



Santiam Travel Station

750 S. Third Street, Lebanon, OR 97355

DISTRICT GOALS: Improve Student Achievement, K-3 Literacy, On-Time Graduation

MEETING AGENDA

1. WELCOME

- A. Call to Order
- B. Flag Salute

2. PUBLIC COMMENTS

This is a time for citizens to address the Board. The Chair will recognize speaker(s) at the designated time. All speakers shall identify themselves and state their name before speaking. Speakers are asked to provide their name, address and telephone number on the Speaker's Sign-in Sheet. Each speaker may address the Board for three minutes.

- 3. STUDENT AND COMMUNITY ENGAGEMENT, pg. 4** **Action: Informational**
- 4. LCSD GOAL REVIEW FOR 22-23** **Action: Informational**
- 5. PROJECTED ENROLLMENT NUMBERS 22-23, pg. 11** **Action: Informational**
- 6. CONSENT AGENDA, pg. 13** **Action: Approval Requested**
 - A. August 11, 2022 Board Meeting Minutes
 - B. LCSD Organization Chart Approval for Federal Grants
 - C. Policy Updates – First and Second Readings, pg. 18 & pg. 48

CODE	TITLE
FIRST READING	REQUIRED
GBEA	Workplace Harassment *
IGDJ	Interscholastic Activities**
IGBAF-AR	Special Education – Individualized Education Program (IEP)**
IK	Academic Achievement**
JGAB	Use of Restraint or Seclusion**
GCDA/GDDA-AR	Criminal Records Checks and Fingerprinting
IGBBA	Talented and Gifted Students – Identification**
IGBB	Talented and Gifted Program and/or Services**
SECOND READING	
JGEA	Alternative Education Programs Following Expulsion**

D. Hiring:

NAME	POSITION	FTE	START DATE	END DATE
NEW HIRES 2022-23				
Frances Bonner	Elective Teacher – Seven Oak Middle School	1.0	8/29/2022	
Nicole Chancellor	Elective Teacher – Hamilton Creek School	1.0	8/29/2022	
Fay Jaramillo	Counselor – Pioneer School	1.0	9/8/2022	
Jessica Quetschke	6 th Grade Teacher – Hamilton Creek School	1.0	8/29/2022	
Lindsay Raybould	Counselor – Hamilton Creek School	1.0	8/29/2022	
Amealia Schreiter	5 th Grade Teacher – Riverview School	1.0	8/29/2022	
TEMPORARY				
Janet Fery	Temporary 3 rd Grade Teacher – Pioneer School	1.0	8/29/2022	6/15/2023
Jake Schlechter	Temporary Math Teacher – Lebanon High School	1.0	9/5/2022	6/15/2023

7. DEPARTMENT REPORTS

Action: Informational

- A. Operations
- B. Human Resources
- C. Finance
 - 1. Financial Reports

8. COMMUNICATION

Action: Informational

- A. Board
- B. Superintendent

9. AUDIENCE COMMENTS

The Lebanon Community School District Board of Directors welcomes you to our regular meeting. It is the Board's goal to hold an effective and efficient meeting to conduct the business of the District. In keeping with this goal, the Board provides a place for Audience Comments on each of its regular agendas. This is a time when you can provide statements or ask questions. The Board allows three minutes for each speaker. The language below discusses the Public Meetings Law and public participation in such meetings.

"The Public Meetings Law is a public attendance law, not a public participation law. Under the Public Meetings Law, governing body meetings are open to the public except as otherwise provided by law. ORS 192.630 The right of public attendance guaranteed by the Public Meetings Law does not include the right to participate by public testimony or comment.

"Other statutes, rules, charters, ordinances, and bylaws outside the Public Meetings Law may require governing bodies to hear public testimony or comment on certain matters. But in the absence of such a requirement, a governing body may conduct a meeting without any public participation. Governing bodies voluntarily may allow limited public participation at their meetings."

Oregon Attorney General's Administrative Law Manual and Uniform and Model Rules of Procedure under the Administrative Procedures Act. Hardy Myers, Attorney General, March 27, 2000.

10. ADJOURNMENT

Upcoming meeting dates:

October 13th, 2022 – Board Meeting at 6:00 PM

November 10th, 2022 – Board Meeting at 6:00 PM

Agenda Item 3

Student and Community Engagement



Family Engagement and Inclusion

2022–23 School year

Overall Goals



- ❑ Improve student achievement, per district goals.
- ❑ Coordinate student and family engagement opportunities and partnerships, including learning about educational systems.
- ❑ Build relational trust with families, especially those who have been disconnected from the educational system.
- ❑ Identify existing barriers to effective stakeholder engagement and develop ideas to increase positive communication and stakeholder satisfaction, including partnerships with community organizations.
- ❑ Support college and career readiness.
- ❑ Provide support of the district's ongoing implementation and administration of SIA and Equity plans.

Community & Family Partnerships

LEVELS OF COMMUNITY ENGAGEMENT

STANCE TOWARDS COMMUNITY

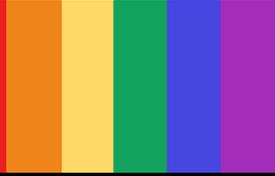
IGNORE	INFORM	CONSULT	INVOLVE	COLLABORATE	DEFER
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Family Engagement

- ❑ Planning for 2022–23...
 - ❑ *Empower Hour* – Monthly, bite-sized learning sessions dedicated to connecting families with topics and resources relevant to stay informed and active in their student's education.
 - ❑ MTSS for Family Engagement
 - ❑ Character Strong and Purposeful People
 - ❑ School-home partnership focusing on social and emotional learning
 - ❑ Empathy Interviews – listening sessions
- ❑ Continuing from past years...
 - ❑ Latino Family Nights
 - ❑ Welcome Center

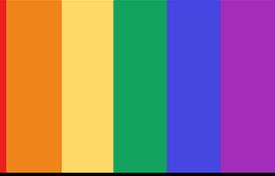


Community Partnerships



**ALIGNING
FOR STUDENT
SUCCESS:
INTEGRATED GUIDANCE
FOR SIX ODE INITIATIVES
2022**

Student Voice



I wish my teacher knew...
"That she is the best teacher in the holl school district!
She is kind shes loving, and kind horti
know this if she was your teacher
love her to as a teacher to!"

I wish my teacher knew...
I wish my teacher knew
that she is one of my
favorite teachers I have had
she is nice and caring and
my favorite subject is
math. because I am good at it.



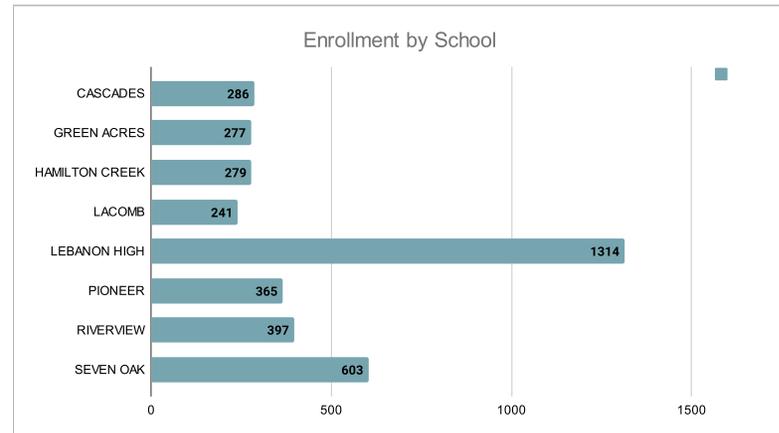
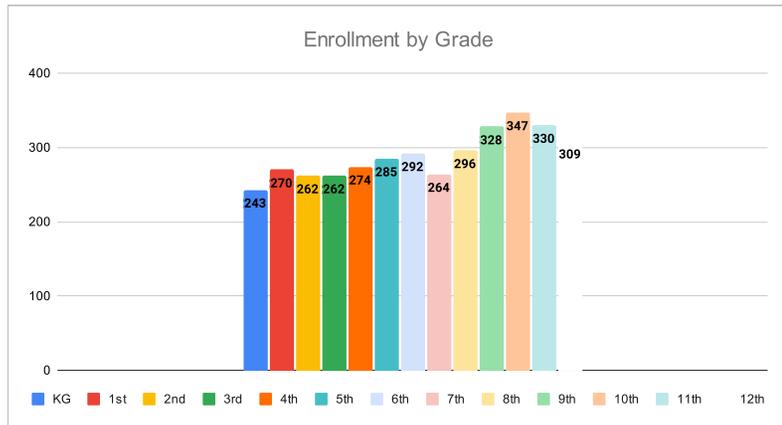
- ❑ In Spring 2022, we asked students across the district to finish the statement “I wish my teacher knew...”
- ❑ The result was over 2,000 handwritten messages from students in kindergarten through 12th grade!
- ❑ We shared about 200 of the messages with staff during our back to school PD, centering our work around student voice.

