Corvallis
SCHOOL DISTRICT

NOTICE

NOTICE IS HEREBY GIVEN of a meeting of the Corvallis School District Board of Directors.

Date & Time	Meeting Type	Location	Agenda
Monday, April 2, 2012 6:30 PM	Regular	District Office Board Room, 1555 SW 35th Street, Corvallis, OR 97333	See attached.

Accessibility: To request accommodations for board meetings, please contact Kim Nelson at 541-757-5841 or kim.nelson@corvallis.k12.or.us at least 48 hours before the meeting.

If you would like to watch live-streaming of the School Board meeting, please navigate to the District's YouTube channel: https://www.youtube.com/channel/UC9Jtpte5dmilZl9kySBJbVQ?
A recording of the meeting will also be posted to that channel.

POSTED: Corvallis School District Administration Building
Hans Boyle, Education Editor, Gazette Times (Via Email)

For more information, please contact Kim Nelson at 541-757-5841 or at kimberly.nelson@corvallis.k12.or.us

Corvallis
SCHOOL DISTRICT

Monday, April 2, 2012
6:30 PM

AGENDA
Regular Meeting of the
BOARD OF DIRECTORS
Corvallis School District 509J

Meeting Details: Monday, April 2, 2012, 6:30 PM in the District Office Board Room, 1555 SW 35th Street, Corvallis, OR 97333.

If you would like to watch live-streaming of the School Board meeting, please navigate to the District's YouTube channel: https://www.youtube.com/channel/UC9Jtpte5dmilZI9kySBJbVQ? A recording of the meeting will also be posted to that channel.

I. CALL TO ORDER AND ROLL CALL
II. PLEDGE OF ALLEGIANCE
III. COMMITTEE/BOARD MEMBER ITEMS
IV. STUDENT REPRESENTATIVE REPORT
V. SUPERINTENDENT'S REPORT
VI. PUBLIC TESTIMONY
VII. STAFF TESTIMONY
VIII. SPECIAL REPORTS
- VIII.A. PLC Report – High School Team
- VIII.B. PLC Report – Middle School Team

IX. CONSOLIDATED ACTION
- IX.A. Minutes - February 27, 2012

MINUTES
Regular Meeting of the
B O A R D O F D I R E C T O R S
Corvallis School District 509J

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:35 p.m. in the Commons (Cafeteria) of Linus Pauling Middle School, 1111 NE Cleveland Avenue, Corvallis, OR, 97330

BOARD MEMBERS PRESENT	EXECUTIVE STAFF PRESENT
Anne Schuster, Chair	Dr. Erin Prince, Superintendent
Blake Rodman, Vice Chair	Kevin Bogatin, Assistant Superintendent
Judy Ball	Kathleen Walker, Student Services Director
Lisa Corrigan	Roy Burling, Business Services Director
Matt Donohue	Jennifer Duvall, Human Resources Director
Chris Rochester	
Tom Sauret	STUDENT REPRESENTATIVES PRESENT
	Neda Kazerouni, CVHS
	Lucas Luna, CVHS
	STUDENT REPRESENTATIVE EXCUSED
	Maysa Shakibnia, CHS
	Joe Cihak, CHS

A quorum was present and due notice had been published.

II. PLEDGE OF ALLEGIANCE

Chair Schuster led the group in the pledge of allegiance

III. DUAL LANGUAGE IMMERSION

A. Superintendent's Recommendation

Superintendent Prince gave her recommendation to the Board regarding the full implementation of Dual Language Immersion at both Garfield and Lincoln Elementary Schools (filed as Supplemental Item #VII-16 in the Official 2011-12 Board Minutes). Dr. Prince recommends to the Board they approve the expansion of the Dual Immersion program as proposed by the Dual Language Immersion Task Force, with some clarifications/modifications. Modifications to the original proposal are as follows below:

- The district will develop and implement a late entry policy for students who are older than the cutoff age for admission into DLI.
- All students currently on the wait list for DLI will be placed into a DLI classroom at their school in fall 2012.
- Transition support for English only classes. The district will provide support to parents, teachers, and students to ensure success while English only is phased out.
- The district will develop and implement protocol to support students with IEPs.

B. Board Action

The Board engaged in discussion about the Dual Language Immersion proposal. Below is a summary of the some of the comments made by Board members, as well as answers to their questions by staff members:

- Current waitlisted students coming into Kindergarten and first grade will be granted a spot in DLI at either Garfield or Lincoln.
- Two primary goals to DLI program, to help students who are English Language Learners gain fluency in English, and also to help native English speaking students become bi-literate.
- In response to a question posed by Director Sauret on whether or not the district would be reimbursed by the state for busing costs, Assistant Superintendent Bogatin responded, that while other districts in the state had been told they would not be reimbursed, the Oregon Department of Education confirmed to our district, that as long as the student resides outside the one mile distance to their school, they would reimburse 70% of the transportation cost. Other school districts acknowledged that they may have been given misinformation.
- At this time, the district cannot guarantee placement in DLI, to students who are not currently on the waitlist for the 2012-13 school year.
- The next steps if DLI expansion is approved include: meeting with both Garfield and Lincoln to assess transfers and enrollment; begin to look at curriculum; start marketing for Kindergarten enrollment; meet with English only families; and talk to neighboring boundary schools that may be affected by transferring students.
- If DLI expansion is rejected by Board, an analysis of resources for current programs must be done. The experience of English only K-5 students is different from that of students in DLI. The district would look at ways to alleviate those differences.
- Director Rochester noted the value of dual language education, and explained why he could not vote in favor of the task force recommendations. He did not support the limitation of school choice that would ensue once Lincoln and Garfield became school-wide dual language immersion schools; he did not see anything in the recommendations that directly addressed the serious problems in the English-only strand at Garfield and Lincoln; he had not received a budget prepared by Business Services, and was somewhat skeptical about optimistic assertions concerning implementation costs; he did not feel that the Board of Directors had done sufficient due diligence on the task force recommendations, especially concerning potential costs, when the district faces significant deficits. Director Rochester thanked the Superintendent for her responses to many of the concerns expressed by the public and the Board, but did not feel that these adjustments to the recommendations were sufficient.

- Once a student is transferred to another school from either Garfield or Lincoln; that new school becomes their homeschool, they will not be treated differently from the boundary students.
- Transition of homeless students is an issue that will need extra attention.
- It is necessary to consider the structure of Dual Language and English only classes occurring in one school, and the inequities that come from this.
- At the moment, the district has two schools with two programs that act as schools within schools.
- There doesn't seem to be a solution that does not have a financial cost, but DLI expansion will be beneficial to the district.
- There are currently not enough DLI students at the secondary level to offer the program. There is the understanding that DLI will become part of the K-12 system.
- Director Ball made the following points regarding the expansion of Dual Language Immersion:
    - Having a discussion about costs, without credible cost estimates on the table is a fruitless endeavor.
    - During the transition, after waitlisted English only (EO) students move to DLI and more affluent families transfer out of the English only strand, the remaining English only populations will become more disadvantaged, with greater concentrations of poverty than exist now. These are the neediest of the needy we must be concerned with.
    - I agree with virtually everything Director Rochester made in his statement.
    - Concerned with not just the impact on neighborhood schools, but also the impact on neighborhoods.
    - Garfield and Lincoln are not the same schools, as data received right before this meeting show.
    - No one has discussed the problem that the two programs do not fit well together. For example, what if we thought about DLI and EO as separate schools that share a building or locale. Rearrange things, instead of throwing money at it. There are many examples of successful 90/90/90 (high-poverty) schools across the country.
    - Rather than go forward with a recommendation that still has so many questions, take a week or so, and go to the EO families and staff, talk to them, and see if there isn't another option that isn't going to serve these populations better.
    - I have too many concerns about the inequities for EO students during the transition period.
    - I regrettably will vote against the recommendation.
- Several Board Members shared concern with the current boundaries in place in the district. It was noted that it is difficult to redraw boundary lines.
- A plan should be developed to transition late-entry students in to the DLI program.
- Garfield and Lincoln would become dual-boundary schools. If a family moves into the neighborhood school, but the child does not qualify for the DLI program, the district will provide transportation to another school.
- Transitioning waitlisted students into DLI will not have a cost increase. The added support for students is within budget parameters.
- Every attempt should be made to keep students at their neighborhood schools.
- Director Corrigan noted that she supports the Superintendent's recommendations, but with these thoughts: hope for a cost-neutral program, with no reductions at other schools; district should make every attempt to keep kids in neighborhood schools; district should develop a careful process of checkpoints; south Corvallis should not feel isolated or left out; concern with the portion of one-way immersion at Lincoln.

- Chair Schuster said she supports the Superintendent's recommendation, with the following comments: would like every school in the district to be bilingual; trusts the district staff to work through the unknowns; concern for the high turnover and difficulties of the English only strand.
- Director Rodman indicated support of the Superintendent's recommendation, noting that a rejection of the proposal does not solve the problem of inequities in the English only strand.
- Director Donohue said he supports the Superintendent's recommendation, yet noted concerns with moving students to out-of-boundary schools, as well as high-needs and mobile students who need stability.
- Director Sauret made the following points about the DLI expansion proposal:
  - I have a vision for DLI offered in every school, but unless we structure a DLI program properly, it will be hopeless to have a broader DLI program.
  - Concern about the lack of cost proposal for the 12 year change.
  - English only students need more than just monitoring; they deserve a reasonable opportunity to achieve.
  - Concern about transportation support for the next six years, for students not wanting to participate in DLI.
  - Concern with how many questions remain with the proposal.
- Director Donohue disagreed with Director Rochester's assertion that the motion is too broad, and the Board has not carried out due diligence with regard to the task force proposal.

MOTION # 17:
It was moved by Director Donohue and seconded by Director Rodman to accept the proposal from the DLI Task Force as modified by Superintendent Prince to include late entry policy, waitlist, English only student/family/teacher support, and IEP student support.

Directors Corrigan, Donohue, Rodman, and Chair Schuster voted in favor of the motion. Directors Ball, Rochester, and Sauret voted in opposition to the motion. The motion carried.

IV. SPECIAL EDUCATION REVIEW

Special Education consultants Dianne Fentress-Rowe and Tass Morrison, along with Director of Student Services Kathleen Walker, and Special Education Coordinator Cindy Pedersen, gave a PowerPoint presentation with findings from the Special Education Review, which was conducted during late 2011 through early 2012 (filed as Supplemental Item #VII-17 in the Official 2011-12 Board Minutes).

A summary of the presentation along with answers to questions from Board members follows:

- In September 2011 Superintendent Prince and Student Services Director Kathleen Walker requested a comprehensive review of special education.
- The review process consisted of interviews with district staff, a parent survey, public meetings, and review of special education academic data.
- Consultants interviewed various stakeholder groups. Questions were tailored to specific groups.
- The consultants' report touched on accolades, opportunities for improvement, and recommendations for the special education program.

- Several schools were commended for their process of collecting information before IEP meetings.
- Focus groups will determine what is most urgent and what will need long term planning.
- Staff turnover is more pronounced in the Educational Assistant group than in certified staff.
- Recommend district invest in evidence based curriculum K-12 for academic and non-academic instruction.
- Some software and assistive technology needed by students to access instruction is out dated.
- Teachers as well as school administrators have concern about the work load, as well as the time in which teachers have to complete their required work, especially in regard to the documentation needed from IEPs.
- Parents described their frustration with the district's complaint process. The district should review and provide staff training about the School Board approved process for addressing complaints.
- The district should consider a protocol for timely communication to staff and other special education stakeholders.
- It is important to look at how to serve the population of students with extreme behavioral issues.
- The district should consider implementing a behavior support program. The purpose would be to provide short term observations, collect data, and train staff and parents on effective intervention strategies.
- Communication should increase between special education and regular education, starting with the district level and moving down to the building level.
- Budget cuts and loss of staff could be an underlying reason for the current concern with communication between departments.
- Positive Behavior Supports (PBS) work well for the general population of special education students. Further interventions for students with specific behavioral issues may be needed.
- Staff in several buildings stated they have limited opportunity to collaborate with colleagues.

V. CONSOLIDATED INFORMATION

1. Unaudited Financial Statements – January 31, 2012 (Filed as Supplemental Item #X-9 in the Official 2011-12 Board Minutes).

VI. ADJOURNMENT

There being no further business before the Board, Chair Schuster adjourned the meeting at 9:10 p.m.

_____ _____

Anne Schuster, Board Chair Dr. Erin Prince, Superintendent

Prepared By: Amanda Moser.
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Corvallis
SCHOOL DISTRICT

IX.B. Licensed Personnel Recommendations

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR-ACTION**

SUBJECT: Licensed Personnel Action

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1. Issue: Information on licensed-personnel recommendations

   a. Termination/Resignation:
   Chris Boatwright: Third Grade Teacher, 1.0 FTE, Wilson Elementary School, effective June 30, 2012 (Retirement).

   Janet Cover: Second Grade Teacher, 1.0 FTE, Adams Elementary School, effective June 30, 2012 (Retirement).

   Linda (Faye) Cummins: Fourth Grade Teacher, 1.0 FTE, Jefferson Elementary School, effective June 30, 2012 (Retirement).

   Doug King: Physical Education Teacher, 1.0 FTE, Cheldelin Middle School, effective June 30, 2012 (Retirement).

ACTION REQUESTED: Approve recommendations.

CONTACT PERSON: Jennifer Duvall

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR ACTION-ADDENDUM**

SUBJECT: Licensed Personnel Action

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1. Issue: Information on licensed-personnel recommendations

   a. Recommendation to Hire:
   Marcianne Koetje: Assistant Principal, 1.0 FTE, Linus Pauling Middle School, effective July 1, 2012 (Probationary).

   b. Termination/Resignation:
   Helene (Beth) Lambright: Music Teacher, 0.60 FTE, Lincoln Elementary School, effective June 15, 2012 (Resignation).

   Tony Vandermeer: Social Studies Teacher/Career Education Specialist, 0.67 FTE, Crescent Valley High School, effective June 30, 2012 (Resignation).

   c. Annual Contract Renewals:
   Kevin Bogatin: Recommending contract extension for the 2012-2013 school year (Probationary Status – 3rd Year). Under separate agreement from the non-represented group.

ACTION REQUESTED: Approve recommendations.

CONTACT PERSON: Jennifer Duvall

Corvallis
SCHOOL DISTRICT

IX.C. 2012-13 School Board Meeting Schedule

Corvallis School District 509J
Board of Directors

FOR ACTION

BOARD MEETING DATE: April 2, 2012

SUBJECT: 2012-13 Board of Directors Meeting Schedule

Issue:
Attached is the proposed board meeting schedule for 2012-13. It follows closely the schedule from 2011-12 with the exception of the retreat date: in 2011-12 it was held in late October; in 2012-13 it will be held in early September and will be from 3:00-8:00 p.m. The proposed schedule takes into account various factors including school schedules, staff work schedules, lead time needed for staff to prepare and submit their agenda items, compilation of the packet, etc. The Board received this information for review prior to this meeting.

ACTION REQUESTED: Adopt the attached 2012-13 Board of Directors meeting schedule.

CONTACT PERSON: Julie Catala, Board Secretary

Corvallis School District 509J, 1555 SW 35th Street, Corvallis

Board of Directors
2012-2013 Meeting Schedule

(Draft as of 03-21-12)

Meeting Date*

August 20, 2012 – Board Meeting

September 10, 2012 – Retreat 3:00-8:00 p.m.

September 24, 2012 – Board Meeting

October 8, 2012 – Board Meeting

October 22, 2012 – Work Session

November 5, 2012 – Board Meeting

November 26, 2012 – Work Session

December 10, 2012 – Board Meeting

January 7, 2013 – Board Meeting

January 28, 2013 – Work Session

February 11, 2013 – Board Meeting

February 25, 2013 – Work Session

March 11, 2013 – Board Meeting

April 8, 2013 – Board Meeting

April 22, 2013 – Work Session

May 6, 2013 – Board Meeting

May 20, 2013 – Work Session

June 17, 2013 – Board Meeting

Note: Budget Committee meeting dates will be scheduled separately.

***Board meetings generally begin at 6:30 p.m. and are held at the District Office; however, meeting times and locations can vary, and dates are subject to change. Extra meetings are sometimes scheduled.** Current meeting announcements and agendas are posted on the district's web site at https://dnn.csd509j.net/en-us/districtinformation/schoolboard.aspx More information is also available by calling 541-757-5841 or emailing julie.catala@corvallis.k12.or.us.

Official notice for each meeting is posted at the School District Administrative Offices, 1555 SW 35th Street, Corvallis; notice is also sent to the Benton County Courthouse and the Corvallis Gazette-Times newspaper. Board meetings, board work sessions, board retreats and special board meetings are open to the public. Executive Sessions are closed to the public.

Corvallis
SCHOOL DISTRICT

IX.D. K-5 Music Curriculum Adoption

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR ACTION**

SUBJECT: K-5 Music Curriculum Adoption

Issue:
The current K-5 music instruction curriculum was purchased in 1983 and is terribly outdated. The series was written before MENC (Music Educators National Conference) wrote the national music standards upon which our Corvallis K-5 Music Power Standards are based. It contains very few multicultural songs or listening selections. The recordings are on vinyl records. Each music teacher has had to develop his/her own curriculum, which has resulted in the lack of alignment between schools. New music teachers have very little to work with and need tremendous support from their fellow music teachers to even know where to begin.

In an attempt to address these issues, the music staff endeavored to create power standards during their PLC time last year. They worked from the National Standards from MENC, because ODE does not have any music standards. Once the power standards were complete, it became even clearer that the 1983 curriculum was extremely inadequate even if they could use the vinyl recordings (many schools do not have working turntables). This year, during PLC time, elementary music teachers have been sharing lesson ideas to help meet the standards.

The K-5 music staff evaluated the two music curriculums approved by ODE: Making Music and Spotlight on Music. After answering a lengthy questionnaire and discussing their findings, the staff overwhelmingly agreed that the Spotlight on Music series was the better curriculum. Music staff expressed these sentiments:

- The Spotlight on Music curriculum contains everything we need to make sure we teach all of our power standards at each grade level.
- The song selections are more current with quality accompaniments.
- The cultural sound tracks are more authentic and of higher quality.
- Separate ELL materials are provided for our Dual Immersion schools.
- Making Music is not that different from our 1983 curriculum!

