

Gresham-Barlow



School District

BOARD OF EDUCATION

Regular Board Meeting / Work Session

AGENDA

September 18, 2014

BOARD OF EDUCATION

September 18, 2014

Audit Committee Pre-Meeting – 5:30
Board Meeting / Work Session – 6 p.m.

**Partnership Room
Center for Advanced Learning (CAL)
1484 NW Civic Drive, Gresham, OR**

I. CALL TO ORDER

II. ROLL CALL

_____	Matt O’Connell, Chair	_____	Kathy Ruthruff, Director
_____	Carla Piluso, Vice-Chair	_____	Kent Zook, Director
_____	Sharon Garner, Director		
_____	Dan Christenson, Director	_____	Jim Schlachter, Superintendent
_____	Kris Howatt, Director	_____	Mike Schofield, Chief Financial Officer

III. DISCUSSION TOPICS

- | | |
|--|-----------------|
| 1. Organizational Assessment (OA) / Teaching, Empowering,
Leading, and Learning (TELL) Survey | Jim Schlachter |
| 2. Evaluation Handbook | Randy Bryant |
| 3. Policy Review, Section G, Personnel | Teresa Ketelsen |
| 4. Board Development Opportunities | Jim Schlachter |

IV. ANNOUNCEMENTS

- Sept. 19, 2014: Pre-Homecoming Game Board Social – Time 6:15 p.m.
Mt. Hood Community College
- Sept. 25, 2014: Board Work Session – 6 p.m.
Partnership Room
Center for Advanced Learning
- Sept. 29, 2014: OSBA Fall Regional Dinner Meeting – 5:30 p.m.
Embassy Suites Portland Airport
- Oct. 2, 2014: Board Business Meeting - 7 p.m.
Council Chambers
Public Safety and Schools Building

V. ADJOURN

GRESHAM-BARLOW SCHOOL DISTRICT
1331 NW Eastman Parkway
Gresham, OR 97030-3825

TO: Board of Directors

FROM: Jim Schlachter

DATE: September 18, 2014

RE: No. 1 – Organizational Assessment (OA) / Teaching, Empowering, Leading, and Learning (TELL) Survey

EXPLANATION: The district has received considerable feedback from key district stakeholders over the past six months as described below.

Organizational Assessment: In April of 2014, our district participated in an Organizational Assessment (OA) through a grant supporting our district completion of this assessment project. In the first year of this three-year project, feedback was provided from the OA team following their focus group meetings with stakeholders.

TELL Survey: In June of 2014, we received additional data as a result of the Teaching, Empowering, Leading, and Learning (TELL) survey completed by 72% of our licensed and building administrative staff. (This data will be collected biannually.)

At the board work session this evening, summaries of the data collected from the OA and the TELL will be reviewed relative to the six district strategic themes, and the board will engage in a discussion of how the two sources of district feedback can support on-going improvement efforts.

PRESENTER: Jim Schlachter

SUPPLEMENTARY MATERIALS: None

RECOMMENDATION: This topic is being provided as information only.

REQUESTED ACTION: No formal action is required.

JS:lc

GRESHAM-BARLOW SCHOOL DISTRICT
1331 NW Eastman Parkway
Gresham, Oregon 97030-3825

TO: Board of Directors

FROM: Jim Schlachter
Randy Bryant

DATE: September 18, 2014

RE: No. 2 – Evaluation Handbooks

EXPLANATION: The Oregon Department of Education (ODE) and the Educator Effectiveness Workgroup, established through the Elementary and Secondary Education Act (ESEA) Flexibility Waiver process, were charged with developing state guidelines for local evaluation and support systems in Oregon. The Oregon Framework for Teacher and Administrator Evaluation and Support Systems was developed with input from the Educator Effectiveness Workgroup and other stakeholders.

The purpose of the Oregon framework is to provide guidance for implementation of state and federal requirements as districts develop or align their local evaluation and support systems. The framework provides state criteria (required elements) that ensure local evaluation systems are rigorous and designed to support professional growth, accountability and student learning and growth of each student. The Gresham-Barlow School District has implemented a new evaluation system for teachers and administrators during the 2013-14 school year aligned to this framework.

There has been a recent change in the Oregon Framework that is required to implement, starting with the 2014-15 school year. The change is the addition of an evaluation matrix that will be used in the summative evaluation. The matrix combines measures for professional practice (PP) and professional responsibilities (PR) and student learning and growth (SLG). The Y-axis represents the performance level for PP/PR, and the X-axis represents the performance level for SLG. The educator's Professional Growth Plan and overall summative performance level are determined by the intersection of the Y and X axes. Both the district's Teacher Evaluation Committee and the Administrator Evaluation System Design Team worked this past spring and summer to redesign the district's evaluation systems to incorporate the new matrix.

Board of Directors
Re: No. 2 – Evaluation Handbooks
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Revised evaluation system handbooks for Gresham-Barlow School District teachers and administrators can be found on the district's website.

PRESENTER: Randy Bryant

SUPPLEMENTARY MATERIALS: Gresham-Barlow School District Teacher and Administrator Evaluation Handbooks have been provided under separate cover; they can also be found on the district's website.

RECOMMENDATION: This report is being provided as information only.

REQUESTED ACTION: No action is required.

RHB:lc

GRESHAM-BARLOW SCHOOL DISTRICT
1331 NW Eastman Parkway
Gresham, OR 97030-3825

TO: Board of Directors

FROM: Jim Schlachter
Teresa Ketelsen

DATE: September 18, 2014

RE: No. 3 - Policy Review: Section G, Personnel

EXPLANATION: At the work session this evening, board members will be asked to provide input regarding the recommended revisions to policies from the Oregon School Board Association's rewrite process and the Board Policy Review Committee. This review is part of the board's ongoing policy review.

The board will review policies in Section G, Personnel. The Board Policy Review Committee recommends discussion on the four policies listed below; however, questions may be asked regarding any of the policies in Section G, Personnel.

- Board-Staff Communications (GBD)
- Tobacco-Free Environment (GBK/JFCG/KGC)
- Personal Communication Electronic Devices and Social Media – Staff (GCAB)
- Research (GCQB)

PRESENTER: Teresa Ketelsen

SUPPLEMENTARY
MATERIALS: Revised policies from Section G, Personnel

RECOMMENDATION: The administration recommends that the board review policy revisions and/or additions as presented for first reading.

REQUESTED ACTION: No formal action is required at the time. Adoption will be requested at a subsequent meeting.

TK:lc

GRESHAM-BARLOW SCHOOL DISTRICT 10

SECTION G: PERSONNEL

Personnel: Definitions	GAA
Job Descriptions.....	GAB
General Personnel Policies *.....	GB
Equal Employment Opportunity.	GBA
Staff Ethics.....	GBC
Staff Religious Dress.	GBCA
Alcohol/Controlled Substance Use.	GBCBA
Board-Staff Communications.	GBD
Provisions for Nursing Mothers	GBDA
Staff Health and Safety*.....	GBE
Communicable Disease.	GBEB/GBEBA
Drug-Free Workplace *.....	GBEC
Drug and Alcohol Testing - Transportation Personnel*.....	GBEDA
Staff Participation in Political Activities.....	GBG
Custodial Parent**.....	GBH/JECAC
Gifts and Solicitations.	GBI
Weapons in Schools - Staff*.....	GBJ
Tobacco-Free Environment.	GBK/JFCG/KGC
Personnel Records *.....	GBL
Disclosure of Information.	GBLA
Staff Complaints *.....	GBM
Sexual Harassment.....	GBN/JBA
Hazing/Harassment/Intimidation/Bullying/Cyberbullying/Menacing – Staff.....	GBNA
Cyberbullying.....	GBNAA/JFCFA
Children on District Premises.	GBPA
License Requirements.	GCA
Personal Communication Electronic Devices and Social Media - Staff.....	GCAB
Associated Payroll Costs *.....	GCBC/GDBC
Family Medical Leave *.....	GCBDA/GDBDA

Early Return to Work.....	<u>GCBDB/GDBDB</u>
Domestic Violence/Harassment/Sexual Assault/Stalking Leave.....	<u>GCBDC/GDBDC</u>
Criminal Records Checks/Fingerprinting	<u>GCDA/GDDA</u>
Job Sharing	<u>GCEC</u>
Staff Development and Professional Growth*.....	<u>GCL/GDL</u>
Evaluation of Staff.....	<u>GCN/GDN</u>
Resignation of Staff *	<u>GCPB/GDPB</u>
Retirement of Staff.....	<u>GCPC/GDPC</u>
Outside Employment.....	<u>GCQA/GDQA</u>
Research.....	<u>GCQB</u>
Copyrights and Patents.....	<u>GCQBA</u>
Educational Assistants.....	<u>GDA</u>
Recruitment of Classified Staff *.....	<u>GDC</u>
Notice of Employment *	<u>GDIA</u>

The following symbols are used on some sample policies:

* May be subject to collective bargaining.

** As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.

Personnel: Definitions

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

1. “A teacher” is an employee who holds a teacher’s license **or is registered to teach by TSPC.**
2. “A contract teacher” means any teacher who has been regularly employed by a school district for a probationary period of not more than three successive school years and who has been ~~re-elected~~ **retained** for the next succeeding school year.
3. “A probationary teacher” is one who is not a contract teacher and who works at least 135 consecutive days in any school year as a teacher in the district. **At least 30 consecutive days of employment in the district in a successive year shall be sufficient to keep the service intact, and the teacher shall not lose credit for previous probationary years served.**
4. “A temporary teacher” is any teacher employed to fill a position 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 non-extension or dismissal of a contract or probationary teacher.
5. “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.
6. “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. The intern teacher may receive both academic credit from such institution and financial compensation from the district.
7. “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.
8. “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.

1. “Regular classified employees” are those employed in positions established by the Board requiring 15 or more hours per week for at least a full school year.
2. “Part-time regular classified employees” are those employed in positions established by the Board requiring less than 15 hours per week for at least a full school year.
3. “Temporary/Substitute classified employees” are those employed on an as-needed basis. The Board shall determine if these employees are eligible for benefits.

~~“Classified Supervisory employees” are those who serve in positions that exercise administrative authority or supervisory responsibility over classified employees and as defined in ORS 243.650 (23).~~

“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. Salaries and benefits for confidential employees will be established by the Board.

