Group II for any equipment or custodial fees as needed. This fee shall be paid when application is approved, prior to use.
- B. Groups using facilities on an occasional basis shall pay fees based on Appendix A and Appendix B when applicable:

II. Groups; for Profit

- A. Groups using facilities for profit making purposes will pay according to Appendix A, Group III plus Appendix B, Group III for any equipment or custodial fees as needed or 10% of gross revenues, whichever is greater. The district maintains the right to review an organization's financial records for the event. These fees will be waived only if 100% of proceeds are donated to activities for students of the Phoenix-Talent School District.

III. Groups; Other

- A. Groups using facilities on a regular basis for recreational or meeting purposes that do not fall under the above groups shall pay a flat fee of \$75 per month, per day requested, plus Appendix B, Group II for any equipment or custodial fees as needed. This fee shall be paid when application is approved, prior to use.
- B. Groups using facilities on an occasional basis shall pay fees based on Appendix A.

If usage results in need for cleaning/custodial/maintenance services, a minimum of two hours at the rate listed on Appendix B will be charged in addition to facility rate.

*These fees may be waived if the activity, group, or organization directly benefits the students of the District (e.g., Scouts, YMCA programs, PTO, and Booster Club meetings).*

**PHOENIX-TALENT SCHOOL DISTRICT #4  
APPLICATION FOR USE OF SCHOOL FACILITIES**

**All facilities will be closed during Holidays and Vacations**

1. Name of Organization \_\_\_\_\_  
 Name of Person Responsible \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Home Phone \_\_\_\_\_ Email \_\_\_\_\_

2. FACILITIES REQUESTED: OHES \_\_\_ PES \_\_\_ PHS \_\_\_ TES \_\_\_ TMS \_\_\_ Other \_\_\_\_\_  
 Classroom  Restrooms  Gym  Cafeteria  Kitchen  Fields  
 Lockers/showers \_\_\_\_\_  Equipment \_\_\_\_\_  
 Number of Persons: Audience \_\_\_\_\_ Participants \_\_\_\_\_ Total \_\_\_\_\_

\* Non-participants, especially children, must be closely supervised.

3. TIMES AND DATES:  
 Date(s) \_\_\_\_\_ Day(s) of Week \_\_\_\_\_  
 Time: From \_\_\_\_\_ to \_\_\_\_\_ Total hours per day \_\_\_\_\_ week \_\_\_\_\_

4. PURPOSE/ACTIVITY: \_\_\_\_\_

5. ADMISSION (if any) Child \$ \_\_\_\_\_ Adult \$ \_\_\_\_\_ Other \$ \_\_\_\_\_  
 Expected net proceeds \$ \_\_\_\_\_ Purpose of proceeds \_\_\_\_\_

6. KEYS: KEY(S) ISSUED (Number & I.D.) \_\_\_\_\_ KEYS NOT ISSUED \_\_\_\_\_

7. AGREEMENT AND INSURANCE:

- a. The applicant hereby certifies that the information given in the application is correct.
- b. The undersigned agrees to observe all rules and regulations of the Board of Education and the building principal.
- c. The applicant agrees to exercise the utmost care in the use of school facilities and property and to hold the School District harmless and defend it from any and all claims by any person arising from the use of said facilities.
- d. The applicant further agrees to reimburse the School District for any damages arising from the applicant's use of or in any manner relating or incidental to use of said facilities.
- e. The School District does not maintain insurance that will respond to claims against the applicant arising out of use of facilities by the applicant, its members, or those attending the event. If applying organization desires or is required to be covered by bodily injury and property damage liability insurance, they are responsible for obtaining said insurance and must show proof of insurance. If no insurance is obtained, applicant's signature indicates acknowledgement of responsibility.

Date \_\_\_\_\_ Signature of Person Responsible \_\_\_\_\_

Approved  Not Approved Signature of Principal \_\_\_\_\_

8. APPROVAL AND FEES (To be completed by Business Manager) Fees or deposits shall be paid in advance.

ESTIMATED CHARGES

_____ Approved - no charge	Custodial Fee (Hrs.) _____ x \$ _____ = _____
_____ Approved - with charge	Upkeep Fee (Hrs.) _____ x \$ _____ = _____
_____ Custodial	Deposit _____ = _____
_____ Utilities	Other (specify) _____ = _____
_____ Certificate of Insurance	
_____ Not Approved	

Signature of Facilities Director \_\_\_\_\_ Date \_\_\_\_\_

After completion, distribute copies to: Building, Building Lead Custodian, Requestor

## COLVER ROAD FIELD USE

All groups, organizations and individuals who use the Colver Road Fields must be aware of and comply with the following regulations:

1. Removal or addition of soil will not be allowed without prior approval from the ~~S~~Superintendent or ~~his/her~~ designee.
2. Modifications, including any additions or deletions, related to the electrical system will not be allowed without prior approval from the ~~S~~Superintendent or ~~his/her~~ designee.
3. Modifications, including additions or deletions, related to the irrigation system will not be allowed without prior approval from the ~~S~~Superintendent or ~~his/her~~ designee.
4. Adjustments to the irrigation time clocks/programmers will not be allowed without prior approval from the ~~S~~Superintendent or ~~his/her~~ designee.
5. Gates and cable locks must be secured upon exiting. The person listed as the responsible party on the "Facilities Use Agreement" will be responsible for securing the Colver Road Facility after each use.
6. Herbicides/Pesticides shall not be applied without prior approval of the ~~S~~Superintendent or ~~his/her~~ designee.
7. No pruning or altering of trees/shrubbery will be allowed without prior approval of the ~~S~~Superintendent or ~~his/her~~ designee.
8. All trash/debris resulting from the stated activity must be placed in the appropriate containers prior to exiting the Colver Road Field area.
9. No dumping of lawn/vegetation trimmings will be allowed on the Colver Road property. Significant penalties may result from such action.
10. Structural altering of buildings and/or bleachers will not be allowed without prior approval of the ~~S~~Superintendent or ~~his/her~~ designee.
11. Application of paint/stain to buildings and/or bleachers will not be allowed without prior approval of the ~~S~~Superintendent or ~~his/her~~ designee.
12. Animals will not be allowed without prior approval of the ~~F~~Facilities ~~D~~irector or ~~his/her~~ designee.
13. No motorized vehicles will be allowed on the playing field areas.

I, the undersigned, do hereby acknowledge receipt of the Colver Road Field Regulations and do further acknowledge it to be my responsibility for ensuring compliance with same. I further understand that failure to comply with the regulations may result in monetary penalties and/or restriction from use of the Colver Field area.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX A - Phoenix/Talent School District 4 Facilities Rental Fee Schedule

**Fee schedules are based on group classification; Group I: District use, no charge. Group II: Non-profit youth programs, Group III: Profit based or adult programs, fees are established to cover PTSD's operating and maintenance costs.**

*For all Group II and Group III organizations there is a \$100 deposit due at approval of schedule request by site.*

<b>High School:</b>	<b>Group II (Per Hour)</b>	<b>Group III (Per Hour)</b>
Stadium (Artificial Turf)	\$ 25.00	\$ 50.00
Multipurpose / practice Field	\$ 20.00	\$ 40.00
Parking lot	\$ 5.00	\$ 10.00
Locker Rooms	\$ 6.00	\$ 12.00
Track/Field Lighting	\$ 10.00	\$ 10.00
Baseball Fields	\$ 15.00	\$ 25.00
Softball Fields	\$ 15.00	\$ 25.00
Soccer Fields	\$ 15.00	\$ 25.00
Main Gymnasium	\$ 25.00	\$ 50.00
Auxiliary Gym	\$ 20.00	\$ 40.00
Auditorium/ theater	\$ 25.00	\$ 50.00
<i>Theater Technician required; see rates below.</i>	\$ -	
Commons	\$ 15.00	\$ 25.00
Media Center	\$ 10.00	\$ 20.00
Classrooms	\$ 6.00	\$ 12.00
Conference Rooms	\$ 4.00	\$ 8.00
<b>Middle School:</b>	<b>Group II (Per Hour)</b>	<b>Group III (Per Hour)</b>
Track/Field (Schedule for use)	\$ -	\$ -
Gymnasium	\$ 20.00	\$ 40.00
Parking lot	\$ 5.00	\$ 10.00
Auxiliary Gym	\$ 15.00	\$ 30.00
Locker Rooms	\$ 6.00	\$ 12.00
Cafeteria	\$ 10.00	\$ 20.00
Media Centers	\$ 10.00	\$ 20.00
Classrooms	\$ 6.00	\$ 12.00
Conference Rooms	\$ 4.00	\$ 8.00
<b>Elementary Schools:</b>	<b>Group II (Per Hour)</b>	<b>Group III (Per Hour)</b>
Fields (schedule for use)	\$ -	\$ -
Gymnasium	\$ 15.00	\$ 25.00
Parking lot	\$ 5.00	\$ 10.00
Cafeteria	\$ 10.00	\$ 20.00
Media Centers	\$ 10.00	\$ 20.00
Classrooms	\$ 6.00	\$ 12.00
Conference Rooms	\$ 4.00	\$ 8.00
<b>Security Deposit (Required; see Terms &amp; Conditions)</b>	\$ 100.00	\$ 100.00

## APPENDIX B - Phoenix/Talent School District 4 Services and Equipment Rental Fee Schedule

Fee schedules are based on group classification; **Group I: District use, no charge. Group II: Non-profit youth programs, Group III: Profit based or adult programs, fees are established to cover PTSD's operating and maintenance costs.**

*For all Group II and Group III organizations there is a \$100 deposit due at approval of schedule request by site.*

District Support Staff/ Equipment Rates:	Group II (Per Hour)	Group III (Per Hour)
Custodial Rate (Two hour minimum)	\$ 40	\$ 45
Maintenance Rate: (Two hour minimum)	\$ 40	\$ 45
Theater Technician Rate: (Two hour minimum)	\$ 25	\$ 25
Tables/Chairs (additional) (1 table or chair @ .20 per hour)	\$ 1/0.20	\$ 1/0.20
Large stage (one set up/breakdown)	\$ 50	\$ 100
Small stage (one set up/ breakdown)	\$ 40	\$ 80
ADA Ramp for large stage (one set up/ breakdown)	\$ 100	\$ 200
Podium	\$ 10	\$ 20
Microphone and sound setup	\$ 25	\$ 50
Audio Visual display (where setup is feasible)	\$ 25	\$ 50
*Custodial, Maintenance, Theater technician rate is minimum of two hours.		
<b>Security Deposit (Required; see Terms &amp; Conditions)</b>	\$ 100	\$ 100

**Phoenix Talent Schools**  
**Facility Use Liability Release and Hold Harmless Addendum (Communicable Diseases including COVID-19)**

Name of User/Business/Group (User): \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_

Facility being requested: \_\_\_\_\_

Description of Activity (Activity): \_\_\_\_\_

**Communicable Diseases Including COVID-19:** The novel coronavirus (“COVID-19”), has been declared a worldwide pandemic by the World Health Organization. COVID-19 is extremely contagious and is believed to spread mainly from person-to-person contact. While rules, guidance, and personal discipline may reduce this risk, the risk of serious illness and death does exist. **Phoenix-Talent Schools (“District”) cannot completely mitigate the transfer of communicable diseases like COVID-19. [Name of group using facility] understands there is some risk associated with using District facilities and assumes said risk. Use of District facilities includes possible exposure to and illness, injury, or death from infectious diseases including COVID-19.** User understands the hazards of COVID-19 and is familiar with the Centers for Disease Control Prevention (“CDC”) guidelines; and federal, state, and local orders regarding COVID-19. User acknowledges that it understands the circumstances regarding COVID-19 and will take all necessary precautions as provided by the CDC and federal, state, and local governments, this includes but is not limited to, following all masking and vaccination requirements.