On February 13, the Spotlight on Music materials were available for public viewing; approximately 15 people looked through the materials. Several filled out a survey and included the following comments:

- The visuals are colorful, artistic and appealing.
- CDs are of high quality, appropriate range for children's voices.
- Complete range of concepts from basic to sophisticated – clearly presented.
- Wonderful exposure to musical and artistic masterpieces.

In summary, the music staff is thrilled with the possibility of acquiring the Spotlight on Music curricular materials. The team reviewed the price list of specific items and unanimously agreed

how to best use the money for the new curriculum. These materials will help provide for exciting, relevant, quality music instruction in all Corvallis elementary schools.

Cost Impact: The total purchase amount will be $80,130.48.

ACTION REQUESTED: Adopt Spotlight on Music series as the K-5 music curriculum.

CONTACT PERSON: Amy Lesan, Curriculum Coordinator

Corvallis
SCHOOL DISTRICT

IX.E. Board Policy GAA—Personnel: Definitions—Revised—Second Reading

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR ACTION**

SUBJECT: Board Policy GAA—Personnel: Definitions—Revised—Second Reading

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Issue: Oregon School Boards Association (OSBA) has reviewed our policy handbook and has made a number of suggestions for "clean up" and updating.

OSBA recommends deleting board policy GCB—Temporary Licensed Staff because it is covered under policy GAA—Personnel—Definitions.

The definition of "temporary teacher" has been revised for clarity on policy GAA.

Options Considered: Not revising policy GAA.

Involvement: District office staff.

Consequences: Multiple policies covering same matter.

Cost Impact: None

ACTION REQUESTED: Adopting the revised policy.

CONTACT PERSON(S): Jennifer Duvall, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: GAA
Adopted: 7/90
Revised/Readopted: 3/8/99, 4/5/10
Original Code: 2010

Personnel: Definitions

Licensed employees are those holding a position that requires a license issued by the state Teacher Standards and Practices Commission.

1. A teacher is an employee who holds a teacher's license.

2. A counselor is an employee who holds a counselor's license.

3. A contract teacher/counselor means any teacher/counselor who regularly has been employed by a school district for a probationary period of three successive school years and who has been renewed for the next succeeding school year and successive school years thereafter.

4. A probationary teacher/counselor is one who is not a contract teacher/counselor and who works at least 135 consecutive days in any school year as a teacher in the district.

5. A temporary teacher is any teacher employed to fill a position less than 0.5 FTE or designated as temporary or experimental or to fill a vacancy that occurs after the opening of school because of unanticipated enrollment or the death, disability, retirement, resignation, contract nonextension, or dismissal of a contract or probationary teacher.

6. A substitute teacher is any teacher employed to take the place of a probationary or contract teacher who is temporarily absent. A substitute teacher is employed on a day-to-day basis, without contract, and does the work of the regularly assigned teacher during the latter's absence from duty. Substitutes will not be eligible for fringe benefits and will be paid at a rate established annually by the Board in accordance with the provisions of Oregon law.

7. An intern teacher is a regularly enrolled student of a college or university who teaches under the supervision of the staff of such institution and of the district in order to acquire practical experience in teaching.

8. An administrator is an employee who has been granted administrative authority and who spends more than one-half time in the organization, direction, supervision, control, or evaluation of district employees or programs.

9. A specialist is an employee who has a teaching license or a letter of authorization from the Oregon Department of Education and who is employed half-time or more.

Classified personnel are those employees in positions for which no teaching or administrative licenses are required by law.

Substitute classified employees are those employed on an as needed basis.

Supervisory employees are those individuals having authority to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employees, or responsibly to direct them, or to adjust their grievances or effectively to recommend such action if the exercise of such authority is not of a merely routine or clerical nature but requires the use of independent judgment. No nurse, charge nurse or similar nursing position shall be deemed to be supervisory unless such position has been traditionally classified as supervisory.

Confidential employees are designated in accordance with Oregon law. Such employees will be excluded from any bargaining unit.

Coaching personnel are those employed to work with our schools' athletic teams.

END OF POLICY

Legal References:

ORS 243.650(6), (23)
ORS 332.505
ORS 332.554(3)
ORS 342.120
ORS 342.125
ORS 342.420
ORS 342.610
ORS 342.815
ORS 342.835
ORS 342.840
ORS 342.845
OAR 584-020-0005

Job York v. Portland Sch. Dist., No. FDA 83-7 (August 1983).

Cross Reference:
GC—Licensed Staff Positions

~~OAR 581-005-0001~~
~~Job York v. Portland School District, No. FDA 83-7 (August 1983).~~

Corvallis
SCHOOL DISTRICT

IX.F. Board Policy GBCC—Privileged Information (Student Confidentiality)—Revised—Second Reading

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR ACTION**

SUBJECT: Board Policy GBCC—Privileged Information (Student Confidentiality)—Revised—Second Reading

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Issue: Oregon School Boards Association has reviewed our policy handbook and has made a number of suggestions for "clean up" and updating.

OSBA has reviewed board policy GBCC—Privileged Information and recommended placing a period following *disciplinary action of the staff member*, thereby deleting the last part of the sentence. We do not need to prove damage or incrimination to break confidentiality.

Staff also felt changing the title to Student Confidentiality would provide further clarity.

Options Considered: Not revising the policy.

Involvement: District office staff.

Consequences: Policy will remain outdated.

Cost Impact: None.

ACTION REQUESTED: Adopting the revised policy.

CONTACT PERSON(S): Jennifer Duvall, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: GBCC
Adopted: 8/90
Revised/Readopted: 3/8/99
Original Code: 5580

Student Confidentiality
~~Privileged Information~~

Violation of confidentiality of a conversation between a staff member and a student relating to the personal affairs of the student or the student's family may result in disciplinary action.

~~of the staff member if the information would tend to damage or incriminate a student or the student's family.~~

END OF POLICY

Legal References:

ORS 332.107

~~ORS 40.245 OAR 581-021-0046 (7)~~
~~ORS 326.565 OAR 581-022-0606~~
~~ORS 326.575 OAR 581-022-1020~~
~~ORS 336.187 OAR 581-022-1510~~
~~OAR 581-022-1670~~
~~Family Educational Rights and Privacy Act, sec. 438, 20 U.S.C. sec. 1232g (1988).~~
~~Act of August 21, 1974, sec. 439, 20 U.S.C. sec. 1232h (1988).~~

Corvallis
SCHOOL DISTRICT

IX.G. Board Policy—GBL—Personnel Records—Revised—Second Reading

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR ACTION**

SUBJECT: Board Policy—GBL—Personnel Records—Revised—Second Reading

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Issue: In order to keep application materials for employment confidential, legal counsel advises adding the following language to our policy:

All applications from unsuccessful applicants for employment shall be exempt from disclosure by reason of ORS 192.502(2) and (4).

Board Policy GBL—Personnel Records has been revised to include that language.

Options Considered: Not revising the policy.

Involvement: District office staff.

Consequences: Application materials may not remain confidential.

Cost Impact: None

ACTION REQUESTED: Adopting the revised policy.

CONTACT PERSON(S): Jennifer Duvall, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: GBL
Adopted: 3/8/99
Revised/Readopted: 11/7/05

Personnel Records*

An official personnel file will be established for each person employed by the district. Such files will be maintained in a central location. All applications from unsuccessful applicants for employment shall be exempt from disclosure by reason of ORS 192.502(2) and (4).

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

No files will be removed from their central location for personal inspection.

The superintendent will be responsible for establishing regulations regarding the control, use, safety, and maintenance of all personnel records. Employees will be given a copy of evaluations, complaints, and written disciplinary actions to be placed in their personnel file. All charges resulting in disciplinary action shall be considered a permanent part of a teacher's personnel file and shall not be removed for any reason. Employees may submit a written response to any materials placed in their personnel file.

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

1. The individual employee. An employee or designee may arrange with the human resources office to inspect the contents of his/her personnel file on any day the human resources office is open for business;

2. Others designated in writing by the employee;

3. The comptroller or auditor, when such inspection is pertinent to carrying out his/her respective duties, or as otherwise specifically authorized by the Board. Information so obtained will be kept confidential;

4. A Board member when specifically authorized by Board action. Information will be kept confidential;

5. The superintendent or designee;

6. District administrators and supervisors who currently or prospectively supervise the employee;

7. Employees of the human resources office as directed by the director of human resources;

8. Courts and public agencies with the power of subpoena and attorneys for the district when relevant to the performance of their respective duties.

9. The disciplinary records[1] of a district employee convicted of a crime listed in ORS 342.143 are not exempt from disclosure under ORS 192.501 or 192.502 and may be released to any person upon request. Prior to the release of disciplinary records the district shall remove any personally identifiable information from the record that would disclose the identity of a child, a crime victim or a district employee who is not the subject of the disciplinary record.

10 Upon request from a law enforcement agency, the Department of Human Services or the Teachers Standards and Practices Commission, a district shall provide the records of investigations of suspected child abuse by a district employee.

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

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

END OF POLICY

Legal References:

ORS 192.502(2)(4)
ORS 342.850
ORS 652.750
ORS 342.143
ORS 339.370 - 339-375

OSEA v. Lake County Sch. District, 93 Or. App. 481 (1988).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

~~SB 755 (2005)~~
~~OSEA v. Lake County School District, Case No. C-202-83, 8 PECBR 7837 (1985); rev'd, 81 Or. App 623 (1986); order on remand, 9 PECBR 9501 (1987); aff'd, 93 Or. App. 481 (1988).~~
~~Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq. 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).~~

Cross Reference:
Policy ACA - Americans with Disabilities Act

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

Corvallis
SCHOOL DISTRICT

IX.H. Board Policy—GCBDE/GDBDE—Military Leave of Absence—Revised—Second Reading

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR ACTION**

SUBJECT: Board Policy—GCBDE/GDBDE—Military Leave of Absence—Revised—Second Reading

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Issue: State and federal law mandate that employers keep jobs open for their employees who are members of the military and are gone on active duty or training. This policy has been updated to better reflect state law, which gives employees 90 days to notify the district of their intention to return to their jobs.

Options Considered: Not revising the policy.

Involvement: Human Resources Staff

Consequences: Policy would not reflect current state law.

Cost Impact: None

ACTION REQUESTED: Adopting the revised policy.

CONTACT PERSON(S): Jennifer Duvall, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: GCBDE/GDBDE
Adopted: 9/12/05
Revised/Readopted: 12/4/06

Military Leave of Absence

The district will grant military leave to employees on duty[1] with a uniformed service[2] in accordance with applicable state and federal law. Employees requesting military leave are required to provide written notice as soon as practicable following notification of military call up or reservist duty, unless precluded by military necessity

Military leave exceeding 15 days is unpaid leave. Employees may use accrued vacation or similar leave during the period of service exceeding 15 days.

While on military leave, the employee will receive the same benefits as other employees on leave, as well as the following:

1. The employee may continue enrollment in the district's health insurance. During the first 18 months of leave, the employee may be required to pay any employee contribution required of other employees on a leave of absence. If the leave extends beyond 18 months, the employee will be required to pay not more than 102 percent of the full premium;

2. Upon return from military service, the district will give retroactive employer contributions to the Public Employee Retirement System on the same basis as if the employee had not left, provided the employee was an enrolled member at the time of the leave. The employee may repay any required employee contributions over a period of three times the military service leave period or five years, whichever is less.

An employee on duty with a uniformed service is entitled to reemployment for a maximum of five years, unless retained on active duty because of war or national emergency. Employees returning from active duty must notify the district of their intention to return to their former jobs within 90 days of release from duty. An individual returning from military leave shall notify the district of his/her intent to return as follows: Employees who are veterans and reservists returning from training must only inform the district of their training obligations and report back at the next regularly scheduled working period.

An individual reemployed under this policy is entitled to the seniority and other currently existing rights and benefits the individual had when service started, plus the additional seniority

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[1] "Duty" means the performance of duty on a voluntary or involuntary basis in a uniformed service and includes active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty and absence to determine fitness for duty.

[2] "Uniformed service" means the Armed Forces, the National Guard, the commissioned corps of the Public Health Service and any other category of persons designated by the President in time of war or national emergency.

and similar rights and benefits that would have been accrued if employment had been continuous.

This policy does not apply if the employee has been separated from service with a dishonorable discharge or bad conduct discharge or under other than honorable conditions.

END OF POLICY

Legal Reference(s):

ORS 332.505
ORS 408.290

Consolidated Omnibus Budget Reconciliation Act of 1985, 42 U.S.C. §§ 300bb-1 - 300bb-8 (2006).
I.R.C. § 4980B(f)(4) (2006).
Employment and Reemployment Rights of Members of the Uniformed Services, 38 U.S.C. §§ 4301-4334 (2006).

~~Consolidated Omnibus Budget Reconciliation Act of 1985, P.L. 99-272, Title IX, Section 2003, 100 Stat. 232.~~
~~Internal Revenue Code, 26 U.S.C. 4980 B(f)(4).~~
~~Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. Sections 4301-4333, as amended by the Veterans' Benefits Improvements Act of 1996, P.L. 104-275.~~

Corvallis
SCHOOL DISTRICT

IX.I. Board Policy GCEA—Substitute Teachers—Revising—Second Reading

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR ACTION**

SUBJECT: Board Policy GCEA—Substitute Teachers—Revising—Second Reading

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Issue: Oregon School Boards Association (OSBA) has reviewed our policy handbook and has made a number of suggestions for "clean up" and updating.

OSBA recommends adopting this revised language for policy GCEA—Substitute Teachers.

Options Considered: Not revising the policy.

Involvement: District office staff.

Consequences: Policy will remain outdated.

Cost Impact: None.

ACTION REQUESTED: Adopting the revised policy.

CONTACT PERSON(S): Jennifer Duvall, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: GCEA
Adopted: 7/91
Revised/Readopted: 3/8/99
Original Code: 3060

Substitute Teachers

The human resources office will maintain a list of persons qualified to act as substitute teachers.

~~All substitutes will be paid at the rate fixed by the Board in August of each year.~~
~~Substitute teachers will be made aware of school rules and regulations necessary in carrying out assignments by the building administrator or his/her designee in the building assigned.~~

Substitute teachers will be assigned by the principal to fill a temporary vacancy caused by absence of a regular teacher. The assignment will be made from the human resources office approved list of properly licensed and otherwise qualified teachers. Substitute teachers will be made aware of school rules and regulations necessary in carrying out assignments.

Substitute teachers will be paid an amount commensurate with the duties performed. Pay will not be less than the minimum required by law.

END OF POLICY

Legal References:

ORS 332.507
ORS 342.420
ORS 342.610
ORS 342.815

OAR 584-020-0000 to -0045
~~OAR 581-005-0001~~

Corvallis
SCHOOL DISTRICT

IX.J. Board Policy GBH/JECAC—Staff/Student/Parent Relations—Revision—Second Reading

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR ACTION**

SUBJECT:
Board Policy GBH/JECAC—Staff/Student/Parent Relations—Revision—Second Reading
Board Policy JECAC/GBH—Staff/Student/Parent Relations—Revision—Second Reading

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Issue: It is the responsibility of the parent with sole custody to provide any court order that **curtails** the rights of the noncustodial parent at the time of enrollment or any other time a court order is issued.

Oregon School Boards Association recommends that we update our policy by removing the following language: *A parent with sole custody shall be requested to provide the district with written instructions regarding particular rights or privileges granted to the noncustodial parent.*

The district should follow only what is in the court order.

Note: The above-coded policies are identical but filed in two different sections of our board policy handbook. To conserve resources, only GBH/JECAC—Staff/Student/Parent Relations is being printed. Changes to the other policy will be the same.

Options Considered: Not revising the policy.

Involvement: District staff.

Consequences: Policy may remain unclear.

Cost Impact: None

ACTION REQUESTED: Adopting the revised policies.

CONTACT PERSON(S): Kevin Bogatin, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: GBH/JECAC
Adopted: 3/8/99
Revised/Readopted: 5/4/09

Staff/Student/Parent Relations**

The Board encourages parents to be involved in their student's school affairs and, unless otherwise ordered by the courts, an order of sole custody on the part of one parent shall not deprive the other parent of the following authority as it relates to:

1. Receiving and inspecting school records and consulting with school staff concerning the student's welfare and education, to the same extent as provided the parent having sole custody;

2. Authorizing emergency medical, dental, psychological, psychiatric, or other health care for the student if the custodial parent is, for practical reasons, unavailable.

It is the responsibility of the parent with sole custody to provide any court order that curtails the rights of the noncustodial parent at the time of enrollment or any other time a court order is issued. ~~A parent with sole custody shall be requested to provide the district with written instructions regarding particular rights or privileges granted to the noncustodial parent.~~

Noncustodial parents will not be granted visitation or telephone access to the student during the school day. The student will not be released to the noncustodial parent without written permission of the parent with sole custody. In the event the parents have a court documented standard parenting plan in place, schools will follow the plan.

In the case of joint custody, the district will adhere to all conditions specified and ordered by the court. The district may request in writing any special requests or clarifications in areas concerning the student and the district's relationship and responsibilities. The district will use reasonable methods to identify and authenticate the identity of both parents.

END OF POLICY

Legal References:

ORS 107.154
ORS 109.056
ORS 163.245 - 163.257

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2006); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2008).
Protection of Pupil Rights, 20 U.S.C. § 1232h (2006); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2006).

Corvallis
SCHOOL DISTRICT

IX.K. Board Policy JECAC/GBH—Staff/Student/Parent Relations—Revision—Second Reading

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR ACTION**

SUBJECT:
Board Policy GBH/JECAC—Staff/Student/Parent Relations—Revision—Second Reading
Board Policy JECAC/GBH—Staff/Student/Parent Relations—Revision—Second Reading

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Issue: It is the responsibility of the parent with sole custody to provide any court order that **curtails** the rights of the noncustodial parent at the time of enrollment or any other time a court order is issued.