“Administrative employee” means an employee of the district who possesses authority to formulate and carry out administrative and/or program decisions, or who represents administration’s interest by taking or effectively recommending discretionary actions that control or implement district policy, and who has discretion in the performance of these administrative and/or program responsibilities beyond the routine discharge of duties. An “administrative employee” need not act in a supervisory capacity in relation to other employees.

END OF POLICY

Legal Reference(s):

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).

10/11/01 | NC

Corrected 4/10/14

Gresham-Barlow SD 10

Code: **GAB**
Adopted: 7/11/94
Readopted: 1/11/01; 5/02/02; 12/02/10
Orig. Code(s): GAB

Job Descriptions

Employee position descriptions shall be maintained for each position and must at least include the following two features:

1. Describe the relationships of the position to the organizational structure of the district; to whom is the person responsible and who does he/she supervise; and an outline of minimum qualifications and terms of employment;
2. Statement of essential job functions and responsibilities followed by a description of the more specific tasks to be performed.

Job descriptions serve:

1. To describe all essential functions that the individual who holds the position must be able to perform unaided or with the assistance of a reasonable accommodation;
2. To describe attendance standards;
3. To help applicants determine the qualifications needed to fill a position;
4. To help district administrators determine which candidates to recommend for appointment; and
5. To assist administrators in the evaluation of the employee's performance of position responsibilities.

"Essential functions" as used in this policy means the fundamental job duties of the employment position. A job function may be considered essential for any of several reasons, including but not limited to the following:

1. The function may be essential because the reason the position exists is to perform the function;
2. The function may be essential because of the limited number of employees available among whom the performance of the job function can be distributed; and/or
3. The function may be highly specialized so that the individual is hired for his/her expertise or ability to perform the particular function.

Job descriptions will be developed under the supervision of the superintendent for each position in the district. Each job description shall be dated. As job descriptions are reviewed and/or revised new dates will be affixed.

Job descriptions will be coded and retained electronically. The descriptions will be available for inspection by any district employee or patron. **Each employee shall receive a copy of his/her job description.**

END OF POLICY

Legal Reference(s):

ORS 342.850(2)(b)(A)
OAR 581-022-1720

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).
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. § 4212.
Title II of the Genetic Information Nondiscrimination Act of 2008.
Section 503 of the Rehabilitation Act of 1973.

Gresham-Barlow SD 10

Code: **GB**
Adopted: 7/11/94
Readopted: 1/11/01; 5/02/02
Orig. Code(s): GB

General Personnel Policies *

The quality of the professional and support staff is of primary importance in achieving the district's educational goals. In filling any licensed or classified position, the district will seek out and appoint the best-qualified person available for the position.

The employment of candidates to fill positions will be approved by the Board upon the superintendent's recommendation. The superintendent will employ all substitutes and part-time personnel as needed.

Notice of all regular job openings will be available to current staff members according to contract provisions. Staff are encouraged to apply for open positions. The district will give consideration to all staff applications. Vacant positions may also be advertised through professional and institutional placement agencies, appropriate employment agencies and general and specialized media.

Applications or inquiries concerning job openings will be directed to the personnel office on standard district application forms. The selection process will be coordinated and supervised by the director of personnel, with the involvement of staff and community, as appropriate.

Each candidate selected for a position with the district must possess or demonstrate eligibility for any license or permit required to fill the position. In addition, the individual must be insurable by the district's insurance carrier for any position requiring liability insurance coverage or bonding.

In accordance with Oregon law, the district may require any candidate, as a condition of employment, to hold a current, recognized first-aid card. A current employee required to hold a card will obtain it within 90 days from the date the district gives notification.

Personnel selected for employment will be notified in writing. This notification will specify the assignment, the job classification, the salary or hourly rate, the length of the work week and the length of the assignment. Unsuccessful applicants who were interviewed will be notified.

Initial assignments will be made by the superintendent or designee.

The superintendent will establish regulations governing the recruitment, selection and employment of personnel in accordance with this policy.

END OF POLICY

Legal Reference(s):

ORS 342.664
ORS 408.225
ORS 408.230
ORS 408.235
ORS 653.305 - 653.326
ORS 659A.309

OAR 581-022-0705(4)
OAR 839-006-0435
OAR 839-006-0440
OAR 839-006-0445
OAR 839-006-0450
OAR 839-006-0455
OAR 839-006-0460
OAR 839-006-0465

Gresham-Barlow SD 10

Code: **GBA**

Adopted: 7/11/94

Readopted: 1/11/01; 5/02/02; 12/02/04;
2/07/08; 12/02/10

Orig. Code(s): GBA

Equal Employment Opportunity

Equal employment opportunity and treatment shall be practiced by the district regardless of race, color, religion, sex, sexual orientation¹, national origin, marital status, age, veterans' status, genetic information, and disability if the employee, with or without reasonable accommodation, is able to perform the essential functions of the position.

The superintendent will appoint an employee to serve as the officer in charge of compliance with the Americans with Disabilities Act of 1990, the Americans with Disabilities Act Amendments Act of 2008 (ADA), and Section 504 of the Rehabilitation Act of 1973, Title IV, Title VII, Title IX and other civil rights or discrimination issues. The superintendent will also designate a Title IX coordinator to comply with the requirements of Title IX of the Education Amendments of 1972. The Title IX coordinator will investigate complaints communicated to the district alleging noncompliance with Title IX. The name, address and telephone number of the Title IX coordinator will be provided to all students and employees.

The superintendent will develop other specific recruiting, interviewing and evaluation procedures as are necessary to implement this policy.

END OF POLICY

¹“Sexual orientation” means an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behavior differs from that traditionally associated within the individual’s sex at birth.

Legal Reference(s):

<u>ORS 174.100</u>	<u>ORS 659A.009</u>	<u>OAR 581-021-0045</u>
<u>ORS 192.630</u>	<u>ORS 659A.029</u>	<u>OAR 581-022-1720</u>
<u>ORS 243.672</u>	<u>ORS 659A.030</u>	<u>OAR 839-003-0000</u>
<u>ORS 326.051</u>	<u>ORS 659A.109</u>	<u>OAR 839-006-0435</u>
<u>ORS 332.505</u>	<u>ORS 659A.142</u>	<u>OAR 839-006-0440</u>
<u>ORS 342.934</u>	<u>ORS 659A.145</u>	<u>OAR 839-006-0445</u>
<u>ORS 408.225</u>	<u>ORS 659A.233</u>	<u>OAR 839-006-0450</u>
<u>ORS 408.230</u>	<u>ORS 659A.236</u>	<u>OAR 839-006-0455</u>
<u>ORS 408.235</u>	<u>ORS 659A.309</u>	<u>OAR 839-006-0460</u>
<u>ORS 659.850</u>	<u>ORS 659A.321</u>	<u>OAR 839-006-0465</u>
<u>ORS 659.870</u>	<u>ORS 659A.409</u>	
<u>ORS 659A.003</u>	<u>ORS 659A.805</u>	
<u>ORS 659A.006</u>		

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).
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 (2006); 29 C.F.R Part 1626 (2006).
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2006).
Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2006).
Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794 (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).
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).
Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).
Americans with Disabilities Act Amendments Act of 2008.
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. § 4212.
Title II of the Genetic Information Nondiscrimination Act of 2008.

Gresham-Barlow SD 10

Code: **GBC**
Adopted: 5/01/97
Readopted: 1/11/01;; 5/02/02;; 10/07/10
Orig. Code(s): GBC/GBCA

Staff Ethics

I. Conflict of Interest

No district employee will use his/her district position to obtain personal financial benefit or avoidance of financial detriment or financial gain or avoidance of financial detriment for relatives, household members or for any business with which the employee, household member or relative is associated.

This prohibition does not apply to any part of an official compensation package, honorarium allowed by ORS 244.042, reimbursement of expenses; or unsolicited awards of professional achievement. Further, this prohibition does not apply to gifts from one without a legislative or administrative interest. Nor does it apply if the gift is under the \$50 gift limit for one who has a legislative or administrative interest in any matter subject to the decision or vote of the district employee.

District employees will not engage in, or have a financial interest in, any activity that raises a reasonable question of conflict of interest with their duties and responsibilities as staff members. This means that:

1. Employees will not use their position to obtain financial gain or avoidance of financial detriment from students, parents or staff;
2. Any device, publication or any other item developed during the employee's paid time shall be district property;
3. Employees will not further personal gain through the use of confidential information gained in the course of or by reason of position or activities in any way;
4. No district employee may serve as a Board or budget committee member in the district;
5. An employee will not perform any duties related to an outside job during his/her regular working hours or during the additional time that he/she needs to fulfill the position's responsibilities; nor will an employee use any district facilities, equipment or materials in performing outside work;
6. If an employee authorizes a public contract, the employee may not have a direct beneficial financial interest in that public contract for two years after the date the contract was authorized.

If an employee has a potential or actual conflict of interest, the employee must notify his/her supervisor in writing of the nature of the conflict and request that the supervisor dispose of the matter giving rise to the conflict.

In order to avoid both potential and actual conflicts of interests, district employees must abide by the following rules when an employee's relative or member of the household is seeking and/or holds a position with the district:

1. A district employee may not appoint, employ, promote, discharge, fire, or demote or advocate for such an employment decision for a relative or a member of the household, unless he/she complies with the conflict of interest requirements of ORS Chapter 244. This rule does not apply to employment decisions regarding unpaid volunteer position, unless it is a Board-related position.
2. A district employee may not participate as a public official in any interview, discussion, or debate regarding the appointment, employment, promotion, discharge, firing, or demotion of a relative or a member of the household. An employee may still serve as a reference, provide a recommendation, or perform other acts that are part of the normal job functions of the employee.
3. More than one member of an employee's family may be hired as a regular district employee. In accordance with Oregon law, however, the district may refuse to hire individuals, or may transfer current employees, in situations where an appointment would place one family member in a position of exercising supervisory, appointment or grievance adjustment authority over another member of the same family.

In the *conflict of interest context*, a "member of the household" means any person who resides with the employee and "relative" means:

1. The employee's spouse¹, parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law;
2. ~~Any children of the employee or his/her spouse, and~~ The spouse of the employee's parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law.
3. ~~Brothers, sisters, half-brothers, half-sisters, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, mothers-in-law, fathers-in-law, aunts, uncles, nieces, nephews, stepparents, stepchildren, or parents of the employee, or his/her spouse.~~

II. Gifts

District employees must comply with the following rules involving gifts:

Employees are public officials and therefore will not solicit or accept a gift or gifts with an aggregate value in excess of \$50 from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the district employee. All gift related provisions apply to the employee, their relatives; and members of their household. The \$50 gift limit applies separately to the employee; and to the employee's relatives or members of household, meaning that the employee and each member of their household and relative can accept up to \$50 each from the same source/gift giver.