Agenda Item 5

Projected Enrollment Numbers

SIS Projected Enrollment

	KG	1	2	3	4	5	6	7	8	9	10	11	12	22-23	21-22	20-21	19-20	18-19	4 YR Avg.	Teacher Ratio
CASCADES	46	41	40	38	46	53	22							286	306	271	297	275	287	22-1
GREEN ACRES	49	48	50	47	44	39								277	285	285	303	284	289	21-1
HAMILTON CREEK	27	27	30	30	37	33	31	32	32					279	278	244	310	198	257	21-1
LACOMB	19	27	30	27	34	27	25	22	30					241	248	212	215	149	206	24-1
LEBANON HIGH										328	347	330	309	1314	1259	1129	1287	1260	1233	25-1
PIONEER	50	59	46	60	43	52	55							365	378	314	331	328	338	21-1
RIVERVIEW	52	68	66	60	70	81								397	400	329	398	428	389	22-1
SEVEN OAK							159	210	234					603	540	481	628	596	561	24-1
Total by Grade	243	270	262	262	274	285	292	264	296	328	347	330	309	3762	3694	3265	3769	3518	3560	



Agenda Item 6

Consent Agenda

- A. August 11, 2022 Board Meeting Minutes
- B. LCSD Organization Chart Approval for Federal Grants
- C. Policy Updates – First and Second Readings



Santiam Travel Station

750 S. Third Street, Lebanon, OR 97355

MEETING MINUTES

<p><u>BOARD MEMBERS PRESENT:</u> Tom Oliver, Chair, via zoom Richard Borden, Vice Chair Nichole Piland, Member Tammy Schilling, Member</p>	<p><u>EXECUTIVE STAFF PRESENT:</u> Bo Yates, Superintendent, via zoom William Lewis, Business Director Kim Grousbeck, Human Resources Director</p>
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The meeting minutes were recorded by Executive Secretary Jessica Woody.

1. WELCOME AND CALL TO ORDER

Board Chair Tom Oliver called the meeting to order at 6:00 PM and led the flag salute.

2. PUBLIC COMMENTS

No public comments were made.

3. SUMMER SCHOOL UPDATE

Bill Wittman spoke to the board and announced that today was the last day of elementary summer school. He shared some great teacher quotes, and explained that teachers and all staff were so pleased and happy with summer school this year. He also explained that many felt even renewed and rejuvenated after such a rewarding experience.

Bill also reviewed the data for the 3 sessions of summer school offered, each session served between 205-235 each session and had about 65-70% daily attendance, and dropping to about 50% at session 3. The middle school offered 3 sessions and served between 56-65 students each session. The high school offered 3 weeks of onsite instruction for core classes, as well as online ingenuity option for summer school credit, and there were 99 students who earned credits, for a total of 105 credits earned. Ralston academy students earned 47 credits, with an 11th grade student earning enough credits to early grad and finish out high school. Bill expressed the success with credit recovery that we had.

Bo Yates reiterates that this amount of credits comes to high number of costs, meaning a significant amount of money was saved by not having to do credit recovery during school and students are not having to re do an entire class. This allows the district to have more elective teachers, which is a big positive. Bo also explains that coming off a couple of really rough years, the district is being very diligent and helping to get the graduation rates up and help the students be successful.

4. VOLUNTEER UPDATE

Bo Yates explains that we will be able to have volunteers in our buildings this school year, they will have to follow the same vaccination guidelines as our staff. The district will be reaching out and pursuing to get that extra help from the community and to help the students be as successful as possible.

5. EARLY RELEASE PRIORITIES

Bill Wittman speaks to the board, about the districts early release priorities. He states that early release occurs every Wednesday and is about 2 hours of additional time that staff have, this supports continual improvement not only for students but for staff as well. He explains that the early release Wednesdays can be a bit tougher on families, but does have a return on investment because there is a lot of collaboration happening during that time. He explains that during this time there is 4 main components of what the district does, building time for leadership and principals to meet, AVID training, professional learning communities, and some building prep per contract. Bill also explains that the district has invested a lot of money in AVID, which are research-based practices and best practices focusing on writing, collaboration, organization, and reading. He also explains that district wide PLC takes place during this time about once a month as well, which consists of grade level teachers getting together to collaborate, learn from each other, and get better at their craft by finding expertise within the district and using our exemplars to share knowledge with others. Lastly, he reiterates the importance of the time on Wednesday afternoons and how valuable and purposeful that time really is, and that it is strategically put together all year long. He states the importance it has in executing our districts strategic plan.

6. CONSENT AGENDA

Richard Borden motions to approve and Nichole Piland seconds the motion. All in favor with a unanimous vote, the consent agenda made up of July 14, 2022 Board Meeting Minutes, first reading policy update JGEA, and second reading policy updates GBA-AR and GCBDA/GDBDA-AR(1), and new hires Charles Bias, Kyla Creech, Justine Hynes, Kalei Merrill, Kristie Moseley, Kerry Slater, Joyce Vasquez, and Colby Wooten is approved in its entirety.

7. DEPARTMENT REPORTS

A. Operations

Bo Yates explains that the district is working through some challenges and filling positions, with transportation being a big one, and that the district is doing things to encourage people to be hired on as well as ways to be supported on the bus to make it better for all involved. He also explains that if we are short a bus driver at any time, we will do an hour/2-hour delay so that we are still able to run the route, and delay the bus route only, rather than a school delay. Mr. Yates also explains that the district is working on providing transportation for Lacombe and Hamilton Creek in order to better support the after-school programs and be as flexible as possible in getting kids to and from school.

B. Human Resources

Bo Yates explains that there have been some late changes of staff coming in and out, job changes and staff leaving, but for the most part are in great shape with the districts staffing at this point.

C. Finance

Nothing to address to the board.

8. COMMUNICATION

A. Board

Nothing from the board.

B. Superintendent

Bo Yates explains that the district has been having meetings for the start of the year and he is feeling really good about the people that we have this year.

9. AUDIENCE COMMENTS

No audience comments were made.

10. MEETING ADJOURNED

There being no further business before the Board, the meeting was adjourned at 6:19 PM.