Oregon School Boards Association recommends that we update our policy by removing the following language: *A parent with sole custody shall be requested to provide the district with written instructions regarding particular rights or privileges granted to the noncustodial parent.*

The district should follow only what is in the court order.

Note: The above-coded policies are identical but filed in two different sections of our board policy handbook. To conserve resources, only GBH/JECAC—Staff/Student/Parent Relations is being printed. Changes to the other policy will be the same.

Options Considered: Not revising the policy.

Involvement: District staff.

Consequences: Policy may remain unclear.

Cost Impact: None

ACTION REQUESTED: Adopting the revised policies.

CONTACT PERSON(S): Kevin Bogatin, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: GBH/JECAC
Adopted: 3/8/99
Revised/Readopted: 5/4/09

Staff/Student/Parent Relations**

The Board encourages parents to be involved in their student's school affairs and, unless otherwise ordered by the courts, an order of sole custody on the part of one parent shall not deprive the other parent of the following authority as it relates to:

1. Receiving and inspecting school records and consulting with school staff concerning the student's welfare and education, to the same extent as provided the parent having sole custody;

2. Authorizing emergency medical, dental, psychological, psychiatric, or other health care for the student if the custodial parent is, for practical reasons, unavailable.

It is the responsibility of the parent with sole custody to provide any court order that curtails the rights of the noncustodial parent at the time of enrollment or any other time a court order is issued. ~~A parent with sole custody shall be requested to provide the district with written instructions regarding particular rights or privileges granted to the noncustodial parent.~~

Noncustodial parents will not be granted visitation or telephone access to the student during the school day. The student will not be released to the noncustodial parent without written permission of the parent with sole custody. In the event the parents have a court documented standard parenting plan in place, schools will follow the plan.

In the case of joint custody, the district will adhere to all conditions specified and ordered by the court. The district may request in writing any special requests or clarifications in areas concerning the student and the district's relationship and responsibilities. The district will use reasonable methods to identify and authenticate the identity of both parents.

END OF POLICY

Legal References:

ORS 107.154
ORS 109.056
ORS 163.245 - 163.257

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2006); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2008).
Protection of Pupil Rights, 20 U.S.C. § 1232h (2006); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2006).

Corvallis
SCHOOL DISTRICT

X. CONSOLIDATED INFORMATION

X.A. Non-Licensed Personnel Information *(None submitted prior to packet publication.)*

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR INFORMATION ONLY-ADDENDUM**

SUBJECT: Non-licensed Personnel Information

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1. Issue: Information on non-licensed-personnel

    a. Termination/Resignation:
    Joseph Ivers: Maintenance 4 – Electrician, 8.0 hours, District Office; effective March 31, 2012 (Retirement).

CONTACT PERSON: Jennifer Duvall

Corvallis
SCHOOL DISTRICT

X.B. Unaudited Financial Statements - February 29, 2012

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR INFORMATION**

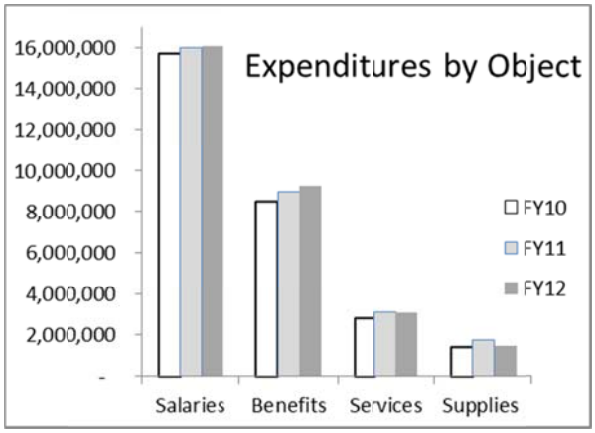
SUBJECT: February Financial Statements (Unaudited)

Explanation:

The General Fund Statement of Revenues and Expenditures for the periods ending February 28, 2011, and February 29, 2012 follow this report. FY12 year-to-date revenues are $42.6 million or 83.4 percent of budget. In FY11, revenue was $41.2 million or 80.4 percent.

Expenditures to date in FY12 show a net overall increase of $25,000 as compared to the FY11. Statement information is presented monthly by the appropriation category which notes the general purpose of the funds.

Another way to look at expenditures is by major object code as displayed in the chart below.



In comparing FY12 year-to-date to FY11, key variances include an increase in benefits of $269,000, mainly due to a rise in PERS costs, and a decrease of $281,000 in supplies.

If you have any questions regarding the financial statements or would like additional information please contact Roy Burling.

Presenter(s): **Roy Burling, Business Services Director**
Debbie Bell, Accounting Manager

Supplementary Materials:

1. Statement of Revenue and Expenditures, fiscal year-to-date as of February 28, 2011 and February 29, 2012

2. Schedule of Investments as of February 29, 2012

3. Schedule of Cash Disbursements greater than or equal to $1,000 for the period of February 1 - 29, 2012

Corvallis School District 509J
Statement of Revenues and Expenditures
Fiscal Year to Date as of February 28, 2011 and February 29, 2012 Respectively (Unaudited)

General Fund

	FY 2010-11			FY 2011-12		
	Budget	Actual		Budget	Actual	
Revenues:						
Local Sources						
Property Taxes	$ 22,067,550	$ 19,442,522	88.1%	$ 22,500,000	$ 20,131,201	89.5%
Local Option Taxes	5,494,000	4,408,503	80.2%	4,775,000	4,124,497	86.4%
Earnings on Investments	100,000	64,229	64.2%	50,000	44,240	88.5%
Other	363,522	158,351	43.6%	316,000	177,382	56.1%
Intermediate Sources	415,000	96,363	23.2%	240,000	198,031	82.5%
State Sources						
General Support	20,431,857	15,529,614	76.0%	22,460,965	16,071,835	71.6%
State School Fund - Subaccount	-	-	-	-	1,392,731	
Common School Fund	229,500	388,160	169.1%	546,857	411,523	75.3%
Other	-	-	-	100,000	-	0.0%
Federal Sources	2,078,093	1,070,060	51.5%	55,315	38,057	68.8%
Total Revenue	$ 51,179,522	$ 41,157,802	80.4%	$ 51,044,137	$ 42,589,497	83.4%
Expenditures:						
Instruction	$ 33,930,411	$ 17,116,814	50.4%	$ 32,663,866	$ 16,923,451	51.8%
Supporting Services	22,002,515	12,621,982	57.4%	21,666,397	12,840,336	59.3%
Community Services	139,844	39,637	28.3%	92,800	38,784	41.8%
Facilities Improvements	1	-	0.0%	1	1,100	
Transfers to Other Funds	5	-	0.0%	5	-	
Total Expenditures	$ 56,072,776	$ 29,778,433	53.1%	$ 54,423,069	$ 29,803,671	54.8%
Excess of Revenues over Expenditures	$ (4,893,254)	$ 11,379,369		$ (3,378,932)	$ 12,785,826	
Beginning Fund Balance	11,810,178	12,834,129	108.7%	9,711,863	10,171,758	104.7%
Budgeted Contingencies	4,227,948	-		3,780,731	-	
Unappropriated Ending Fund Balance	2,688,976	-		2,552,200	-	
Fund Balance	$ -	$ 24,213,498		$ -	$ 22,957,584	

Corvallis School District 509J
Schedule of Investments
February 29, 2012

Type of Investment	Investment Date	Maturity/ Call Date	No. of Days	Bond Equivalent Yield	Purchase Price	Par (Maturity) Value	
Commercial Paper							
US Bancorp 2.125%	08/26/11	02/15/13	539	0.543%	$ 2,762,149	$ 2,700,000	Note 3
General Electric Cap 5.0%	12/07/10	04/10/12	490	1.007%	2,842,425	2,700,000	Note 3
Subtotal Commercial Paper					$ 5,604,574	$ 5,400,000	

Local Government Investment Pool:	Average Annualized Rate	
General Account	0.5000%	$ 40,010,346
Debt Service Account	0.5000%	580
Subtotal LGIP [1]		$ 40,010,926

Local Government Investment Pool - Pension Bond Debt Service:		
Pension Bond Debt Service Account: [2]	0.5000%	$ 1,167,077

Total Investments	$ 46,578,003

1. The maximum amount (in any combination of accounts) that the Local Government Investment Pool (LGIP) allows in an account is $47,474,164
2. The PERS Bond Debt Service Account is outside of the LGIP limit, and collects the PERS intercept payments from the Basic School Fund for payment twice a year to the bond holders of the PERS bond debt.
3. This investment was purchased at a premium to (or in excess of) the par (maturity) value. These investments inlcude semi-annual coupon payments, that together with the par values exceed their purchase price and yield the Bond Equivalent Yield displayed.

Compliance with Investment Policy

Type of Investment	Maximum Percent of Portfolio per Policy	Current Percent
US Government-Sponsored Enterprises (Total):	90.0%	0.0%
US Treasury Obligations	100.0%	0.0%
Local Government Investment Pool	100.0%	88.4%
Bankers Acceptances	25.0%	0.0%
Repurchase Agreements	25.0%	0.0%
State and Local Government Securities	25.0%	0.0%
Time Certificates of Deposit & Collateralized Money Market	50.0%	0.0%
Commercial Paper (bonds and promissory notes issued by corporations)	10.0%	11.6%
US Bancorp 2.125% 2/15/13	5.80%	
General Electric Cap 5.0% 4/10/12	5.80%	
TOTAL		100.00%

Benchmarks as of 2/29/12:

3-Month U. S. T-Bill bond equivalent yield: 0.08%

Corvallis School District 509J
Schedule of Cash Disbursements greater than or equal to $1,000
For the period of February 1, 2012 - February 29, 2012

Fund, Function, Vendor	Amount
100 - General Fund	**556,504.61**
Away HS Playoffs and/or Tournaments	
COURTYARD BY MARRIOTT	1,103.63
Charter School Payments	
INAVALE COMMUNITY PARTNERS	27,373.36
Computer Software	
SOLARWINDS	1,116.50
Consumable Supplies and Materials	**47,277.00**
APPLE COMPUTER	2,994.00
CCI	1,340.25
CDW GOVERNMENT INC	2,475.00
COASTWIDE LABORATORIES	3,132.83
COSTCO-ALBANY	6,559.32
DIGITAL DOLPHIN SUPPLIES	1,475.00
GOVCONNECTION INC	1,460.00
MICONTROLS, INC	1,811.42
NEW PIG	1,019.73
OETC	12,106.00
OFFICE MAX	6,088.23
OSU PRINTING	1,044.03
PLATT ELECTRIC SUPPLY CO	1,355.46
SANTILLANA USA	1,500.93
SCHOOL SPECIALTY	1,873.23
WELLS FARGO REMITTANCE CENTER	1,041.57
Copier Charges	
OSU PRINTING	6,550.71
Electricity	**56,489.67**
CONSUMERS POWER INC	12,738.98
PACIFIC POWER AND LIGHT	43,750.69
Fuel	**69,093.93**
BENTON COUNTY PUBLIC WORKS	2,587.19
NW NATURAL	66,506.74
Garbage	
ALLIED WASTE SERVICES	8,225.35
Instructional, Professional and Technical Service	
LINN BENTON COMMUNITY COLL.	5,956.00
Legal Services	
THE HUNGERFORD LAW FIRM LLP	2,695.00
Non-reimbursable Student Transportation	
CITY OF CORVALLIS	9,333.34
Other Communication Services	**25,706.25**
CENTURYLINK	1,319.37
COMCAST	24,386.88
100 - General Fund continue	
Other Non-instructional Professional and Technical	
DIANNE FENTRESS- ROWE	2,602.12
Postage	
GARTEN SERVICES, INC	3,389.65
Printing and Binding	
HENDERSON'S COPYTRONIX	1,940.79
Reimbursable Student Transportation	**223,877.41**
FIRST STUDENT INC	215,523.57
GO GET'EM TAXI	7,195.00
MINDY DYE	1,158.84
Repairs and Maintenance Services	**37,621.97**
BOILER & COMBUSTION SERVICE	1,041.10
COASTWIDE LABORATORIES	3,788.69
CONWAY MAT REFINISHING	2,500.00
HOLDERMAN PAVING, LLC	7,295.00
KONE INC	1,731.63
REYNOLD ELECTRIC INC	12,602.05
ROBERT LLOYD SHEET METAL	4,400.00
SALEM FIRE ALARM, INC	1,373.50
SYNERGY SECURITY SOLUTIONS	2,890.00
Technology Equip $1,000 - $4,999	
CDW GOVERNMENT INC	4,805.00
Telephone	**4,256.04**
AT&T MOBILITY	1,295.30
CENTURYLINK	2,960.74
Travel, Out of District	**4,230.00**
COSA	1,030.00
OETC	3,200.00
Water and Sewage	
CITY OF CORVALLIS	12,860.89
203 - Food Service Fund	**119,890.27**
Food - Food Service Only	**48,850.10**
DUCK DELIVERY PRODUCE INC	7,073.27
FIGARO'S PIZZA	1,030.20
FRANZ FAMILY BAKERIES	6,212.57
LOCHMEAD DAIRY	27,437.36
SYSCO FOOD SERVICE	3,331.10
TALEN PIZZA, INC	3,765.60
Inventories	**68,787.50**
COSTCO - EUGENE FOOD SERVICE	2,975.54
FOOD SERVICE OF AMERICA	20,256.44
MCDONALD WHOLESALE CO	37,014.18
SYSCO FOOD SERVICE	8,541.34
Repairs and Maintenance Services	
AAA QUALITY APPLIANCE CARE	2,252.67

Fund, Function, Vendor	Amount
204 - District Donation Fund	**7,159.96**
Consumable Supplies and Materials	**5,659.96**
FIVE STAR SPORTS	1,318.25
GOPHER SPORT	1,628.00
LES & BOBS SPORTS	1,164.00
SCHOOL OUTFITTERS	1,549.71
Equipment-like items $1,000 - $4,999	
GRACEWINDS MUSIC	1,500.00
296 - Grants Fund	**5,444.74**
Consumable Supplies and Materials	
WELLS FARGO	2,179.74
Travel, Out of District	**3,265.00**
OETC	2,240.00
OSU CONFERENCE	1,025.00
297 - Student Body Funds	**41,287.10**
Consumable Supplies and Materials	**12,432.11**
ANDYMARK, INC	1,674.07
COSTCO- EUGENE	1,137.42
ELEMENT GRAPHICS, INC	1,502.95
HOME DEPOT CREDIT SERVICES	1,857.76
LES & BOBS SPORTS	3,934.75
NATIONAL INSTRUMENTS CORP.	1,098.11
SHIRT CIRCUIT	1,227.05
Equipment-like items $1,000 - $4,999	
BARGREEN-ELLINGSON	4,950.00
Non-reimbursable Student Transportation	**8,518.57**
FIRST STUDENT INC	4,893.97
OC&W COACHWAYS	3,624.60
Other Non-instructional Professional and Technical	
OREGON GIRLS LACROSSE ASSN	1,000.00
Repairs and Maintenance Services	
CONWAY MAT REFINISHING	2,500.00
Travel, Student Out of District	**11,886.42**
OREGON 4H CENTER	2,480.00
STEELE MEETING, INC	8,196.42
WALT DISNEY STUDIOS MOTION PICT.	1,210.00
298 - Designated Revenue Fund	**14,989.41**
Consumable Supplies and Materials	**12,924.41**
CIM TECHNOLOGY SOLUTIONS	1,176.00
DIGITAL DOLPHIN SUPPLIES	1,360.00
HARDWOOD INDUSTRIES INC	1,507.33
NANCY MEITLE	3,678.08
OREGON SHAKESPEARE FEST.	1,090.00
TROXELL COMMUNICATIONS	1,560.00
WENGER CORPORATION	2,553.00
Travel, Student Out of District	
MAJESTIC THEATRE	2,065.00

Fund, Function, Vendor	Amount
601 - Insurance Fund	**935,079.41**
Group Insurance	**926,698.46**
PACIFICSOURCE HEALTH PLANS	903,432.98
REGENCE LIFE AND HEALTH INS.	9,138.65
SAIF CORPORATION	4,490.83
WILLAMETTE DENTAL GROUP	9,636.00
Other Non-instructional Professional and Technical	
BARKER-UERLINGS INSURANCE	6,048.00
Technology Equip $1,000 - $4,999	
APPLE COMPUTER	2,332.95
702 - Corvallis Public School Foundation Fund	**1,427.27**
Other Non-instructional Professional and Technical	
EMPLOYEE LEASING FUND, INC	1,427.27
Grand Total	**1,681,782.77**

Corvallis
SCHOOL DISTRICT

X.C. Board Policy GBN/JBA—Sexual Harassment—Revised—First Reading

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR INFORMATION**

SUBJECT:
Board Policy GBN/JBA—Sexual Harassment—Revised—First Reading
Administrative Regulation GBN/JBA-AR—Sexual Harassment Complaint Procedure—Revised—For Information
Board Policy JBA/GBN—Sexual Harassment—Revised—First Reading
Administrative Regulation JBA/GBN-AR—Sexual Harassment Complaint Procedure—Revised—For Information

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Issue: Our sexual harassment policies have not been updated since 2002. Oregon School Boards Association has recommended updates for both our policies and administrative regulations. Additional language expands definitions and provides further clarity.

Note: The above-coded policies are identical but filed in both the staff and student sections of our board policy handbook. To conserve resources, only board policy GBN/JBA—Sexual Harassment and administrative regulation GBN/JBA-AR—Sexual Harassment Complaint Procedure are being printed. Changes to the other policy and administrative regulation will be the same.

Options Considered: Not revising the policies or administrative regulations.

Involvement: District office staff.

Consequences: Policies and administrative regulations may remain unclear.