**Proof of Vaccination:** As of October 18, 2021, User staff and volunteers, who are age 16 and older, and have direct or indirect contact with children or students, must submit proof of vaccination or documentation of a medical or religious exception 5 days prior to entry on to school property. “Proof of vaccination” means documentation provided by a tribal, federal, state or local government, or a health care provider, that includes an individual’s name, date of birth, type of COVID-19 vaccination given, date or dates given, depending on whether it is a one-dose or two-dose vaccine, and the name/location of the health care provider or site where the vaccine was administered. Documentation may include but is not limited to a COVID-19 vaccination record card or a copy or digital picture of the vaccination record card, or a print-out from the Oregon Health Authority’s immunization registry. Medical and religious exceptions may be denied by the District if: 1) the exception would constitute an undue hardship on the operation of the District; 2) pose a direct threat to health or safety; or 3) the District determines, at its sole discretion, that the request does not meet the criteria for a medical or religious exception.

**Indemnification:** In consideration for use of the Phoenix Talent School’s (District) property, **User agrees to waive and discharge any and all claims against the District and release it from liability for any loss regardless of cause**, including claims for any negligent actions of the District or its employees or agents and any and all claims, demands, lawsuits, judgments, losses, or expenses of any nature arising out of User’s failure to follow the CDC, federal, state, or local orders or guidance regarding COVID-19 and that leads to, directly or indirectly, the infection of COVID-19 or any other illness or injury related to COVID-19, to the fullest extent allowed by law, for User, its members, employees, agents, contractors, suppliers, or guests. User also agree to release, exonerate, discharge and **Hold Harmless** the District, its Board of Directors, the individual members thereof, and all officers, agents, employees, volunteers, and

representatives from all liability, claims, causes of action, or demands, including attorney fees, arising out of injuries of any kind to User, or to its property, or losses of any kind which may result from or in connection with the use of the District's facility, up to and including injuries stemming from the negligent actions of the District or its employees or agents. **User certifies and represents that it has the legal authority to waive, discharge, release, and hold harmless the released parties on behalf of itself and its members, employees, agents, contractors, suppliers, or guests.**

**Insurance:** User understands that the District does not carry insurance for communicable diseases including Covid-19 and User is financially responsible for any injuries, demands, damages, lawsuits and defense costs, arising from User's activities and use of District facilities that are sustained by any communicable disease, including but not limited to, COVID-19. The User agrees to carry, maintain, and provide proof of insurance of at least the minimum requirements as stated in its rental/facility use agreement attached.

**COVID-19 Termination.** Phoenix Talent Schools may terminate this Agreement immediately and without notice if it is found that User has failed to follow any regulations, orders, or guidance as provided by the CDC and federal, state, and local governments. Either District or User may cancel this agreement in the event of a Covid-19 related reason. In the event User terminates this Agreement, User remains responsible for the full amount of the facility use fee and this money will not be refunded to User.

**User certifies to have read this document and fully understand its contents.**

Signature of User or User's Authorized Representative: \_\_\_\_\_

Printed Name of Authorized Representative: \_\_\_\_\_

Date: \_\_\_\_\_

# Phoenix-Talent Schools District 4

Code: KGA  
Adopted:

## Public Sales on District Property

*(An optional policy)*

Public sales of goods or services on district property must be approved by the [superintendent] [building principal].

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

[ORS 332.172](#)

# Phoenix-Talent Schools District 4

Code: KGB  
Adopted: 1/24/19  
Orig. Code(s): KGB

## Public Conduct on District Property

No person on district property or any district grounds, including parking lots, shall:

1. Haze, harass, intimidate, bully or menace another, or engage in behavior deemed by the district to endanger the safety of students, employees, self, or others;
2. Use or engage in abusive verbal expression or physical conduct that interferes with the performance of students, event officials or sponsors of approved activities;
3. Damage the property of another or of the district;
4. Initiate or circulate a report, one knows to be false, concerning an alleged hazardous substance, impending fire, explosion, catastrophe, or other emergency that will take place in or upon a school;
5. Construct or transport to district property for temporary or permanent purposes any structure not approved for construction on, or transportation to, district property;
6. Uproot, pick, cut, mutilate, or remove plant life or other natural resources of any kind. Roots, tubers, flowers, and stems may not be collected. Soil or rock may not be dug up or removed;
7. Dump or spill any sewage, wastewater or other fluids from any vehicle;
8. Use district waste containers or other district property for the deposit of waste or refuse generated from household, commercial, industrial, construction or other uses not related to approved use on district property;
9. Block, obstruct or interfere with vehicular or pedestrian traffic on any district road, parking area, walkway, pathway, or common area. Occupying or impeding access to any district facility in a manner that interferes with the approved use of such facility by district employees, students or other authorized users is prohibited;
10. Fly, launch or otherwise operate motorized model airplanes/helicopters/rockets or other similar propulsion devices unless approved in advance by the district;
11. Operate an unmanned aircraft system (UAS) or drone ~~unless granted permission from the superintendent or designee~~, as prohibited by Board policy ECACB - Unmanned Aircraft System (UAS) a.k.a. Drone ~~unless granted permission from the superintendent or designee~~;
12. Distribute or post circulars, notices, leaflets, pamphlets or other written or printed material in violation of Board policy KJA - Materials Distribution;

13. Operate a concession, solicit, sell, or offer for sale any goods, wares, merchandise, food, beverages, or services without prior district approval. Public sales and solicitation on district property will be governed by Board policies KGA - Public Sales on District Property, KI - Public Solicitation in District Facilities and KJ - Advertising in District Facilities;
14. Operate a motor vehicle in an area other than on roads and in parking areas constructed or designated for motor vehicle use. Vehicles shall be driven in a safe manner, at posted speeds and will only be appropriately parked in areas designated by the district. Motorized vehicles such as minibikes, scooters, go-carts, all-terrain-vehicles, snowmobiles, and other similar devices are prohibited on district grounds. Bicyclists must comply with motor vehicle and bike regulatory signs;
15. Use a skateboard, rollerblades, scooter, or similar device. Use of such is at the user's risk;
16. Bring an animal into a district building without prior administrator approval and, where appropriate, only when proof of current rabies vaccination has been provided. Dogs are permitted on district grounds only when confined to a vehicle or on a leash with prior approval and when kept under the physical control of the individual at all times. The owner is responsible for the animal's behavior and containment and for the removal of the animal's wastes while on district property. All other animals on district property are permitted with prior district approval only. Animals serving the disabled are permitted as provided by law;
17. Camp overnight, loiter or otherwise be present on district property after the conclusion of approved activities or as otherwise posted or authorized by the district. Individuals are prohibited from entering any portion of district premises at any other time for purposes other than those which are lawful and authorized by district officials;
18. Use or operate any noise-producing machine, vehicle, device, or instrument in a manner that, in the judgment of district officials, is disturbing to, or interferes with, the orderly conduct of district programs or approved activities;
19. Impede, delay, or otherwise interfere with the orderly conduct of the district's educational program or any other activity taking place on district property which has been authorized by the district;
20. Bring, possess, or use a weapon as prohibited by state and federal law;
21. Possess, consume, sell, give, or deliver unlawful drugs and/or alcoholic beverages. Possess, sell, give, or deliver drug paraphernalia;
22. Use, distribute or sell tobacco products or inhalant delivery systems, in any form
23. Wear, possess, use, distribute, display, or sell any clothing, jewelry, emblem, badge, symbol, sign, or other item that is evidence of membership or affiliation with any gang. Use speech or commit any act or omission in furtherance of the interests of any gang or gang activity. A "gang" is defined as a group that identifies itself through the use of a name, unique appearance or language including hand signs, claiming of geographical territory or the espousing of a distinctive belief system that frequently results in criminal activity;
24. Violate posted regulatory signs;

25. Willfully violate other district policies, administrative regulations or school rules designed to maintain public order on school property.

Persons having no legitimate purpose or business on district property, or those violating or threatening to violate the above rules, may be ejected from the premises, excluded from district-approved activities temporarily or permanently and/or referred to law enforcement officials.

The superintendent will ensure that appropriate notice of these rules is provided.

END OF POLICY

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**Legal Reference(s):**

[ORS 161.015](#)  
[ORS 164.245](#)  
[ORS 164.255](#)  
[ORS 166.025](#)  
[ORS 166.155 to -166.165](#)

[ORS 166.210 to -166.370](#)  
[ORS 332.172](#)  
[ORS 336.109](#)  
[ORS 339.883](#)  
[ORS 431.840](#)

[ORS 433.835 to -433.990](#)  
[ORS 806.060 to -806.080](#)  
[OAR 333-015-0025 to -0090](#)  
[OAR 581-021-0110](#)  
[OAR 584-020-0040\(4\)\(e\),\(g\)](#)

Gun-Free Schools Act, 20 U.S.C. § 7961 (2012).

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2012).

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2012).

# Phoenix-Talent Schools District 4

Code: KGC/GBK  
Adopted: 5/17/18  
Orig. Code: KGC/GBK

## Prohibited Use, Distribution or Sale of Tobacco Products and Inhalant Delivery Systems

To be consistent with Oregon law, the use, distribution or sale of tobacco products or inhalant delivery systems by staff and all others is prohibited on district premises, in any building or facility, on district grounds, including parking lots, in any vehicle owned, leased, rented or chartered by the district, school or public charter school and at all district- or school-sponsored activities.

For the purpose of this policy, “tobacco products” is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew or snuff in any form. This does not include products that are USFDA-approved for sale as a tobacco cessation product or for any other therapeutic purpose, if marketed and sold solely for the approved purpose.

For the purpose of this policy, “inhalant delivery system” means a device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device; or a component of a device or a substance in any form sold for the purpose of being vaporized or aerosolized by a device, whether the component or substance is sold or not sold separately. This does not include products that are USFDA-approved for sale as a tobacco cessation product or for any other therapeutic purpose, if marketed and sold solely for the approved purpose.

Violation of this policy by staff may result in discipline to up to and including dismissal.

Violation of this policy by the public may result in the individuals removal from district property. The district reserves the right to restrict access to district property by individuals who are repeat offenders.

This policy shall be enforced at all times.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)  
[ORS 336.227](#)  
[ORS 339.883](#)  
[ORS 431A.175](#)

[ORS 433.835 to -433.990](#)  
[OAR 581-021-0110](#)  
[OAR 581-053-0230\(9\)\(s\)](#)

[OAR 581-053-0330\(1\)\(m\)](#)  
[OAR 581-053-0430\(12\)](#)  
[OAR 581-053-0531\(11\)](#)

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2012).

# Phoenix-Talent Schools District 4

Code: KGD  
Adopted: 12/01/83  
Orig. Code: KGD

## Parking on School Premises

*(See policy KGB and ECD)*

The Superintendent shall authorize and post areas on District property designated for staff and student parking and such other classifications as may be necessary.

Any vehicle not parked in authorized areas may be towed away and stored, and all charges for such towing and storing shall be the responsibility of the owner or operator of the vehicle.

Any person failing to abide by the parking regulations of the District may be further prohibited from bringing any vehicle on school property.

Building principals shall establish such regulations as are necessary for the use and control of student parking areas. Such regulations shall be made available to students and parents.

END OF POLICY

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### Legal Reference(s):

[ORS 332.172](#)  
[ORS 332.445](#)

[ORS 339.260](#)  
[ORS 447.233](#)

[OAR 581-022-1610](#)

Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).

# Phoenix-Talent Schools District 4

Code: KGF/EDC  
Adopted:

## Authorized Use of District Equipment and Materials \*

District materials and equipment will be used only for school purposes by district personnel on district properties.

Other uses must be approved by the superintendent [and/or Board] and authorized use shall be consistent with ORS Chapter 244.