Tom Oliver, Board Chair

Bo Yates, Superintendent

ORGANIZATION CHART

Board of Directors

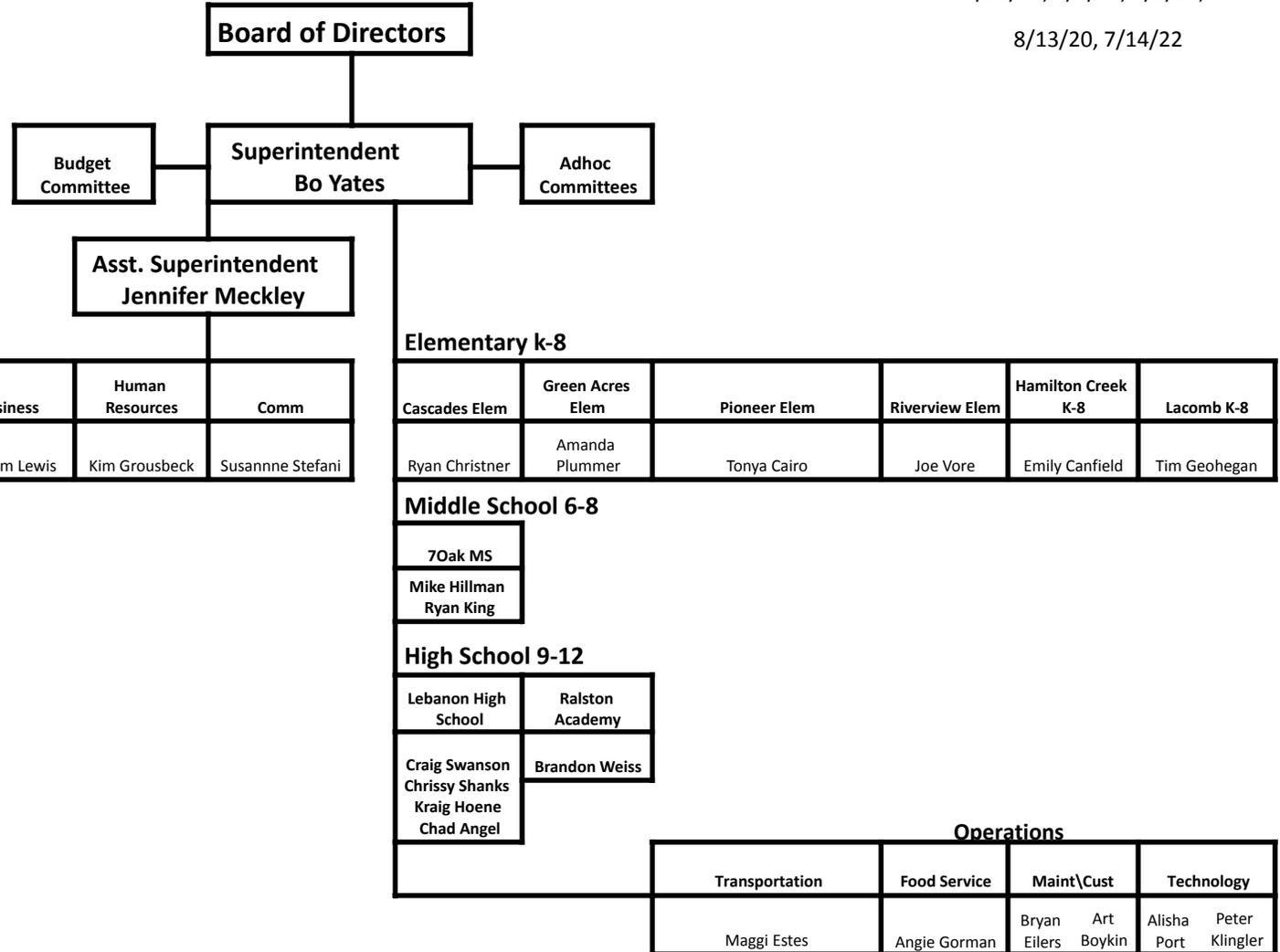
Zone 1 Tammy Schilling

Zone 2 Tom Oliver

Zone 3 Mike Martin chair

Zone 4 Richard Borden vice chair

Zone 5 Nichole Piland



School Support and Achievement

School Improvement	Alternative Programs	Special Education	Business	Human Resources	Comm
Bill Wittman	Brandon Weiss	Steve Woodcock	William Lewis	Kim Grousbeck	Susanne Stefani

Prog Support	Special Projects
Tina Snieder Tami Volz	Rachel Cannon

Elementary k-8

Cascades Elem	Green Acres Elem	Pioneer Elem	Riverview Elem	Hamilton Creek K-8	Lcomb K-8
Ryan Christner	Amanda Plummer	Tonya Cairo	Joe Vore	Emily Canfield	Tim Geohegan

Middle School 6-8

7Oak MS
Mike Hillman Ryan King

High School 9-12

Lebanon High School	Ralston Academy
Craig Swanson Chrissy Shanks Kraig Hoene Chad Angel	Brandon Weiss

Operations

Transportation	Food Service	Maint\Cust	Technology
Maggi Estes	Angie Gorman	Bryan Eilers Art Boykin	Alisha Port Peter Klingler

First Readings

Workplace Harassment*

Workplace harassment is prohibited and shall not be tolerated. This includes workplace harassment that occurs between district employees or between a district employee and the district in the workplace or at a work-related event that is off district premises and coordinated by or through the district, or between a district and a district employee off district premises. Elected school board members, volunteers and interns are subject to this policy.

Any district employee who believes they have been a victim of workplace harassment may file a report with the district employee designated in the administrative regulation GBEA-AR - Workplace Harassment Reporting and Procedure, may file a report through the Bureau of Labor and Industries' (BOLI) complaint resolution process or under any other available law. The reporting of such information is voluntary. The district employee making the report is advised to document any incidents of workplace harassment.

“Workplace harassment” means conduct that constitutes discrimination prohibited by Oregon Revised Statute (ORS) 659A.030 (discrimination in employment based on race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age, or expunged juvenile record), including conduct that constitutes sexual assault¹ or that constitutes conduct prohibited by ORS 659A.082 (discrimination against person in uniformed service) or 659A.112 (discrimination in employment based on disability).

The district, upon receipt of a report from a district employee who believes they are a victim of workplace harassment, shall provide information about legal resources and counseling and support services, including any available employee assistance services. The district employee receiving the report, whether a supervisor of the employer or the district employee designated to receive reports, is advised to document any incidents of workplace harassment, and shall provide a copy of this policy and accompanying administrative regulation to the victim upon their disclosure about alleged workplace harassment.

All incidents of behavior that may violate this policy shall be promptly investigated.

Any person who reports workplace harassment has the right to be protected from retaliation.

The district may not require or coerce a district employee to enter into a nondisclosure² or nondisparagement³ agreement.

¹ “Sexual assault” means unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat or intimidation.

² A “nondisclosure” agreement or provision prevents either party from disclosing the contents of or circumstances surrounding the agreement.

³ A “nondisparagement” agreement or provision prevents either party from making disparaging statements about the other par

The district may not enter into an agreement with an employee or prospective employee, as a condition of employment, continued employment, promotion, compensation, or the receipt of benefits, that contains a nondisclosure provision, a nondisparagement provision or any other provision that has the purpose or effect of preventing the employee from disclosing or discussing workplace harassment that occurred between district employees or between a district employee and the district, in the workplace or at a work- related event that is off district premises and coordinated by or through the district, or between a district employee and employer off district premises.

The district may enter into a settlement agreement, separation or severance agreement that includes one or more of the following provisions only when a district employee claiming to be aggrieved by workplace harassment requests to enter into the agreement: 1) a nondisclosure or nondisparagement provision; 2) a provision that prevents disclosure of factual information relating to the claim of workplace harassment; or 3) a no-rehire provision that prohibits the employee from seeking reemployment with the district as a term or condition of the agreement. The agreement must provide the district employee at least seven days after signing the agreement to revoke it.

If the district determines in good faith that an employee has engaged in workplace harassment, the district may enter into a settlement, separation or severance agreement that includes one or more of the provisions described in the previous paragraph.

It is the intent of the Board that appropriate corrective action will be taken by the district to stop workplace harassment, prevent its recurrence and address negative consequences. Staff members in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional workplace harassment awareness training, as appropriate. Other individuals (e.g., board members, witnesses, and volunteers) 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 the Board.

The district shall make this policy available to all district employees and shall be made a part of district orientation materials provided and copied to new district employees at the time of hire.

The superintendent will establish a process of reporting incidents of workplace harassment and the prompt investigation.

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)
[ORS 243.317 - 243.323](#)
[ORS 659A.001](#)
[ORS 659A.003](#)
[ORS 659A.006](#)

[ORS 659A.029](#)
[ORS 659A.030](#)
[ORS 659A.082](#)
[ORS 659A.112](#)
[ORS 659A.370](#)

[ORS 659A.820](#)
[ORS 659A.875](#)
[ORS 659A.885](#)
[OAR 584-020-0040](#)
[OAR 584-020-0041](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).
Bartsch v. Elkton School District, FDA-13-011 (March 27, 2014).
~~House Bill 3041(2021)~~

Interscholastic Athletics

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

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

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

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

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

4. Performs an annual survey of students and their parents to understand and respond to potential violations of equity focused policies or other discrimination.

The district shall allow homeschooled students that reside in the district, students eligible to attend school and enrolled in a ~~district or ESD provided General Education Development (GED) high school equivalency~~ program³ that reside in the district, and students attending a public charter school ~~that does not provide interscholastic activities~~ that reside in the district, ~~the opportunity~~ to participate in available interscholastic activities when the requirements found in Oregon law are met.