1. "Gift" means something of economic value given to an employee without valuable consideration of equivalent value, which is not extended to others who are not public officials on the same terms and conditions.

¹The term spouse includes domestic partners.

2. “Relative” *in the gift context* means ~~the spouse of the employee; any children of the employee or of the employee’s spouse; siblings, spouses of siblings or parents of the employee or of the employee’s spouse; any individual for whom the employee has a legal support obligation; or any individual for whom the employee provides benefits arising from the employee’s public employment or from whom the employee receives benefits arising from that individual’s employment:~~
 - a. The employee’s spouse¹, parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law;
 - b. The spouse of the employee’s parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law.
3. “Member of the household” means any person who resides with the employee.

Determining the Source of Gifts

Employees should not accept gifts in any amount without obtaining information from the gift giver as to who is the source of the gift. It is the employee’s personal responsibility to ensure that no single source provides gifts exceeding an aggregate value of \$50 in a calendar year, if the source has a legislative or administrative interest in any matter subject to the decision or vote of the district employee. If the giver does not have a legislative/administrative interest, the ethics rules on gifts do not apply and the employee need not keep track of it, although they are advised to do so anyway in case of a later dispute.

Determining Legislative and Administrative Interest

A legislative or administrative interest means an economic interest distinct from that of the general public, in any action subject to the official decision of an employee.

A decision means an act that commits the district to a particular course of action within the employee’s scope of authority and that is connected to the source of the gift’s economic interest. A decision is not a recommendation or work performed in an advisory capacity. If a supervisor delegates the decision to a subordinate but retains responsibility as the final decision maker, both the subordinate and supervisor’s actions would be considered a “decision.”

Determining the Value of Gifts

The fair market value of the merchandise, goods; or services received will be used to determine benefit or value.

“Fair market value” is the dollar amount goods or services would bring if offered for sale by a person who desired, but was not obligated, to sell and purchased by one who is willing, but not obligated, to buy. Any portion of the price that was donated to charity, however, does not count toward the fair market value of the gift if the employee does not claim the charitable contribution on personal tax returns. Below are acceptable ways to calculate the fair market value of a gift:

1. In calculating the per person cost at receptions or meals the payor of the employee’s admission or meal will include all costs other than any amount donated to a charity.

For example, a person with a legislative or administrative interest buys a table for a charitable dinner at \$100 per person. If the cost of the meal was \$25 and the amount donated to charity was \$75, the benefit conferred on the employee is \$25. This example requires that the employee does not claim the charitable contribution on personal tax returns.

2. For receptions and meals with multiple attendees, but with no price established to attend, the source of the employee's meal or reception will use reasonable methods to determine the per person value or benefit conferred. The following examples are deemed reasonable methods of calculating value or benefit conferred:
 - a. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons whom the payor reasonably expects to attend the reception or dinner;
 - b. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons who actually attend the reception or dinner; or
 - c. The source calculates the actual amount spent on the employee.
3. Upon request by the employee, the source will give notice of the value of the merchandise, goods; or services received.
4. Attendance at receptions where the food or beverage is provided as an incidental part of the reception is permitted without regard to the fair market value of the food and beverage provided.

Value of Unsolicited Tokens or Awards: Resale value

Employees may accept unsolicited tokens or awards that are engraved or are otherwise personalized items. Such items are deemed to have a resale value under \$25 (even if the personalized item cost the source more than \$50), unless, the personalized item is made from gold or some other valuable material that would have value over \$25 as a raw material.

Entertainment

Employees may not solicit or accept any gifts of entertainment over \$50 in value from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision of the employee unless:

1. The entertainment is incidental to the main purpose of another event (i.e., a band playing at a reception). Entertainment that involves personal participation is not incidental to another event (such as a golf tournament at a conference); or
2. The employee is acting in their official capacity for a ceremonial purpose.

Entertainment is ceremonial when an employee appears at an entertainment event for a "ceremonial purpose" at the invitation of the source of the entertainment who requests the presence of the employee at a special occasion associated with the entertainment. Examples of an appearance by an employee at an entertainment event for a ceremonial purpose include: throwing the first pitch at a baseball game, appearing in a parade and ribbon cutting for an opening ceremony.

Exceptions

The following are exceptions to the ethics rules on gifts that apply to employees.

1. Gifts from “relatives” and “members of the household” are permitted in an unlimited amount; they are not considered gifts under the ethics rules.
2. Informational or program material, publications; or subscriptions related to the recipient’s performance of official duties.
3. Food, lodging; and travel generally count toward the \$50 aggregate amount per year from a single source with a legislative/administrative interest, with the following exceptions:
 - a. *Organized Planned Events*. Employees are permitted to accept payment for travel conducted in the employee’s official capacity, for certain limited purposes:
 - (1) Reasonable expenses (i.e., food, lodging, travel, fees) for attendance at a convention, fact-finding mission or trip, or other meeting do not count toward the \$50 aggregate amount IF:
 - (a) The employee is scheduled to deliver a speech, make a presentation, participate on a panel, or represent the district; AND
 - (i) The giver is a unit of a:
 - 1) Federal, state, or local government;
 - 2) An Oregon or federally recognized Native American Tribe; OR
 - 3) Non-profit corporation.
 - (b) The employee is representing the district:
 - (i) On an officially sanctioned trade-promotion or fact-finding mission; OR
 - (ii) Officially designated negotiations or economic development activities where receipt of the expenses is approved in advance by the superintendent.
 - (2) The purpose of this exception is to allow employees to attend organized, planned events and engage with the members of organizations by speaking or answering questions, participating in panel discussions or otherwise formally discussing matters in their official capacity. This exception to the gift definition does not authorize private meals where the participants engage in discussion.
4. Food or beverage, consumed at a reception, meal; or meeting IF held by an organization and IF the employee is representing the district.

“Reception” means a social gathering. Receptions are often held for the purpose of extending a ceremonial or formal welcome and may include private or public meetings during which guests are honored or welcomed. Food and beverages are often provided, but not as a plated, sit-down meal.
5. Food or beverage consumed by employee acting in an official capacity in the course of financial transactions between the public body and another entity described in ORS 244.020(6)(b)(I)(i).

6. Waiver or discount of registration expenses or materials provided to employee at a continuing education event that the employee may attend to satisfy a professional licensing requirement.
7. A gift received by the employee as part of the usual or customary practice of the employee's private business, employment or position as a volunteer that bears no relationship to the employee's district employment.
8. Reasonable expenses paid to employee for accompanying students on an educational trip.

Honoraria

An employee may not solicit or receive, whether directly or indirectly, honoraria for the employee or any member of the household **or relative** of the employee if the honoraria are solicited or received in connection with the official duties of the employee.

The honoraria rules do not prohibit the solicitation or receipt of an honorarium or a certificate, plaque, commemorative token or other item with a value of \$50 or less; or the solicitation or receipt of an honorarium for services performed in relation to the private profession, occupation, avocation or expertise of the employee.

END OF POLICY

Legal Reference(s):

ORS 244.010 to-244.400

~~ORS 260.005~~

~~ORS 294.311~~

~~ORS 294.336~~

ORS 332.016

ORS 659A.309

OAR 199-005-0003 to-199-020-0020

OAR 584-020-0040

~~OR. ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS (2008).~~

Gresham-Barlow SD 10

Code: **GBCA**
Adopted: 4/05/12

Staff Religious Dress

All staff when on duty shall be allowed to wear religious attire, in accordance with the employee's sincerely-held religious beliefs, while maintaining religious neutrality and refraining from endorsing religion in the educational environment.

The district retains the authority to specify religious dress guidelines for staff that will prevent such matters from having an adverse impact on the educational process.

The superintendent may develop administrative regulations to implement this policy.

END OF POLICY

Legal Reference(s):

[ORS 243.650\(7\)](#)

[ORS 327.109](#)

[ORS 332.107](#)

[ORS 339.351](#)

[ORS 659.850](#)

[ORS 659A.030](#)

OR. CONST., art. I, § 5.

U.S. CONST. amend. I.

HR5/26/11|PH

Gresham-Barlow SD 10

Code: **GBCBA**
Adopted: 7/11/94
Revised/Readopted: 1/11/01; 5/02/02
Orig. Code(s): GBCBA

Alcohol/Controlled Substance Use

The following conduct is strictly prohibited and will subject an employee to immediate discipline, up to and including termination:

1. The buying, selling, transportation, possession, provision or use of intoxicants, including alcohol or any controlled substances as defined by law while on district property, during work hours (including meal periods) and/or while assigned to extra duty or special projects, including those held after or in addition to regular school hours and while driving between work sites during the work day in either a district-supplied vehicle or a vehicle supplied by the employee;
2. Reporting for work either impaired or under the influence of alcohol, intoxicants or any controlled substance, including prescription drugs. An individual is considered to be “under the influence of alcohol, intoxicants and/or a controlled substance, including prescription drugs,” when, in the district’s determination, the controlled substance is at a level that it may impair the individual’s ability to safely and/or efficiently perform assigned work OR prevent the employee from presenting a positive role model to students.

If the district has reasonable grounds to believe that an individual is under the influence of intoxicants or any controlled substance, the district may require the individual immediately submit to a field impairment test, blood alcohol content test given by a third party, a breathalyzer test or other tests deemed necessary by the district. Refusal to immediately submit to such tests may result in disciplinary action, up to and including dismissal. “Reasonable grounds” may include, but are not limited to, such things as slurred speech, dilated pupils, peculiar odors and unsteady balance.

The district reserves the right, with prior notice and reasonable suspicion, to conduct searches of district property, vehicles or equipment at any time. This policy serves as prior notice.