Cost Impact: None

CONTACT PERSON(S): Kevin Bogatin, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: GBN/JBA
Adopted: 6/28/99
Revised/Readopted: 11/4/02

Sexual Harassment

Sexual harassment is prohibited and shall not be tolerated in the district. This includes sexual harassment of students or staff by other students, staff, Board members, or third parties. "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 at interdistrict and intradistrict athletic competitions or other school events.
~~by students, staff, Board members, parents, vendors, and others doing business with the district.~~

District includes district facilities, district premises, and nondistrict property if the student or employee is at any district-sponsored, district-approved, or district-related activity or function, such as field trips or athletic events where students are under the control of the district or where the employee is engaged in district business.

Sexual harassment of students and staff shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to the conduct or communication is made either explicitly or implicitly a term or condition of a student's education or participation in district programs or activities or as a condition of employment for staff;

2. Submission to or rejection of the conduct or communication is used as the basis for decisions affecting a student or employment or assignment of staff;

3. The conduct or communication has the purpose or effect of unreasonably interfering with a student's educational performance or with an employee's ability to perform his/her job;

4. The conduct or communication has the effect of creating an intimidating, offensive, or hostile educational or working environment;

5. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits.

Relevant factors to be considered will include, but not be limited to, did the individual view the environment as hostile; was it reasonable to view the environment as hostile; the nature of the conduct; how often the conduct occurred and how long it continued; age and sex of the complainant; whether the alleged harasser was in a position of power over the student or staff

member subject to the harassment; number of individuals involved; age of the alleged harasser; where the harassment occurred; and other incidents of sexual harassment at the school involving the same or other students or staff.

Examples of sexual harassment may include, but not be limited to, physical touching or graffiti of a sexual nature; displaying, e-mailing, or distributing of sexually explicit drawings, pictures, and written materials; sexual gestures or obscene jokes; touching oneself sexually or talking about one's sexuality in front of others; or spreading rumors about or rating other students or others as to appearance, sexual activity, or performance.

All complaints about behavior that may violate this policy shall be promptly investigated. Any student or employee who has knowledge of or feels he/she is a victim of sexual harassment must immediately report his/her concerns to the building principal, compliance officer or superintendent. The student and the student's parents or staff member who initiated the complaint shall be notified when the investigation is concluded.

The initiation of a complaint in good faith about behavior that may violate this policy shall not adversely affect the educational assignments or study environment of a student complainant or any terms or conditions of employment or work environment of the staff complainant. There shall be no retaliation by the district against any person who, in good faith, reports sexual harassment.

It is the intent of the Board that appropriate corrective action be taken by the district to stop the sexual harassment, prevent its recurrence, and address negative consequences. Students in violation of this policy shall be subject to discipline up to and including expulsion and/or counseling or sexual harassment awareness training, as appropriate. The age and maturity of the student(s) involved and other relevant factors will be considered in determining appropriate action. Employees in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional sexual harassment awareness training, as appropriate. Other individuals whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or Board.

~~Students shall be subject to discipline up to and including expulsion. Employees shall be subject to discipline, up to and including dismissal. Other individuals whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or Board.~~

The district may report individuals in violation of this policy to law enforcement officials. Licensed staff and those participating in practicum programs as specified by Oregon Administrative Rules, shall be reported to the Teacher Standards and Practices Commission.

The superintendent shall ensure appropriate training is provided to all supervisors, staff and students. This policy as well as the complaint procedure will be made available to all students, parents of students and staff in student/parent and staff handbooks. The district's policy shall be posted in all schools. Such posting shall be by a sign of at least 8.5 by 11 inches.

The superintendent will establish a process of reporting incidents of sexual harassment.

All staff, ~~and~~ students, and third parties shall be subject to this policy.

END OF POLICY

Legal References:

ORS 243.706
ORS 342.700
ORS 342.704
ORS 342.708
ORS 342.850
ORS 342.865
ORS 659.850
ORS 659A.006
ORS 659A.029
ORS 659A.030

OAR 581-021-0038
OAR 584-020-0040
OAR 584-020-0041

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2006).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2006); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2006).
Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).
Gebser v. Lago Vista Indep. Sch. Dist., 524 U.S. 274 (1998).

~~ORS 659.010 (14)~~
~~ORS 659.020~~
~~ORS 659.029~~
~~ORS 659.030~~
~~ORS 659.040~~
~~ORS 659.150~~
~~Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C.A., Section 2000(e) et seq. (West 1985)~~
~~Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C.A., Section 621 (West 1985)~~
~~Age Discrimination Act of 1975, as amended, 42 U.S.C.A., Section 6101 (West 1985)~~
~~Equal Pay Act of 1963, as amended, 29 U.S.C.A., Section 206(d) (West 1985)~~
~~Title IX of the Education Amendments of 1972, 20 U.S.C.A., Sections 1681, 1682 and 1683 (West 1985).~~
~~Rehabilitation Act of 1973, 29 U.S.C.A. Sections 504, 791, 793 and 794 (West 1985)~~
~~Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq. 29 CFR Part 1630~~

Cross References:

Policy JFCF/GBNA—Hazing/Harassment/Intimidation/Bullying/Menacing
Policy JFCF/GBNA-AR—Hazing/Harassment/Intimidation/Bullying/Menacing
Policy JFCM-AR—Violence and Threats of Violence

Corvallis
SCHOOL DISTRICT

X.D. Administrative Regulation GBN/JBA-AR—Sexual Harassment Complaint Procedure—Revised—For Information

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR INFORMATION**

SUBJECT:
Board Policy GBN/JBA—Sexual Harassment—Revised—First Reading
Administrative Regulation GBN/JBA-AR—Sexual Harassment Complaint Procedure—Revised—For Information
Board Policy JBA/GBN—Sexual Harassment—Revised—First Reading
Administrative Regulation JBA/GBN-AR—Sexual Harassment Complaint Procedure—Revised—For Information

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Issue: Our sexual harassment policies have not been updated since 2002. Oregon School Boards Association has recommended updates for both our policies and administrative regulations. Additional language expands definitions and provides further clarity.

Note: The above-coded policies are identical but filed in both the staff and student sections of our board policy handbook. To conserve resources, only board policy GBN/JBA—Sexual Harassment and administrative regulation GBN/JBA-AR—Sexual Harassment Complaint Procedure are being printed. Changes to the other policy and administrative regulation will be the same.

Options Considered: Not revising the policies or administrative regulations.

Involvement: District office staff.

Consequences: Policies and administrative regulations may remain unclear.

Cost Impact: None

CONTACT PERSON(S): Kevin Bogatin, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: GBN/JBA-AR
Adopted: 6/28/99
Revised/Readopted: 11/4/02

Sexual Harassment Complaint Procedures

Building principals, the compliance officer, and the superintendent have responsibility for investigations concerning sexual harassment. The investigator shall be a neutral party having had no involvement in the complaint presented.

Step I — Any sexual harassment complaint shall be presented to the building principal, compliance officer, or superintendent. All such complaints shall be reduced to writing and will include the specific nature of the sexual harassment, the specific nature of any violence or threat of violence, and corresponding dates.

Step II — The district official receiving the complaint or designee shall promptly initiate an investigation. He/she will arrange such meetings as may be necessary to discuss the complaint with all concerned parties within five working days after receipt of the complaint. All findings of the investigation, including the response of the alleged harasser, shall be reduced to writing. The district official conducting the investigation shall notify the complainant in writing when the investigation is concluded.

A copy of the notification letter, together with any other documentation related to the sexual harassment incident, the nature of any violence or threat of violence, will be forwarded to the superintendent.

Step III — If the complainant is not satisfied with the decision at Step II, he/she may submit a written appeal to the superintendent or designee. Such appeal must be filed within ten working days after receipt of the Step II decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant within ten working days.

Step IV — If the complainant is not satisfied with the superintendent's or designee's decision, a written appeal may be filed with the Board within ten working days after receipt of the Step III decision. The Board shall, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the appeal. The Board shall provide a written decision to the complainant within ten working days following completion of the hearing.

Direct complaints related to employment may be filed with the U.S. Department of Labor, Equal Employment Opportunity Commission, or Oregon Bureau of Labor and Industries. Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 Second Avenue, Room 3310, Seattle, Washington, 98174-1099. Additional information regarding filing of a complaint may be obtained through the principal, compliance officer, or superintendent.

~~Step V — If the complaint is not satisfactorily settled, the employee may appeal to the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industry; the student may appeal to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.~~

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

The superintendent shall report the name of any person holding a teaching license or participating in a practicum under OAR 584-015-0070 or 584-016-1075 when, after appropriate investigation, there is reasonable cause to believe the person may have committed an act of sexual harassment. Reports shall be made to the Teacher Standards and Practices Commission within 30 days of such a finding. Sexual contact with a student shall also be considered a reportable offense. In the event the superintendent is the subject of the investigation, reports, when required, shall be made by the Human Resources Director.

SEXUAL HARASSMENT COMPLAINT FORM

Name of complainant_____

Position of complainant_____

Date of complaint_____

Name of alleged harasser_____

Date and place of incident or incidents_____

_____

Description of misconduct_____

_____

_____

Name of witnesses (if any)_____

_____

_____

Evidence of sexual harassment, i.e., letters, photos, etc. (attach evidence if possible)_____

_____

Any other information_____

_____

_____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature _____

Date _____

WITNESS DISCLOSURE FORM

Name of Witness_____

Position of Witness_____

Date of Testimony/Interview_____

Description of Instance Witnessed_____

_____

_____

_____

_____

Any Other Information_____

_____

_____

_____

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature _____

Date _____

Corvallis
SCHOOL DISTRICT

X.E. Board Policy JBA/GBN—Sexual Harassment—Revised—First Reading

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR INFORMATION**

SUBJECT:
Board Policy GBN/JBA—Sexual Harassment—Revised—First Reading
Administrative Regulation GBN/JBA-AR—Sexual Harassment Complaint Procedure—Revised—For Information
Board Policy JBA/GBN—Sexual Harassment—Revised—First Reading
Administrative Regulation JBA/GBN-AR—Sexual Harassment Complaint Procedure—Revised—For Information

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Issue: Our sexual harassment policies have not been updated since 2002. Oregon School Boards Association has recommended updates for both our policies and administrative regulations. Additional language expands definitions and provides further clarity.

Note: The above-coded policies are identical but filed in both the staff and student sections of our board policy handbook. To conserve resources, only board policy GBN/JBA—Sexual Harassment and administrative regulation GBN/JBA-AR—Sexual Harassment Complaint Procedure are being printed. Changes to the other policy and administrative regulation will be the same.

Options Considered: Not revising the policies or administrative regulations.

Involvement: District office staff.

Consequences: Policies and administrative regulations may remain unclear.

Cost Impact: None

CONTACT PERSON(S): Kevin Bogatin, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: GBN/JBA
Adopted: 6/28/99
Revised/Readopted: 11/4/02

Sexual Harassment

Sexual harassment is prohibited and shall not be tolerated in the district. This includes sexual harassment of students or staff by other students, staff, Board members, or third parties. "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 at interdistrict and intradistrict athletic competitions or other school events.
~~by students, staff, Board members, parents, vendors, and others doing business with the district.~~

District includes district facilities, district premises, and nondistrict property if the student or employee is at any district-sponsored, district-approved, or district-related activity or function, such as field trips or athletic events where students are under the control of the district or where the employee is engaged in district business.

Sexual harassment of students and staff shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to the conduct or communication is made either explicitly or implicitly a term or condition of a student's education or participation in district programs or activities or as a condition of employment for staff;

2. Submission to or rejection of the conduct or communication is used as the basis for decisions affecting a student or employment or assignment of staff;

3. The conduct or communication has the purpose or effect of unreasonably interfering with a student's educational performance or with an employee's ability to perform his/her job;

4. The conduct or communication has the effect of creating an intimidating, offensive, or hostile educational or working environment;

5. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits.

Relevant factors to be considered will include, but not be limited to, did the individual view the environment as hostile; was it reasonable to view the environment as hostile; the nature of the conduct; how often the conduct occurred and how long it continued; age and sex of the complainant; whether the alleged harasser was in a position of power over the student or staff

member subject to the harassment; number of individuals involved; age of the alleged harasser; where the harassment occurred; and other incidents of sexual harassment at the school involving the same or other students or staff.

Examples of sexual harassment may include, but not be limited to, physical touching or graffiti of a sexual nature; displaying, e-mailing, or distributing of sexually explicit drawings, pictures, and written materials; sexual gestures or obscene jokes; touching oneself sexually or talking about one's sexuality in front of others; or spreading rumors about or rating other students or others as to appearance, sexual activity, or performance.

All complaints about behavior that may violate this policy shall be promptly investigated. Any student or employee who has knowledge of or feels he/she is a victim of sexual harassment must immediately report his/her concerns to the building principal, compliance officer or superintendent. The student and the student's parents or staff member who initiated the complaint shall be notified when the investigation is concluded.

The initiation of a complaint in good faith about behavior that may violate this policy shall not adversely affect the educational assignments or study environment of a student complainant or any terms or conditions of employment or work environment of the staff complainant. There shall be no retaliation by the district against any person who, in good faith, reports sexual harassment.

It is the intent of the Board that appropriate corrective action be taken by the district to stop the sexual harassment, prevent its recurrence, and address negative consequences. Students in violation of this policy shall be subject to discipline up to and including expulsion and/or counseling or sexual harassment awareness training, as appropriate. The age and maturity of the student(s) involved and other relevant factors will be considered in determining appropriate action. Employees in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional sexual harassment awareness training, as appropriate. Other individuals whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or Board.

~~Students shall be subject to discipline up to and including expulsion. Employees shall be subject to discipline, up to and including dismissal. Other individuals whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or Board.~~

The district may report individuals in violation of this policy to law enforcement officials. Licensed staff and those participating in practicum programs as specified by Oregon Administrative Rules, shall be reported to the Teacher Standards and Practices Commission.

The superintendent shall ensure appropriate training is provided to all supervisors, staff and students. This policy as well as the complaint procedure will be made available to all students, parents of students and staff in student/parent and staff handbooks. The district's policy shall be posted in all schools. Such posting shall be by a sign of at least 8.5 by 11 inches.

The superintendent will establish a process of reporting incidents of sexual harassment.

All staff, ~~and~~ students, and third parties shall be subject to this policy.

END OF POLICY

Legal References:

ORS 243.706
ORS 342.700
ORS 342.704
ORS 342.708
ORS 342.850
ORS 342.865
ORS 659.850
ORS 659A.006
ORS 659A.029
ORS 659A.030

OAR 581-021-0038
OAR 584-020-0040
OAR 584-020-0041

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2006).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2006); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2006).
Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).
Gebser v. Lago Vista Indep. Sch. Dist., 524 U.S. 274 (1998).

~~ORS 659.010 (14)~~
~~ORS 659.020~~
~~ORS 659.029~~
~~ORS 659.030~~
~~ORS 659.040~~
~~ORS 659.150~~
~~Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C.A., Section 2000(e) et seq. (West 1985)~~
~~Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C.A., Section 621 (West 1985)~~
~~Age Discrimination Act of 1975, as amended, 42 U.S.C.A., Section 6101 (West 1985)~~
~~Equal Pay Act of 1963, as amended, 29 U.S.C.A., Section 206(d) (West 1985)~~
~~Title IX of the Education Amendments of 1972, 20 U.S.C.A., Sections 1681, 1682 and 1683 (West 1985).~~
~~Rehabilitation Act of 1973, 29 U.S.C.A. Sections 504, 791, 793 and 794 (West 1985)~~
~~Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq. 29 CFR Part 1630~~

Cross References:

Policy JFCF/GBNA—Hazing/Harassment/Intimidation/Bullying/Menacing
Policy JFCF/GBNA-AR—Hazing/Harassment/Intimidation/Bullying/Menacing
Policy JFCM-AR—Violence and Threats of Violence

Corvallis
SCHOOL DISTRICT

X.F. Administrative Regulation JBA/GBN-AR—Sexual Harassment Complaint Procedure—Revised—For Information

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR INFORMATION**

SUBJECT:
Board Policy GBN/JBA—Sexual Harassment—Revised—First Reading
Administrative Regulation GBN/JBA-AR—Sexual Harassment Complaint Procedure—Revised—For Information
Board Policy JBA/GBN—Sexual Harassment—Revised—First Reading
Administrative Regulation JBA/GBN-AR—Sexual Harassment Complaint Procedure—Revised—For Information

---

Issue: Our sexual harassment policies have not been updated since 2002. Oregon School Boards Association has recommended updates for both our policies and administrative regulations. Additional language expands definitions and provides further clarity.

Note: The above-coded policies are identical but filed in both the staff and student sections of our board policy handbook. To conserve resources, only board policy GBN/JBA—Sexual Harassment and administrative regulation GBN/JBA-AR—Sexual Harassment Complaint Procedure are being printed. Changes to the other policy and administrative regulation will be the same.

Options Considered: Not revising the policies or administrative regulations.

Involvement: District office staff.

Consequences: Policies and administrative regulations may remain unclear.

Cost Impact: None

CONTACT PERSON(S): Kevin Bogatin, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: GBN/JBA-AR
Adopted: 6/28/99
Revised/Readopted: 11/4/02

Sexual Harassment Complaint Procedures

Building principals, the compliance officer, and the superintendent have responsibility for investigations concerning sexual harassment. The investigator shall be a neutral party having had no involvement in the complaint presented.

Step I — Any sexual harassment complaint shall be presented to the building principal, compliance officer, or superintendent. All such complaints shall be reduced to writing and will include the specific nature of the sexual harassment, the specific nature of any violence or threat of violence, and corresponding dates.

Step II — The district official receiving the complaint or designee shall promptly initiate an investigation. He/she will arrange such meetings as may be necessary to discuss the complaint with all concerned parties within five working days after receipt of the complaint. All findings of the investigation, including the response of the alleged harasser, shall be reduced to writing. The district official conducting the investigation shall notify the complainant in writing when the investigation is concluded.

A copy of the notification letter, together with any other documentation related to the sexual harassment incident, the nature of any violence or threat of violence, will be forwarded to the superintendent.

Step III — If the complainant is not satisfied with the decision at Step II, he/she may submit a written appeal to the superintendent or designee. Such appeal must be filed within ten working days after receipt of the Step II decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant within ten working days.