Interscholastic activities when provided by the district will comply with Title IX.

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

Volunteers may be approved to assist with district activities with prior approval from the principal.

The principal shall investigate all allegations of district student ineligibility, staff recruitment violations or other student or staff conduct that may violate Board policies, administrative regulations, and/or ~~OSAA~~ ~~the~~ rules and regulations ~~of the associated voluntary organization~~. The principal shall notify the superintendent of conduct that violates the terms of this policy and report to the ~~associated voluntary organization OSAA as if~~ required.

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

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

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

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

END OF POLICY

Legal Reference(s):

[ORS 326.051](#)
[ORS 332.075\(1\)\(e\)](#)
[ORS 332.107](#)
[ORS 339.450-339.460](#)
[OAR 581-015-2255](#)
[OAR 581-021-0045 – 0049](#)
[OAR 581 -022-2308\(2\)](#)
[OAR 581-026-0005](#)
[OAR 581-026-0700](#)
[OAR 581-026-0705](#)
[OAR 581-026-0710](#)

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2012); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2017).

~~OREGON SCHOOL ACTIVITIES ASSOCIATION, OSAA HANDBOOK.~~

Montgomery v. Bd. of Educ., 188 Or. App. 63 (2003).

[Senate Bill 1522 \(2022\)](#)

Special Education - Individualized Education Program (IEP)**

1. General IEP Information

- a. The district ensures that an IEP is in effect for each eligible student:
 - (1) Before special education and related services are provided to a student;
 - (2) At the beginning of each school year for each student with a disability for whom the district is responsible; and
 - (3) Before the district implements all the special education and related services, including program modifications, supports and/or supplementary aids and services, as identified on the IEP.
- b. The district uses:
 - (1) The Oregon standard IEP; or
 - (2) An IEP form that has been approved by the Oregon Department of Education.
- c. The district develops and implements all provisions of the IEP as soon as possible following the IEP meeting.
- d. The IEP will be accessible to each of the student's regular education teacher(s), the student's special education teacher(s) and the student's related services provider(s) and other service provider(s).
- e. The district takes steps to ensure that parent(s) are present at each IEP meeting or have the opportunity to participate through other means.
- f. The district ensures that each teacher and service provider is informed of:
 - (1) Their specific responsibilities for implementing the IEP specific accommodations, modifications and/or supports that must be provided for, or on behalf of the student; and
 - (2) Their responsibility to fully implement the IEP including any amendments the district and parents agreed to make between annual reviews.

The district takes whatever action is necessary to ensure that parents understand the proceedings of the IEP team meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.

- g. The district provides a copy of the IEP to the parents at no cost.

2. IEP Meetings

- a. The district conducts IEP meetings within 30 calendar days of the determination that the student is eligible for special education and related services.
- b. The district convenes IEP meetings for each eligible student periodically, but not less than once per year.
- c. At IEP meetings, the team reviews and revises the IEP to address any lack of expected progress toward annual goals and in the general curriculum, new evaluation data or new information from the parent(s), the student's anticipated needs, or the need to address other matters.
- d. Between annual IEP meetings, the district and the parent(s) may amend or modify the student's current IEP without convening an IEP team meeting using the procedures in the Agreement to Amend or Modify IEP subsection.
- e. When the parent(s) requests a meeting, the district will either schedule a meeting within a reasonable time or provide timely written prior notice of the district's refusal to hold a meeting.
- f. If an agency other than the district fails to provide agreed upon transition services contained in the IEP, the district convenes an IEP meeting to plan alternative strategies to meet the transition objectives and, if necessary, to revise the IEP.

3. IEP Team Members

- a. The district's IEP team members include the following:
 - (1) The student's parent(s);
 - (2) The student, if the purpose of the IEP meeting is to consider the student's postsecondary goals and transition services (beginning for IEPs in effect at age 16), or for younger students, when appropriate;
 - (3) At least one of the student's special education teachers or, if appropriate, at least one of the student's special education providers;
 - (4) At least one of the student's regular education teachers if the student is or may be participating in the regular education environment. If the student has more than one regular education teacher, the district will determine which teacher or teachers will participate;
 - (5) A representative of the district (who may also be another member of the team) who is qualified to provide or supervise the provision of special education and is knowledgeable about district resources. The representative of the district will have the authority to commit district resources and be able to ensure that all services identified in the IEP can be delivered;
 - (6) An individual, who may also be another member of the team, who can interpret the instructional implications of the evaluation results; and
 - (7) At the discretion of the parent or district, other persons who have knowledge or special expertise regarding the student.
- b. Student participation:
 - (1) Whenever appropriate, the student with a disability is a member of the team.

- (2) If the purpose of the IEP meeting includes consideration of postsecondary goals and transition services for the student, the district includes the student in the IEP team meeting.
 - (3) If the purpose of the IEP meeting includes consideration of postsecondary goals and transition services for the student, and the student does not attend the meeting, the district will take other steps to consider the student's preferences and interests in developing the IEP.
- c. Participation by other agencies:
- (1) With parent or adult student written consent, and where appropriate, the district invites a representative of any other agency that is likely to be responsible for providing or paying for transition services if the purpose of the IEP meeting includes the consideration of transition services (beginning at age 16, or younger if appropriate); and
 - (2) If the district refers or places a student in an education service district, state-operated program, private school or other educational program, IEP team membership includes a representative from the appropriate agencies. Participation may consist of attending the meeting, conference call or participating through other means.

4. Agreement for Nonattendance and Excusal

- a. The district and the parent may consent to excuse an IEP team member from attending an IEP meeting, in whole or in part, when the meeting involves a discussion or modification of team member's area of curriculum or service. The district designates specific individuals to authorize excusal of IEP team members.
- b. If excusing an IEP team member whose area is to be discussed at an IEP meeting, the district ensures:
 - (1) The parent and the district consent in writing to the excusal;
 - (2) The team member submits written input to the parents and other members of the IEP team before the meeting; and
 - (3) The parent is informed of all information related to the excusal in the parent's native language or other mode of communication according to consent requirements.

5. IEP Content

- a. In developing the IEP, the district considers the student's strengths, the parent's concerns, the results of the initial or most recent evaluation, and the academic, developmental and functional needs of the student.
- b. The district ensures that IEPs for each eligible student includes:
 - (1) A statement of the student's present levels of academic achievement and functional performance that:
 - (a) Includes a description of how the disability affects the progress and involvement in the general education curriculum;
 - (b) Describes the results of any evaluations conducted, including functional and developmental information;

- (c) Is written in language that is understood by all IEP team members, including parents;
 - (d) Is clearly linked to each annual goal statement;
 - (e) Includes a description of benchmarks or short term objectives for children with disabilities who take alternative assessments aligned to alternate achievement standards.
- (2) A statement of measurable annual goals, including academic and functional goals, or for students whose performance is measured by alternate assessments aligned to alternate achievement standard, statements of measurable goals and short term objectives. The goals and, if appropriate, objectives:
- (a) Meet the student's needs that are present because of the disability, or because of behavior that interferes with the student's ability to learn, or impedes the learning of other students;
 - (b) Enable the student to be involved in and progress in the general curriculum, as appropriate; and
 - (c) Clearly describe the anticipated outcomes, including intermediate steps, if appropriate, that serve as a measure of progress toward the goal.
- (3) A statement of the special education services, related services, supplementary aids and services that the district provides to the student:
- (a) The district bases special education and related services, modifications and supports on peer-reviewed research to the extent practicable to assist students in advancing toward goals, progressing in the general curriculum and participating with other students (including those without disabilities), in academic, nonacademic and extracurricular activities.
 - (b) Each statement of special education services, related or supplementary services, aids, modifications or supports includes a description of the inclusive dates, amount or frequency, location and who is responsible for implementation.
- (4) A statement of the extent, if any, to which the student will not participate with nondisabled students in regular academic, nonacademic and extracurricular activities.
- (5) A statement of any individual modifications and accommodations in the administration of state or districtwide assessments of student achievement.
- (a) A student will not be exempt from participation in state or districtwide assessment because of a disability unless the parent requests an exemption;
 - (b) If the IEP team determines that the student will take the alternate assessment instead of the regular statewide or a districtwide assessment, a statement of why the student cannot participate in the regular assessment and why the alternate assessment is appropriate for the student.
- (6) A statement describing how the district will measure student's progress toward completion of the annual goals and when periodic reports on the student's progress toward the annual goals will be provided.