The district defines “alcohol,” “controlled substance” and “work site” as follows:

1. “Alcohol” means any alcoholic beverage containing more than one-half of one percent alcohol by volume, and every liquid or solid, patented or not, containing alcohol and capable of being consumed by a human being;
2. “Controlled substance” means a drug or its immediate precursor as described in Oregon Revised Statutes;
3. “Work site” means any building, structure, vehicle or property (including parking lots), or part thereof, owned or possessed by the district or any other location at which an employee is to perform work for the district. “Any other location” includes the place of a district-sponsored or district-approved activity and the employee’s own vehicle when used to transport students or fellow employees to and from an activity sponsored or approved by the district and when used to transport fellow employees to and from different work sites following initial arrival at work.

The administration will develop appropriate regulations, procedures, consent forms and such notifications as are needed for an orderly implementation of this policy.

END OF POLICY

Legal Reference(s):

ORS Chapter 475

ORS 657.176

ORS 659.840

ORS 659A.300

OAR 581-053-0015

OAR 581-053-0545(4)(c)(R)-(T)

OAR 581-053-0550(5)(q)-(s)

OAR 584-020-0040

OAR 839-006-0200 to -0265

Controlled Substances Act, 21 U.S.C. § 812; Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11 - 1308.15 (2006).
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).

Gresham-Barlow SD 10

Code: **GBD**
Adopted: 5/02/02

Board-Staff Communications

The Board desires to maintain open communication channels between itself and the staff. The basic line of communication will be through the superintendent. **However, this policy does not restrict protected labor relations communications of bargaining unit members. All communication between the board and staff is public record.** The superintendent will develop and recommend to the Board processes for communications between the Board and district employees.

Communications or reports to the Board or Board committee from any staff member or members should be submitted through the superintendent. This procedure will not be construed as denying the right of any employee to address the Board about issues which are neither part of an active administrative procedure, nor disruptive to the operation of the district.

All official communications, policies and directives of staff interest and concern will be communicated to staff members through the superintendent. The superintendent will communicate as appropriate to keep staff fully informed of the Board's concerns and actions.

END OF POLICY

Legal Reference(s):

[OAR 581-022-1720](#)

[Anderson v. Central Point Sch. Dist., 746 F.2d 505 \(9th Cir. 1984\).](#)

[Connick v. Myers, 461 U.S. 138 \(1983\).](#)

[Lebanon Education Association/OEA v. Lebanon Community School District, 22 PECBR 323 \(2008\)](#)

R6/09/08 | JW

Provisions for Nursing Mothers

The district recognizes that a normal and important role for mothers is to have the option and ability to provide for their child by **breast-feeding or** expressing milk in the workplace. ~~Each building site in the district shall designate for the principal's office, the employee's work area, or such other area in the workplace that shall provide privacy to the employee for expressing milk. The building site shall maintain a list of locations on the site, and shall supply that list to the district office.~~ **The superintendent or designee shall see that the district makes a reasonable effort to provide a room or other location in close proximity to work areas, other than a restroom, where an employee can breast-feed her child or express milk in privacy. This policy directs the superintendent or designee to include the following in the development of a regulation to ensure the provisions for employees required by this policy.**

1. **The advice of a school nurse or health professional in determining the most reasonable facility accommodation.**
2. **The plan shall include an accessible, private room with a lock that would allow a mother:**
 - a. **To breast-feed a child brought in during a lunch or other break period; or**
 - b. **To pump breast milk to be stored for later use.**
3. **The room shall include:**
 - a. **Electrical outlets for electric pumps;**
 - b. **Sanitation facilities including a sink close by, for hand washing and the rinsing of containers; and**
 - c. **A sign up sheet and a sign posting the room as "private during use";**

A reasonable effort will be made to provide a flexible work schedule in consideration of the requirements of the staff member's responsibility.

An employee shall be entitled to a 30-minute unpaid rest period to **breast-feed or** express milk during each four-hour work period, or the major part of a four-hour work period. This rest period is to be taken at approximately the mid point of the work period, ~~and, if feasible, is to coincide with rest periods or meal periods that are otherwise provided.~~¹ **If feasible, the employee will take the rest period at the same time as the rest periods or meal periods provided by the district.**

¹Districts should refer to their collective bargaining agreements to determine if the "rest period" is paid, nonpaid or a combination.

An employee that wishes to **breast-feed or** express milk upon returning to work shall provide reasonable prior notice to the district.

END OF POLICY

Legal Reference(s):

ORS 243.650

ORS 653.077

ORS 653.256

R9/28/07 | KP

Gresham-Barlow SD 10

Code: **GBE**
Adopted: 5/02/02

Staff Health and Safety*

The Board authorizes the superintendent to take appropriate means to provide for the health and safety of all employees while engaged in the performance of their duties.

The superintendent, in consultation with district and building safety committees, will develop **and maintain** training and written procedures necessary to accomplish this goal and to meet the requirements of the law.

All employees shall conduct their work in compliance with the safety rules of the district.

END OF POLICY

Legal Reference(s):

ORS 243.650

ORS 329.095

ORS 453.001 - 453.275

OAR 437-001-0760

OAR 437-002-0020 to -0075

OAR 437-002-0140

OAR 437-002-0144

OAR 437-002-0145

OAR 437-002-0180 to -0182

OAR 437-002-0360

OAR 437-002-0368

OAR 437-002-0377

OAR 437-002-0390

OAR 437-002-0391

OAR 581-022-1420

HR6/26/99 | NC

Gresham-Barlow SD 10

Code: ~~GBEB/GBEBA~~
Adopted: 7/11/94
Revised/Readopted: 1/11/01; 5/02/02
Orig. Code(s): GBEB/GBEBA

Communicable Disease

The district shall provide reasonable protection against the risk of exposure to communicable disease for employees while engaged in the performance of their duties. Protection from communicable disease generally shall be through immunization, exclusion or other measures provided for in Oregon Revised Statutes and Oregon Administrative Rules. Employees shall comply with all measures adopted by the district and with all rules set by the Oregon ~~State Health Division~~ **Department of Human Services** and the county health department. Employees have a responsibility to report to the district when infected with a communicable disease unless stated otherwise by law.

Employees shall provide services to students who are infected with a communicable disease except as provided by law. In those cases where a communicable disease is diagnosed and confirmed, the district shall inform the appropriate employees so as to protect against the risk of exposure.

Employees who have the responsibility to work with or to provide services to persons other than students, shall provide the services to all such persons, including those who are infected with a communicable disease, and shall provide the services in accordance with this policy. Where the district knows that a person is infected with a communicable disease, it shall inform the employees, as appropriate, so as to protect against the risk of exposure.

No employee shall be denied the opportunity to provide service solely on the basis that the employee is infected with a communicable disease except as otherwise required by law. However, the district may require an employee infected with a communicable disease, which is diagnosed and confirmed, to comply with such reasonable measures, including submission to district paid medical examinations, as may be determined as conditions of continued employment.

The district shall protect the confidentiality of an employee's health condition/record to the extent possible.

HIV, AIDS and HBV

The district will strictly adhere in its policies and procedures to the Oregon Revised Statutes and Oregon Administrative Rules as they relate to staff infected with HIV, AIDS or HBV¹.

The district recognizes a staff member has no obligation under any circumstance to report his/her condition to the district and the staff member has a right to continue working.

If the staff member reports his/her condition to the district, strict adherence to written guidelines outlined by the staff member shall be followed.

¹HIV - Human Immunodeficiency Virus; AIDS - Acquired Immune Deficiency Syndrome; HBV - Hepatitis B Virus

These guidelines shall identify who may have the information, who will give the information, how the information will be given, where and when the information will be given. All such information will be held in confidence in accordance with Oregon Revised Statutes.

When informed of the infection, and with written, signed permission from the staff member, the district will develop procedures for formulating an evaluation team as directed by the employee. The team shall address the nature, duration and severity of risk as well as any modification of activities. The team shall continue to monitor the staff member's condition and be sensitive to the individual as well as the district's needs.

Procedures for accommodating a staff member infected with HIV, AIDS or HBV shall be nondiscriminatory and shall be the same as with any other illness.

~~The district shall also develop policies and/or procedures for infection control and staff accommodations.~~

END OF POLICY

Legal Reference(s):

ORS 433.255
ORS 433.260

OAR 437-002-0360
OAR 437-002-0377

OAR 581-022-0705

Gresham-Barlow SD 10

Code: **GBEC**
Adopted: 7/11/94
Revised/Readopted: 1/11/01;; 5/02/02;; 2/07/08
Orig. Code(s): GBEC

Drug-Free Workplace *

The district prohibits the **unlawful** manufacture, distribution, possession and/or use of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substances or alcohol **as defined in schedules I through V of section 202 of the Controlled Substances Act (21U.S.C. § 812) and as further defined by regulation 21 C.F.R § 1308.11-1308.15** in the workplace.

“Workplace” is defined to mean the site for the performance of work done in connection with a federal grant or contract. That includes any school building or any school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district where work on a federal grant is performed.

No employee shall knowingly sell, market or distribute steroid or performance enhancing substances to kindergarten through grade 12 students with whom the employee has contact as part of the employee’s district duties; or knowingly endorse or suggest the use of such drugs.

As a condition of employment, employees must abide by this policy and inform the district within five days of any criminal drug conviction that occurred in the workplace.

The district shall establish **and maintain** a drug-free awareness program. This program shall include information about the impact of drug/alcohol abuse in the workplace and the availability of drug counseling services. Each employee shall ~~also receive~~ as part of the staff handbook **new employee orientation materials** a copy of the district’s policy, information regarding the district’s employee assistance program and other available resources with regard to assistance with drug or alcohol abuse.

~~The district shall make a concerted effort to continue to maintain a drug-free workplace.~~

Violation of this policy may result in discipline up to and including dismissal or a requirement that the employee successfully complete a drug assistance or rehabilitation program.

END OF POLICY

Legal Reference(s):

ORS 243.650

ORS 336.222

ORS Chapter 475

ORS 342.721

ORS 342.723

ORS 342.726

ORS 657.176

ORS 809.260

OAR 581-022-0416

OAR 584-020-0040(5)(e)

Drug-Free Workplace Act of 1988, 41 U.S.C. §§ 701-707 (2006); General Principles Relating to Suspension and Debarment Actions, 34 C.F.R. §§ 85.600 - 85.645 (2006).

Controlled Substances Act, 21 U.S.C. § 812; Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11 - 1308.15 (2006).

Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2006).