Step IV — If the complainant is not satisfied with the superintendent's or designee's decision, a written appeal may be filed with the Board within ten working days after receipt of the Step III decision. The Board shall, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the appeal. The Board shall provide a written decision to the complainant within ten working days following completion of the hearing.

Direct complaints related to employment may be filed with the U.S. Department of Labor, Equal Employment Opportunity Commission, or Oregon Bureau of Labor and Industries. Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 Second Avenue, Room 3310, Seattle, Washington, 98174-1099. Additional information regarding filing of a complaint may be obtained through the principal, compliance officer, or superintendent.

~~Step V — If the complaint is not satisfactorily settled, the employee may appeal to the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industry; the student may appeal to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.~~

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

The superintendent shall report the name of any person holding a teaching license or participating in a practicum under OAR 584-015-0070 or 584-016-1075 when, after appropriate investigation, there is reasonable cause to believe the person may have committed an act of sexual harassment. Reports shall be made to the Teacher Standards and Practices Commission within 30 days of such a finding. Sexual contact with a student shall also be considered a reportable offense. In the event the superintendent is the subject of the investigation, reports, when required, shall be made by the Human Resources Director.

SEXUAL HARASSMENT COMPLAINT FORM

Name of complainant_____

Position of complainant_____

Date of complaint_____

Name of alleged harasser_____

Date and place of incident or incidents_____

_____

Description of misconduct_____

_____

_____

Name of witnesses (if any)_____

_____

_____

Evidence of sexual harassment, i.e., letters, photos, etc. (attach evidence if possible)_____

_____

Any other information_____

_____

_____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature _____

Date _____

WITNESS DISCLOSURE FORM

Name of Witness_____

Position of Witness_____

Date of Testimony/Interview_____

Description of Instance Witnessed_____

_____

_____

_____

_____

Any Other Information_____

_____

_____

_____

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature _____

Date _____

Corvallis
SCHOOL DISTRICT

X.G. Board Policy IGBA—Students with Disabilities—Child Identification Procedures—Revision—First Reading

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR INFORMATION**

SUBJECT:
Board Policies
IGBA—Students with Disabilities—Child Identification Procedures—Revision—First Reading
IGBA-AR—Students with Disabilities—Child Identification Procedures—Revision—For Information
IGBAF—Special Education—Individualized Education Program (IEP)—Revision—First Reading
IGBAH—Special Education—Evaluation Procedures—Revision—First Reading
IGBAJ-AR—Special Education—Free Appropriate Public Education (FAPE)—Revision—For Information

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Issue: For students enrolled in a public charter school, House Bill 2299 modifies several Oregon Administrative Rules (OARs). The bill shifts the special education responsibilities for providing a student with a free appropriate public education (FAPE) from the district of a parental residency to the district in which the charter school is located. The bill requires the district to maintain appropriate student records regarding special education services and establishes notice requirements for the district upon student enrollment or when the student is no longer enrolled in the public charter school.

Options Considered: Not revising the policies and administrative regulations.

Involvement: District staff.

Consequences: Policy and administrative regulations will not reflect current Oregon law.

Cost Impact: Unknown.

CONTACT PERSON(S): Kathleen Walker, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: **IGBA**
Adopted: **10/19/89**
Revised/Readopted: **5/10/99, 10/8/01, 4/3/06, 3/10/08**
Original Code: **7550**

Students with Disabilities—Child Identification Procedures

The district implements an ongoing system to locate, identify and evaluate all children birth to age 21 residing within its jurisdiction who have disabilities and need early intervention, early childhood special education or special education services. For preschool children the district is responsible for the evaluation(s) used to determine eligibility; the designated referral and evaluation agency, Linn Benton Lincoln Education Service District, is responsible for determining the eligibility of children for EI/ECSE services in accordance with OAR 581-015-2100. The district identifies all children with disabilities, regardless of the severity of their disabilities, including those who are:

1. Highly mobile, such as migrant and homeless children;

2. Wards of the state;

3. Indian preschool children living on reservations;

4. Suspected of having a disability even though they have not failed, been retained in a course or a grade, and are advancing from grade to grade;

5. Home schooled;

6. Resident and nonresident students, including residents of other states, attending private (religious or secular) school located within the boundaries of the district;

7. Attending a public charter school located in the district ~~charter school~~;

8. Below the age of compulsory school attendance; or

9. Above the age of compulsory school attendance who have not graduated from high school with a regular diploma and have not completed the school year in which they reach their 21st birthday.

The district determines residency in accordance with ORS Chapter 339 and, for the purposes of charter school students with disabilities, in accordance with ORS Chapter 338 and ORS Chapter 339. The district enrolls all students who are five by September 1 of the school year. Students with disabilities are eligible to enroll in the district through the school year in which they reach the age of 21 if they have not graduated with a regular diploma.

The district shall annually submit data to the Oregon Department of Education regarding the number of resident students with disabilities who have been identified, located and evaluated are receiving special education and related services. The district conducts an annual count of the total number of private school children attending private schools located within the boundaries of the district, and a count of all children with disabilities attending private schools located within the boundaries of the district, in accordance with OAR 581-015-2465. The district reports any additional data to ODE required by the ODE to meet the requirements of federal or state law and the applicable reporting dates.

END OF POLICY

Legal Reference(s):

ORS 332.075
ORS 338.165
ORS 339.115 to-137
ORS 343.151
ORS 343.157
ORS 343.193
ORS 343.221
ORS 343.517
ORS 343.533

OAR 581-015-2040
OAR 581-015-2045
OAR 581-015-2080
OAR 581-015-2085
OAR 581-015-2190
OAR 581-015-2195
OAR 581-015-2315
OAR 581-015-2480
OAR 581-021-0029
OAR 581-022-1340

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1412 (a)(3) (2006).
Early Intervention Program for Infants and Toddlers with Disabilities, 34 C.F.R. Part 303 (2006).
Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.111(2006).

Corvallis
SCHOOL DISTRICT

X.H. Administrative Regulation IGBA-AR—Students with Disabilities—Child Identification Procedures—Revision—For Information

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR INFORMATION**

SUBJECT:
Board Policies
IGBA—Students with Disabilities—Child Identification Procedures—Revision—First Reading
IGBA-AR—Students with Disabilities—Child Identification Procedures—Revision—For Information
IGBAF—Special Education—Individualized Education Program (IEP)—Revision—First Reading
IGBAH—Special Education—Evaluation Procedures—Revision—First Reading
IGBAJ-AR—Special Education—Free Appropriate Public Education (FAPE)—Revision—For Information

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Issue: For students enrolled in a public charter school, House Bill 2299 modifies several Oregon Administrative Rules (OARs). The bill shifts the special education responsibilities for providing a student with a free appropriate public education (FAPE) from the district of a parental residency to the district in which the charter school is located. The bill requires the district to maintain appropriate student records regarding special education services and establishes notice requirements for the district upon student enrollment or when the student is no longer enrolled in the public charter school.

Options Considered: Not revising the policies and administrative regulations.

Involvement: District staff.

Consequences: Policy and administrative regulations will not reflect current Oregon law.

Cost Impact: Unknown.

CONTACT PERSON(S): Kathleen Walker, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: IGBA-AR
Adopted: 9/10/01
Revised/Readopted: 10/6/03
3/13/06, 2/11/08

Students with Disabilities—Child Identification Procedures

The District's Child Find Efforts Include

1. Public awareness. District child find activities involve local media resources and direct contact activities, such as presentations at community meetings, business group meetings, services agencies or advocacy organizations.

    a. The district provides information about special education services in the district and the district's special education referral process to public and private facilities located in the district, including public charter schools, day care centers, homeless shelters, group homes, county jails, hospitals, medical officer, and other facilities that serve children birth to 21 years old.

    b. The district provides information about special education services and how to make a referral to any migrant education programs operating in the district.

2. Notice of confidentiality. Before any major child find activity, the district publishes notice in newspapers or other media, or both, informing parents that confidentiality requirements apply to these activities. Circulation for this notice must be adequate to inform parents within the district's jurisdiction.

3. Staff awareness. The district ensures that staff are knowledgeable of the characteristics of disabilities and the referral procedures for students, including preschool children, suspected of having disabilities.

4. Communication to parents. District staff shall inform parents about the availability of special education services in the district and provide them with information about initiating referral for special education evaluation, including the information about early intervention/early childhood special education services (EI/ECSE), and the designated referral and evaluation agencies with which the district collaborates.

Private School Children with Disabilities

1. The district's child find system applies to children, including those children who are residents of another state, enrolled by their parents in private schools, located within the boundaries of the district.

2. The district's child find activities for private school students enrolled by their parents in private schools are similar to, and completed within a comparable time period, as child find activities for students in district public schools.

3. The district does not include the cost of conducting child find activities for private school students, including individual evaluations, in determining whether it has spent a proportionate share of its federal IDEA funds on parentally-placed school students with disabilities.

4. The district consults with private school representatives and parents of private school students with disabilities about how to carry out these child find activities, including:

    a. How private school children suspected of having a disability can participate equitably; and

    b. How parents, teachers and private school officials will be informed of the process.

5. The district child find process for parentally-placed private school students ensures the equitable participation of parentally-placed private school students with disabilities and an accurate count of such children.

Home-Schooled Students with Disabilities

1. The district collaborates with the ESD that serves the district to ensure that the district responds promptly to information about home-schooled students with suspected disabilities.

2. The district collaborates with home schooling organizations in the district's jurisdiction and provides information about special education services in the district and how to make a referral.

3. If the district has reason to suspect that a home schooled student has a disability, the district will obtain parent consent for initial evaluation.

Corvallis
SCHOOL DISTRICT

X.I. Board Policy IGBAF—Special Education—Individualized Education Program (IEP)—Revision—First Reading

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR INFORMATION**

SUBJECT:
Board Policies
IGBA—Students with Disabilities—Child Identification Procedures—Revision—First Reading
IGBA-AR—Students with Disabilities—Child Identification Procedures—Revision—For Information
IGBAF—Special Education—Individualized Education Program (IEP)—Revision—First Reading
IGBAH—Special Education—Evaluation Procedures—Revision—First Reading
IGBAJ-AR—Special Education—Free Appropriate Public Education (FAPE)—Revision—For Information

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Issue: For students enrolled in a public charter school, House Bill 2299 modifies several Oregon Administrative Rules (OARs). The bill shifts the special education responsibilities for providing a student with a free appropriate public education (FAPE) from the district of a parental residency to the district in which the charter school is located. The bill requires the district to maintain appropriate student records regarding special education services and establishes notice requirements for the district upon student enrollment or when the student is no longer enrolled in the public charter school.

Options Considered: Not revising the policies and administrative regulations.

Involvement: District staff.

Consequences: Policy and administrative regulations will not reflect current Oregon law.

Cost Impact: Unknown.

CONTACT PERSON(S): Kathleen Walker, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: IGBAF
Adopted: 10/8/01
Revised/Readopted: 4/3/06

Special Education—Individualized Education Program (IEP)**

An individualized education program (IEP) shall be developed and implemented for each student with disabilities in the district, kindergarten through 21, including those who attend a public charter school located in the district, are placed in or referred to a private school or facility by the district, or receive related services from the district. The district is responsible for initiating and conducting the meetings to develop, review, and revise the IEP of a student with disabilities. The district will ensure that one or both parents are present at each meeting or are afforded the opportunity to participate and are given a copy of the IEP. A meeting to develop an IEP shall be held within 30 calendar days of a determination that the student needs special education and related services, once every 365 days thereafter and when considering a change in the IEP or placement.

If a student is to be placed or referred to a private school or facility or attends a private or parochial school, the district will ensure that a representative of the private school or facility attends the IEP meeting. If the representative of the private school or facility is unable to attend the IEP meeting, the district shall use other methods to ensure participation, including but not limited to, individual or conference telephone calls or individual meetings.

END OF POLICY

Legal Reference(s):

ORS 343.151
ORS 343.155

OAR 581-015-2000
OAR 581-015-2190
OAR 581-015-2195
OAR 581-015-2200
OAR 581-015-2205
OAR 581-015-2210
OAR 581-015-2215
OAR 581-015-2220
OAR 581-015-2225
OAR 581-015-2230
OAR 581-015-2235
OAR 581-015-2055
OAR 581-015-2600
OAR 581-015-2065
OAR 581-015-2265

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.5-300.6, 300.22-300.24, 300.34, 300.43, 300.105-106, 300.112, 320.325, 300.328, 300.501.

~~ORS 343.035~~
~~ORS 343.149~~
~~OAR 581-015-0005~~
~~OAR 581-015-0603~~
~~OAR 581-015-0064 to -0070~~
~~OAR 581-015-0605~~
~~OAR 581-015-0560~~
~~OAR 581-015-0703~~
~~OAR 581-015-0568~~
~~OAR 581-015-0704~~
~~OAR 581-015-0141(4)~~
~~Assistance to States for the Education of Children with Disabilities, 34 CFR Sections 300.308 - 300.311, 300.342 - 300.348, 300.350 and 300.501 (2000). Education of the Handicapped Act of 1975, as amended, 20 U.S.C. Sections 1400-1427, as amended and renamed Individuals with Disabilities Education Act (IDEA), P.L. 101-476, 104 Stat 1103 (1990), as amended P.L. 105-17 (1997), as amended 108-446 (2004). [P.L. 94-142 is a well-known "short" reference to this federal legislation.]~~

Corvallis
SCHOOL DISTRICT

X.J. Board Policy IGBAH—Special Education—Evaluation Procedures—Revision—First Reading

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR INFORMATION**

SUBJECT:
Board Policies
IGBA—Students with Disabilities—Child Identification Procedures—Revision—First Reading
IGBA-AR—Students with Disabilities—Child Identification Procedures—Revision—For Information
IGBAF—Special Education—Individualized Education Program (IEP)—Revision—First Reading
IGBAH—Special Education—Evaluation Procedures—Revision—First Reading
IGBAJ-AR—Special Education—Free Appropriate Public Education (FAPE)—Revision—For Information

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Issue: For students enrolled in a public charter school, House Bill 2299 modifies several Oregon Administrative Rules (OARs). The bill shifts the special education responsibilities for providing a student with a free appropriate public education (FAPE) from the district of a parental residency to the district in which the charter school is located. The bill requires the district to maintain appropriate student records regarding special education services and establishes notice requirements for the district upon student enrollment or when the student is no longer enrolled in the public charter school.

Options Considered: Not revising the policies and administrative regulations.

Involvement: District staff.

Consequences: Policy and administrative regulations will not reflect current Oregon law.

Cost Impact: Unknown.

CONTACT PERSON(S): Kathleen Walker, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: IGBAH
Adopted: 10/8/01
Revised/Readopted: 4/3/06, 3/10/08, 10/5/09

Special Education—Evaluation Procedures

Consistent with its child find and parent consent obligations, the district responds promptly to requests initiated by a parent or public agency for an initial evaluation to determine if a child is a child with a disability.

A full and individual evaluation of a student's educational needs that meets the criteria established in the Oregon Administrative Rules will be conducted before determining eligibility and before the initial provision of special education and related services to a student with a disability. The district implements an ongoing system to locate, identify and evaluate all children birth to 21 residing within its jurisdiction who have disabilities and need early intervention, early childhood special education or special education services.

The district identifies all children with disabilities, regardless of the severity of their disabilities, including children who are:

1. Highly mobile, such as migrant and homeless children;

2. Wards of the state;

3. American Indian preschool children living on reservations;

4. Suspected of having a disability even though they advance from grade to grade;

5. Home schooled;

6. Attending private (religious or secular) school located within the boundaries of the district;

7. Attending a public charter school located in the district ~~charter school~~;

8. Below the age of compulsory school attendance; or

9. Above the age of compulsory school attendance who have not graduated from high school with a regular diploma and have not completed the school year in which they reach their 21st birthday.

The district is responsible for evaluating and determining eligibility for special education services for school age children. The district is responsible for evaluating children who may be

eligible for Early Intervention/Early Childhood Special Education (EI/ECSE) services. The district's designated referral and evaluation agency is responsible for determining eligibility.

Before conducting any evaluation or reevaluation, the district:

1. Plans the evaluation with a group that includes the parent(s);

2. Provides prior written notice to the parent that describes any proposed evaluation procedures the agency proposes to conduct as a result of the evaluation planning process; and

3. Obtains informed written consent for evaluation.

The district conducts a comprehensive evaluation or reevaluation before:

1. Determining that a child has a disability;

2. Determining that a child continues to have a disability;

3. Changing the child's eligibility;

4. Providing special education and related services;

5. Terminating the child's eligibility for special education, unless the termination is due to graduation from high school with a regular diploma or exceeding the age of eligibility for a free appropriate public education.

Upon completion of the evaluation, the district provides the parent or eligible child a copy of the evaluation report at no cost. The evaluation report describes and explains the results of the evaluation. Upon completion of the eligibility determination, the district provides the parent or eligible child documentation of eligibility determination at no cost.

The district ensures that assessments and other evaluation materials, including those tailored to assess specific areas of education need, used to assess a child:

1. Are selected and administered so as not to be racially or culturally discriminatory;

2. Are provided and administered in the child's native language or other mode of communication and form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally unless it is clearly not feasible to do so;

3. Are used for purposes for which assessments or measures are valid and reliable;

4. Are administered by trained and knowledgeable personnel; and

5. Are administered in accordance with any instructions provided by the producer of such assessments.

Materials and procedures used to assess a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills.

A student must meet the eligibility criteria established in the Oregon Administrative Rules.

The district conducts reevaluations:

1. When the educational or related services needs, including improved academic achievement and functional performance of the children warrant a reevaluation;

2. When the child's parents or teacher requests a reevaluation; and

3. At least every three years, unless that parent and the district agree that a reevaluation is unnecessary.

The district does not conduct reevaluation more than once a year, unless the parent and district agree otherwise and at least once every three years, unless the parent and district agree that a reevaluation is unnecessary.

If a parent has previously revoked consent for special education and related services and subsequently requests special education and related services, the district will conduct an initial evaluation of the student to determine eligibility for special education.