6. Individualized COVID-19 Recovery Services¹

Individualized COVID-19 Recovery Services, PER OAR 581-015-2229, are defined as those services determined necessary for eligible students based on the unique needs that arise from their disability due to the impact of the COVID-19 pandemic, which may include but are not limited to:

- a. Special education and related services;
- b. Supplementary aides and services;
- c. Additional or intensified instruction;
- d. Social emotional learning support; and
- e. Peer or adult support.

The IEP team for each eligible student shall consider the need for Individualized COVID-19 Recovery Services at least at each initial IEP meeting and each regularly scheduled annual review meeting.

7. Agreement to Amend or Modify IEP

Between annual IEP meetings, the district and the parent may agree to make changes in the student's current IEP without holding an IEP meeting. These changes require a signed, written agreement between the district and the parent.

- a. The district and the parent record any amendments, revisions or modifications on the student's current IEP. If additional IEP pages are required these pages must be attached to the existing IEP.
- b. The district files a complete copy of the IEP with the student's education records and informs the student's IEP team and any teachers or service providers of the changes.
- c. The district provides the parent prior written notice of any changes in the IEP and upon request, provides the parent with a revised copy of the IEP with the changes incorporated.

8. IEP Team Considerations and Special Factors

- a. In developing, reviewing and revising the IEP, the IEP team considers:
 - (1) The strengths of the student and concerns of the parent for enhancing the education of the student;
 - (2) The results of the initial or most recent evaluation of the student;
 - (3) As appropriate, the results of the student's performance on any general state or districtwide assessments;
 - (4) The academic, developmental and functional needs of the child.
- b. In developing, reviewing and revising the student's IEP, the IEP team considers the following special factors:
 - (1) The communication needs of the student; and
 - (2) The need for assistive technology services and/or devices.

¹ The requirements of this section are in effect until July 1, 2023 unless extended by the State Board of Education.

- c. As appropriate, the IEP team also considers the following special factors:
- (1) For a student whose behavior impedes their learning or that of others, strategies, positive behavioral intervention and supports to address that behavior;
 - (2) For a student with limited English proficiency, the language needs of the student as those needs relate to the IEP;
 - (3) For a student who is blind or visually impaired, instruction in Braille and the use of Braille unless the IEP team determines (after an evaluation of reading and writing skills, needs and media, including evaluation of future needs for instruction in Braille or the use of Braille, appropriate reading and writing), that instruction in Braille or the use of Braille is not appropriate;
 - (4) For a student who is deaf or hard of hearing, the student's language and communication needs, including opportunities for direct communication with peers and professional personnel in the student's language and communication mode, academic level and full range of needs, including opportunities for direct instruction in the student's language and communication mode;
 - (5) If a student is deaf, deafblind, or hard of hearing, the district will provide information about relevant services and placements offered by the school district, the education service district, regional programs, and the Oregon School for the Deaf; and
 - (6) A statement of any device or service needed for the student to receive a free appropriate public education (FAPE).
- d. In addition to the above IEP contents, the IEP for each eligible student of transition age includes:
- (1) Beginning not later than the first IEP in effect when the student turns 16, or as early as 14 or younger, if determined appropriate by the IEP team (including parent(s)), and updated annually thereafter, the IEP must include:
 - (a) Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training education, employment, and where appropriate, independent living skills; and
 - (b) The transition services (including courses of study) needed to assist the student in reaching those goals.
 - (i) Regarding employment planning, the parent shall be provided information about and opportunities to experience employment services provided by Oregon Vocational Rehabilitation or the Oregon Office of Developmental Disability Services. These services must be provided in a competitive integrated employment setting, as defined by Oregon Administrative Rule 441-345-0020. Information about these services shall also be provided to the parent by the district at each annual review for IEPs to be in effect when the child turns 16, or as early as 14 or younger, if determined appropriate by the IEP team (including parent(s)).
 - (2) At least one year before a student reaches the age of majority (student reaches the age of 18, or has married or been emancipated, whichever occurs first), a statement that the district has informed the student that all procedural rights will transfer at the age of majority; and

- (3) If identified transition service providers, other than the district, fail to provide any of the services identified on the IEP, the district will initiate an IEP meeting as soon as possible to address alternative strategies and revise the IEP if necessary.
- e. To promote self-determination and independence, the district shall provide the student and the student's parents with information and training resources regarding supported decision-making as a less restrictive alternative to guardianship, and with information and resources regarding strategies to remain engaged in the student's secondary education and post-school outcomes. The district shall provide the information at each IEP meeting that includes discussion of post-secondary education goals and transition services.

9. Incarcerated Youth

- a. For students with disabilities who are convicted as adults, incarcerated in adult correctional facilities and otherwise entitled to FAPE, the following IEP requirements do not apply:
 - (1) Participation of students with disabilities in state and districtwide assessment; and
 - (2) Transition planning and transition services, for students whose eligibility will end because of their age before they will be eligible to be released from an adult correctional facility based on consideration of their sentence and eligibility for early release.
- b. The IEP team may modify the student's IEP, if the state has demonstrated a bona fide security or other compelling interest that cannot be otherwise accommodated.

10. Extended School Year Services

- a. The district makes extended school year (ESY) services available to all students for whom the IEP team has determined that such services are necessary to provide FAPE.
- b. ESY services are:
 - (1) Provided to a student with a disability in addition to the services provided during the typical school year;
 - (2) Identified in the student's IEP; and
 - (3) Provided at no cost to the parent.
- c. The district does not limit consideration of ESY services to particular categories of disability or unilaterally limit the type, amount or duration of service.
- d. The district provides ESY services to maintain the student's skills or behavior, but not to teach new skills or behaviors.
- e. The district's criteria for determining the need for extended school year services include:
 - (1) Regression (a significant loss of skills or behaviors) and recoupment time based on documented evidence; or
 - (2) If no documented evidence, on predictions according to the professional judgment of the team.

- f. “Regression” means significant loss of skills or behaviors in any area specified on the IEP as a result of an interruption in education services.
- g. “Recoupment” means the recovery of skills or behaviors specified on the IEP to a level demonstrated before the interruption of education services.

11. Assistive Technology

- a. The district ensures that assistive technology devices or assistive technology services, or both, are made available if they are identified as part of the student’s IEP. These services and/or devices may be part of the student’s special education, related services or supplementary aids and services.
- b. On a case-by-case basis, the district permits the use of district-purchased assistive technology devices in the student’s home or in other settings if the student’s IEP team determines that the student needs access to those devices to receive a free appropriate public education. In these situations, district policy will govern liability and transfer of the device when the student ceases to attend the district.

12. Transfer Students

- a. In state:

If a student with a disability (who had an IEP that was in effect in a previous district in Oregon) transfers into the district and enrolls in a district school within the same school year, the district (in consultation with the student’s parents) provides a free appropriate public education to the student (including services comparable to those described in the student’s IEP from the previous district), until the district either:

- (1) Adopts the student’s IEP from the previous district; or
- (2) Develops, adopts and implements a new IEP for the student in accordance with all of the IEP provisions.

- b. Out of state:

If a student transfers into the district with a current IEP from a district in another state, the district, in consultation with the student’s parents, will provide a free appropriate public education to the student, including services comparable to those described in the student’s IEP from the previous district, until the district:

- (1) Conducts an initial evaluation (if determined necessary by the district to determine Oregon eligibility) with parent consent and determines whether the student meets eligibility criteria described in Oregon Administrative Rules.
- (2) If the student is eligible under Oregon criteria, the district develops, adopts and implements a new IEP for the student using the Oregon Standard IEP or an approved alternate IEP.
- (3) If the student does not meet Oregon eligibility criteria, the district provides prior written notice to the parents explaining that the student does not meet Oregon eligibility criteria and specifying the date when special education services will be terminated.

Academic Achievement**

The Board believes it is important that teachers have as much accurate knowledge of student achievement as possible to assess students' needs and growth; thus, a sharing of information among parent, teacher and student is essential.