In all cases of public use, equipment shall not be used for private financial gain. An equipment use form must be submitted and approved, and all conditions [outlined] [on the attached district equipment list] must be adhered to. [There are no equipment use fees.] In the event of “excessive damage,” a fee will be determined according to the repair or replacement costs. [Transportation of borrowed equipment will be the user’s responsibility.] [No equipment authorized for use will be removed from district property]

END OF POLICY

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### Legal Reference(s):

[ORS Chapter 244](#)

[ORS 332.107](#)

[OAR 584-020-0040](#)

OREGON GOVERNMENT ETHICS COMMISSION, OREGON GOVERNMENT ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS (2010).

# Phoenix-Talent Schools District 4

Code: KH  
Adopted: 12/01/83  
Orig. Code: KH

## Public Gifts to the Schools

~~The Board may accept gifts to the School District that are appropriate to the educational program and meet the standards of selection established by the District. The Superintendent is authorized to accept gifts on behalf of the Board. In instances where the Superintendent doubts the appropriateness of the gift, the gift may be declined or referred to the Board.~~

Gifts which may serve to enhance and extend the work of the schools may be accepted by the district. It will be the district's general policy to direct those who desire to make contributions to consider equipment or services that are not likely to be acquired from public fund expenditures.

1. Tangible property contributed to the schools becomes the property of the district and is subject to the same controls and regulations that govern the use of other district-owned property.
2. Contributions of property or services that may involve major costs for installation or maintenance, or initial or continuing financial commitments from district funds, will be presented by the superintendent for Board consideration and approval.
3. Any groups planning to raise money for a gift to a school or the educational system will first consult with the principal and superintendent regarding what kind of gift should be made. The superintendent will develop guidelines for accepting gifts. Such guidelines will include a concern for fairness and equity among schools.
4. [Priority lists of needed and desirable equipment, supplies or services will be kept in each school.]
5. [Conditions for contributions for a scholarship or scholarship fund [shall] be developed by a [scholarship committee] appointed by the Board.]
6. All gifts will be subject to the provisions of Board policy.

Gifts accepted shall be used for the purpose for which they were donated.

In accepting gifts, the Board will be aware of the requirement that there should not be significant differences among the various school facilities.

~~In all cases, gifts given to the District shall become the property of the District and may not be accepted on any other basis.~~

END OF POLICY

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### Legal Reference(s):

[ORS 294.338](#)  
[ORS 332.075](#)

[ORS 332.107](#)  
[ORS 332.385](#)

# Phoenix-Talent Schools District 4

Code: KI  
Adopted: 10/04/18  
Orig. Code: KI

## Public Solicitations in District Facilities

Fundraising and solicitation by non-school agencies or for non-school activities during school hours will not be permitted without prior approval of the superintendent and/or principal.

Demonstrations of services or materials and canvassing of students or employees for the purpose of selling products or services shall not be permitted in either the district's schools or grounds, unless authorized by the superintendent and/or principal.

No non-school-sponsored organization or individual may solicit funds or sell tickets within the district without first securing permission through the superintendent and/or principal.

Whenever possible, solicitation should occur during non-classroom time.

The administration of surveys, questionnaires and requests for information by non-school-connected organizations are prohibited. Exceptions may be approved by the superintendent. In the event an exception is granted for the administration or distribution of a survey created by a third party, the district will provide an opportunity for the student's parent to inspect such survey upon request, before the survey is administered or distributed by a school to a student. Any district survey containing any "covered survey items"<sup>1</sup> may also be inspected by parents.

Parents may also request that their student be excused from participation in such surveys. Requests may be submitted in accordance with the provisions of Board policy KAB - Parental Rights and accompanying administrative regulation.

As required by law, the superintendent shall ensure that notification is provided to parents of students at least annually at the beginning of the school year or when enrolling students for the first time in school, of the specific or approximate dates during the school year when such surveys are scheduled or expected to be scheduled. The rights provided to parents under this policy transfer to the student when the student turns 18 years of age or is an emancipated minor under applicable state law.

The district recognizes its responsibility to protect student privacy. Personal information that may be collected as a result of such surveys will be released only with prior, written parental permission, unless as otherwise provided by law and/or the provisions of Board policy JOB - Personally Identifiable Information.

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<sup>1</sup> "Covered survey items" include one or more of the following items: political affiliations or beliefs of the student or the student's family; mental and psychological problems of the student or the student's family; sex behavior or attitudes; illegal, anti-social, self-incriminating or demeaning behavior; critical appraisals of other individuals with whom respondents have close family relationships; legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers; religious practices, affiliations or beliefs of the student or the student's parent; and income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program.

## END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

[ORS 339.880](#)

32 OR. ATTY. GEN. OP. 209 (1965)

46 OR. ATTY. GEN. OP 239 (1989)

Protection of Pupil Rights, 20 U.S.C. § 1232h (2012); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2017).

Every Student Succeeds Act, 20 U.S.C. § 7928 (2012).

Family Education Rights and Privacy Act, 20 U.S.C. § 1232g (2012).

# Phoenix-Talent Schools District 4

Code: KJ  
Adopted: 10/04/18  
Orig. Code: KJ

## Commercial Advertising

The Board recognizes that district-sponsored commercial advertising may provide an important source of revenue for its programs and activities. Such sales may be permitted as approved by the superintendent or designee and by this policy.

“Commercial advertising” as used in this policy means, use by any person, company, business or corporation, for personal or private gain, of any district media, including, but not limited to, school newspaper, yearbook or other printed material, flyer or circular, [radio, television,] video or any other electronic technology or indoor or outdoor signage designed to:

1. Transmit a message offering any goods or services;
2. Cause or induce any other person to purchase any goods or services;
3. Increase demand for any goods or services.

Commercial advertising approved by the district must be consistent with district mission, goals, Board policies and administrative regulations; promote positive values for district students through proactive educational messages that encourage student achievement and high standards of personal conduct.

The superintendent may consider for approval revenue-enhancing activities that include, but are not limited to, contracts or agreements for:

1. Exclusive advertising of any product or service throughout the district or at specified locations or times to a person, business or corporation in exchange for goods or services (e.g., scoreboards, electronic message boards, athletic gear, exclusive right to sell beverages, bottled water, snacks, meals, etc.);
2. Products or services that require the dissemination of advertising to staff, students, parents or others or allow any person, business or corporation to obtain information from staff, students, parents or others for the purposes of market research;
3. The use of district facilities or grounds in exchange for products, services or financial considerations (e.g., cell phone towers, etc.);
4. Technology hardware, software, satellite hook-up and/or access in exchange for free or reduced prices and/or fees and/or advertising rights, or agreement to use equipment a certain number of hours of the day, month, etc.;
5. Naming rights to district property in exchange for goods, services or monetary considerations.

Contracts shall include a provision allowing the district to terminate the contract if it is determined by the district to have an adverse impact on district programs, services or activities. Revenue derived shall be

used for programs, services and/or activities designed to enhance student achievement, assist in the maintenance of existing district programs, services or activities and/or to provide scholarships for students who demonstrate financial need and merit as determined by the district.

All contracts considered for approval are subject to the competitive procurement requirements of Board policies DJ - District Purchasing, DJC - Bidding Requirements and the local contract review board's public contracting rules. Competitive procurement as used in this policy includes monetary as well as in-kind contributions (i.e., scoreboards, computers, other equipment or materials).

The superintendent will develop administrative regulations as needed for implementation of this policy.

END OF POLICY

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**Legal Reference(s):**

[ORS 279B.055](#)  
[ORS 279C.335](#)

[ORS 332.107](#)  
[ORS 339.880](#)

# Phoenix-Talent Schools District 4

Code: KJ-AR  
Adopted: 10/04/18  
Orig. Code: KJ-AR

## Commercial Advertising

Commercial advertising in district schools may be permitted by the superintendent or designee subject to the following. Schools, with prior approval, may:

1. Publish advertising in any school newspaper, other school periodical, school or district publication, web page or yearbook;
2. Distribute advertising or market research as part of a district-approved curriculum on advertising, marketing or media literacy, etc.;
3. Post signs of school, district or public appreciation for financial or other support from any person, business or corporation for the educational program in any school in the district;
4. Use free educational materials with incidental advertisements;
5. Permit demonstrations of educational materials and equipment;
6. Cooperate with nonprofit community organizations in making or posting announcements or distributing program materials that supplement the school program provided that such cooperation does not interfere with the school program and is consistent with the mission, goals and policies of the district;
7. Utilize films or other educational materials and instructional aids, including newspapers and magazines in either print or electronic form furnished by private sources, when the advertising content is reasonable in the judgment of the superintendent or designee;
8. Permit participation, on a student-option basis, in essay, art, science and similar contests sponsored by outside interests when such activities parallel the curriculum and contribute to the educational program;
9. Release promotional material for nonschool athletic and cultural events through appropriate school departments;
10. Accept limited advertising on extracurricular activity schedules and programs.

Other exceptions may be approved when, in the judgment of the superintendent or designee, students of the district will benefit.

There may be no obligation on the part of students or staff to sell products, make purchases or distribute information.

The use of any advertising for alcohol or tobacco products in district publications or for any other purpose inconsistent with Board policies and administrative regulations is prohibited.

No activity which requires staff or students to assist in promoting campaigns (financial, charitable, educational or otherwise) will be permitted without the express permission of the superintendent.

# Phoenix-Talent Schools District 4

Code: KJA  
Adopted: 12/09/93  
Orig. Code: KJA

## Materials Distribution

Requests by individuals or groups to distribute pamphlets, booklets, flyers, brochures and other similar materials to students for classroom use or to take home shall be submitted to the school administration. ~~Superintendent.~~ Materials ~~and themselves as well as~~ the proposed method of distribution shall be subject to review.

Materials shall be reviewed based on legitimate educational concerns. Such concerns include: the material is or may be defamatory; the material is inappropriate based on the age, grade level and/or maturity of the reading audience; the material is poorly written, inadequately researched, biased or prejudiced; the material contains information that is not factual; the material is not free of racial, ethnic, religious or sexual bias; or the material contains advertising that violates public school laws, rules and/or policy, is deemed inappropriate for students or that the public might reasonably ~~reasonable~~ perceive to bear the sanction or approval of the district.

The administration shall determine distribution procedures. Such procedures may include:

1. Distribution to each student before or after class if materials are not directly related to the instructional goals;
2. Notification to students or parents of the availability of the materials in a specified location if this procedure is deemed less disruptive to the educational process; ~~or~~
- ~~3. Inclusion of materials in a direct mailing; or~~
- 4.3. Solicitation of school-related groups such as parent organizations to ~~distributed~~ disseminate materials.

The practice of distributing pamphlets, booklets, flyers, brochures and other similar materials shall be periodically reviewed to ensure that the mere volume of requests ~~has~~ have not become an interruption to the educational process.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

46 OR. ATTY. GEN. OP. 239 (1989).

# Phoenix-Talent Schools District 4

Code: KJB  
Adopted: 12/09/93  
Orig. Code: KJB

## Signs and Banners

Signs and banners in and on all district facilities, owned or leased, shall be subject to the district's provisions which shall consider the health, safety and welfare of staff and students.

Signs and banners will be allowed in or upon buildings and other district facilities only with the prior written approval of the principal [superintendent] [or designee].

The following guidelines shall be applied in considering requests to display signs or banners:

1. Signs and banners on sticks require special authorization of the superintendent [or designee];
2. Signs and banners fastened to any structure of a building or structures immediately adjacent to an open space shall not be allowed without specific prior written permission;
3. Signs and banner presenting recognizable health or safety hazards are prohibited;
4. Signs and banners presenting blatantly false information shall be prohibited.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

# Phoenix-Talent Schools District 4

Code: KK  
Adopted: 12/01/83  
Orig. Code: KK

## Visitors to Schools District Facilities\*\*

~~Safety of students and staff shall be the highest priority of the District as it implements regulations designed to control access to the schools by visitors.~~

~~Parents and other members of the community are encouraged to visit the schools and become aware of the educational program. However, they must first obtain permission to be in the schools by registering at the principal's office before going to any classroom or other area of any school building. No staff member may allow a visitor to contact a student without approval of the principal or his/her designee.~~

The Board believes that a better understanding of its educational program and improved relationship between the schools and community can be developed through school and classroom visitations of parents and patrons. Such visitations should be encouraged, arranged and permitted within considerations of the requirements of the educational program, the orderly administration of the school, school grounds and classrooms and the safety and welfare of students and staff.