R9/28/07 | JW

Corrected 4/10/14

Drug-Free Workplace * - GBEC

Gresham-Barlow SD 10

Code: **GBEDA**
Adopted: 2/01/96
Readopted: 1/11/01; 5/02/02
Orig. Code(s): GBEDA

Drug and Alcohol Testing - Transportation Personnel*

The district adheres to a policy of providing all employees, students and the public and environment which is free of drugs as defined by the Drug Free Workplace Act and Board policy GBEC - Drug-Free Workplace. In addition, the district complies with the requirements of the Omnibus Transportation Employee Testing Act of 1991.

The district or its transportation provider shall have an in-house drug and alcohol testing program or be a member of a consortium that provides testing that meets the federal regulations, and shall annually certify this information to the Oregon Department of Education.

All employees subject to commercial drivers license (CDL) requirements shall be subject to pre-employment drug testing and random, reasonable suspicion, post-accident, return-to-duty and follow-up testing for alcohol and drugs in accordance with the above-named Omnibus Act.

END OF POLICY

Legal Reference(s):

ORS 657.176

OAR 581-053-0015 (7)(t)

Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. §§ 31301-31317; 49 C.F.R. Parts 40, 382, 391-395 (2006).

R12/18/01 | MW

Gresham-Barlow SD 10

Code: **GBG**
Adopted: 5/02/02

Staff Participation in Political Activities

Employees may exercise their right to participate fully in affairs of public interest on a local, county, state and national level on the same basis as any citizen in a comparable position in public or private employment and within the law.

All district employees are privileged within the limitations imposed by state and federal laws and regulations to choose any side of a particular issue and to support their viewpoints as they desire by vote, discussion or persuading others. Such discussion and persuasion, however, will not be carried on during the performance of district duties, except in open discussion during classroom lessons that consider various candidates for a particular office or various sides of a particular political or civil issue.

On all controversial political activities, employees acting in their district capacity must designate that the viewpoints they represent on the issues are personal and are not to be interpreted as the district's official viewpoint.

No employee will use district facilities, equipment or supplies in connection with his/her campaigning, nor will he/she use any time during the working day for campaign purposes. ~~except as allowed in the district's facility use policy.~~

END OF POLICY

Legal Reference(s):

ORS Chapter 244
ORS 260.432

OR. CONST., art. XV, § 8.

4/3/01 | NC

Gresham-Barlow SD 10

Code: **GBH/JECAC**
Adopted: 5/02/02

Custodial Parent**

The Board encourages parents to be involved in their student's ~~school affairs~~ **educational activities**, 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 education 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.

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 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.

END OF POLICY

Legal Reference(s):

[ORS 107.154](#)
[ORS 109.056](#)
[ORS 163.245 - 163.257](#)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2011); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2011).
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).

2/26/09 | MS

Gresham-Barlow SD 10

Code: **GBI**
Adopted: 7/11/94
Revised/Readopted: 1/11/01; 5/02/02
Orig. Code(s): GBI

Gifts and Solicitations

Students and their parents shall not be encouraged to routinely give gifts to district employees. The Board welcomes as appropriate the writing of letters by students to staff members expressing gratitude and appreciation.

~~The provision herein shall not be interpreted as intended to discourage acts of generosity in unusual situations.~~

Individual employees will refrain from giving **gifts**¹ ~~of more than nominal value~~ to staff members who exercise any direct or indirect administrative or supervisory jurisdiction over them. Collecting money for group gifts is discouraged except in special circumstances such as bereavement, serious illness or for retirement gifts. Staff-initiated “sunshine funds” are exempt from this policy.

All employees are prohibited from accepting items of material value from companies or organizations doing business with the school district. Material value is defined as ~~\$100~~**50** from a single source in a single year.

No organization may solicit funds from staff members within the schools, nor may anyone distribute flyers or other materials related to fund drives through the schools without the superintendent’s approval. Staff members may not be made responsible, or assume responsibility, for collecting money or distributing any non-school-sponsored fund-drive literature within the schools without the superintendent’s **or designee's** approval.

The soliciting of staff by sales people, other staff or agents during on-duty hours is prohibited. Supervisors shall not solicit staff. Any solicitation should be reported at once to the ~~school~~ principal or supervisor. Advertising is not allowed in district facilities without the superintendent or designee’s approval.

END OF POLICY

Legal Reference(s):

ORS 244.010 to-244.400
ORS 339.880

OAR 584-020-0000 to-0045
OAR 199-005-0005 to-199-020-0020

8/28/08 | RC

¹“Gift” means something of economic value given to a public official or the public official’s relative or household member without valuable consideration of equivalent value, including the full or partial forgiveness of indebtedness, which is not extended to others who are not public officials or the relatives or household members of public officials on the same terms and conditions; and something of economic value given to a public official or the public official’s relative for valuable consideration less than that required from others who are not public officials. See ORS Chapter 244 for gift definition exceptions.

Gresham-Barlow SD 10

Code: **GBJ**
Adopted: 5/02/02

Weapons in Schools - Staff*

Employees, district contractors and/or their employees and district volunteers shall not possess a dangerous or deadly weapon or firearm on district property or at school-sponsored events. This prohibition includes those who may otherwise be permitted by law to carry such weapons.

For purposes of this policy, and as defined by state and federal law, weapon includes:

1. “Dangerous weapon” = **means** any weapon, device, instrument, material or substance, which under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury;
2. “Deadly weapon” = **means** any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;
3. “Firearm” = **means** any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, frame or receiver of any such weapon, any firearm silencer or any other destructive device including any explosive, incendiary or poisonous gas.

Weapons under the control of law enforcement personnel are permitted.

The superintendent will ensure notice of this policy is provided.

Employees in violation of this policy will be subject to discipline up to and including dismissal. Individuals contracting with the district and volunteers will be subject to appropriate sanctions. A referral to law enforcement may be made.

END OF POLICY

Legal Reference(s):

ORS 161.015
ORS 166.210 - 166.370
ORS 332.107

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2006).
Doe v. Medford Sch. Dist. 549C, 232 Or. App. 38, 221 P3d 787 (2009).

9/10/07 | RC

Gresham-Barlow SD 10

Code: **GBK/JFCG/KGC**

Adopted: 7/11/94

Revised/Readopted: 1/11/01; 5/02/02; 10/06/05

Orig. Code(s): GBK

Tobacco-Free Environment

The district recognizes that tobacco use may create a health hazard for nonusers as well as users. In order to protect the health of students, staff and the general public, provide a healthy working environment and promote good health for students and staff alike, tobacco use, distribution, or sale in any form shall be prohibited on all district property and in district-owned vehicles **at all times**. Tobacco use is also prohibited by employees, volunteers, students, chaperones; and the general public participating off campus in a school or district-sponsored activity.

Tobacco use is defined as the carrying or smoking of any kind of lighted or unlighted pipe, cigar, cigarette, bidi, clove cigarette or any other smoking equipment or material, or spit tobacco, also known as smokeless, dip, chew; or snuff in any form, **nicotine or nicotine delivering devices, chemicals or devices that produce the physical effect of nicotine substances or any other tobacco substitute (e.g., e-cigarettes). This does not include FDA-approved nicotine replacement therapy products used for the purpose of cessation.**

“Tobacco Use Prohibited” signs will be posted in appropriate locations in all district buildings and on district property.

Violation of this policy will lead to appropriate disciplinary action, up to and including expulsion, for students. **When considering disciplinary action for a child with disabilities, the district must follow the requirements of Board policy JGDA/JGEA – Discipline of Students with Disabilities, including those involving functional behavioral assessment, change of placement, manifestation determination and an interim alternative educational setting.** Community or school service may be required. A referral to law enforcement may be made. Parents will be notified of all violations involving their student and subsequent action taken by the school. Information about cessation support and/or tobacco education programs and how students can access these programs will be provided. At the discretion of the **building** principal, attendance and completion of such programs, or successful completion of a behavior modification plan, may be allowed as a substitute for, or a part of student discipline.

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

The superintendent will develop administrative regulations as needed to implement this policy.

~~The effective date of this policy shall be the date of adoption. Building administrators, in consultation with building staff, may implement this policy prior to the effective date.~~

END OF POLICY

Legal Reference(s):

ORS 332.107

ORS 336.222

ORS 336.227

ORS 339.240

ORS 339.250

ORS 433.835 - 433.990

OR 581-021-0050 to -0075

OR 581-021-0110

OAR 581-022-0413

OAR 581-053-0015

OAR 581-053-0545(4)(c)(R)-(T)

OAR 581-053-0550(5)(q)-(s)

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2006).

Gresham-Barlow SD 10

Code: **GBL**
Adopted: 5/02/02
Readopted: 10/6/05

Personnel Records *

An official personnel file will be established for each person employed by the district. Such files will be maintained in the district administration office.

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.

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 as per the collective bargaining agreement. All charges resulting in disciplinary action shall be considered a permanent part of the 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. No files will be removed from their central location for personal inspection;
4. A Board member when specifically authorized by the Board. Information will be kept confidential. No files will be removed from their central location for personal inspection;
5. The superintendent and members of the central administrative staff;
6. District administrators and supervisors who currently or prospectively supervise the employee;
7. Employees of the human resources office;
8. Attorneys for the district or the district's designated representative on matters of district business.

Notwithstanding the foregoing, the disciplinary records of a school employee convicted of a crime listed in ORS 342.143 may be released to any person upon request. "Disciplinary records" is defined as records related to a personnel discipline action or materials or documents supporting that action. Prior to disclosure, the district shall remove any personally identifiable information from the record that would disclose the identity of a child, a crime victim or a school employee who is not the subject of the disciplinary record.

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

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

END OF POLICY

Legal Reference(s):

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).

R8/30/05 | JW

Gresham-Barlow SD 10

Code: **GBLA**
Adopted: 10/05/95
Readopted: 1/11/01; 5/02/02
Orig. Code(s): GBLA

Disclosure of Information

District administrators, as authorized by the superintendent, may disclose information about a former employee's job performance to a prospective employer. District officials are immune from civil liability for such disclosures under the following conditions:

1. Disclosure of information is upon request of the prospective employer; or
2. Disclosure of information is upon request of the former employee;
3. The information is related to job performance;
4. The action is presumed to be in good faith.

Presumption of good faith is rebutted by showing the information disclosed was:

1. Knowingly false;
2. Deliberately misleading;
3. Rendered with malicious purpose;
4. Violated civil rights.

The disclosure is of the disciplinary records¹ of a district employee who has been convicted of a crime listed in ORS 342.143. These records are not exempt from disclosure under ORS 192.501 or ORS 192.502 and shall be released to any person upon request. Prior to the disclosure of a disciplinary record an education provider shall remove any personally identifiable information from the record that would disclose the identity of a child, a crime victim or a school employee who is not the subject of the disciplinary record.