The district shall ensure that all students have the opportunity to demonstrate progress toward mastery of the knowledge and skills of the student's current grade level or course content level. Students who have not yet met or who exceed all of the standards at any grade level, will be offered additional services or alternative educational or public school options. The goal of the district is for each student to gain a minimum of a years academic growth in a years time

The Board directs staff to follow these guidelines in measuring and determining student progress:

1. Parents and students will be informed at least annually, of their student's progress toward achieving the academic content standards, including but not limited to:
 - a. Information on progress in each subject area to meet or exceed the academic content standards at the student's current grade level or course content level, including major goals used to determine the information;
 - b. Specific evidence of student progress toward mastery of a continuum of academic knowledge and skills (academic content standards) of a subject area, upon request from a parent;
 - c. Evidence of the student's progress in a continuum of knowledge and skills that are not academic and that may include student behaviors that are defined by the district;
 - d. Student scores on all state and local assessments indicating any of the requirements that have been waived for the district or the individual and time periods for the waiver; and
 - e. Student progress toward completion of diploma requirements to parents of students in grades 9-12, including credits earned, demonstration of extended application and demonstration of the Essential Skills.
2. Parents will be alerted and conferred with as soon as possible when a student's performance or attitude becomes unsatisfactory or shows marked or sudden deterioration;
3. Grades and/or portfolio content assessment will be based upon academic performance and will not include student attitude or behavior. Grades will not be used for disciplinary purposes. Absenteeism or misconduct shall not be the sole criterion for the reduction of a student's grade. Behavior performance shall be reported separately;

4. At comparable levels, the school system will strive for consistency in grading and reporting except when this consistency is inappropriate for certain classes or certain students;
5. When no grades are given but the student is evaluated in terms of progress, the school staff will ~~also provide a realistic appraisal of the student's standing in relation to his/her peers;~~ show whether the student is achieving course requirements at the student's current grade level;
6. The staff will take particular care to explain to parents the meaning of marks and symbols used to reflect student performance.

END OF POLICY

Legal Reference(s):

[ORS 107.154](#)
[ORS 329.485](#)
[ORS 343.295](#)
[OAR 581-021-0022](#)
[OAR 581-022-1660](#)
[OAR 581-022-1670](#)

Use of Restraint or Seclusion**

The Board is dedicated to the development and application of best practices within the district's public educational/behavioral programs. The Board to establishes this policy and its administrative regulation to define the circumstances that must exist and the requirements that must be met prior to, during, and after the use of restraint or seclusion as an intervention with district students.

The use of the following types of restraint on a student in the district is prohibited:

1. Chemical restraint.
2. Mechanical restraint.
3. Prone restraint.
4. Supine restraint.
5. Any restraint that involves the intentional and nonincidental use of a solid object¹, including a wall or the floor, to impede a student's movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.
6. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, neck or throat.
7. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, unless the restraint is necessary for the purpose of extracting a body part from a bite.
8. Any restraint that impedes, or creates a risk of impeding, breathing.
9. Any restraint that involves the intentional placement of the hands, feet, elbow, knee or any object on a student's neck, throat, genitals or other intimate parts.
10. Any restraint that causes pressure to be placed, or creates a risk of causing pressure to be placed, on the stomach or back by a knee, foot or elbow bone.
11. Any action designed for the primary purpose of inflicting pain.

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

The use of a seclusion cell is prohibited.

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

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

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

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

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

If restraint or seclusion is used on a student, by trained staff or other staff available in the case of an emergency when trained staff are not immediately available due to the unforeseeable nature of the emergency, e.g., teacher, administrator or volunteer, it will be used only for as long as the student’s behavior poses a reasonable risk of imminent or substantial physical or bodily injury to the student or others and less restrictive interventions would not be effective. Students will be continuously monitored by staff for the duration of the restraint or seclusion.

Definitions

1. “Restraint” means the restriction of a student’s actions or movement by holding the student or using pressure or other means.

“Restraint” does not include:

- a. Holding a student’s hand or arm to escort the student safely and without the use of force from one area to another;
- b. Assisting a student to complete a task if the student does not resist the physical contact; or
- c. Providing reasonable intervention with the minimal exertion of force necessary if the intervention does not include a restraint prohibited under Oregon Revised Statute (ORS) 339.288 and the intervention is necessary to:
 - (1) Break up a physical fight;
 - (2) Interrupt a student’s impulsive behavior that threatens the student’s immediate safety, including running in front of a vehicle or climbing on unsafe structures or objects; or
 - (3) Effectively protect oneself or another from an assault, injury or sexual contact with the minimum physical contact necessary for protection.

2. “Seclusion” means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. Seclusion includes, but is not limited to, the involuntary confinement of a student alone in a room with a closed door, whether the door is locked or unlocked.

“Seclusion” does not include the removal of a student for a short period of time to provide the student with an opportunity to regain self-control, if the student is in a setting from which the student is not physically prevented from leaving, or a student being left alone in a room with a closed door for a brief period of time if the student is left alone for a purpose that is unrelated to the student’s behavior.

3. **“Seclusion cell” means a freestanding, self-contained unit that is used to isolate the student from other students or physically prevent a student from leaving the unit or cause the student to believe that the student is physically prevented from leaving the unit.**

4. “Serious bodily injury” means any significant impairment of the physical condition of a person, as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else.
5. “Substantial physical or bodily injury” means any impairment of the physical condition of a person that requires some form of medical treatment.
6. “Mechanical restraint” means a device used to restrict the movement of a student or the movement or normal function of a portion of the body of a student.

“Mechanical restraint” does not include:

- a. A protective or stabilizing device ordered by a licensed physician; or
 - b. A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.
7. “Chemical restraint” means a drug or medication that is used on a student to control behavior or restrict freedom of movement that is not prescribed by a licensed physician or other qualified health professional acting under the professional’s scope of practice for standard treatment of the student’s medical or psychiatric condition; and administered as prescribed by a licensed physician or other qualified health professional acting under the professional’s scope of practice.
 8. “Prone restraint” means a restraint in which a student is held face down on the floor.
 9. “Supine restraint” means a restraint in which a student is held face up on the floor.

Any student being restrained or secluded within the district whether in an emergency or as a part of a plan shall be constantly monitored by staff for the duration of the intervention. Any room used for seclusion of a student must meet the standards as outlined in Oregon Administrative Rule (OAR) 581-021-0568.

The district shall utilize the Intervention System training program of restraint or seclusion for use in the district. As required by state regulation, the selected program shall be one approved by the Oregon

Department of Education (ODE) and include, but not limited to, positive behavior support, conflict prevention, de-escalation and crisis response techniques. Any program selected by the district must be in compliance with state and federal law with respect to the use of restraint and seclusion.

An annual review of the use of restraint and seclusion during the preceding school year shall be completed and submitted to ODE to ensure compliance with district policies and procedures.

The results of the review and annual report shall be documented and shall include at a minimum:

1. The total number of incidents involving restraint;
2. The total number of incidents involving seclusion;
3. The total number of seclusions in a locked room;
4. The total number of students placed in restraint;
5. The total number of students placed in seclusion;
6. The total number of incidents that resulted in injuries or death to students or staff as a result of the use of restraint or seclusion;
7. The total number of students placed in restraint or seclusion more than 10 times in a school year and an explanation of what steps have been taken by the district to decrease the use of restraint and seclusion for each student;
8. The total number of restraint or seclusion incidents carried out by untrained individuals;
10. The demographic characteristics² of all students upon whom restraint or seclusion was imposed;
11. The total number of rooms available for use by the district for seclusion of a student and a description of the dimensions and design of the rooms.

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

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

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

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

The complainant, whether an organization or an individual, may appeal a district’s final decision to the Oregon Department of Education pursuant to OAR 581-002-001 – 581-002-0023. This appeal process is identified in administrative regulation KL-AR (2) - Appeal to the Deputy Superintendent of Public Instruction.

The superintendent shall develop administrative regulations to carry out the requirements set forth in this policy and to meet any additional requirements established by law related to the use, reporting and written documentation of the use of restraint or seclusion by district staff.