The district is responsible for the schools' supervision and administration. To ensure that school work is not disrupted and that visitors are properly directed to the areas in which they are interested, all visitors to district facilities must report to the school office upon entering school property.

1. Teachers' work must not be impeded by interruption of visitors or by unreasonable demands on their time.
2. Visitors must not contact individual students except as authorized by the principal and/or teachers.
3. When in the interest of orderly educational programs and the safety of students it is determined by the principal that some specific visitor or visitors shall not be permitted to enter the school facilities, the principal shall do the following:
  - a. Advise the person that he/she is refused admission and give that person an explanation for the refusal;
  - b. If possible and appropriate, attempt to arrange alternative visitation of school facilities.
4. A visitor with permission to visit may be directed to leave when any teacher or administrator reasonably believes the visitor has engaged in physical violence, loud or disruptive speech or behavior, violation of a posted school rule or illegal conduct.

A visitor may also be directed to leave by the staff member administratively in charge of the building if the visit would be disruptive to the educational program or school order; would impede the work of teachers through visitor's interruptions or unreasonable demands on teacher time; or if the visitors' course of conduct would conflict with Board policies, district or building regulations or would violate the law.

5. A direction to leave revokes any permission to visit or license to enter. Whenever possible, the direction should be given in writing or followed by written notice which identifies the issuer and gives a brief statement of the reason for the direction to leave. The principal's office should be notified of any direction to leave and given a copy of any written notice.
6. Those who insist on remaining despite a principal's request to leave and who thereby create a disruption of the carrying on of school business are subject to citizen's arrest and a report made to law enforcement. Failure to leave will render a visitor liable for criminal trespass pursuant to Oregon law.
7. Any visitor who believes that he/she has had a visit unfairly limited, may request a meeting with the superintendent. The superintendent shall meet with the visitor, investigate the dispute and render a written decision. The superintendent's decision may be appealed to the Board.
8. Any visitor who commits a violent act or threatens to commit a violent act toward a student or staff member while on school grounds, at a school-sponsored event or on the way to and from school, shall be reported immediately to the principal and the superintendent. The superintendent shall immediately contact any student or staff member involved.

END OF POLICY

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**Legal Reference(s):**

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

[ORS 166.025](#)  
[ORS 166.155 to -166.165](#)

[ORS 332.107](#)  
[ORS 339.327](#)

# Phoenix-Talent Schools District 4

Code: KL  
Adopted: 8/05/21  
Orig. Code(s): KL

## Public Complaints\*\*

The district will develop and implement effective means of resolving complaints voiced by employees, students, parents of a student who attends school in the district or persons who reside in the district and will use recognized channels of communication.

The Board advises that the process for resolving a complaint as follows:

1. Teacher/Employee;
2. Principal/Supervisor;
3. Superintendent/Designee;
4. Board.

The complaint procedure is available at the district's administrative office and on the home page of the district's website.

If a complaint addresses one or more of the issues identified below, a complainant should use the complaint process available in any of the following policies and administrative regulations (AR):

1. Discrimination or harassment on a basis protected by law: Board policy AC, AC-AR;
2. Bias incidents or display of symbols of hate: Board policy ACB, ACB-AR;
3. Sexual harassment (staff): Board policy GBN/JBA, GBN/JBA-AR(1), GBN/JBA-AR(2);
4. Sexual harassment (student): Board policy JBA/GBN, JBA/GBN-AR(1), JBA/GBN-AR(2);
5. Workplace harassment: Board policy GBEA, GBEA-AR;
6. Hazing, harassment, intimidation, bullying, menacing or cyberbullying (staff): Board policy GBNA, GBNA-AR;
7. Hazing, harassment, intimidation, bullying, menacing, cyberbullying, or teen dating violence (student): Board policy JFCF, JFCF-AR;
8. Sexual conduct with a student (staff): Board policy GBNA/JHFF, GBNA/JHFF-AR;
9. Sexual conduct with a student (student): Board policy JHFF/GBNA, JHFF/GBNA-AR;
10. Instructional resources or instructional materials: Board policy IIA, IIA-AR;

11. Complaints regarding the Talented and Gifted Program (TAG): Board policy IGBBC, IGBBC-AR.

Any complaint about school personnel other than the superintendent will be investigated by the administration before consideration and action by the Board. The Board will not hear complaints against employees in a session open to the public unless an employee requests an open session.

A complaint of retaliation against a student who in good faith reported information that the student believes is evidence of a violation of state or federal law, rule or regulation, should be reported to the superintendent.

Complaints against the principal should be filed with the superintendent. (See KL-AR(1) – Public Complaint Procedure)

Complaints against the superintendent should be referred to the Board chair on behalf of the Board. (See KL-AR(1) – Public Complaint Procedure)

Complaints against the Board as a whole or against an individual Board member should be referred to the Board chair on behalf of the Board. (See KL-AR(1) – Public Complaint Procedure)

Complaints against the Board chair should be referred directly to the district counsel and/or Board vice chair on behalf of the Board. (See KL-AR(1) – Public Complaint Procedure)

The district may offer mediation or another alternative dispute resolution process as an option if all parties to the complaint agree in writing to participate in such mediation or resolution.

A complainant must file a complaint within the later of either time limit set below, in accordance with state law:

1. Within two years after the alleged violation or unlawful incident occurred or the complainant discovered the alleged violation or unlawful incident. For incidents that are continuing in nature, the time limitation must run from the date of the most recent incident; or
2. Within one year after the affected student has graduated from, moved away from or otherwise left the district.

The superintendent will administer the complaint process, as appropriate, established by administrative regulation KL-AR(1) – Public Complaint Procedure.

If a complainant, who is a parent or guardian of a student who attends school in the district, a student, or a person who resides in the district, alleges a violation of Oregon Administrative Rule (OAR), Chapter 581, Division 22 (Division 22 Standards), ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint and Seclusion), or ORS. 659.852 (Retaliation) and the complaint is not resolved through the complaint process, the complainant may appeal<sup>1</sup> the district's final decision to the Deputy Superintendent of Public Instruction under OAR 581-002-0001 – 581-002-0023 (See KL-AR(2) - Appeal to the Deputy Superintendent of Public Instruction).

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<sup>1</sup> An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

## Charter Schools of which the District Board is a Sponsor

The district Board, will review an appeal of a decision reached by the Board of Armadillo Technical Institute on a complaint alleging a violation of ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint or Seclusion), ORS 659.852 (Retaliation), or applicable OAR Chapter 581, Division 22 (Division 22 Standards). A complainant may appeal and will submit such appeal to the superintendent on behalf of the district Board within 30 days of receipt of the decision from the public charter school board. A final decision reached by the district Board may be appealed to the Oregon Department of Education under OAR 581-002-0001 - 581-002-0023.

END OF POLICY

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### Legal Reference(s):

[ORS 192.660](#)  
[ORS 332.107](#)

[ORS 659.852](#)  
[OAR 581-002-0001 – 002-0005](#)

[OAR 581-022-2370](#)

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984).  
Connick v. Myers, 461 U.S. 138 (1983).

# Phoenix-Talent Schools District 4

Code: KL-AR(1)  
Revised/Reviewed: 5/18/20  
Orig. Code: KL-AR(1)

## Public Complaint Procedure

A parent or guardian of a student attending a school in the district, or a person who resides in the district, a staff member, or a student who wishes to express a concern should discuss the matter with the school employee involved.

### The Administrator: Step One

If the individual is unable to resolve a problem or concern with the employee, the individual may file a written, signed complaint with the supervisor within five working days of the employee's response. The supervisor shall evaluate the complaint and render a decision within five working days after receiving the complaint. (A form is available, but is not required.)

### The Superintendent: Step Two

If Step One does not resolve the complaint, within 10 working days of the written response from the supervisor, the complainant may file a written, signed complaint with the superintendent or designee clearly stating the nature of the complaint and a suggested remedy.

The superintendent or designee shall investigate the complaint, confer with the complainant and the parties involved, prepare a report of their findings and conclusion, and provide the report<sup>1</sup> in writing or in an electronic form to the complainant within 10 working days after receiving the written complaint.

### The Board: Step Three

If the complainant is dissatisfied with the superintendent's or designee's findings and conclusion, the complainant may appeal the decision to the Board within five working days of receiving the superintendent's decision. The Board will review the findings and conclusion of the superintendent 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 decision as the district's final decision. All parties involved, including the school administration, may be asked to attend such hearing for the purposes of making further explanations and clarifying the issues.

If the Board chooses not to hear the complaint, the superintendent's decision in Step Two is final.

The Board may hold the hearing in executive session if the subject matter qualifies under Oregon law.

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<sup>1</sup> If the Board chooses to accept the superintendent's decision as the district's final decision on the complaint, the superintendent's written decision must meet the requirements of OAR 581-022-2370(4)(b).

The complainant shall be informed in writing or in electronic form of the Board's decision within 20 days from the hearing of the appeal by the Board. The Board's decision will address each allegation in the complaint and contain reasons for the district's decision. The Board's decision will be final.

The timelines may be extended upon written agreement between the district and the complainant.

The district's final decision for a complaint processed under this administrative regulation that alleges a violation of Oregon Administrative rule (OAR) Chapter 581, Division 22 (Division 22 Standards), ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation), will be issued in writing or electronic form. The final decision will address each allegation in the complaint and contain reasons for the district's decision. If the complainant, who is a student, parent or guardian of a student attending school in the district or a person that resides in the district, and this complaint is not resolved through the complaint process, the complainant may appeal<sup>2</sup> the district's final decision to the Deputy Superintendent of Public Instruction under Oregon OARs 581-002-0001 – 581-002-0023.

Complaints against the principal should be filed with the superintendent. The superintendent will attempt to resolve the complaint. If the complaint remains unresolved within 10 working days of receipt by the superintendent, the complainant may request to place the complaint on the Board agenda at the next regularly scheduled or special Board meeting. The Board may use executive session if the subject matter qualifies under Oregon law. The Board shall decide, within 20 days, in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 10 days. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. 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. The Board shall decide, within 20 days, in open session what action, if any, is warranted. The Board may use executive session if the subject matter qualifies under Oregon law. A final written decision regarding the complaint shall be issued by the Board within 10 days. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the Board as a whole or against an individual Board member should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. 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. The Board shall decide, within 20 days, in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 10 days. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the Board chair may be referred directly to the Board vice chair on behalf of the Board. The Board vice chair shall present the complaint to the Board in a Board meeting. 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. The Board shall decide, within 20 days, in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued

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<sup>2</sup> An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

by the Board within 10 days. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

### **Charter Schools of which the District Board is a Sponsor**

The appeal of a complaint from a public charter school to be reviewed by the district Board will be presented by the Board chair and reviewed by the Board at a Board meeting. The Board may use executive session if the subject matter qualifies under Oregon law. The Board will review the appeal and make a decision about appropriate action, which may include, but is not limited to, holding a hearing, requesting information, and recognizing the decision reached by the public charter school board. A decision will be reached, within 20 days, in open session, unless allowed in executive session. A final written decision regarding the appeal shall be issued by the district Board within 10 days. The written decision of the district Board will address each allegation in the complaint and include reasons for the district Board's decision.

**PHOENIX-TALENT SCHOOL DISTRICT #4**

401 W. 4th Street | Phoenix, Oregon 97535

Phone: (541) 535-1511

**COMPLAINT FORM**

To:  Employee\*  Administrator/Supervisor\*  Superintendent  Board chair  Board vice chair

\* Form available but is not required.