The disclosure is the result of a request from a law enforcement agency, the Department of Human Services or the Teachers Standards and Practices Commission regarding the records of investigations of suspected child abuse by a district employee.

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

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

END OF POLICY

Legal Reference(s):

ORS 30.178

ORS 339.370 - 339.375

ORS 339.388(7)

ORS Chapter 659

ORS Chapter 659A

Gresham-Barlow SD 10

Code: **GBM**
Adopted: 7/11/94
Revised/Readopted: 1/11/01; 5/02/02
Orig. Code(s): GBM

Staff Complaints *

The superintendent or designee will develop **and maintain** a complaint procedure which will be available for all employees who contend they have been subject to a violation, misinterpretation or inappropriate application of district personnel policies and/or administrative regulations. The complaint procedure will provide an orderly process for the consideration and resolution of problems in the application or interpretation of district personnel policies.

The complaint procedure will not be used to resolve disputes and disagreements related to the provisions of any collective bargaining agreement, nor will it be used in any instance where a collective bargaining agreement provides a dispute resolution procedure. Disputes concerning an employee's dismissal or contract non-renewal or contract non-extension will not be pursued under this procedure.

All reasonable efforts will be made to resolve complaints informally.

Policy KL-AR Public Complaints shall be used as the ~~Regulations will be developed to outline~~ procedural timelines and steps under this policy.

END OF POLICY

Legal Reference(s):

OAR 581-022-1720

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

R2/10/04 | MW

Gresham-Barlow SD 10

Code: **GBNA**
Adopted: 5/02/02
Readopted: 4/10/08; 1/06/11

Hazing/Harassment/Intimidation/Bullying/Cyberbullying/Menacing – Staff

The Board is committed to providing a positive and productive learning and working environment. Hazing, harassment, intimidation, menacing, or bullying, and acts of cyberbullying of staff, students or third parties by students, staff or third parties toward staff is strictly prohibited and shall not be tolerated in the district. Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is also strictly prohibited.

Staff whose behavior is found to be in violation of this policy will be subject to discipline, up to and including dismissal. Third parties 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 whose behavior is found to be in violation of this policy will be subject to discipline up to and including expulsion.

Individuals may also be referred to law enforcement officials. Licensed staff will be reported to Teacher Standards and Practices Commission.

The superintendent is directed to develop and maintain administrative regulations to implement this policy. Regulations shall include descriptions of prohibited conduct, reporting and investigative procedures, and provisions to ensure annual notice of this policy is provided to students, staff and third parties.

END OF POLICY

Legal Reference(s):

[ORS 163.190](#)
[ORS 163.197\(2\)](#)
[ORS 166.065](#)
[ORS 166.155 - 166.165](#)
[ORS 332.072](#)
[ORS 332.107](#)
[ORS 659A.030](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).

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Cyberbullying

The Board is committed to providing a positive and productive learning and working environment. Any form of harassment using electronic devices, commonly known as “cyberbullying,” by students, staff or third parties is prohibited and will not be tolerated in the district. “Cyberbullying” is the use of any electronic communication device to convey a message in any form (text, image, audio or video) that defames, intimidates, harasses or is otherwise intended to harm, insult or humiliate another in a deliberate, repeated or hostile and unwanted manner under a person’s true or false identity. In addition, any communication of this form, which substantially disrupts or prevents a safe and positive educational or working environment may also be considered cyberbullying. Students and staff will refrain from using personal communication devices or district property to harass or stalk another.

The district will take any report of cyberbullying seriously and will investigate credible reports promptly. Students or volunteers are encouraged to report an incident immediately to a teacher or principal, who will take appropriate action. Students or volunteers who make a report are expected, but not required, to preserve evidence of cyberbullying. For example, a student may save or bring a copy of an email, text message, picture or other electronic transmission that the student believes was intended harm, insult or humiliate. Students or volunteers may report cyberbullying anonymously. Remedial action shall not be based solely on an anonymous report.

Failure of an employee to report an act of cyberbullying to the school or program administrator may be subject to remedial action, up to and including dismissal.

The district may revoke the privilege of a student or third party, who uses district equipment or electronic communication system to engage in cyberbullying, to use any district electronic equipment under the procedures for **Board** policy IIBGA - Electronic Communications System.

Students whose behavior is found to be in violation of this policy will be subject to loss of privileges, discipline, up to and including expulsion. Staff whose behavior is found to be in violation of this policy will be subject to discipline, up to and including dismissal. Third parties whose behavior is found to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the superintendent or Board. The district may also report individuals to law enforcement if necessary.

The district shall incorporate into existing training programs for students and staff information related to cyberbullying and the prevention of, and the appropriate response to acts of cyberbullying.

END OF POLICY

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Legal Reference(s):

[ORS 163.190](#)
[ORS 166.065](#)
[ORS 166.155 to-166.165](#)
[ORS 174.100\(6\)](#)
[ORS 332.072](#)

[ORS 332.107](#)
[ORS 339.240](#)
[ORS 339.250](#)
[ORS 339.351 to-339.364](#)

[OAR 581-021-0045](#)
[OAR 581-021-0046](#)
[OAR 581-021-0055](#)
[OAR 581-022-1140](#)

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Sexual Harassment

The Board is committed to the elimination of sexual harassment in district schools and activities. Sexual harassment is strictly prohibited and shall not be tolerated. This includes sexual harassment of students, or staff or third parties by other students, staff, Board members or third parties. “Third parties” include, but are not limited to, school volunteers, parents or guardians¹, 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. “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. **The prohibition also includes off duty conduct which is incompatible with district job responsibilities.**

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

1. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits;
2. Submission to or rejection of the conduct or communication is used as the basis for educational decisions affecting a student or employment or assignment of staff;
3. The conduct or communication is so severe, persistent or pervasive that it 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; or creates an intimidating, offensive or hostile educational or working environment. 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 subjected 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.

¹As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, and adult student to whom rights have transferred and foster parent as defined in OAR 581-015-0005 (18).

Examples of sexual harassment may include, but not be limited to, physical touching or graffiti of a sexual nature, displaying 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 conduct in violation of this policy or feels he/she is a victim of sexual harassment must immediately report his/her concerns to the ~~building~~ principal, compliance officer or superintendent, who has overall responsibility for all investigations. A student may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate district official. The student and the student's parents or guardians or staff member who initiated the complaint shall be notified of the findings of the investigation and, if appropriate, that remedial action has been taken.

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, files a complaint or otherwise participates in an investigation or inquiry of sexual harassment.

It is the intent of the Board that appropriate corrective action will 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.

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

The superintendent shall ensure appropriate periodic sexual harassment awareness training or information is provided to all supervisors, staff and students and that annually, the name and position of district officials responsible for accepting and managing sexual harassment complaints, business phone numbers, addresses or other necessary contact information is readily available. This policy as well as the complaint procedure will be made available to all students, parents or guardians 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 1/2" by 11".

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

END OF POLICY

Legal Reference(s):

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).

Bartsch v. Elkton School District, FDA-13-011 (March 27, 2014).

Gresham-Barlow SD 10

Code: **GBPA**
Adopted: 12/02/04
Orig. Code(s): GBPA

Children on District Premises

The district reserves the right to ask any person to leave district premises at any time.

During normal school hours, school age children will not be allowed on district premises or in any facility used by the district, unless the child is enrolled in a district class, studying for a class in which the child is enrolled within the district, involved in a district approved event; or have the prior written consent of the building administrator.

Staff members may not bring dependent children, on the job, during their regular working hours without prior written consent of an administrator.

END OF POLICY

Legal Reference(s):

[ORS 339.240\(2\)](#)
ORS 332.107

Gresham-Barlow SD 10

Code: **GCA**
Adopted: 5/02/02

License Requirements

All applicants requiring licensure shall hold a valid Oregon license as a condition of employment and shall meet any other condition required by Teacher Standards and Practices Commission (TSPC). Those offered employment in the district must present their original license to the superintendent's office before the Board will consider approving their employment. Applicants not presenting their license prior to the beginning of school or the first day employment is to begin, will not be employed until such license is presented to the superintendent's office.

The district requires licensed staff to submit a copy of all license endorsements to the human resources office. It shall be each licensed staff member's responsibility to keep all endorsements current and to submit them to the superintendent's office.

END OF POLICY

Legal Reference(s):

[ORS 342.120 - 342.203](#)

[OAR Chapter 584](#)

Gresham-Barlow SD 10

Code: GCAB
Adopted: 6/02/11

Personal Communication **Electronic** Devices and Social Media - Staff

Staff possession or use of personal ~~communication~~ **electronic** devices on district property, in district facilities during the work day and while the staff is on duty in attendance at district-sponsored activities may be permitted subject to the limitations set forth in this policy and consistent with any additional school rules **as may be established by the superintendent**. At no time will a personal ~~communication~~ **electronic** device be used in a manner that interferes with staff duty and responsibility for the supervision of students or in any manner that violates state or federal law.

A “personal ~~communication~~ **electronic** device” is a device, not issued by the district, ~~that emits an audible signal, vibrates, displays a message or otherwise summons or delivers a communication to the possessor of the device~~ **capable of electronically communicating, sending, receiving, storing, recording, reproducing, and/or displaying information and data**. ~~These devices include, but are not limited to, walkie talkies, either long- or short-range portable radios, portable scanning devices, cellular telephones, pagers, personal digital assistants (PDAs), laptop computers and similar devices with wireless capability. This also includes other digital audio and video devices such as, but not limited to, tablet computers, portable media players, smartphones, radios and TV.~~

Personal ~~cellular telephones/pagers and other digital audio and video~~ **electronic** devices shall be silenced during instructional time, while on duty or at any other time where such use of the device would cause a disruption of school activities or interfere with work assignment. ~~Cellular telephones~~ **Devices** which have the capability to take photographs or **record video or audio** may be used for such purposes while on district property or while a staff member is on duty in district-sponsored activities, unless it is used in a manner that violates the acceptable use policy or when parents revoke permission to allow photographing or videotaping of their children. ~~Laptop Computers, and PDAs~~ **tablets, iPads or similar devices** brought to school will be restricted to ~~classroom or instructional-related~~ **academic** activities **only during on duty time**.