END OF POLICY

Legal Reference(s):

[ORS 161.205](#)
[ORS 339.250](#)
[ORS 339.285](#)
[ORS 339.288](#)
[ORS 339.291](#)
[ORS 339.294](#)
[ORS 339.303](#)
[ORS 339.297](#)

ORS 339.300

[OAR 581-021-0061](#)
[OAR 581-021-0550](#)
[OAR 581-021-0553](#)
[OAR 581-021-0556](#)
[OAR 581-021-0559](#)

[OAR 581-021-0563](#)
[OAR 581-021-0566](#)
[OAR 581-021-0568](#)
[OAR 581-021-0569](#)
[OAR 581-021-0570](#)
[OAR 581-022-2370](#)

Criminal Records Checks/Fingerprinting

Requirements

1. Any individual newly hired employee¹, whether full-time or part-time, and not requiring licensure under Oregon Revised Statute (ORS) 342.223, such as a teacher, administrator, personnel specialist or school nurse, shall submit to a criminal records check and fingerprinting.
2. Any individual applying for reinstatement of an Oregon license with the Teacher Standards and Practices Commission (TSPC) that has lapsed for more than three years shall be required to undergo a nationwide criminal records check and fingerprinting with TSPC.
3. Any individual registering with the TSPC for student teaching, practicum or internship as a teacher, administrator or personnel specialist shall be required to undergo a nationwide criminal records check and fingerprinting with TSPC.
4. Any district contractor and its employees², whether part-time or full-time, hired into a position having direct, unsupervised contact with students shall be required to undergo a nationwide criminal records check and fingerprinting.

The superintendent will identify district contractors who are present on district property and regularly interact with students and are subject to such requirements.

5. Any contractor or an employee of the contractor who provides early childhood special education or early intervention services shall be required to undergo a nationwide criminal records check and fingerprinting with the Oregon Department of Education (ODE), Child Care Division.
6. Any community college faculty member providing instruction at the site of an early childhood education program or a school site as part of an early childhood program, or at a grade K through 12 school site during the regular school day, shall be required to undergo a nationwide criminal records check and fingerprinting.
7. ³Any individual who is an employee of a public charter school not requiring licensure shall be required to undergo a nationwide criminal records check and fingerprinting.

¹ Any individual hired within the last three months. A subject individual does not include an employee hired within the last three months if the district has evidence on file that meets the definition in Oregon Administrative Rule (OAR) 581-021-0510(11)(b).

² A person hired as or by a contractor and their employee may not be required to submit to fingerprinting until the contractor has been offered a contract by the district.

³ If the district allows volunteers to have direct, unsupervised contact with students, districts are required to conduct criminal background checks on these volunteers.

Exceptions

A newly hired employee⁴ is not subject to fingerprinting if:

- ~~1. The district has evidence on file that the newly hired employee was previously checked through an Oregon and a FBI criminal records check by a previous employer that was a school district.~~

~~Evidence of the prior check will be either a copy of the criminal records check or a written statement of verification from a supervisor or officer of the previous employer.~~

1. district has evidence on file that the person successfully completed a state and national criminal records check for a previous employer that was a school district or private school, and has not resided outside the state between the two periods of employment; or
2. {⁵}The Oregon Department of Education (ODE) determines the person:
 - a. Submitted to a criminal records check for the person's immediately previous employer, the employer is a school district or private school and the person has not lived outside this state between the two periods of employment;
 - b. Submitted to a criminal records check conducted by TSPC within the previous three years; or
 - c. Remained continuously licensed or registered with the TSPC.

Furthermore:

1. The ODE or TSPC verification of a previous check shall be acceptable only in the event the district can demonstrate records are not otherwise available; and
2. The district shall maintain evidence that the employee has not resided outside the state during the interval between the two periods of time working in the district.

Notification

1. The district will provide the following notification to individuals subject to criminal records checks and/or fingerprinting:
 - a. Such criminal records checks and/or fingerprinting are required by law or Board policy;
 - b. Any action resulting from such checks **completed by the ODE** that may impact employment, contract or volunteer may be appealed as a contested case **to ODE**;
 - c. All employment or contract offers or the ability to volunteer are contingent upon the results of such checks;
 - d. A refusal to consent to a required criminal records checks and/or fingerprinting shall result in immediate termination from employment or contract status;
 - e. An individual determined to have been convicted of any crime that would prohibit employment or contract will be immediately terminated from employment or contract status;
 - f. An individual determined to have knowingly made a false statement as to the conviction of any crime on district employment applications, contracts, ODE forms or district volunteer

⁴ Any individual hired within the last three months.

⁵ {This revision to TSPC rules sunsets July 1, 2024.}

forms (written or electronic) may result in immediate termination from employment, contract status or the ability to volunteer in the district.

2. The district will provide the written notice described above through such means as employment applications, contracts or volunteer forms.

Processing and Reporting Procedures

1. Any individual subject to criminal records checks and/or fingerprinting shall complete the appropriate forms or requirements as approved by ODE (information available through the district).
2. All individuals subject to fingerprinting pursuant state law are required to report to an authorized fingerprinter for fingerprinting as directed by the district.

Fingerprints may be collected by one of the following:

- a. Employing district staff;
- b. Contracted agent of employing district; or
- c. Local or state law enforcement agency.

The individual subject to fingerprinting shall be subject only after acceptance of an offer of employment or contract.

3. To ensure the integrity of the fingerprinting collection and prevent any compromise of the process, the district will provide the name of the individual to be fingerprinted to the authorized fingerprinter.
4. The authorized fingerprinter will obtain the necessary identification and fingerprinting and notify ODE of the results. ODE will then notify the district of said results as well as the identity of any individual it believes has knowingly made a false statement as to conviction of any crime or has a conviction of a crime prohibiting employment or contract.
5. A copy of the fingerprinting results will be kept by the district.

Fees

1. Fees associated with criminal records checks and/or fingerprinting for individuals applying for employment with the district and not requiring licensure, including contractors⁶ and their employees, shall be paid by the individual.
2. Fees are payable prior to beginning employment, volunteer service or contract.
3. An individual offered employment in the district may request that the amount of the fee be withheld from the employee's paycheck, including a periodic payroll deduction rather than a lump sum payment, in accordance with Oregon law. The district may withhold such fees only upon the request of the individual.

⁴ A contractor's employee may not be required to submit to fingerprinting until the contractor has been offered a contract by the district.

4. Fees associated with required criminal records checks for volunteers shall be paid by the district.
5. Fees associated with a required fingerprinting for volunteers shall be paid by the district.

Termination of Employment or Withdrawal of Employment/Contract Offer/Volunteer Status

1. Any individual required to submit to a criminal records check and/or fingerprinting in accordance with law and/or Board policy will be terminated from employment or contract status, or withdrawal of offer of employment or contract will be made by the superintendent upon:
 - a. Refusal to consent to a criminal records check and/or fingerprinting; or
 - b. Notification⁷ from the Superintendent of Public Instruction or designee that the employee has a conviction of a crime prohibiting employment with the district as specified by law.
2. Any individual required to submit to a criminal records check and/or fingerprinting in accordance with law may be terminated from employment or contract status, or withdrawal of offer of employment or contract will be made by the superintendent upon notification from the Superintendent of Public Instruction or designee that the employee has knowingly made a false statement as to the conviction of any crime.
3. Employment termination shall remove the individual from any district policies, collective bargaining provisions regarding dismissal procedures and appeals and the provisions of Accountability for Schools for the 21st Century Law.
4. Any volunteer who will be allowed to have direct, unsupervised contact with students that refuses to submit to a required, criminal records check to acquire or maintain such a volunteer status in the district in accordance with law and/or Board policy will be denied such ability to volunteer in the district.
5. If the district has been notified by the Superintendent of Public Instruction that an individual knowingly made a false statement or has a conviction of any crime listed in ORS 342.143 the individual will be denied the ability to volunteer.
6. Any volunteer who knowingly makes a false statement, as determined by the district, on a district volunteer application form may be denied the ability to volunteer in the district.

Appeals

An individual may appeal a determination that prevents employment or eligibility to contract with the district to the Superintendent of Public Instruction as a contested case and will be notified of such in writing by ODE.