Person Making Complaint \_\_\_\_\_

Phone Number \_\_\_\_\_ Email \_\_\_\_\_

Nature of Complaint \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Who should we talk to and what evidence should we consider? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Suggested solution/resolution/outcome: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Complainant: \_\_\_\_\_ Date: \_\_\_\_\_

.....

**Office Use**

Disposition of Complaint: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

cc: District Office

# Phoenix-Talent Schools District 4

Code: KL-AR(2)  
Revised/Reviewed: 11/20/19  
Orig. Code(s): KL-AR(2)

## Appeal to the Deputy Superintendent of Public Instruction

An appeal process has been established by the Oregon Department of Education (ODE) by Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023<sup>1</sup> for complaints that allege violation of OAR Chapter 581, Division 22 (Division 22 Standards), Oregon Revised Statute (ORS) 339.285 – 339.303 or OAR 581-021-0550 – 581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation).

The complainant may appeal the district's final decision for a complaint to the Deputy Superintendent of Public Instruction if:

1. The complainant has exhausted the district's complaint procedures except as otherwise allowed by statute;
2. The district failed to render a written decision within 30 days of the submission of the complaint at any step unless the district and complainant have agreed in writing to a longer time period for that step; or
3. The district failed to resolve the complaint within 90 days of the initial filing of the complaint, regardless of the number of steps in the district complaint process, unless the district and the complainant have agreed in writing to a longer time period.

The appeal may include a complaint alleging a violation of ORS 659.852 if the complainant alleges that retaliation occurred in response to a complaint for which the complainant received the district's final decision for a complaint.

The appeal must be received by ODE no later than:

1. One year after the date of the final decision by the district; or
2. If the district fails to resolve the complaint, no later than two years after the date on which the complainant first filed the complaint with the district.

The complaint upon which the appeal is based must have been initially filed with the district by the later of the following two dates:

1. The date occurring two years after the date on which the alleged violation or unlawful incident occurred or on which the complainant discovered the alleged violation or unlawful incident<sup>2</sup>; or

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<sup>1</sup> The following is not a representation of the complete rules. See complete rules available on the Oregon Administrative Rules.

<sup>2</sup> If the alleged violation or unlawful incident is of a continuing nature, the date on which the alleged violation or unlawful incident occurred is the most recent date on which the alleged violation or unlawful incident occurred.

2. The date occurring one year after the date on which the affected student graduated from, moved away from or otherwise left the district.

The appeal shall:

1. Be in writing;
2. Be submitted in person, by mail, or electronically.

The appeal must contain:

1. The name of the person filing the appeal;
2. The phone number, address, or email address, if available, of the person filing the appeal;
3. The name of the student if the person filing the appeal is filing on behalf of the student;
4. A statement of the facts on which the appeal is based; and
5. Other information requested by ODE.

Upon receipt of an appeal, ODE will determine whether the appeal satisfies the requirements of OAR 581-002-0003 and OAR 581-002-0005.

After these determinations, ODE will give written notice to the complainant and the district whether the appeal has been accepted.

If ODE has accepted an appeal and gave notice to the complainant and the district involved, the district shall submit a written response and all correspondence, documents, and other information ODE requested within 30 days of receipt of the notice.

The district's written response shall include:

1. A statement of facts;
2. A description of district action taken in response to the complaint; or if none was taken, an explanation of the reason(s) why no action was taken;
3. Any stipulation reached concerning settlement of the complaint; and
4. A list of any complaints filed with another agency by the complainant concerning the subject of the appeal to the extent that the district is aware of such complaints.

The Director of ODE may for good cause extend the time by which a district must make a submission described above.

Upon receipt of the district's written response, ODE will conduct an investigation to determine whether the district violated a rule or law described in OAR 581-002-0003.

ODE shall issue a final order pursuant to OAR 581-002-0017.

# Phoenix-Talent Schools District 4

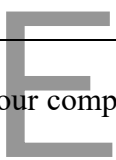
Code: KL-AR(3)  
Revised/Reviewed: 1/08/15  
Orig. Code: KL-AR(3)



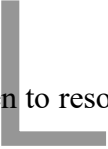
## Public Complaints – Athletic Complaint Procedure

Complainant's Name \_\_\_\_\_ Date \_\_\_\_\_

Sport \_\_\_\_\_



1. Describe your complaint.
2. Describe the problem that led to the complaint.
3. What steps have been taken to resolve the problem?
4. What adjustment is sought?



\_\_\_\_\_  
Signature of person initiating the complaint

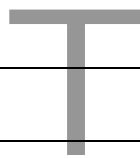


\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of athletic director or coach

\_\_\_\_\_  
Date

Submitted to the principal for review on \_\_\_\_\_ (Date)



**Principal's Recommendation:** \_\_\_\_\_

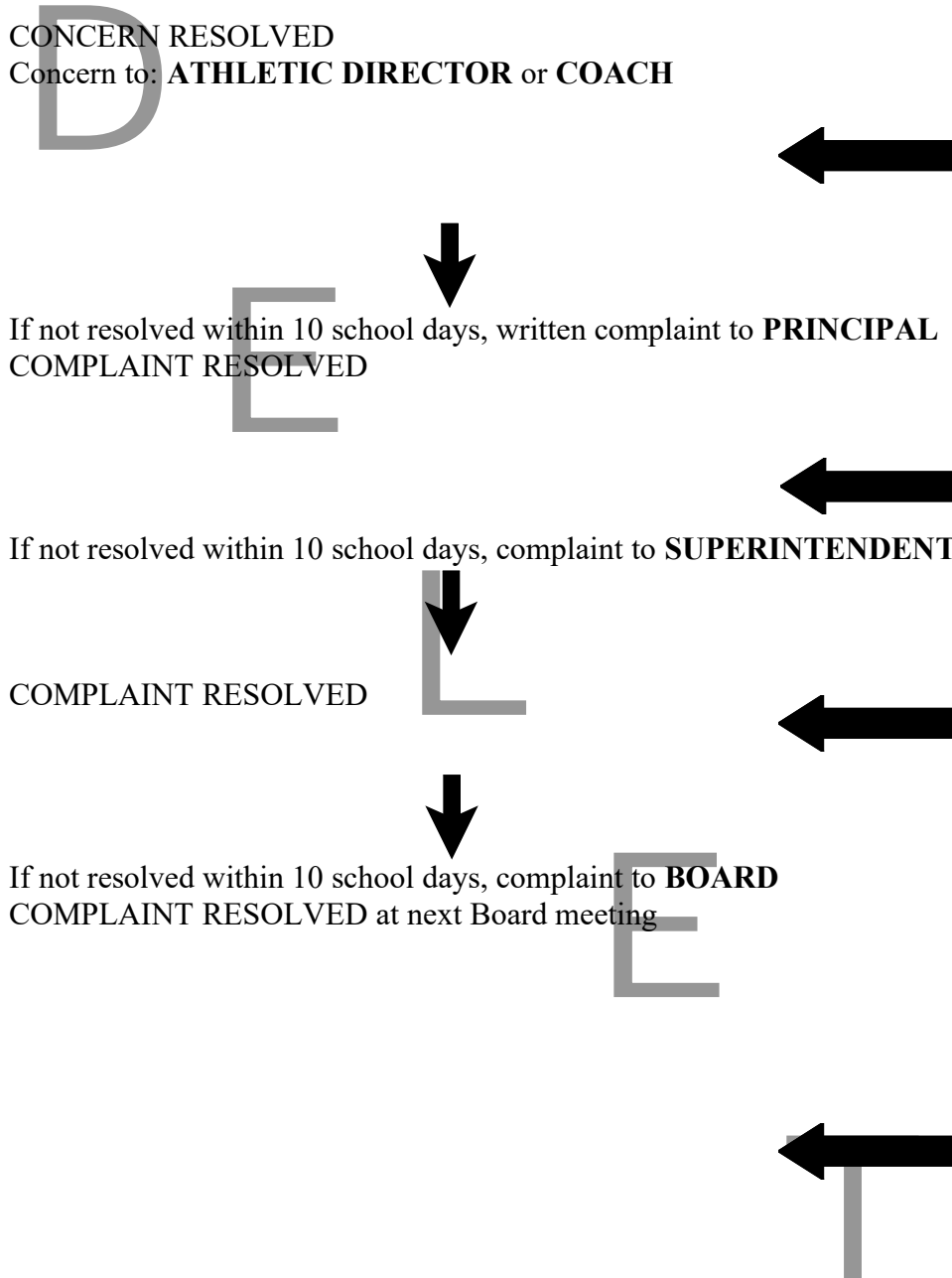
\_\_\_\_\_  
Signature of principal

\_\_\_\_\_  
Date



Submitted to superintendent if not resolved at site \_\_\_\_\_ (Date)

## ATHLETIC COMPLAINT PROCEDURE FLOW CHART



The flow chart above provides procedure for handling a patron athletic concern in an orderly, timely and effective manner. As indicated, any patron who has a concern or complaint should: (1) take the concern directly to either the coach or the athletic director where the concern may be resolved; (2) if the concern is not resolved with either the coach or the athletic director, the athletic director will assist the patron in completing the formal complaint. From this point on, the procedure is outlined in Board policy KL - Public Complaints.

# Phoenix-Talent Schools District 4

Code: KM  
Adopted: 12/01/83  
Orig. Code: KM

D

## Relationships with Community Organizations

The Board recognizes that while the schools have the primary responsibility for the formal education of the children of the District, many community organizations enhance and contribute to the education of youngsters.

The Superintendent and staff are encouraged to establish positive working relationships with public and private organizations that contribute to the educational process and the general welfare of students.

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END OF POLICY

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### Legal Reference(s):

[ORS 329.150](#)  
[ORS 332.107](#)

L

[ORS 336.505 - 336.525](#)  
[ORS 339.880](#)

32 Op Atty Gen 209 (1965).

E

T

F

# Phoenix-Talent Schools District 4

Code: KMA  
Adopted: 12/01/83  
Orig. Code: KMA

D

## Relationships with Parent Organizations

The Board supports the organization of parent associations at each school building to enhance communications between parents and school officials. Parent associations should:

1. Help parents to understand the education process and their role in supporting it.
2. Provide for parent understanding of particular school operations and programs.
3. Provide a forum for parents and staff to discuss their concerns about school programs or operations.

Parent associations shall coordinate their activities with the building principal.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

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# Phoenix-Talent Schools District 4

Code: KN  
Adopted: 12/16/98  
Orig. Code: KN

## Relations with Law Enforcement Agencies

The Board recognizes that ~~districtwide~~~~District-wide~~ cooperation with law enforcement agencies is essential for the protection of staff and students, for maintaining a safe environment in ~~district~~~~District~~ schools and for safeguarding ~~district~~~~District~~ property.

Programs and activities designed to enrich ~~district~~~~District~~ curriculum and to develop and promote good citizenship and a healthy attitude toward law enforcement agencies and officials will be encouraged by the ~~district~~~~District~~. Law enforcement participation in such programs and activities is encouraged.

Law enforcement officials may enter school facilities if a crime has been committed on ~~district~~~~District~~ property or to investigate matters concerning staff and students upon request initiated by either agency officials or by ~~district~~~~District~~ administrators.

The ~~superintendent~~~~Superintendent~~ will develop ~~administrative regulations~~~~Administrative Regulations~~ to implement this policy, including procedures for handling investigations, administrator requests for assistance and required referrals to law enforcement agencies.

END OF POLICY

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### Legal Reference(s):

[ORS 329.150](#)

[ORS 419B.015](#)

[ORS 419B.045](#)

Letter Opinion, Office of the Attorney General (August 18, 1986).