~~Loss or damage~~ **Stolen or vandalized** to personal ~~communication~~ **electronic** devices brought to district property and district-sponsored activities shall first be submitted to the staff member’s personal insurance before submission to the district for reimbursement.

Staff members, **while on duty and off duty**, will utilize social ~~network~~ **media websites** (e.g., Facebook, MySpace and Twitter), **public websites and blogs**, judiciously, ~~and will by~~ not posting confidential information about students, staff or district business.¹ **Staff may not post images of staff or students without written authorization from persons with authority to grant such a release.** Staff members, **while on duty and off duty**, will treat fellow employees, students (and their families) and the public with respect **while posting on social media websites, etc., in order to prevent substantial disruption in school.**

¹Nothing in this policy is intended in any form to limit the right of employees to engage in protected labor activities via the use of social media.

Communication with students using personal ~~communication~~ **electronic** devices will be appropriate, professional and related to school assignments or activities only. **Communication with students using personal electronic devices regarding non-school-related matters is prohibited during work hours and strongly discouraged at all other times. If communicating with students electronically regarding school-related matters, staff should use district e-mail using mailing lists to a group of students rather than individual students. Texting students during work hours is discouraged. Texting students while off duty is strongly discouraged.**

Exceptions to the prohibitions set forth in this policy may be made for health, safety or emergency reasons with superintendent or designee approval.

Staff ~~members~~ **is are** subject to disciplinary action up to and including dismissal for using a personal ~~communication~~ **electronic** device in any manner that is illegal or violates the terms of this policy, ~~or rules established under this policy.~~ **Staff actions on social media websites, public websites and blogs, while on or off duty, which disrupt the school environment, are subject to disciplinary action up to and including dismissal. A**

“disruption”¹ for purposes of this policy includes, but is not limited to, a threatened or actual negative impact on the learning environment. The taking, disseminating, transferring, or sharing of obscene, pornographic, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring, or sharing obscene, pornographic, or otherwise illegal images or photographs, will be reported to law enforcement and/or other appropriate state or federal agencies.

Licensed staff are subject at all times to the Standards of Competent and Ethical Performance for Teachers.(See Board policy GCAA.)

The superintendent shall ensure that this policy is available to all employees.

END OF POLICY

Legal Reference(s):

ORS 167.054

ORS 167.057

ORS 163.432

ORS 163.433

ORS 163.684

ORS 163.686

ORS 163.687

ORS 163.688

ORS 163.689

ORS 163.693

ORS 163.700

ORS 326.011

ORS 326.051

ORS 332.072

ORS 332.107

ORS 336.840

U.S. CONST. amend. XVIII, § 1466A

U.S. CONST. amend. XVIII, § 1470

U.S. CONST. amend. XX, § 7906

U.S. CONST. amend. XX, § 6777

Copyrights, Title 17, as amended, United States Code; 19 CFR Part 133 (2001).

Melzer v. Bd. Of Educ., City of New York, 336 F.3d 185 (2d Cir. 2003).

Ross v. Springfield Sch. Dist., No. FDA 80-1, aff'd, 56 Or. App. 197, rev'd and remanded, 294 Or. 357 (1982), order on remand (1983), aff'd, 71 Or. App. 111 (1984), rev'd and remanded, 300 Or. 507 (1986), order on second remand (1987), revised order on second remand (1988).

Gresham-Barlow SD 10

Code: **GCBC/GDBC**
Adopted: 5/02/02

Associated Payroll Costs *

The Board shall pay insurance premiums for district employees. Such insurance will be provided and notice given in compliance with any rules of the carrier regarding domestic partner benefits, current relevant collective bargaining agreement, Board policy and state and federal law.

Employees eligible for insurance benefits at the close of the school year and who have been rehired by the district for eligible employment the following school year will be considered eligible during the interim.

The superintendent will develop **and maintain** administrative regulations, as necessary, to implement this policy.

END OF POLICY

Legal Reference(s):

ORS 332.507

Consolidated Omnibus Budget Reconciliation Act of 1985, 29 U.S.C. §§ 1161-1169 (2006).
Employee Retirement Income Security Act of 1974, 29 U.S. C. §§ 1001-1461.
Tanner v. OHSU, 157 Or. App. 502 (1998).

4/4/03 | DT

Gresham-Barlow SD 10

Code: **GCBDA/GDBDA**
Adopted: 7/11/94
Revised/Readopted: 1/11/01;; 5/02/02
Orig. Code(s): GCBDA/GDBDA

Family Medical Leave *

The district will comply with all provisions of the Family and Medical Leave Act (FMLA) of 1993, the Oregon Family Leave Act (OFLA) of 1995 **the Military Family Leave Act as part of the National Defense Authorization Acts of 2008 and for Fiscal Year 2010 (which expanded certain leave to military families and veterans for specific circumstances), the Oregon Military Family Leave Act of 2009,** and other applicable provisions of Board policies and collective bargaining agreements regarding family medical leave.

In order for an employee to be eligible for the benefits under federal law, he/she must have been employed by the district for ~~the previous~~ **a total of at least (not necessarily consecutive)** 12 months and have worked at least 1250 hours during the past 12-month period.

In order to be eligible under state law, an employee must work an average of 25 hours per week and have been employed at least 180 days prior to the first day of the family medical leave of absence. However, for parental leave purposes ~~covered under FMLA,~~ an employee becomes eligible upon completing at least 180 days immediately preceding the date on which the parental leave begins. There is no minimum average number of hours worked per week when determining employee eligibility for parental leave.

Federal and state leave entitlements generally run concurrently.

The superintendent will develop administrative regulations as necessary for the implementation of the provisions of both federal and state law.

END OF POLICY

Legal Reference(s):

[ORS 332.507](#)
[ORS 342.545](#)
[ORS 659A.090](#)
[ORS 659A.093](#)
[ORS 659A.096](#)
[ORS 659A.099](#)
[ORS 659A.150 - 659A.186](#)

[OAR 839-009-0200 to-0320](#)

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).
Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654 (2006); Family and Medical Leave Act of 1993, 29 C.F.R. Part 825 (2008).

National Defense Authorization Act of 2008, Public Law 110-181, § 585(a).
National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84, § 565.

R12/10/09 | RS

Gresham-Barlow SD 10

Code: **GCBDB/GDBDB**
Adopted 7/11/94
Readopted: 1/11/01; 5/02/02
Orig. Code(s): GCBDB/GDBDB

Early Return to Work

Efforts will be made on a case by case basis to return ill or injured employees to work. Returns will be within the requirements of the injury, the limitations of the law and the limitations of the district.

In the event an employee is not able to perform essential job functions completely after an illness or injury, the district will determine whether reasonable accommodations are appropriate that would provide temporary light duty assignment, restructuring of job to include modified work days, shift or part-time work, hours of work or modifications in facilities, equipment, special aids and services. Reasonable accommodations must not result in an undue hardship on the district.

If an employee cannot be reasonably accommodated in his/her current job, the district will review alternative assignments. The employee, if qualified, will be offered an available vacant position with or without reasonable accommodations. If no other assignment is possible, the district will provide unpaid leave, **in accordance with state and federal law**, if recovery is ongoing and sick leave is exhausted. Unpaid leave will be provided in accordance with Oregon law.

The district will maintain current job descriptions for each job category. Physical requirements for appropriate job categories will be established.

The superintendent will develop procedures necessary to implement this policy.

END OF POLICY

Legal Reference(s):

ORS 659A.043

ORS 659A.046

OAR 436-110-0001 to -0900

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).

HR3/7/02 | MW

Gresham-Barlow SD 10

Code: GCBDC/GDBDC
Adopted: 3/06/08

Domestic Violence/**Harassment**/Sexual Assault/Stalking Leave

Definitions:

1. “Covered employer” means an employer who employs six or more individuals in the state of Oregon for each working day through each of 20 or more calendar workweeks in the year in which the eligible employee takes leave to address domestic violence, **harassment**, sexual assault or stalking or in the year immediately preceding the year in which an eligible employee takes leave for domestic violence, **harassment**, sexual assault or stalking.
2. “Eligible employee” means an employee who ~~worked an average of more than 25 hours per week for a covered employer for at least 180 days immediately before the date the employee has taken leave and who~~ is a victim of domestic violence, **harassment**, sexual assault, or stalking or is the parent or guardian of a minor child or dependent who is a victim of domestic violence, **harassment**, sexual assault or stalking.
3. “Protective order” means an order authorized by ORS 30.866, 107.095(1)(c), 107.700 to 107.735, 124.005 to 124.040 or 163.730 to 163.750 or any other order that restrains an individual from contact with an eligible employee of the employee’s minor child or dependent.
4. “Victim of domestic violence” means an individual who has been a victim of abuse as defined by ORS 107.705; or any other individual designated as a victim of domestic violence by rule adopted under ORS 659A.805.
5. **“Victim of harassment” means an individual against whom harassment has been committed as describe in ORS 166.805 and any other individual designated as a victim of harassment by rule adopted under ORS 659A.805.**
6. “Victim of sexual assault” means an individual against whom a sexual offense has been committed as described in ORS 163.467 or 163.525 or any other individual designated as a victim of sexual assault by rule adopted under ORS 659A.805.
7. “Victim of stalking means an individual against whom stalking has been committed as described in ORS 163.732 or ~~any other an~~ individual designated as a victim of stalking by rule adopted under ORS 695A.805 **or an individual who has obtained a court’s stalking protective order or a temporary court’s stalking protective order under ORS 30.866.**
8. “Victim services provider” means a prosecutor-based victims assistance program or a nonprofit program offering safety planning, counseling, support or advocacy related to domestic violence, **harassment**, sexual assault of stalking.

A district (covered employer) shall allow an (eligible) employee to take reasonable leave for any of the following reasons:

1. To seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or the employee's minor child or dependant, including preparing for and participating in protective order proceedings or other civil or criminal legal proceedings related to domestic violence, **harassment**, sexual assault or stalking;
2. To seek medical treatment for or to recover from injuries caused by domestic violence or sexual assault to or **harassment or** stalking of the eligible employee or the employee's minor child or dependent;
3. To obtain or assist a minor child or dependent in obtaining counseling from a licensed mental health professional related to an experience of domestic violence, **harassment**, sexual assault or stalking;
4. To obtain services from victims services provider for the eligible employee or the employees minor child or dependent;
5. To relocate or take steps to secure an existing home to ensure health and safety of the eligible employee or the employee's minor child/dependant.