A volunteer required to submit to a fingerprint-based criminal records check may appeal a determination that prevents the ability to volunteer with the district to the Superintendent of Public Instruction as a contested case, if the results of the background check were provided by ODE or ODE.

⁷ Prior to making a determination that results in this notification and opportunity for a hearing, the Superintendent of Public Instruction may cause an investigation pursuant to OAR 581-021-0511; involved parties shall cooperate with the investigation pursuant to law.

Identification – Talented and Gifted Students**

In order to serve ~~academically~~ talented and ~~intellectually~~ gifted (“TAG”) students in grades K-12, the district directs the superintendent to establish a ~~written~~ identification process.

This process of identification shall include ~~as~~ **at** a minimum:

1. Use of ~~research-based best~~ **evidence-based** practices ~~to identify talented and gifted students from under-represented populations such as ethnic minorities, students with disabilities, students who are culturally and/or linguistically diverse or economically disadvantaged~~ that include a variety of tools and procedures to determine if a student demonstrates a pattern of exceptional performance and/or achievement that is relevant to the identification of TAG students under ORS 343.395.
2. ~~Behavioral, learning and/or performance information.~~ Collection and use of multiple modes and methods of qualitative and quantitative evidence to allow appropriate members of a student’s identification team to make a determination about the identification and eligibility of the students for TAG services, supports and/or programs, with no single test or piece of evidence eliminating a student from eligibility.
3. ~~A nationally standardized mental ability test for assistance in the identification of intellectually gifted students.~~
- 4.3. Use of methods and practices that minimize or seek to eliminate the effects of bias in assessment and identification of students from historically underrepresented populations including, but not limited to:
 - a. Students who are racially/ethnically diverse;
 - b. Students experiencing disability;
 - c. Students who are culturally and/or linguistically diverse;
 - d. Students experiencing poverty; and
 - e. Students experiencing high mobility.
5. ~~A nationally standardized academic achievement test of reading or mathematics or a test of total English Language Arts/Literacy or total mathematics on the Smarter Balanced Assessment for assistance in identifying academically talented students.~~
4. Incorporate assessments, tools and procedures that will inform the development of an appropriate plan of instruction for students who are identified as TAG and describe how information from the assessments, tolls and procedures used in the identification for TAG students will be used to support development of the plan of instruction.

5. Identify how the educational record under ORS 326.565 of the student being considered will document and reflect the record of the team’s decision and the procedures and data used by the team to make the decision.

~~Identified students shall score at or above the 97th percentile on one of these tests. Other students who demonstrate the potential to perform at the eligibility criteria, as well as additional students who are talented and gifted, may be identified.~~

The district will provide professional development for staff assigned the responsibility for identification of talented and gifted students.

The identification team may use sources of evidence described in OAR 581-022-2325(3) to provide students with multiple opportunities to demonstrate a pattern or preponderance of evidence of talent or giftedness.

Academic evidence reviewed shall align to the full depth, breadth, and complexity of Oregon’s content standards and benchmarks. Standardized assessments used for academic/achievement-based identification shall include technical documentation demonstrating alignment or documentation of intended use for the purpose of TAG identification. Standardized assessments used for intellectually gifted identification shall include technical documentation demonstrating alignment to research-based best practices inclusive of students from underrepresented populations.

When a student is identified for TAG, the district shall inform parents of the programs and services available to their student and provide an opportunity for parents to provide input to, and discuss TAG instruction proposed for their student. The instruction provided shall be designed to accommodate the student’s assessed levels of learning and accelerated rates of learning. Parents may request the withdrawal of their student from TAG at any time.

If a parent is dissatisfied with the identification process or placement of their student, they may submit an appeal ~~appeal the decision~~ through Board policy KL - Public Complaints and begin to [Step 2] with the superintendent.

After exhausting the district’s appeal procedure and receiving the district’s final decision, a parent may appeal the decision to the State Superintendent of Public Instruction under Oregon Administrative Rule (OAR) 581-002-0001 – 581.002.0023. The district shall provide a copy of the OARs upon request.

END OF POLICY

Legal Reference(s):

[ORS 343.395](#)
[ORS 343.407](#)
[ORS 343.411](#)
[OAR 581-021-0030](#)
[OAR 581-022-2325](#)
[OAR 581-022-2330](#)
[OAR 581-022-2370](#)
[OAR 581-022-2500](#)

Talented and Gifted Program and/or Services**

The district is committed to an educational program that recognizes, identifies and serves the unique strengths and needs of ~~talented and gifted~~ students identified as talented and gifted. Talented and gifted students ~~are those who have been identified as academically talented and/or intellectually gifted~~ demonstrate exceptional performance when compared to applicable developmental or learning progressions, with consideration given for variations in student's opportunity to learn and to culturally relevant indicators of ability.

The Board directs the superintendent to develop a ~~written identification~~ process for ~~identifying~~ identification of ~~academically~~ talented and ~~intellectually~~ gifted students in grades K through 12. (See Board policy IGBBA – Talented and Gifted Students – Identification**)

~~A written plan shall be developed that identifies programs or services needed to address the assessed levels of learning and accelerated rates of learning of identified students and provides an opportunity for the student's parents to discuss with the district the programs and services available to the student and to provide input on the programs and services to be made available to the student.~~

The district will develop a written plan of instruction for talented and gifted students that:

1. Includes a statement of the district policy on the education of talented and gifted students (this policy);
2. Identifies and assesses special talented and gifted programs and services available in the district;
3. Describes how the district provides parents an opportunity to discuss and to provide input on programs and services for their child;
4. Describes how the district will evaluate progress of the plan; and
5. States the name and contact information for the district's talented and gifted coordinator.¹

The district shall submit such plan to the Oregon Department of Education (ODE) as directed.

The plan will be provided at the school or the district office, when requested, and ~~will be published~~ on the district's website. The ~~district~~ website shall ~~also~~ provide the name and contact information of the district's coordinator of special education and programs for talented and gifted.

¹ For the list of complete requirements of the plan, see ORS 343.397(1).

Complaints regarding programs and/or services can be filed in accordance with Board Policy KL – Public Complaints, beginning at [Step 2]. The superintendent or designee may choose to convene a committee in making a decision.

END OF POLICY

Legal Reference(s):

[ORS 343.391 - 343.401](#)
[ORS 343.407 - 343.413](#)

[OAR 581-022-2325](#)
[OAR 581-022-2330](#)

[OAR 581-022-2370](#)
[OAR 581-022-2500](#)

[Senate Bill 486 \(2021\)](#)

Second Readings

Lebanon Community Schools

Code: **JGEA**
Adopted: 8/6/09
Readopted: 1/20/11
Orig. Code(s): JGEA

Alternative Education Programs Following Expulsion**

Prior to a student leaving school or a student's expulsion, unless the expulsion is for a weapons policy violation, the district will propose in writing to the student or student's parent appropriate, accessible educational alternatives as determined by the district. Such alternative education program(s) will consist of instruction or instruction combined with counseling.

The proposal of potential alternative education programs will be hand-delivered or sent by certified mail to assure that the parent receives it prior to the time of an actual expulsion or leaving school.

Appropriate accessible alternative education programs may be either public or private (nonsectarian). Programs may be provided by the district as a separate school, evening classes or tutorial instruction. Homebound instruction could be considered an appropriate alternative.

The district shall pay the actual cost of the district-proposed alternative education program or an amount equal to 80 percent of the district's estimated current year's average per student net operating expenditure, whichever is less. ~~The district shall provide or pay for transportation.~~

If a parent receives an exemption on a semi-annual basis to withdraw a student age 16 or 17, the district has no obligation to pay for an alternative education program.

If a student is not successful in the alternative education program selected or the alternative education programs offered are not accepted by the student and/or parent, there is no obligation to propose or fund other alternatives.

END OF POLICY

Legal Reference(s):

[ORS 336.615 - 336.665](#)
[ORS 339.240](#)
[ORS 339.250](#)

[OAR 581-021-0070](#)
[OAR 581-021-0071](#)
[OAR 581-022-1350](#)

[OAR 581-022-1620](#)
[OAR 581-023-0006](#)
[OAR 581-023-0008](#)

Cross Reference(s):

IGBHA - Alternative Education Programs
IGBHB - Establishment of Alternative Education Programs
IGBHC - Alternative Education Notification