Greene v. Camreta, 588 F.3d 1011 (9th Cir. 2009), vacated in part by, remanded by Camreta v. Greene, 131 S. Ct. 2020 (U.S. 2011); vacated in part, remanded by Greene v. Camreta 661 F. 3d 1201 (9<sup>th</sup> Cir. 2011).

# Phoenix-Talent Schools District 4

Code: KN-AR(1)  
Adopted: 10/04/18  
Orig. Code: KN-AR

## Relations with Law Enforcement Agencies

### Request to Interview a Student or to Conduct an Investigation by Law Enforcement (Other Investigations)

1. Interviews or investigations by law enforcement officials not based on allegations of abuse of a child, a warrant for an arrest or search or probable cause that an illegal act or crime is occurring or has been committed on district property, may be permitted upon request and with principal or designee approval.
2. The law enforcement official shall contact the administrator, provide adequate identification, inform the administrator of the nature of the investigation and provide the name of the student to be interviewed.
3. The administrator shall verify and record the identity of the law enforcement official or other authority.
4. Requests to interview a student during school hours should be, in the opinion of the administrator, important and urgent to justify interrupting school activities.
5. The administrator will attempt to notify the student's parent(s) prior to granting the interview. [ If the parent(s) does not give consent to have their child interviewed, then the interview should not take place.]
6. If the parent(s) cannot be contacted, the administrator may grant permission for the questioning to proceed if the student agrees to be interviewed or in the event of compelling emergency circumstances.
7. If the administrator has been unable to contact the parent(s) then the administrator shall make a reasonable attempt to notify the parent(s) as soon as possible after the interview.
8. All such interviews shall be conducted in privacy, out of the view of staff, students and others.
9. An administrator shall be present at all times during the interview unless the student's parent(s) is present and asks the administrator not to participate or the district official is otherwise prohibited from being present by law.
10. The administrator or designee shall maintain a written record of all such interviews conducted.

## **Questioning of a Student Suspected of a Crime, Arrest of a Student or Taking a Student into Custody**

1. When a student is a suspect in a criminal act and is to be questioned by a law enforcement official for the purpose of establishing involvement in the act, questioning will be allowed on district property only with parental consent. Normally, such questioning should occur outside school hours, off district property.
2. At no time will a student be released to a law enforcement officer without one of the following:
  - a. A warrant;
  - b. A court order;
  - c. Arrest;
  - d. Protective custody resulting from abuse of a child investigation;
  - e. Permission of the parent.
3. In all cases, other than abuse of a child cases, where a student is to be taken from the building by a law enforcement official, the administrator will verify the official's identity and make a reasonable effort to notify the student's parent(s). Law enforcement officials have the primary responsibility for notifying the parent(s) in such instances. Administrators must request law enforcement officials to complete the appropriate form provided by the district. (See KN-AR(2) - Investigations Conducted on District Premises)

### **Abuse of a Child Investigations**

Any investigation of abuse of a child will be directed by the Oregon Department of Human Services (DHS) or law enforcement officials as required by law. The DHS or law enforcement agency will first notify the administrator of the investigation, unless the administrator is a subject of the investigation. The administrator or designee must request the investigating official fill out the appropriate form (See JHFE-AR(2) - Abuse of a Child Investigations Conducted on District Premises). If the investigating official refuses to fill out the form or sign the form, the administrator may complete the form but should not deny the official's request to interview the student on school property. If the investigating official does not have adequate identification the administrator shall refuse access to the student. The administrator or designee may be present at the interview of the student at the discretion of the investigating official. When the subject matter of the interview or investigation involves abuse of a child, administrators and school employees shall not notify the parents.

### **Administrator-Initiated Requests**

On occasion, principals may need, or be required to seek law enforcement assistance. Any student violation of the district's weapons policy shall be reported to the appropriate law enforcement agency. Abuse of a child also requires immediate referral to the DHS or law enforcement officials. Additionally, principals and/or designee(s) may report to law enforcement officials, other violations of law occurring on district property or at school-sponsored activities, as deemed appropriate.

# Phoenix-Talent Schools District 4

Code: KN-AR(2)  
Revised/Reviewed:

## Investigations Conducted on District Premises

When an administrator is notified that law enforcement would like to interview a student at school for the purpose of an investigation that is not related to abuse of a child, the administrator must request that the investigating official provide the information below. Failure to meet one of the five criteria may result in the administrator's refusal to allow the student interview on district property.

I, \_\_\_\_\_ (Name) of \_\_\_\_\_ (Agency) declare that I have the authority to conduct this student interview based on the following:

1.  Warrant (attach copy)
2.  Court order (attach copy)
3.  Exigent circumstances (briefly describe): \_\_\_\_\_  
\_\_\_\_\_

4. Parental consent

Parent or guardian's name: \_\_\_\_\_  
Date consent granted: \_\_\_\_\_

5. This interview is not considered a "seizure" pursuant to state and federal law.

\_\_\_\_\_  
Signature of interviewer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of student to be interviewed

\_\_\_\_\_  
Date of interview

- Student not available for interview
- Student refused to be interviewed

\_\_\_\_\_  
Name of school official (administrator/  
designee) receiving this form

This form should be placed in a separate file and not in student's educational record file.

# Phoenix-Talent Schools District 4

Code: LBE  
Adopted: 2/04/21  
Orig. Code(s): LBE

## Public Charter Schools\*\*

Public charter schools may be established as a new public school or a virtual public school, from one or more existing public schools in the district or a portion of the school, or from an existing alternative education program. A public charter school may not convert an existing tuition-based private school into a charter school, affiliate itself with a nonpublic sectarian school or religious institution, or encompass all the schools in the district unless the district is composed of only one school.

Public charter schools shall demonstrate a commitment to the mission and diversity of public education while adhering to the following goals:

1. Increase student learning and achievement;
2. Increase choices of learning opportunities for students;
3. Better meet individual student academic needs and interests;
4. Build stronger working relationships among educators, parents and other community members;
5. Encourage the use of different and innovative learning methods;
6. Provide opportunities in small learning environments for flexibility and innovation;
7. Create new professional opportunities for teachers;
8. Establish additional forms of accountability for schools; and
9. Create innovative measurement tools.

An applicant must submit a complete public charter school proposal that meets the requirements of Oregon law, and includes other information required by the district in the application process.

The public charter school employer will be determined with each proposal. If the district is the employer, the terms of the current collective bargaining agreement will be examined to determine which parts of the agreement apply. If the district is not the sponsor of the public charter school, the district shall not be the employer and will not collectively bargain with public charter school employees.

The district will determine if it has any vacant or unused buildings and make a list of such buildings; buildings may be made available for public charter school use, subject to Board approval and Board policy.

Public charter school students may, upon request, be allowed to participate in district programs such as physical education, instrumental and vocal music offerings, or other selected options if space and materials

are available.<sup>1</sup> Students must adhere to state law, Board policies, regulations, and rules concerning student conduct and discipline.

Public charter school students in grades K-8 may participate in their resident district’s activities that are offered before or after regular school hours. Public charter school students in grades 9-12 may participate in their resident district’s available activities that are sanctioned by the Oregon School Activities Association (OSAA) when the requirements found in Oregon law are met.

The district will not provide instructional materials, lesson plans, or curriculum guides for use in a public charter school.

The superintendent will develop administrative regulations to include, but not limited to, the proposal process, review, and appeal procedures, and program evaluation, renewal, and termination.

END OF POLICY

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**Legal Reference(s):**

[ORS 327.077](#)  
[ORS 327.109](#)  
[ORS 332.107](#)

[ORS 338](#)  
[ORS 339.141](#)  
[ORS 339.147](#)

[ORS 339.450](#)  
[ORS 339.460](#)  
[OAR 581-026-0005 - 0710](#)

Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2018).

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<sup>1</sup> This does not apply to the Oregon law related to OSAA-sanctioned activity participation.

# Phoenix-Talent Schools District 4

Code: LBE-AR  
Revised/Reviewed: 2/04/21  
Orig. Code(s): LBE-AR

## Public Charter Schools

### 1. Definitions

- a. “Applicant” means any person or group that develops and submits a written proposal for a public charter school to the district.
- b. “Public charter school” means an elementary or secondary school offering a comprehensive instructional program operating under a written agreement entered into between the district and an applicant.
- c. “Virtual public charter school” means a public charter school that provides online courses, but does not primarily serve students in a physical location as described in Oregon Administrative Rule (OAR) 581-026-0300.
- d. “Remote and necessary school district” means a school district that offers kindergarten through grade 12 and has: (a) an average daily membership (ADM), as defined in Oregon Revised Statute (ORS) 327.006, in the prior fiscal year of less than 110; and (b) a school that is located, by the nearest traveled road, more than 20 miles from the nearest school or from a city with a population of more than 5,000.
- e. “Sponsor” means the district or Board.

### 2. Proposal Process

- a. An applicant shall submit a complete proposal for sponsorship of a public charter school by the Board, including items outlined in ORS 338.045, and any additional requirements as are required in the Board’s application for sponsorship, to the district office no later than January 31 for a September starting date. The applicant shall also submit a copy of the same proposal to the State Board of Education.
- b. The district will complete the review process as outlined in Section 3 below.
- c. As part of the proposal, each member of the proposed public charter school’s governing body must provide an acknowledgment of understanding of the standards of conduct and the liabilities of a director of a nonprofit organization, as described in ORS Chapter 65, if the public charter school is organized as required by ORS 338.035(2)(a)(B) and (C).

### 3. Proposal Review Process

- a. Within 30 business days of receipt of a proposal, the district will notify the applicant as to the completeness of the proposal.
  - (1) If the Board determines the proposal is incomplete, the district will identify the specific elements of the proposal that are not complete and provide the applicant with a reasonable opportunity, as determined by the Board, to complete the proposal.

- (2) If after given a reasonable opportunity the applicant does not complete the required elements, the Board may disapprove<sup>1</sup> the proposal.
  - (3) An applicant that has had a proposal disapproved pursuant to section (2) may appeal the Board's decision to the State Board of Education within 30 days of the disapproval.
  - (4) A good faith disapproval is not a denial for purposes of requesting a review by the State Board of Education under ORS 338.075.
- b. Within 60 days after the receipt of a completed proposal, or a final order issued by the Superintendent of Public Instruction remanding the proposal to the Board for consideration following a decision on an appeal, the Board shall hold a public hearing on the provisions of the public charter school proposal.
- c. The Board must evaluate a proposal in good faith using the following criteria:
- (1) The demonstrated sustainable support for the proposed charter school by teachers, parents, students and other community members, including comments received at the public hearing;
  - (2) The demonstrated financial stability of the proposed public charter school including the demonstrated ability of the school to have a sound financial management system that
  - (3) is in place at the time the school begins operating and meets requirements of ORS 338.095(1);
  - (4) The capability of the applicant, in terms of support and planning, to provide comprehensive instructional programs;
  - (5) The capability of the applicant, in terms of support and planning, to provide comprehensive instructional programs to students identified as academically low achieving;
  - (6) The adequacy of the information provided as required in the proposal criteria;
  - (7) Whether the value of the public charter school is outweighed by any directly identifiable, significant and adverse impact<sup>2</sup> on the quality of the public education of students residing in the district in which the public charter school will be located.
  - (8) Whether there are arrangements for any necessary special education and related services for students with disabilities;
  - (9) Whether there are alternative arrangements for students, teachers and other school employees who choose not to attend or who choose not to be employed by the public charter school; and
  - (10) The prior history, if any, of the applicant in operating a public charter school or in providing educational services.
- d. The Board must either approve or deny the proposal within 30 days of the public hearing. Written notice of the Board's action shall be sent to the applicant by the district.
- (1) If approved, the applicant shall also submit a copy of the approval to the State Board of Education.
  - (2) If denied, the notice must include the reasons for the denial with suggested remedial measures. The Board shall provide a reasonable opportunity for the applicant to amend

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<sup>1</sup> The term "disapprove" is used for a proposal that is rejected due to being incomplete. See ORS 338.055(1)(c).