END OF POLICY

Legal Reference(s):

ORS 343.155
ORS 343.157
ORS 343.164

OAR 581-015-2000
OAR 581-015-2095
OAR 581-015-2105 to-2190

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.7, 300.530—300.534, 300.540—300.543 ~~(2006).~~
Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.300 ~~(2008)~~.

Corvallis
SCHOOL DISTRICT

X.K. Administrative Regulation IGBAJ-AR—Special Education—Free Appropriate Public Education (FAPE)—Revision—For Information

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR INFORMATION**

SUBJECT:
Board Policies
IGBA—Students with Disabilities—Child Identification Procedures—Revision—First Reading
IGBA-AR—Students with Disabilities—Child Identification Procedures—Revision—For Information
IGBAF—Special Education—Individualized Education Program (IEP)—Revision—First Reading
IGBAH—Special Education—Evaluation Procedures—Revision—First Reading
IGBAJ-AR—Special Education—Free Appropriate Public Education (FAPE)—Revision—For Information

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Issue: For students enrolled in a public charter school, House Bill 2299 modifies several Oregon Administrative Rules (OARs). The bill shifts the special education responsibilities for providing a student with a free appropriate public education (FAPE) from the district of a parental residency to the district in which the charter school is located. The bill requires the district to maintain appropriate student records regarding special education services and establishes notice requirements for the district upon student enrollment or when the student is no longer enrolled in the public charter school.

Options Considered: Not revising the policies and administrative regulations.

Involvement: District staff.

Consequences: Policy and administrative regulations will not reflect current Oregon law.

Cost Impact: Unknown.

CONTACT PERSON(S): Kathleen Walker, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: IGBAJ-AR
Adopted: 9/10/01, 11/5/01
Revised/Readopted: 11/3/03, 3/13/06, 3/10/08

Special Education—Free Appropriate Public Education (FAPE)

I. FAPE and Age Ranges

~~A.~~ The district provides special education and related services to all resident school-age students with disabilities, including students enrolled in public charter schools located in the district, except as provided below.

A~~B~~. "School-age children" are children who have reached 5 years of age but have not yet reached 21 years of age on or before September 1 of the current school year.

B~~C~~. The district will admit an otherwise eligible student who has not yet reached 21 years of age on or before September 1 of the current school year.

C~~D~~. An otherwise eligible person whose 21st birthday occurs during the school year will continue to be eligible for FAPE for the remainder of the school year.

D~~E~~. The district provides FAPE to students with disabilities who have been suspended or expelled from school in accordance with the special education discipline rules.

II. Nonacademic Services

A. The district provides equal opportunity for students with disabilities for participation in nonacademic and extracurricular services and activities.

B. Nonacademic and extracurricular services and activities may include meals, recess periods, counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the district, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the district and assistance in making outside employment available.

C. The district ensures that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of each individual child.

III. Graduation

A. A student graduating with a regular high school diploma is no longer entitled to FAPE.

B. The district provides prior written notice a reasonable time before a student with a disability graduates with a regular high school diploma.

C. The district is not required to conduct a reevaluation before terminating eligibility due to graduation with a regular high school diploma.

D. Graduation with an alternative document:

1. The district may award an alternative document meeting the criteria of the State Board of Education alternative document to a student with a disability.

2. Graduation with an alternative document does not terminate eligibility, require an evaluation or require prior written notice.

E~~3~~. The district may, but is not required to, provide special education and related services to a student who has graduated with a regular diploma.

IV. Incarcerated Youth

A. The district has a plan, approved by the local Board, to provide or cause to be provided, appropriate education for children placed in a local or regional correctional facility located in the district.

B. The district provides FAPE for students with disabilities ages 18 through 21 incarcerated as adults in an adult correctional facility if, in the last educational setting before their incarceration:

1. Were identified as students eligible for special education; and

2. Had an IEP.

C. The district's provisions of FAPE does not include:

1. The requirements relating to participation of children with disabilities in statewide and district assessments.

2. For students whose eligibility for services will end before their release, the requirements related to transition planning and transition service do not apply. The district makes this determination based on considerations of the sentence and eligibility for early release. Requirements relating to transition planning and transition services, with respect to the students whose eligibility will end, because of their age, before they will be eligible to be released from adult correctional facilities based on consideration of their sentence and eligibility for early release.

3. The IEP team may modify the student's IEP or placement if the state has demonstrated a bona fide security or compelling penological interest that cannot otherwise be accommodated. Least restrictive environment requirements do not apply with respect to these modifications.

4. The public agency responsible for the special education of students in an adult correctional facility is not required to provide notice of meetings to the parent after rights transfer to the student.

V. Residential Placement

If the IEP team determines that placement in a public or private residential program is necessary to provide FAPE to a student with a disability, the district ensures that the program, including nonmedical care and room and board, is provided at no cost to the parents of the student.

VI. Physical Education

A. The district makes physical education services, specially designed if necessary, available to every child with a disability receiving FAPE, unless the school enrolls children without disabilities and does not provide physical education to children without disabilities in the same grade.

B. The district provides the opportunity to each child with a disability to participate in the regular physical education program available to nondisabled children unless the child needs specially designed physical education as prescribed in the child's IEP.

C. If specially designed physical education is included in the child's IEP, the district must provide the services directly or make arrangements for those services to be provided through other public or private programs.

D. If the child with a disability is enrolled full time in a separate facility, the district must ensure that the child receives appropriate physical education services.

VII. Public Charter Schools

A. The district serves resident children with disabilities attending public charter schools ~~sponsored by~~ located in the district in the same manner and in accordance with applicable laws and rules governing the district's provision of services to children with disabilities in its other schools.

B. ~~The district convenes an IEP meeting as soon as possible following notification by the charter school that a student with a disability has enrolled.~~

The district shall, in consultation with the student's parent, guardian, or person in parental relationship, provide FAPE to the student, in accordance with OAR 581-015-2230(1), until the district implements the IEP from the previous district or develops, adopts, and implements a new IEP that meets acceptable requirements. If the information received was in effect in a previous district in another state, the district will implement the IEP in accordance with OAR 581-015-2230-(2).

C. The district provides supplementary and related services on site at a district charter school to the same extent to which the district has a policy or practice of providing such services on the site to its other public schools.

D. ~~The district ensures that resident children attending charter schools not sponsored by the district are provided special education and related services in accordance with ORS 338.165.~~
A school district in which a public charter school is located must provide IDEA funds to those charter schools on the same basis as the school district provides those funds to other public schools in the district, including proportional distribution based on relative enrollment of children with disabilities, at the same time as funds are distributed to other public schools in the district.

E. If a child with a disability enrolls in a charter school, the charter school is considered the school the child would attend if not disabled. Enrollment in any charter school is by parent choice. Enrollment in any out-of-district charter school does not require an interdistrict transfer agreement.

When a student enrolls in a pubic charter school, the district in which the public charter school is located shall:

F. Provide written notification of the student's enrollment to the district in which the student resides;

G. Request, in accordance with applicable confidentially provisions in state and federal laws, the records of the student, including all information related to an individualized education program developed for the student;

H. Provide written notification to the student's parent, guardian or person in parental relationship to provide information about:

1. The district's responsibility to identify, locate and evaluate to determine a student's need for special education and related services and to provide those special education services in the public charter school; and

2. The methods by which the district may be contacted to answer questions or provide information related to special education and related services.

When a student no longer is enrolled in a public charter school for any reason other than graduation, the district in which the public charter school is located shall notify:

I. The district in which the student resided to provide notice:

1. That the student no longer is enrolled in the public charter school; and

2. That the district will provide the student education records including all information related to the student's IEP if the student seeks enrollment or services from the district in which the student resides.

J. The student's parent, guardian or person in parental relationship to provide information about:

1. The responsibility of the school district in which the student resides to identify, locate and evaluation students and implement services;

2. The methods by which the student's resident district may be contacted to answer questions or provide information about special education and related services; and

3. The responsibility of the district to provide student records, including information related to the student's IEP, if the student seeks enrollment or services from another district, including the parent's resident district.

VIII. Recovery of Funds for Misclassified Students

The district ensures that students identified on the special education child count under Part B of the Individuals with Disabilities Education Act (IDEA) are limited to students who:

A. Meet eligibility requirements under OAR 581-015-2130 to 2180;

B. Have a current IEP that is being implemented;

C. Are receiving a free appropriate public education.

IX. Students with Disabilities Covered by Public Insurance

With regard to services required to provide FAPE to a student with disabilities, the district:

A. Will not require a parent to sign up for or enroll in public insurance programs in order for their student with disabilities to receive FAPE under Part B of the IDEA;

B. Will not require parents to incur an out-of-pocket expense in order for their student with disabilities to receive FAPE under Part B of the IDEA; and

C. Will not use the student's benefits under a public insurance if that use would:

1. Decrease available lifetime coverage or any other insured benefit;

2. Result in the family paying for services that would otherwise be covered by the public insurance program and that are required for the student outside the time the student is in school;

3. Increase premiums or lead to the discontinuation of insurance; or

4. Risk the loss of eligibility for home- and community-based waivers, based on aggregate health-related expenditures.

X. Students with Disabilities Covered by Private Insurance

A. Each time the district proposes to access a parent's private insurance proceeds, the district will:

1. Obtain parent consent (as defined in OAR 581-015-2090); and

2. Inform the parents that their refusal to permit the district to access the private insurance does not relieve the district of its responsibility to ensure that all required services are provided at no cost to the parent(s).

B. The district may use its IDEA Part B funds for a specified service required to ensure FAPE if the district is unable to obtain consent to use a child's private insurance.

C. If the parent would incur a cost for the school district's use of private insurance, the district may use its Part B funds to pay the cost the parents otherwise would have to pay to use the private insurance (e.g. the deductible or co-pay amounts).

XI. Accessible Materials

A. Districts must ensure the timely provision of print instructional materials, including textbooks that comply with the National Instructional Materials Accessibility Standards (NIMAS) for students who are blind or print disabled.

B. Districts must ensure the timely provision of instructional materials in accessible formats to children who need instructional materials in accessible formats, including those children who are not blind or print disabled.

XII. ESY as per administrative regulations, Special Education - Individualized Education Program (IEP)—IGBAF-AR.

XIII. Assistive Technology as per administrative regulations, Special Education - Individualized Education Program (IEP)—IGBAF-AR.

Corvallis
SCHOOL DISTRICT

X.L. Board Policy—IKFB—Graduation Exercises—Revision—First Reading

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR INFORMATION**

SUBJECT: Board Policy—IKFB—Graduation Exercises—Revision—First Reading

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Issue: Currently, students working toward a standard high school diploma may participate in graduation ceremonies if they are within one credit of satisfying the requirements for the diploma, have met all other requirements, and have completed a plan for completing the remaining credit by September 1 of the following school year.

Effective June 2012, all students in good standing who have successfully completed **all** graduation requirements for a high school diploma or modified diploma by the designated deadline may participate in graduation exercises. These requirements include: earning 24 credits in the designated areas, completing all mandatory career learning activities, and demonstrating proficiency in required essential skills.

Students in good standing meeting credit requirements for an extended diploma or alternative certificate (as defined in policy IKF) also may participate in graduation exercises.

Options Considered: Not revising the policy

Involvement: District office staff

Consequences: Students who are within one credit and are permitted to walk at graduation, with the expectation that they return over the summer to complete that final credit. Last year 4 of 12 students completed that requirement and graduated. It appears this policy discourages completion of all high school graduation requirements.

Cost Impact: None.

ACTION REQUESTED: Adoption of the revised policy.

CONTACT PERSON(S): Kevin Bogatin, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: IKFB
Adopted: 8/30/99
Revised/Readopted: 2/7/00, 4/5/10

Graduation Exercises

Because the Board believes that completion of the requirements for a diploma, a modified diploma, extended diploma, or alternative certificate from the public schools is an achievement that improves the community as well as the individual, the Board wishes to recognize that achievement in a publicly celebrated graduation exercise.

Accordingly, appropriate graduation dates and programs may be planned by the high schools.

Effective June 2012, all students in good standing who have successfully completed all graduation requirements for a high school diploma or modified diploma by the designated deadline may participate in graduation exercises. These requirements include: earning 24 credits in the designated areas, completing all mandatory career learning activities, and demonstrating proficiency in required essential skills.

~~All students in good standing who have successfully completed the requirements for a high school diploma, a modified diploma, an extended diploma, or alternative certificate (as defined in policy IKF) may participate in graduation exercises. Students earning a high school diploma or modified diploma must meet career learning requirements and essential skills requirements to participate in the graduation ceremony. Students working toward a standard high school diploma may participate in graduation ceremonies if they are within one credit of satisfying the requirements for the diploma, have met all other requirements, and have completed a plan for completing the remaining credit by September 1 of the following school year.~~

Students in good standing meeting credit requirements for an extended diploma or alternative certificate (as defined in policy IKF) also may participate in graduation exercises.

"In good standing means" the student has not been suspended, expelled, or otherwise excluded from school programs at the time of the ceremony.

END OF POLICY

Legal References:

ORS 329.035
ORS 329.451
ORS 329.465
ORS 332.105
ORS 332.107
ORS 332.114
ORS 339.115
ORS 339.505
ORS 343.295
OAR 581-021-0071
OAR 581-022-1130
OAR 581-022-1350

31 OR. ATTY. GEN. OP. 428 (1964)
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2006);
Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2006).
Kay v. David Douglas Sch. Dist. No. 40 (1987); *cert. den.*, 484 U.S. 1032 (1988).
Doe v. Madison Sch. Dist. No. 321, 177 F.3d 789 (9th Cir. 1999).
Lee v. Weisman, 505 U.S. 577 (1992).
~~Kay v. David Douglas School District No. 40, 79 Or. App. 384 (1985); rev'd, 303 Or. 574 (1987); cert. den., 108 S. Ct. 740 (1988).~~
~~Opinions of the Attorney General, Vol. 31, p. 428 (1964)~~

Corvallis
SCHOOL DISTRICT

X.M. Administrative Regulation LBE-AR—Public Charter Schools—Revised

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 2, 2012 **FOR INFORMATION**

SUBJECT: Administrative Regulation LBE-AR—Public Charter Schools—Revised

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Issue:
The following House Bills (HB) impacted charter Schools:

- HB 2030 and HB 2299—dealing with special education and funding
- HB 2301—virtual charter schools
- HB 3417—fiscal
- Senate Bill 800—revoking the required holding of certain student records for unpaid fees and fines

Administrative regulation LBE-AR—Public Charter Schools has been updated with changes as recommended by the Oregon School Boards Association.

Options Considered: Not revising the administrative regulation.

Involvement: District office staff.

Consequences: Policy will remain outdated.

Cost Impact: Unknown.

CONTACT PERSON(S): Kevin Bogatin, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: LBE-AR
Adopted: 1/10/00
Revised/Readopted: 7/15/02, 10/10/05 5/8/06, 12/13/10

PUBLIC CHARTER SCHOOLS

I. 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.

1. For the purposes of this definition, an online course is a course in which instruction and content are delivered on a computer using the internet, other electronic network, or other technology such as CDs or DVDs; the student and teacher are in different physical locations for the majority of instructional time; the student is not required to be in a physical location of a school while participating in the course; and the online instruction is integral to the academic program of the charter school.

2. For the purpose of this definition, primarily serving students in a physical location means that more than 50 percent of the core courses offered are not online courses; more than 50 percent of the total number of students attending the school are not receiving instructional services in an online course; and more than 50 percent of the school's required instructional hours are not through an online course.

D. **Remote and necessary school district** means a school district that offers kindergarten through grade 12 and has:

1. An average daily membership (ADM), as defined in ORS 327.006, in the prior fiscal year of less than 110; and

2. 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 Board.

II. Proposal Process

A. The public charter school applicant shall submit the proposal to the district no later than October 1 for a September starting date.

B. To be considered complete, the proposal for a public charter school shall include, but not be limited to, the following:

1. The identification of the applicant.

2. The name of the proposed public charter school.

3. A description of the philosophy and mission of the public charter school and how it differs from the district's current program and philosophy.

4. A description of any distinctive learning or teaching techniques to be used.

5. A description of the curriculum of the public charter school.

6. A description of the expected results of the curriculum and the verified methods of measuring and reporting results that will allow comparisons with district schools.

7. The governance structure, to included public charter school board membership, selection, duties, and responsibilities.

8. The projected enrollment including the ages or grades to be served.

9. The target population of students the public charter school is designed to serve.

10. The legal address, facilities, and physical location of the public charter school and applicable occupancy permits and health and safety approvals.

11. A description of admission policies and application procedures.

12. The statutes and rules that shall apply to the public charter school.

13. The proposed budget and financial plan including evidence that the proposed budget and financial plan are financially sound.

14. A sound financial management system that includes:
    a. A description of a sound financial management system for the public charter school. The sound financial management plan must minimally have:

~~A description of the financial management system for the public charter school and a plan for having the financial management systems in place at the time the school begins operating. A sound financial management system must have:~~

(1)~~a.~~ Accounting and financial record-keeping procedures that reflect Generally Accepted Accounting Principals (GAAP);

(2)~~b.~~ Procedures reflecting cash management, investment practices, and financial reporting;

(3)~~c.~~ Balance sheets reflecting assets, expenditures, and liabilities;

(4)~~d.~~ Segregation of duties for individuals performing cash management and investment practices; and

(5)~~e.~~ Processes for reflecting annual review of such systems by both charter school and sponsor.

b. An explanation of how the budget and accounting system:

(1) Is compatible with the budget and accounting system of the sponsor of the school; and

(2) Complies with the requirements of the uniform budget and accounting system adopted by rule of the State Board of Education under ORS 327.511.

15. The standards for behavior and the procedures for the discipline, suspension or expulsion of students.

16. The proposed school calendar, including the length of the school day and length of the school year.

17. A description of the proposed school staff and required qualifications of teachers including a breakdown of professional staff who hold a valid teaching license issued by Teacher Standards and Practices Commission (TSPC) and those who do not hold a license but are registered with TSPC (at least one-half of the full-time equivalent teaching and administrative staff of the public charter school shall be licensed).

18. The date upon which the public charter school would begin operating.

19. The arrangements for any necessary special education and related services for students with disabilities who qualify under IDEA and special education or regular education and related services for students who qualify under Section 504 of the Rehabilitation Act of 1973 who may attend the public charter school.

20. Information on the manner in which community groups may be involved in the planning and development process of the public charter school.

21. The term of the charter.

22. The plan for performance bonding or insuring the public charter school, including buildings and liabilities.

23. A proposed plan for the placement of public charter school teachers, other employees, and students upon termination or nonrenewal of a charter.

24. The manner in which the public charter school program review and fiscal audit will be conducted.

25. In the case of a district school's conversion to charter status, the following additional criteria must be addressed:
    a. The alternate arrangements for students who choose not to attend the public charter school and for teachers and other school employees who choose not to participate in the public charter school;
    b. The relationship that will exist between the public charter school and its employees including terms and conditions of employment.

26. The district will not complete the review required under ORS 338.055 of an application that does not contain the required components listed in ORS 338.045 (2)(a-x). A good faith determination of incompleteness is not a denial for purposes of requesting state board review under ORS 338.075.

III. Charter Requirements

In addition to the minimum requirements enumerated in ORS 338.045 (2)(a)-(x), the district, under ORS 338.045 (3), may require the applicant to submit any of the following information as necessary to add detail or clarity to the minimum requirements or that the Board considers relevant to the formation, operation, or renewal of the public charter school:

A. Curriculum, Instruction, and Assessment

1. Description of a curriculum for each grade of students, which demonstrates in detail alignment with Oregon's academic content standards;

2. Description of instructional goals in relationship to Oregon's academic content standards and benchmarks;

3. A planned course statement class taught in the program, including related content standards, course criteria, assessment practices, and state required work samples that will be collected;

4. Documentation that reflects consideration of credits for public charter school course work a student may perform at any other public school;

5. Explanation of grading practices for all classes and how student performance is documented;

6. Explanation of how the proposed academic program will be aligned with that of the district. (If an applicant is proposing an elementary level public charter school, please describe how the curriculum is aligned at each grade level with the district's curriculum, including an explanation of how a student in the public charter school adequately will be prepared to re-enter the district's public school system after completing the charter school's program.);

7. Description of the student assessment system, including how student academic progress will be measured at each grade level and any specific assessment instruments that will be used;

8. Description of the plan for reporting student progress to parents, students and the community;

9. Description of policies and procedures regarding diplomas and graduation;

10. Description of policies and practices for meeting the needs of students who are not successful in the regular program;

11. Identification of primary instructional materials by publisher, copyright date, version, and edition for each academic content area in each grade;

12. Identification of major supplementary material in core academic content areas and the criteria for use with students;

13. Description of how the public charter school will meet the unique learning needs of students working above and below grade level, including but not limited to talented and gifted students;

14. Description of how the public charter school staff will identify and address students' rates and levels of learning;

15. Description of strategies the public charter school staff will use to create a climate conducive to learning and positive student engagement;

16. Documentation that demonstrates improvements in student academic performance over time (both individual and program/grade level) from any private alternative school operated by the public charter school applicant, if applicable;

17. Description of how teachers will utilize current student knowledge and skills to assist in the design of appropriate instruction;

18. Identification of how the public charter school will provide access to national assessments such as PSAT, SAT, and ACT, if applicable;

19. Description of parental involvement, content of planned meetings, and how the school will adjust any meeting to meet the needs of working parents;

20. Description of distance learning options available to students, including the grade levels and amount of instruction offered to students, if applicable.

B. State and Federal Mandates/Special Education

1. Description of how the public charter school will meet any and all requirements of No Child Left Behind, which also specifically addresses adequate yearly progress (AYP) and the safe schools aspects of the law;

2. Description of how the public charter school will collect AYP information on all subgroup populations in the school;

3. Description of specific program information regarding curriculum and how specially designed instruction is delivered for special education students. (Include methodologies, data collection systems and service delivery models used.);

4. Description of how the public charter school will serve the needs of talented and gifted students, including screening, identification and services;

5. Description of how the public charter school will deliver services and instruction to English Language Learners (ELL), including descriptions of curriculum, methodology and program accommodations;

6. Description of how the public charter school will work with the district to comply with Section 504 accessibility requirements and nondiscrimination requirements in admissions and staff hiring;

7. Explanation of how the public charter school will work with the district to implement Child Find requirements;

8. Explanation of how the public charter school will work with the district to manage IDEA 2004 mandates regarding eligibility, IEP and placement meetings;

9. Explanation of how the public charter school will work with the district in which the public charter school is located to implement accommodations and modifications contained in the IEP or Section 504 plan;

10. Explanation of how the public charter school will work with the district to include parents in implementing IEPs;

11. Explanation of how the public charter school intends to work with the district in which the public charter school is located to provide special education services for eligible students.
~~resident district of any IEP student to provide special education services.~~

C. Teacher Certification

1. Identification regarding the training and/or certification of staff, including areas of industry training, endorsements and Teacher Standards and Practices Commission (TSPC) licensure;

2. Explanation of how the public charter school will meet the federal mandate of "highly qualified" teachers contained in No Child Left Behind;

3. Identification of which teachers are Oregon Proficiency-based Admission Standards System (PASS) trained by content areas and year of training or re-training, if applicable;

4. Explanation of how the public charter school will comply with TSPC requirements for all staff, including all TSPC Oregon Administrative Rules pertaining to its staff.

D. Professional Development

1. Provide the public charter school's plan for comprehensive professional development for all staff;

2. Identification of how the public charter school's licensed staff will obtain their required Continuing Professional Development units for licensure renewal.

E. Budget

1. Explanation of projected budget item for PERS contributions that would be required of the public charter school;

2. Description of planned computer and technology support;

3. Description of planned transportation costs, if applicable;

4. Explanation of projected budget items for teaching salaries and other personnel contracts;

5. Explanation on facilities costs, including utilities, repairs, and rent;

6. Copies of municipal audits for any other public charter school operated by the public charter school applicant, if applicable.

F. Policy

1. Copies of any policy that the public charter school intends to adopt which address expectations of academic standards for students and transcripting of credits;

2. Copies of any policy that the public charter school intends to adopt on student behavior, classroom management, suspensions and expulsions, which must contain an explanation of how the charter school will handle a student expelled from another district for reasons other than a weapons violation;

3. Descriptions and copies of any policy that the public charter school intends to adopt regarding corporal punishment;

4. Copies of any policy that the public charter school intends to adopt regarding dispensing of medication to students who are in need of regular medication during school hours;

5. Description of procedures on how the public charter school will handle disciplinary referrals and how they will impact student promotion and advancement;

6. Copies of any policy that the public charter school intends to adopt regarding reviewing and selecting instructional materials;

7. Copies of any policy that the public charter school intends to adopt regarding solicitation/advertising/fundraising by nonschool groups;

8. Copies of any policy that the public charter school intends to adopt regarding field trips;

9. Copies of any policy that the public charter school intends to adopt regarding student promotion and retention;

10. Copies of any policy that the public charter school intends to adopt regarding student publications;

11. Copies of any policy that the public charter school intends to adopt regarding staff/student vehicle parking and use;

12. Copies of any policy that the public charter school intends to adopt regarding diplomas and graduation, and also participation in graduation exercises;

13. Copies of any policy that the public charter school intends to adopt regarding student/parent/public complaints;

14. Copies of any policy that the public charter school intends to adopt regarding visitors;

15. Copies of any policy that the public charter school intends to adopt regarding staff discipline, suspension or dismissal.

G. Other Information

1. Plans for use of any unique district facilities including, but not limited to, gymnasiums, auditoriums, athletic fields, libraries, cafeterias, computer labs and music facilities;

2. Plans for child nutrition program(s);

3. Plans for student participation in extracurricular activities pursuant to Oregon School Activities Association and Board policy, regulations and rules;

4. Plans for counseling services;

5. Explanation of contingency plans for the hiring of substitute professional and classified staff;

6. Description of how the public charter school will address the rights and responsibilities of students;

7. Description of how the public charter school will handle situations involving student, possession, use or distribution of illegal drugs, weapons, flammable devices and other items that may be used to injure others;

8. Copies of program reviews conducted by other school districts that may have referred students to another public charter school operated by the public charter school applicant, if applicable;

9. Description of the typical school day for a student, including a master schedule, related activities, breaks and extracurricular options;

10. Description of how student membership will be calculated, including a description of the type of instruction and location of instruction that contributes to Average Daily Membership (ADM);

11. Documentation and description of how long most students remain in the program, and documentation of student improvement in academic performance, disciplinary referrals, juvenile interventions, or any other disciplinary action while in the program;

12. Explanation of the legal relationship between the public charter school and any other public charter school, if applicable. (Please provide any contracts or legal documents that will create the basis of the relationship between the entities. Please also provide all financial audits and auditor's reports.);

13. If a public charter school applicant is operating any other public charter school, documentation that the public charter school applicant has established a separate Oregon nonprofit corporation, legally independent of any other public charter school in operation;

14. If a public charter school applicant has not secured a facility at the time of submitting a public charter school proposal, a written and signed declaration of intent that states:

    If given any type of approval (conditional or unconditional), the public charter school applicant promises to provide to the school district liaison, at least **120** days before the intended date to begin operation of the public charter school, proof that it will be able to secure, at least **60** days before the intended date to begin operation of the public charter school, a suitable facility, occupancy and safety permits and insurance policies with minimum coverages required by the school district in school board policy and administrative regulation LBE that sets forth the requirements and process for the school board in reviewing, evaluating and approving a public charter school.

    If the public charter school applicant fails to provide proof of an ability to secure a facility and all necessary occupancy and safety permits and insurance that is required by the school district as a condition of approval by the due date, it will withdraw its application to begin operation of a public charter school for the upcoming school year.

    By signing this document, I affirm that I am authorized to make the promises stated above on behalf of the public charter school applicant. I understand that failure to fulfill the conditions listed above will result in an approval becoming void, and will automatically revoke any type of

approval that the school board previously granted to the public charter school applicant.

_____

Name Date
On behalf of the (add applicant's name)

The public charter school applicant will organize and label all information required in section 25 to correspond to the requested numbers.

IV. Proposal Review Process

A. The superintendent may appoint an advisory committee to review public charter school proposals and submit a recommendation to the Board. The committee will consist of district representatives, community members and others as deemed appropriate.

B. Within 15 business days of receipt of a proposal, the district will notify the applicant as to the completeness of the proposal. Proposals that minimally address or leave out any of the required components are not complete and will be returned to the applicant.

C. Within 60 days of the notification to the applicant of the district's receipt of a complete proposal that meets the requirements of law and the district, the Board shall hold a public hearing on the provisions of the public charter school proposal.

D. The Board shall evaluate a proposal in good faith using the following criteria:

1. The demonstrated sustainable support for the proposal 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: ~~in place at the time the school begins operating.~~
   a. Is in place at the time the school begins operating;
   b. Is compatible with the budget and accounting system of the sponsor of the school; and
   c. Complies with the requirements of the uniform budget and accounting system adopted by rule of the State Board of Education under ORS 327.511.

3. The capability of the applicant in terms of support and planning to provide comprehensive instructional programs.

4. The capability of the applicant in terms of support and planning to provide comprehensive instructional programs to students identified by the applicant as academically low achieving.

5. The extent to which the proposal addresses the criteria required in the proposal process.

6. Whether the value of the public charter school is outweighed by any directly identifiable, significant and adverse impact on the quality of the public education of students residing in the district. A "directly identifiable, significant and adverse impact" is defined as an adverse loss or reduction in staff, student, program or funds that may reduce the quality of existing district educational programs. This may include, but not be limited to, the following current data as compared to similar data from preceding years:
   a. Student enrollment;
   b. Student teacher ratio;
   c. Staffing with appropriately licensed or endorsed personnel;
   d. Student learning and performance;
   e. Specialty programs or activities such as music, physical education, foreign language, talented and gifted and English as a second language;
   f. Revenue;
   g. Expenditure for maintenance and upkeep of district facilities.

7. Whether there are arrangements for any necessary special education and related services.

8. Whether there are alternative arrangements for students, teachers and other school employees who choose not to attend or be employed by the public charter school if the public charter school is converting an existing district school.

E. The Board must either approve or deny the proposal within 30 days of the public hearing.

F. Written notice of the Board's action shall be sent to the applicant. If denied, the notice must include the reasons for the denial with suggested remedial measures. The applicant may then resubmit the proposal. The Board must either approve or deny the resubmitted proposal within 20 days. The Board may, with good cause, request an extension in the approval process timelines from the State Board of Education.

V. Terms of the Charter Agreement

A. Upon Board approval of the proposal, the Board will become the sponsor of the public charter school. The district and the applicant must develop 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 district.

C. The district and the public charter school may amend a charter agreement through joint agreement.

D. It is the intent of the Board that the charter agreement be detailed and specific to protect the mutual interests of the public charter school and the district. The agreement shall incorporate the elements of the approved proposal and will address additional matters, statutes and rules not fully covered by law or the proposal that shall apply to the public charter school including, but not limited to, the following:

1. Sexual harassment (ORS 342.700, 342.704).

2. Pregnant and parenting students (ORS 336.640).

3. Special English classes for certain children (ORS 336.079).

4. Student conduct (ORS 339.250).

5. Alcohol and drug abuse program (ORS 336.222).

6. Student records (ORS 326.565).

7. Oregon Report Card (ORS 329.115).

8. Recovery of costs associated with property damage (ORS 339.270) ~~and withholding records until property damage or fees are paid (ORS 393.260)~~.

9. Use of school facilities (ORS 332.172).

10. Employment status of public charter school employees.
    a. Public charter school law requires the following:
        (1) Employee assignment to a public charter school shall be voluntary.
        (2) A public charter school or the sponsor of the public charter school may be considered the employer of any employees of the public charter school.
        (3) If the Board is not the sponsor of the public charter school, it shall not be the employer and shall not collectively bargain with the employees.

(4) A public charter school employee may be a member of a labor organization or organize with other employees to bargain collectively. The bargaining unit may be separate from other bargaining units of the district.

(5) The public charter school governing body shall control the selection of employees at the public charter school.

(6) The Board shall grant a leave of absence to any employee who chooses to work in the public charter school. The length and terms of the leave of absence shall be set by collective bargaining agreement or by Board policy. However, the length of leave of absence may not be less than two years unless:

(a) The charter of the public school is terminated or the public charter school is dissolved or closed during the leave of absence; or

(b) The employee and the Board have mutually agreed to a different length of time.

(7) An employee of a public charter school operating within the district who is granted a leave of absence and returns to employment with the district shall retain seniority and benefits as an employee, pursuant to the terms of the leave of absence.

b. The terms and conditions of employment addressed in the agreement may include, but need not be limited to:

(1) A proposed plan for the placement of teachers and other school employees upon termination or nonrenewal of the charter.

(2) Arrangements for employees who choose not to be employed or participate in the public charter school, if a district school has been converted to a public charter school.

(3) Salary for professional staff or wages for classified staff.

(4) Health benefits.

(5) Leaves, including timing, commencement and duration of leave; voluntary and involuntary termination and return to work; whether the leave is paid or unpaid; and a description of benefits upon termination of leave (i.e., same, similar or available position and salary schedule placement).

(6) Work year.

(7) Working hours.

(8) Discipline and dismissal procedures.

(9) Arrangements to secure substitutes.

(10) Arrangements to ensure that 50 percent of the total full-time equivalent teaching and administrative staff are licensed.

(11) Hiring practices.

(12) Evaluation procedures.

11. Student enrollment, application procedures and whether the public charter school will admit nonresident students and on what basis. Public charter school law requires the following:

a. Student enrollment shall be voluntary. If the number of applicants exceeds the capacity, students shall be selected through a lottery process. All resident applicants will have their names written on a uniform-sized card to be placed in a covered container. Names will be drawn individually until all available slots are filled. If slots remain after resident applicants are placed, the remaining slots may be filled by nonresident applicants using an identical process. The drawing shall be made in the presence of at least two employees of the public charter school and two employees of the district. However, if the public charter school has been in operation one or more years, priority enrollment will be given to those students who:

(1) Were enrolled in the public charter school the prior year;

(2) Have siblings who are presently enrolled in the public charter school and who were enrolled the prior year;

b. When the district and the public charter school enter into a cooperative agreement with another school district for the purpose of forming a partnership to provide educational services, priority enrollment will also be given to those students who:

(1) Reside in the public charter school's sponsoring district; or

(2) A district which is a party to the cooperative agreement.

c~~b~~. If a public charter school offers any online courses as part of the curriculum of the school, then 50 percent or more of the students who attend the public charter school must reside in the school district in which the public charter school is located.

d~~c~~. A public charter school may not limit student admission based on ethnicity, national origin, citizenship, race, religion, disability, sex, income level, proficiency in the English language or athletic ability but may limit admission within a given age group or grade level.

12. Transportation of students. Public charter school law requires the following:

a. The public charter school shall be responsible for providing transportation for its students and may negotiate with the district for the provision of transportation services;

b. The district shall provide transportation for public charter school students pursuant to ORS 327.043. Resident public charter school students will be transported under the same conditions as students attending private or parochial schools located along or near

established district bus routes. The district shall not be required to add or extend existing bus routes;

c. Public charter school students who reside outside the district may use existing bus routes and transportation services of the district in which the public charter school is located;

d. Any transportation costs incurred by the district shall be considered approved transportation costs.