<sup>2</sup> A determination of whether an impact is directly identifiable, significant and adverse may include, but is not limited to student enrollment, student-teacher ratios, staff with requisite licensure or endorsement, student learning and performance, specialty programs, financial considerations, and maintenance capabilities.

and resubmit the proposal. The Board must either approve or deny the resubmitted proposal within 30 days of receipt. The Board may, with good cause, request an extension in the approval process timelines from the State Board of Education.

- e. If the Board denies the resubmitted proposal, the process ends. An applicant whose resubmitted proposal is not approved by the Board may request a review of that decision to the State Board of Education within 30 days of the disapproval.

#### 4. Terms of the Charter Agreement

- a. Upon the approval of a proposal by the Board, the applicant, in cooperation with the district, must prepare and execute a written charter agreement, subject to Board approval, which shall act as the legal authorization for the establishment of the public charter school.
- b. The charter agreement shall be legally binding and must be in effect for a period of not more than five years but may be renewed by the Board.
- c. The Board and the public charter school may amend a charter agreement through joint agreement.
- d. The agreement shall incorporate the elements of the approved proposal, will address the requirements outlined in OAR 581-026-0100(2) and any additional requirements that may apply to the public charter school including, but not limited to, the following:
  - (1) Pregnant and parenting students (ORS 336.640);
  - (2) English language learners (ORS 336.079);
  - (3) Student conduct (ORS 339.250);
  - (4) Alcohol and drug abuse policy and plan (ORS 336.222);
  - (5) Oregon Report Card (ORS 329.115);
  - (6) Employment status of public charter school employees pursuant to ORS 338.135;
  - (7) Student enrollment, application procedures and whether the public charter school will admit nonresident students and on what basis pursuant to ORS 338.125.<sup>3</sup>
  - (8) Transportation of students shall comply with ORS 338.145;
  - (9) The plan for performance bonding or insuring the public charter school sufficient to protect the public charter school and the district from loss and liability and comply with Oregon law. Documentation shall be submitted prior to agreement approval.
- e. If the district and the public charter school enter a cooperative agreement with other school districts for the purpose of forming a partnership to provide educational services, then the agreement must be incorporated into the charter of the public charter school.

#### 5. Public Charter School Operation

- a. The public charter school shall operate at all times in accordance with the laws and rules governing public charter school operation in the state of Oregon, including but not limited to ORS Chapter 338 and applicable OAR Chapter 581 Division 22, and the charter agreement.

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<sup>3</sup> Student enrollment shall be voluntary. A public charter school may not limit student enrollment based on ethnicity, national origin, race, religion, disability, sex, sexual orientation<sup>3</sup>, income level, the terms of an individualized education program, proficiency in the English language or athletic ability but may limit admission within a given age group or grade level, and may implement an equitable lottery if applications for enrollment exceed the capacity of a program, class, grade level or building pursuant to ORS 338.125.

- b. Upon application by the public charter school, the State Board of Education may grant a waiver of certain public charter school law provisions if the waiver promotes the development of programs by providers, enhances the equitable access by underserved families to the public education of their choice, extends the equitable access to public support by all students or permits high quality programs of unusual cost. This waiver request must specify the reasons the public charter school is seeking the waiver and further requires the public charter school to notify the sponsor if a waiver is being considered.

## 6. Virtual Public Charter School Operation

In addition to the other requirements for a public charter school, a virtual public charter school must comply with additional requirements pursuant to ORS 338.120.

## 7. Charter Agreement Review

- a. The public charter school shall report at least annually on the performance of the school and its students to ODE and the district.
- b. The public charter school shall be audited annually in accordance with the Municipal Audit Law. After the audit, the public charter school shall forward a copy of the annual audit to ODE and the following to the sponsoring district:
  - (1) A copy of the annual audit;
  - (2) Any statements from the public charter school that show the results of operations and transactions affecting the financial status of the public charter school during the preceding annual audit period for the school; and
  - (3) A balance sheet containing a summary of the assets and liabilities of the public charter school as of the closing date of the preceding annual audit period for the school.
- c. The district may request at any time an acknowledgment from each member of the public charter school board that the member understands the standards of conduct and liabilities of a director of a nonprofit organization, as those standards and liabilities are described in ORS Chapter 65.
- d. The public charter school shall submit to the district quarterly financial statements that reflect the school's financial operations. The report shall include, but not be limited to, revenues, expenditures, loans and investments.

## 8. Authorizing Duties

- a. The district shall designate a liaison to the public charter school for ease of communication between the district and the public charter school.
- b. The district shall ensure at all times that both the public charter school and the district are in compliance with the charter agreement, as per ORS 338.065(2).
- c. The district shall conduct:
  - (1) A comprehensive annual visit to the public charter school and written evaluation of the charter school's program, which should include an audit of the public charter school's academic, financial, and operational performance.
  - (2) A review of public charter school staff credentials to ensure that public charter school staff are properly licensed and/or registered with TSPC.
  - (3) A collection and review of all deliverables specified in the agreement.

- (4) A review of data to ensure the public charter school is making progress on reasonable, measurable written goals for academic, financial, and operational performance.
- (5) A review to ensure the public charter school is providing appropriate services to students who qualify, e.g., English learner supports.

## 9. Complaints Heard by the Charter School Board

A final decision reached by the public charter school board for a complaint that alleges a violation of ORS 339.285 - 339.303 or OAR 581-021-0550 - OAR 581-021-0570 (Restraint or Seclusion), ORS 659.850 (Discrimination), ORS 659.852 (Retaliation), or applicable OAR Chapter 581, Division 22 (Division 22 Standards), may be appealed to the Board of the Phoenix-Talent School District<sup>4</sup>. The complainant may file such appeal with the Board chair of the Phoenix-Talent School District. A final decision reached by the Board of the Phoenix-Talent School District will be the district's final decision and may be appealed to the Oregon Department of Education under OAR 581-002-0003 - 581-002-0005.

## 10. Charter School Renewal

- a. The first renewal of a charter agreement shall be for the same time period as the initial charter. Subsequent renewals of a charter agreement shall be for a minimum of five years but may not exceed 10 years.
- b. The Board and the public charter school shall follow the timeline listed below, unless a different timeline has been agreed upon by the Board and the public charter school:
  - (1) The public charter school board shall submit a written renewal request to the Board for consideration at least 180 days prior to the expiration of the charter agreement;
  - (2) Within 45 days after receiving a written renewal request from a public charter school, the Board shall hold a public hearing regarding the renewal request;
  - (3) Within 30 days after the public hearing, the Board shall approve the charter renewal or state in writing the reasons for denying charter renewal;
  - (4) If the Board approves the charter renewal, the district and the public charter school shall negotiate a new charter agreement within 90 days unless the district and the public charter school agree to an extension of the time period. Notwithstanding the time period specified in the charter agreement, an expiring charter agreement shall remain in effect until a new charter agreement is negotiated;
  - (5) If the Board does not renew the charter agreement, the public charter school board may address the reasons stated for denial of the renewal and any remedial measures suggested by the district and submit a revised request for renewal to the Board;
  - (6) If the Board does not renew the charter agreement based on the revised request for renewal the public charter school may appeal the Board's decision to the State Board of Education for a review of whether the Board used the process required by Oregon law in denying the charter agreement renewal pursuant to ORS 338.065(6).
  - (7) The Board shall base the charter agreement renewal decision on a good faith evaluation pursuant to ORS 338.065(8) and shall base the renewal evaluation described primarily on a review of the public charter school's annual performance reports, annual audit of

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<sup>4</sup> The district Board will hear this appeal as established through Board policy.

accounts and annual site visit and review as required by ORS 338.095 and any other information mutually agreed upon by the public charter school board and the Board.

For purposes of this section, the phrase “good faith evaluation” means an evaluation of all criteria required by ORS 338.065 resulting in a conclusion that a reasonable person would come to who is informed of the law and the facts before that person.

## 11. Charter School Termination

- a. The public charter school may be terminated by the Board for any of the following reasons:
  - (1) Failure to meet the terms of an approved charter agreement or any requirement of ORS Chapter 338 unless waived by the State Board of Education.
  - (2) Failure to meet the requirements for student performance as outlined in the charter agreement.
  - (3) Failure to correct a violation of federal or state law that is described in ORS 338.115.
  - (4) Failure to maintain insurance as described in the charter.
  - (5) Failure to maintain financial stability.
  - (6) Failure to maintain, for one or more consecutive years, a sound financial management system described in the proposal submitted under ORS 338.045 and incorporated into the written charter under ORS 338.065.
  - (7) Failure to maintain the health and safety of the students.
- b. If a public charter school is terminated by the Board for any reason listed in sections a.(1) through a.(6) above, the following shall occur:
  - (1) The Board shall give the public charter school board, at least 60 days prior to the proposed effective date of termination, written notification of its decision which shall state the grounds for termination.
  - (2) If the grounds for termination include failure to maintain financial stability or failure to maintain a sound financial management system, the Board and the public charter school may agree to develop a plan to correct deficiencies. The plan to correct deficiencies will follow a process outlined in ORS 338.105.
  - (3) The public charter school may request a hearing with the Board in relation to a termination or a plan to correct deficiencies. The request must be made in writing and delivered to the business address of the district.
  - (4) Following a hearing, a decision reached by the Board to terminate may be appealed by the public charter school to the State Board of Education.
- c. The Board may terminate a charter immediately and close the public charter school for endangering the health or safety of the students enrolled in the public charter school under ORS 338.105(4):
  - (1) A public charter school board may request, in writing and delivered to the business address of the district, a hearing with the Board.
  - (2) Within 10 days of receiving the request for a hearing, the Board must hold a hearing on the termination.
  - (3) If the Board acts to terminate the charter following the hearing, the public charter school may appeal the decision reached by the Board to the State Board of Education.

- (4) The public charter school will remain closed during the appeal process at the discretion of the Board unless the State Board of Education orders the Board not to terminate and to re-open the public charter school.
- d. If the charter agreement is terminated or a public charter school is closed or dissolved by the governing body of the public charter school, it shall be done only at the end of a semester and the public charter school board shall notify the district at least 180 days' prior to the proposed effective date of the termination, closure or dissolution. Such notice must be made in writing and be delivered to the business address of the district.
  - e. If a charter agreement is terminated or a public charter school is dissolved, assets that were obtained with grant funds will be dispersed according to the terms of the grant. If the grant is absent any reference to ownership or distribution of assets of a terminated, closed or dissolved public charter school, all assets will be given to the State Board of Education for disposal.

# Phoenix-Talent Schools District 4

Code: LBEA  
Adopted: 2/04/21  
Orig. Code(s): LBEA

## Resident Student Denial for Virtual Public Charter School Attendance\*\*

The district will semiannually, by October 1 and April 1, calculate the percentage of the number of students residing in the district, who are enrolled in a virtual public charter school not sponsored by the district. When the established percentage is more than three percent, the district will not approve additional students enrollment to a virtual public charter school, subject to the requirements in Oregon Administrative Rule (OAR) 581-026-0305(2).

The district may send a notice of approval or disapproval to a parent<sup>1</sup> of a student who has sent a notice to the district of intent to enroll the student in a virtual public charter school not sponsored by the district (*See* OAR 581-026-0305(3)). The district may respond with an approval or disapproval to a parent within eight business days of receipt of the notice from the parent.

The district is only required to use data that is reasonably available to the district, including but not limited to the following for such calculation:

1. The number of students residing in the district enrolled in the schools within the district;
2. The number of students residing in the district enrolled in public charter schools located in the district;
3. The number of students residing in the district enrolled in virtual public charter schools;
4. The number of home-schooled students who reside in the district and who have registered with the educational service district; and
5. The number of students who reside in the district enrolled in private schools located within the school district.