13. The plan for performance bonding or insuring the public charter school sufficient to protect the district. Documentation shall be submitted prior to agreement approval.

a. Insurance:[1]

(1) Commercial General Liability Insurance in an amount of not less than $1,000,000 combined single limit per occurrence/$3,000,000 annual aggregate covering the public charter school, the governing board, employees and volunteers against liability for damages because of personal injury, bodily injury, death or damage to property including the loss of use thereof. Coverage to include, but not limited to, contractual liability, advertisers' liability, employee benefits liability, professional liability and teachers' liability;

(2) Liability Insurance for Directors and Officers in an amount not less than $1,000,000 each loss/$3,000,000 annual aggregate covering the public charter school, the governing board, employees and volunteers against liability arising out of wrongful acts and employment practices. Continuous "claims made" coverage will be acceptable, provided the retroactive date is on the effective date of the charter;

(3) Automobile Liability Insurance in an amount not less than $1,000,000 combined single limit covering the public charter school, the governing board, employees and volunteers against liability for damages because of bodily injury, death or damage to property, including the loss of use thereof arising out of the ownership, operation, maintenance or use of any automobile. The policy will include underinsured and uninsured motorist vehicle coverage at the limits equal to bodily injury limits;

(4) Workers' Compensation Insurance shall also be maintained pursuant to Oregon laws (ORS Chapter 656). Employers' liability insurance with limits of $100,000 each accident, $100,000 disease each employee and $500,000 each policy limit;

[1] Insurance requirements for individual public charter schools may vary and should be reviewed by legal counsel and an insurance representative.

(5) Honesty Bond to cover all employees and volunteers. Limits to be determined by the governing board, but no less than $25,000. Coverage shall include faithful performance and loss of moneys and securities;

(6) Property Insurance shall be required on all owned or leased buildings or equipment. The insurance shall be written to cover the full replacement cost of the building and/or equipment on an "all risk of direct physical loss basis," including earthquake and flood perils.

b. Additional requirements:

(1) The district shall be additional insured on commercial general and automobile liability insurance. The policies shall provide for a 90-day written notice of cancellation or material change. A certificate evidencing all of the above insurance shall be furnished to the district;

(2) The public charter school shall also hold harmless and defend the district from any and all liability, injury, damages, fees or claims arising out of the operations of the public charter school operations or activities;

(3) The district shall be loss payee on the property insurance if the public charter school leases any real or personal district property;

(4) The coverage provided and the insurance carriers must be acceptable to the district.

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.

F. In addition to any other terms required to be in the charter agreement, a virtual public charter school must have in the charter of the school, a requirement that the school:

1. Monitor and track student progress and attendance; and

2. Provide student assessments in a manner that ensures that an individual student is being assessed and that the assessment is valid.

VI. Public Charter School Operation

A. The public charter school shall operate at all times in accordance with the public charter school law, the terms of the approved proposal and the charter agreement.

B. Statutes and rules that apply to the district shall not apply to the public charter school except the following, as required by law, shall apply:

1. Federal law; including applicable provisions of the No Child Left Behind Act of 2001;

2. Public records law (ORS 192.410 to 192.505);

3. Public meetings law (ORS 192.610 to 192.690);

4. Municipal audit law (ORS 297.405 to 297.555 and 297.990);

5. Criminal records check (ORS 181.539, 326.603, 326.607 and 342.232);

6. Textbooks (ORS 337.150);

7. Tuition and fees (ORS 339.141, 339.147 and 339.155);

8. Discrimination (ORS 659.850 and 659.855);

9. Tort claims (ORS 30.260 to 30.300);

10. Reporting of suspected child abuse (ORS 419B.010);

11. Health and safety statutes and rules;

12. Any statute or rule listed in the charter;

13. The statewide assessment system developed by the Oregon Department of Education for Mathematics, Science, and English under ORS 329.485 (1);

14. The academic content standards and instruction (ORS 329.045);

15. Any statute or rule that establishes requirements for instructional time;

16. Prohibition of infliction of corporal punishment (ORS 339.250 (12)).

17. ORS Chapter 338;

18. Diploma, modified diploma, extended diploma, and alternative certificate standards (ORS 329.451).

C. The public charter school may employ as a teacher or administrator a person who is not licensed by the TSPC. However, at least one-half of the total full-time equivalent teaching and administrative staff at the public charter school shall be licensed by the commission, pursuant to ORS 342.135, 342.136, 342.138 or 342.140.

D. The public charter school shall participate in the Public Employees Retirement System.

E. The public charter school shall not violate the Establishment Clause of the First Amendment to the United States Constitution or Section 5, Article I of the Oregon Constitution, or be religion based.

F. The public charter school shall maintain an active enrollment of at least 25 students, unless the public charter school is providing educational services under a cooperative agreement entered into for the purpose of forming a partnership to provide educational services.

G. The public charter school may sue or be sued as a separate legal entity.

H. The public charter school may enter into contracts and may lease facilities and services from the district, education service district, state institution of higher education, other governmental unit or any person or legal entity.

I. The public charter school may not levy taxes or issue bonds under which the public incurs liability.

J. The public charter school may receive and accept gifts, grants and donations from any source for expenditure to carry out the lawful functions of the school.

K. The district shall offer a high school diploma, modified diploma, extended diploma, or alternative certificate to any public charter school student located in the district who meets the district's and state's standards for a high school diploma, modified diploma, extended diploma, or alternative certificate.

L. A high school diploma, modified diploma, extended diploma, or alternative certificate issued by a public charter school shall grant to the holder the same rights and privileges as a high school diploma, modified diploma, extended diploma, or alternative certificate issued by a nonchartered public school.

M. 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.

VII. Virtual Public Charter School Operations

A. In addition to the other requirements for a public charter school, a Virtual Public Charter School must have:

1. A plan for academic achievement that addresses how the school will improve student learning and meet academic content standards required by ORS 329.045.

2. Performance criteria the school will use to measure the progress of the school in meeting the academic performance goals set by the school for its first five years of operation.

3. A plan for implementing the proposed education program of the school by directly and significantly involving parents and guardians of students enrolled in the school and involving the professional employees of the school.

4. A budget, business plan, and governance plan for the operation of the school.

5. An agreement that the school will operate using an interactive, Internet-based technology platform that monitors and tracks student progress and attendance in conjunction with performing other student assessment functions.

6. An agreement to employ only licensed teachers who are highly qualified as described in the Federal No Child Left Behind Act of 2001.

7. A plan that ensures:
   a. All superintendents, assistant superintendents, and principals of the schools are licensed by the TSPC to administrate; and
   b. Teachers who are licensed to teach by the TSPC and who are highly qualified as described in the federal No Child Left Behind Act of 2001 teach at least 95 percent of the school's instructional hours.

8~~7~~. A plan for maintaining student records and school records, including financial records, at a designated central office of operations.

9~~8~~. A plan to provide equitable access to the education program of the school by ensuring that each student enrolled in the school:
   a. Has access to and use of a computer and printer equipment as needed;
   b. Is offered an Internet service cost reimbursement arrangement under which the school reimburses the parent or guardian of the student, at a rate set by the school, for the costs of obtaining Internet service at the minimum connection speed required to

effectively access the education program provided by the school; or

c. Has access to and use of computer and printer equipment and is offered Internet service cost reimbursement.

109. A plan to provide access to a computer and printer equipment and the Internet service cost reimbursement as described in (8) above by students enrolled in the school who are from families that qualify as low-income under Title I of the federal Elementary and Secondary Education Act of 1965 (20 USC 6301 et seq).

1110. A plan to conduct school-sponsored optional educational events at least six times each school year at locations selected to provide convenient access to all students in the school who want to participate.

1211. A plan to conduct biweekly meetings between teachers and students enrolled in the school, either in person or through the use of conference calls or other technology

1312. A plan to provide opportunities for face-to-face meetings between teachers and students enrolled in the school at least six times each school year.

14. A plan to provide written notice to both the sponsoring district and the district in which the student resides upon enrollment or withdrawal for a reason other than graduation from high school;

a. If notice is provided due to enrollment, then the notice must include the student's name, age, address, and school at which the student was formerly enrolled;

b. If notice is provided due to withdrawal for a reason other than graduation from high school, then notice must include the student's name, age, address, reason for withdrawal (if applicable), and the name of the school in which the student intends to enroll (if known).

15. An agreement to provide a student's education records to the student's resident school district or to the sponsor upon request of the resident school district or sponsor.

B. The sponsor of a Virtual Public Charter School or a member of the public may request access to any of the documents described in (A) above.

C. If a Virtual Public Charter School or the sponsor of a Virtual Public Charter School contracts with a for-profit entity to provide educational services through the Virtual Public Charter School, the for-profit entity may not be the employer of any employees of the Virtual Public Charter School.

D. The following limitations apply:

1. School board members of the virtual public charter school's sponsoring district may not be:
   a. An employee of the virtual public charter school;
   b. A member of the governing body of the virtual public charter school;
   c. An employee or other representative of any third-party entity with which the virtual public charter school has entered into a contract to provide educational services.

2. Members of the governing body of the virtual public charter school may not be an employee of a third-party entity with which the virtual public charter school intends to enter or has entered into a contract to provide educational services;

3. If a third-party entity contracts with a virtual public charter school to provide educational services to the school, then:
   a. No third-party entity's employee or governing board member may attend an executive session of the sponsoring district's school board;
   b. No virtual public charter school employee may promote the sale or benefits of private supplemental services or classes offered by the third-party entity;
   c. The educational services must be consistent with state standards and requirements;
   d. The virtual public charter school must have on file the third-party entity's budget for the provision of educational services, including itemization of:
      (1) The salaries of supervisory and management personnel and consultants who are providing educational or related services for a virtual public charter school in this state; and
      (2) The annual operating expenses and profit margin of the third-party entity for providing educational services to a virtual public charter school in this state.

VIII. Charter Agreement Review

A. The public charter school shall report at least twice annually the first year of operation and at least annually in subsequent years on the performance of the school and its students to the State Board of Education and the district.

B. The Board or designee shall visit the public charter school at least annually to assure compliance with the terms and provisions of the charter.

C. The public charter school shall be audited annually in accordance with the Municipal Audit Law. After the audit, the public charter school shall forward to the sponsoring district and the Oregon Department of Education:

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 charter school during the preceding annual audit period for the school; ~~If the balance sheets submitted by the charter school summarize the operations and transactions affecting the financial status of the school, this will be sufficient;~~ and

3. ~~An electronic copy of a~~ Any balance sheet containing a summary of the assets and liabilities of the public charter school and related operating budget documents as of the closing date of the preceding annual audit period for the school.

D. The public charter school shall submit to the Board quarterly financial statements that reflect the school's financial operations. The report shall include, but not be limited to, revenues, expenditures, loans and investments.

IX. Charter School Renewal

A. The first renewal of a charter shall be for the same time period as the initial charter. Subsequent renewals of a charter shall be for a minimum of five years but may not exceed ten years.

B. The Board and the public charter school shall follow the following timeline unless a different timeline has been agreed upon by the Board and the public charter school:

1. The public charter school shall submit a written renewal request to the Board for consideration at least 180 days prior to the expiration of the charter.

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 ten days after the public hearing, the Board shall notify the public charter school of the Board's intent regarding the charter renewal.

4. Within 20 days after the public hearing, the Board shall approve the charter renewal or state in writing the reasons for denying charter renewal.

5. If the Board approves the charter renewal, the Board and the public charter school shall negotiate a new charter within 90 days unless the Board and the public charter school agree to an extension of the time period.

6. If the Board does not renew the charter, the public charter school may address the reasons stated for denial of the renewal and any remedial measures suggested by the Board and submit a revised request for renewal to the Board.

7. If the Board does not renew the charter based on the revised request for renewal or the parties do not negotiate a charter contract within the timelines established in this policy, 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 renewal.
   a. If the State Board of Education finds that the Board used the appropriate process in denying the request for renewal, it shall affirm the decision of the Board. A public charter may seek judicial review of this order.
   b. If the State Board of Education finds that the Board did not use the appropriate process in denying the request for renewal, it shall order the Board to reconsider the request for renewal. If after reconsideration the Board does not renew the charter, the public charter school may seek judicial review of the Board's decision.

8. The Board shall base the charter renewal decision on a good faith evaluation of whether the public charter school:
   a. Is in compliance with all applicable state and federal laws;
   b. Is in compliance with the charter of the public charter school;
   c. Is meeting or working toward meeting the student performance goals and agreements specified in the charter or any other written agreements between the Board and the public charter school;
   d. Is fiscally stable and used the sound financial management system described in the proposal submitted under ORS 338.045 and incorporated into the written charter agreement; and
   e. Is in compliance with any renewal criteria specified in the charter of the public charter school.

9. The Board shall base the renewal evaluation described above primarily on a review of the public charter school's annual performance reports, annual audit of accounts and annual site visit and review, and any other information mutually agreed upon by the public charter school and the Board.

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

X. 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;

4. Failure to maintain insurance;

5. Failure to maintain financial stability;

6. On or after July 1, 2011: failed to maintain, for two 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 charter school is terminated by the Board for any reason listed in Sections A.1 through A.5, the following shall occur:

1. The district shall give the public charter school a 60-day written notification of its decision;

2. The district shall state the grounds for termination and deliver notification to the business office of the public charter school;

3. The public charter school may request a hearing by the district. The request must be made in writing and delivered to the business address of the sponsor;

4. Within 30 days of receiving the request for a hearing, the sponsor must provide the public charter school with the opportunity for a hearing on the proposed termination;

5. The public charter school may appeal the decision to terminate to the State Board of Education;

6. If the public charter school appeals the decision to terminate to the State board of Education, the public charter school will remain open until the State Board issues its final order;

7. If the State Board's final order upholds the decision to terminate and at least 60 days have passed since the notice of intent to terminate was received by the public charter school, the district's sponsorship of the public charter school will terminate;

8. The final order of the State Board may be appealed under the provision of ORS 183.484;

9. Throughout the ORS 183.484 judicial appeals process the public charter school shall remain closed;

10. If terminated or dissolved, assets of the public charter school purchased by the public charter school with public funds, shall be given to the State Board of Education.

C. If the public charter school is terminated by the Board for any reason related to student health or safety as provided in section A.6, the following shall occur:

1. If the district reasonably believes that a public charter school is endangering the health or safety of the students enrolled in the public charter school, the district may act to immediately terminate the approved charter and close the public charter school without providing the notice required in section B. 1;

2. A public charter school closed due to health or safety concerns may request a hearing by the sponsor. Such a request must be made in writing and delivered to the business address of the district;

3. Within 10 days of receiving the request for a hearing, the district must provide the public charter school with the opportunity for a hearing on the termination;

4. If the district acts to terminate the charter following the hearing, the public charter school may appeal the decision to the State Board of Education;

5. The State Board will hold a hearing on the appeal within 10 days of receiving the request;

6. The public charter school will remain closed during the appeal process unless the State Board orders the district not to terminate and to re-open the public charter school; and

7. The final order of the State Board may be appealed under the provisions of ORS 183.484.

D. If the public charter school is terminated, closed or dissolved by the governing body of the public charter school, it shall be done only at the end of a semester and with 180 days' notice to the district, unless the health and safety of the students are in jeopardy. Such notice must be made in writing and be delivered to the business address of the sponsor.

Assets of a terminated, closed or dissolved public charter school 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.

XI. District Immunity

The district, members of the Board and employees of the district are immune from civil liability with respect to the public charter school's activities.

Corvallis
SCHOOL DISTRICT

XI. EXECUTIVE SESSION – The Board will meet in Executive Session at 5:15 p.m. under ORS 192.660 (2)(d) – To consult with persons designated for labor negotiations.

XII. ADJOURNMENT

*All times are approximate.

Note: The Chair of the Board may alter the order of business as they deem proper and necessary.

Corvallis
SCHOOL DISTRICT

Agendas – Agendas and supporting materials are available online at https://v3.boardbook.org/Public/PublicHome.aspx?ak=1000829 a few days before each School Board meeting. For more information, please contact Kim Nelson at kimberly.nelson@corvallis.k12.or.us.

Communication With The School Board – Communication with the Board can be made by telephone, letter, e-mail and public testimony. Letters may be addressed to individual Board members or the Board as a whole and sent to 1555 SW 35th Street, Corvallis, OR 97333. E-mail may be sent to schoolboard@corvallis.k12.or.us and will be sent to all board members simultaneously as well as to key District Office staff. For more information, please contact Kim Nelson at kimberly.nelson@corvallis.k12.or.us.

Consolidated Action Agenda – The purpose of the consolidated action agenda is to expedite action on routine agenda items. All agenda items that are not held for discussion at the request of a Board member or staff member will be approved/accepted as written as part of the consolidated motion. Items designated or held for discussion will be acted upon individually.

Public Comment –
Guidelines are at: https://www.csd509j.net/about-us/school-board/provide-input-and-be-informed/

Executive Session – Permissible purposes of Executive Sessions include: ORS 192.660(2)(a) – Employment of Public Officers, Employees and Agents; ORS 192.660(2)(b) – Discipline of Public Officers and Employees; ORS 192.660(2)(d) – Labor Negotiator Consultations; ORS 192.660(2)(e) – Real Property Transactions; ORS 192.660(2)(f) – Exempt Public Records; ORS 192.660(2)(h) – Legal Counsel; ORS 192.660(2)(i) – Performance Evaluations of Public Officers and Employees; ORS 192.660(2)(j) – Public Investments.

Grievance Process - ORS 192.705
Grievances alleging a violation by a governing body of provisions in Public Meetings Law may be submitted in writing to Kim Nelson at kim.nelson@corvallis.k12.or.us or submitted between 8:00 am – 5:00 pm Monday through Friday at 1555 SW 35th Street, Corvallis, OR 97333. Additional information is available on the district website.

SCHOOL BOARD MEMBERS			
Judah Largent	541-231-8415	Terese Jones, Co-Vice Chair	541-230-1673
Sami Al-Abdrabbuh	541-283-6611	Shauna Tominey, Co-Vice Chair	541-829-8411
Chris Hawkins	541-602-2045	Luhui Whitebear, Chair	541-714.3305
Bernie Wang	541-704-7298		

EXECUTIVE STAFF MEMBERS	
Ryan Noss, Superintendent	541-757-5841
Melissa Harder, Assistant Superintendent / Human Resources Director	541-766-4857
Lauren Wolfe, Finance Director	541-757-5874
Byron Bethards, Student Growth & Experience Director	541-757-5470
Kim Patten, Operations Director	541-757-3849
Kim Nelson, Executive Assistant to the Superintendent; Board Secretary	541-757-5841