A parent may appeal a decision of a district to not approve a student enrollment to a virtual public charter school to the State Board of Education under OAR 581-026-0310.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)  
[ORS 338.125](#)

[OAR 581-026-0305](#)  
[OAR 581-026-0310](#)

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<sup>1</sup> “Parent” means parent, legal guardian or person in “parental relationship” as defined in Oregon Revised Statute (ORS) 339.133.

# Phoenix-Talent Schools District 4

Code: LEA  
Adopted: 12/01/83  
Orig. Code: LEA

D

## Student Teaching and Internships

The Board encourages the District's participation in teacher education programs that include student teaching or internships. The Superintendent shall investigate programs that may be advantageous to the educational programs as appropriate.

The Superintendent shall develop regulations for the placement of student teachers or interns that reflect that the School District's first responsibility is to the students of the District and to their educational needs.

E

END OF POLICY

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### Legal Reference(s):

[ORS 332.505](#)

L

E

T

F

# Phoenix-Talent Schools District 4

Code: LEA-AR  
Adopted: 1/19/84  
Orig. Code: LEA-AR



## Student Teaching and Internships

A contract will be in force with the assigning institution prior to the acceptance of student teachers.

All applications from colleges will be forwarded to the Superintendent for review and assignment to District schools. Applicants will be interviewed by the school principal and prospective supervising teacher prior to final approval of the application. Principals will notify the Superintendent of finalized assignments. Principals will observe the following restrictions in making such assignments:

1. Student teachers will not be assigned to a supervising teacher unless the supervising teacher has three or more years of experience.
2. All supervising teachers must have taught at least one full year in the Phoenix-Talent School District.
3. The supervising teacher will not be assigned more than one full-time student teacher during the course of the school year.
4. All assignments will be voluntary on the part of the supervising teacher.
5. Before accepting a student teacher, the supervising teacher should be made aware of his/her obligations as well as remunerations and benefits accrued for providing such services.

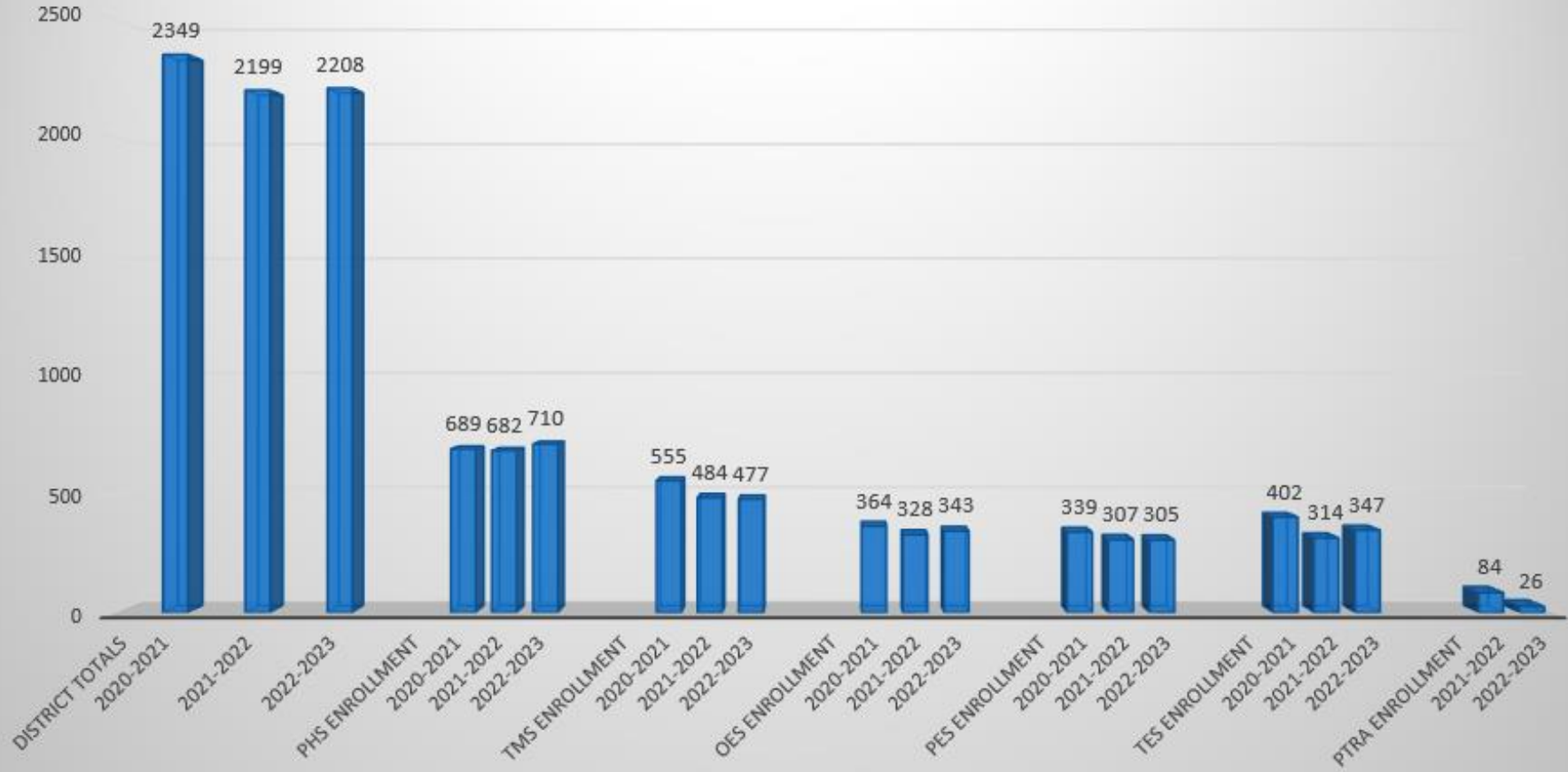


# BUDGET CALENDAR

## 2023-2024 Budget Year

APRIL 4, 2023	Administrative Team	Complete Formulating 2023–24 Budget Guidelines and Priorities
APRIL 13, 2023	Administrative Team	Budgets Due to Business Office
APRIL 13, 2023	Business Office	Notice of Budget Committee Meeting to Newspaper.
APRIL 20, 2023	Business Office	Publish First Notice of Budget Committee Meeting
APRIL 27, 2023	Business Office	Publish Second Notice of Budget Committee Meeting
MAY 5, 2023	Business Office	Complete Budget Document Printing
<b>MAY 9, 2023</b> 6:00 p.m. at PHS	Budget Committee Meeting	Budget Message
<b>MAY 16, 2023</b> 6:00 p.m. - PHS	Budget Committee	Optional 2 <sup>nd</sup> Meeting, If Needed
<b>MAY 16, 2023</b>	<b>Business Office</b>	<b>Notice of Budget Hearing to Newspapers</b>
MAY 18, 2023	Business Office	Budget Document Completed
MAY 24, 2023	Business Office	Publish Notice of Budget Hearing
<b>JUNE 1, 2023</b>	<b>School Board</b>	<b>Hearing—Board Adopts Budget, Levies Taxes, Makes Appropriations</b>
JUL 12, 2023	Business Office	Submit Budget to Assessor

# ENROLLMENT COMPARISON



**DISTRICT ENROLLMENT NUMBERS AS OF 9-15-2022  
2022-2023 Compared To 2021-2022 & 2020-2021**



DISTRICT TOTALS - 2022-2023						
PHS	TMS	OHES	PES	TES	PTRA	TOTAL
710	477	343	305	347	26	2208
						9

DISTRICT TOTALS - 2021-2022						
PHS	TMS	OHES	PES	TES	PTRA	TOTAL
682	484	328	307	314	84	2199
						-150

DISTRICT TOTALS - 2020-2021					
PHS	TMS	OHES	PES	TES	TOTAL
689	555	364	339	402	2349



PHS - BY GRADE - 2022-2023				
9	10	11	12	TOTAL
190	193	171	156	710

PHS - BY GRADE - 2021-2022				
9	10	11	12	TOTAL
182	171	170	159	682

PHS - BY GRADE - 2020-2021				
9	10	11	12	TOTAL
186	187	165	151	689



TMS - BY GRADE - 2022-23			
6	7	8	TOTAL
164	171	142	477

TMS - BY GRADE - 2021-2022			
6	7	8	TOTAL
172	150	162	484

TMS - BY GRADE - 2020-2021			
6	7	8	TOTAL
190	188	177	555



OHES - BY GRADE 2022-2023						
K	1	2	3	4	5	TOTAL
42	61	60	52	61	67	343

OHES - BY GRADE 2021-2022						
K	1	2	3	4	5	TOTAL
58	52	47	60	55	56	328

OHES - BY GRADE 2020-2021						
K	1	2	3	4	5	TOTAL
64	42	72	67	60	59	364



PES - BY GRADE - 2022-2023							
K	1	2	3	4	5	RISE	TOTAL
47	56	61	43	47	49	2	305

PES - BY GRADE - 2021-2022							
K	1	2	3	4	5	RISE	TOTAL
53	60	44	50	50	50	0	307

PES - BY GRADE - 2020-2021							
K	1	2	3	4	5	RISE	TOTAL
65	45	53	52	55	68	1	339



TES - BY GRADE 2022-2023						
K	1	2	3	4	5	TOTAL
53	48	67	54	71	54	347

TES - BY GRADE 2021-2022						
K	1	2	3	4	5	TOTAL
42	67	44	60	48	53	314

TES - BY GRADE 2020-2021						
K	1	2	3	4	5	TOTAL
58	69	71	64	61	79	402



PHOENIX-TALENT RISING ACADEMY BY GRADE 2022-2023									
K	1	2	3	4	5	6	7	8	TOTAL
0	7	2	1	2	3	2	1	8	26

PHOENIX-TALENT RISING ACADEMY BY GRADE 2021-2022									
K	1	2	3	4	5	6	7	8	TOTAL
9	9	9	13	12	10	3	14	5	84



# PHOENIX-TALENT SCHOOLS

EXCELLENCE *for* EVERYONE

Board Meeting - 6:00 PM

Thursday, October 6, 2022

In-Person at Phoenix High School

<https://us02web.zoom.us/j/87516009595?pwd=N3dMVU4xRjVTZkM0aVJeG5qS0VCQT09>

Password: 781928

## AGENDA

- A. Call to Order
- B. Accentuate the Positive
- C. Citizen Comments
- D. Superintendent Report
- E. Consent Agenda
  1. Approval of Agenda
  2. Approval of Minutes from 9/15/2022
  3. Personnel Report
- F. Action Items
  1. Interview and Appoint Student Representatives to the Board
- G. Information and Discussion
  1. Facilities/Bond Update
  2. Financial Update
  3. Legislative / OSBA Update
  4. Alameda Fire Update
  5. Equity, Diversity, & Inclusion
  6. State Report Cards
  7. Inter-District Transfer Report
  8. Division 22 Standards & Compliance
  9. Board Policy IGBAF - Special Education - Individualized Education Program (IEP)
  10. Board Policy IGBAF-AR - Special Education - Individualized Education Program (IEP)
  11. Board Policy IGBB - Talented and Gifted Program and/or Services
  12. Board Policy IGBBA - Talented and Gifted Students - Identification
  13. IGBBA-AR - Appeal Procedure for Talented and Gifted Student Identification and Placement
  14. IGBBC - Talented and Gifted - Programs and Services
  15. IGBBC-AR - Complaints Regarding the Talented and Gifted Program
  16. IGBBC-AR - Complaints Regarding the Talented and Gifted Program and/or Services
- H. Review of the Next Meeting Agenda
- I. Adjournment

Phoenix-Talent School District #4 is an Equal Opportunity Employer and, in accordance with Federal and State Legislation, does not discriminate on the basis of race, sex, religion, age, national origin, or marital status, physical or mental disability in employment practices or education programs. **If you need special**