The district may limit the amount of leave, if the employee's leave creates an undo hardship on the district.

The district shall not deny leave to an employee or discharge, threaten to discharge, demote, suspend or in any manner discriminate or retaliate against an employee with regards to promotion, compensation or other terms, conditions or privileges of employment as a result of taking such leave.

The employee shall give the district reasonable advanced notice of their intent to take leave unless giving advance notice is not feasible.

The district may require the employee to provide certification that:

1. The employee or minor child/dependent is a victim of domestic violence, **harassment**, sexual assault or stalking; and
2. The leave is taken for one of the identified purposes in this policy.

Sufficient certification includes:

1. A copy of a police report ~~indications~~**indicating** the employee or child/dependent was a victim of domestic violence, **harassment**, sexual assault or stalking
2. A copy of a protective order or other evidence form a court, **administrative agency** or attorney that the employee appeared in or was preparing for a civil, ~~or~~ criminal proceeding **or administrative** related to domestic violence, **harassment**, sexual assault or stalking.

3. Documentation from an attorney, law enforcement officer, health care professional, licensed mental professional or counselor, member of the clergy or victims services provider that the employee/child/dependent was under going counseling, obtaining services or relocating as a result of domestic violence, **harassment**, sexual assault or stalking.

All records and information kept by the district regarding the employees leave, including the request or obtaining of leave is confidential and may not be release without the expressed permission of the employee unless otherwise required by law. This information will be kept in a file separate from the employee's personnel file.

The employee may use any paid accrued vacation leave or may use any other paid leave that is offered by the district in lieu of vacation leave. The employee may chose the order in which paid accrued leave is to be used when more than one type of paid leave is available.

END OF POLICY

Legal Reference(s):

ORS 192.502(38)

ORS 659A.270 to-659A.290

ORS 659A.885

Gresham-Barlow SD 10

Code: **GCDA/GDDA**
Adopted: 1/04/96
Readopted: 11/01/01;; 5/02/02;; 2/04/10
Orig. Code(s): GCDA/GDDA

Criminal Records Checks/Fingerprinting

In a continuing effort to further ensure the safety and welfare of students and staff, the district shall require criminal records checks and fingerprinting of all newly hired full-time and part-time employees. Others having direct, unsupervised contact with students shall also have criminal records checks and fingerprinting, as required by law.

“Direct, unsupervised contact” means contact with students that provides the person opportunity and probability for personal communication or touch.

In addition to the newly hired employees, such checks shall be required of the following:

1. All school district contractors and/or their employees, whether employed part-time or full-time;
2. All contractors and/or their employees who provide early childhood special education or early intervention services in accordance with rules established by the employment department;
3. Any community college faculty member providing instruction at the site of an early childhood education program or at a school site as part of an early education program;
4. An individual who is an employee of a public charter school.

An individual who has failed to disclose the presence of criminal convictions that would not otherwise prevent his/her employment with the district as provided by law may be employed or contracted with by the district. **The district’s use of criminal history must be relevant to the specific requirements of the position, services or employment.**

The district may begin the employment of an individual, volunteer service, or terms of a district contractor on a probationary basis pending the return and disposition of criminal record checks and/or fingerprinting.

The superintendent shall develop administrative regulations as necessary to meet the requirements of law.

END OF POLICY

Legal Reference(s):

[ORS 181.525](#)
[ORS 181.555](#)
[ORS 183.413 - 183.470](#)
[ORS 326.603](#)
[ORS 326.607](#)

[ORS 336.631](#)
[ORS 338.115](#)
[ORS 342.143](#)
[ORS 342.223 to-342.232](#)

[OAR 414-061-0010](#)
[OAR 581-021-0500](#)
[OAR 581-022-1730](#)
[OAR 584-036-0062](#)

R9/24/09 | PH

Gresham-Barlow SD 10

Code: GCEC
Adopted: 7/11/94
Readopted: 1/11/01; 5/02/02
Orig. Code(s): GCEC

D

Job Sharing

The Board acknowledges that job-sharing is an appropriate personnel practice and directs the superintendent to establish procedures for job-sharing as an employment option.

Job sharing shall be defined as “two staff members voluntarily sharing the responsibilities and benefits of a single position, including attendance at meetings, workshops, etc.”

Job sharing requests will be considered on an individual basis and will be subject to the building principal’s recommendation and superintendent’s approval. Requests will be based upon the following guidelines:

1. The job sharing position is entered into voluntarily by both persons;
2. Job sharing will not be approved if there are indications student progress and/or educational programs might be compromised;
3. The amount of fringe benefits as may be afforded in the current negotiated agreement and normally assigned to one staff employee position shall be shared in a manner agreeable to both job-sharing employees providing the total dollar amount does not exceed the amount designated for one staff employee in a non-job-sharing position.

All leaves normally assigned to an employee are divided proportionately between the two employees.

Should one employee be unable to complete the job sharing assignment, the prorated fringe benefits and leaves may be transferred to the remaining employee.

4. Job sharing will be evaluated annually to determine renewal;
5. If one employee discontinues job sharing, the other job-sharing employee shall assume the responsibilities of the full-time position for the remainder of the school year, or until another qualified employee will voluntarily job share the position or another job-share employee is hired;
6. If, upon the superintendent’s and administrator’s evaluation, job sharing is not renewed for the ensuing school year, then the two employees affected may return to full-time positions subject to any state statute, collective bargaining agreement or Board policy on reduction in force;

7. Responsibility for curriculum coordination will be designated by the building principal.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Eugene Education Association v. Eugene School District 4J, Case Nos. UP-8-87 and UP-18-87, 9 PECBR 9391 (1987); rev'd, 91 Or. App. 78 (1988); vacated and remanded, 306 Or. 659 (1988).

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Gresham-Barlow SD 10

Code: **GCL/GDL**
Adopted: 7/11/94
Revised/Readopted: 1/11/01; 5/02/02
Orig. Code(s): GCL/GDL

Staff Development and Professional Growth*

Recognizing that student learning and employee performance is enhanced when staff members become a community of learners, the district will provide on a continuing basis, a comprehensive staff development program. The primary goal of the staff development program is improved student learning by improving professional skills of educators. A meaningful and effective staff development program, therefore, should then both raise and reflect the aspirations of staff, support district priorities and goals and provide a collaborative learning environment which leads to the professional growth of all employees. The district staff development program assists employees:

1. To extend vision of how he/she can better meet the needs of a diverse student population;
2. To improve initiative and capability to assist with changes expected in school services by his/her school, the district, state and federal government;
3. To motivate to contribute fully to achieving or exceeding job performance expectations;
4. To encourage a rich sharing of ideas and collaboration leading to the use of more effective practices and improved student performance;
5. To promote a safer and more productive learning environment for students, staff and community;
6. To support continuing professional development (CPD) requirements as defined by Teacher Standards and Practices Commission (TSPC) for license renewal.

All staff in the district are expected to continually engage in staff development through professional study, reading and discussions ~~independent of the district's staff development program~~. The district's staff development program supplements these activities by encouraging participation in workshops, collegiate coursework, conferences, collegial sharing, visitations and participation on school leadership teams and/or improvement committees providing opportunities for staff to meet CPD requirements. Staff who participate in professional growth opportunities are encouraged to share and reflect on their learning with their colleagues. **Staff development programs, whether provided directly by the district or through district contracts with third parties, will provide appropriate reasonable accommodations to ensure such programs are available to employees with disabilities.**

Completion of CPD plan requirements, as set forth in OAR Chapter 584, Division 090 by the TSPC for license renewal, are the sole responsibility of the employee. The selection of the employee's CPD advisor shall be subject to approval by the individual's supervisor.

END OF POLICY

Legal Reference(s):

ORS 329.095

ORS 329.125

ORS 329.704

OAR 581-022-0606

OAR 581-022-1720

OAR 584-018-0105

OAR 584-018-0205

OAR 584-090-0100 to-0120

Clackamas IED Assn. v. Clackamas IED, No. C-141-77, 3 PUB. EMPL. COLL. BARG. REP. 1848 (ERB 1978).

Eugene Educ. Ass'n v. Eugene Sch. Dist. 4J, No. C-93-79, 5 PUB. EMPL. COLL. BARG. REP. 3004 (ERB 1980).

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).

Americans with Disabilities Act Amendments Act of 2008.

Evaluation of Staff

An effective evaluation program is essential to a quality educational program. It is an important tool to determine the current level of a teacher's performance of the teaching responsibilities. It is also an important assessment of classified employees and current performance of their job assignments. Under Board policy, administrators are charged with the responsibility of evaluating the staff. An evaluation program provides a tool for supervisors who are responsible for making decisions about promotion, demotion, contract extension, contract nonextension, contract renewal or nonrenewal, dismissal and discipline.

Licensed Staff

Evaluation of licensed staff shall be conducted to conform with applicable Oregon Revised Statutes and any applicable collective bargaining provisions.

Teachers' evaluations shall be customized based on collaborative efforts and include the core teaching standards adopted by the State Board of Education.

Evaluations must attempt to:

1. Strengthen the knowledge, skills, disposition and classroom practices of teachers;
2. Refine the support, assistance and professional growth opportunities offered to a teacher, based on the needs of the teacher and the needs of the school and district;
3. Allow the teacher to establish a set of classroom practices and student learning objectives that are based on the individual circumstances of the teacher, including classroom and other assignments;
4. Establish a formative growth process for each teacher that supports professional learning and collaboration with other teachers;
5. Use evaluation methods and professional development, support and other activities that are based on curricular standards and are targeted to the needs of the teacher.

Classified Staff

All classified employees will be formally evaluated by their immediate supervisor at least once during their first year of employment and at least once every two years thereafter.

END OF POLICY

Legal Reference(s):

[ORS 243.650](#)

[ORS 332.505](#)

[ORS 342.850](#)

[ORS 342.856](#)

[OAR 581-022-1720](#)

[OAR 581-022-1723](#)

[OAR 581-022-1724](#)

Gresham-Barlow SD 10

Code: **GCPB/GDPB**
Adopted: 5/02/02

Resignation of Staff *

A licensed staff member who wishes to resign from his/her position with the district must give written notice at least 60 days prior to the date he/she wishes to leave district employment. The superintendent is authorized to accept the resignation effective the day it is received and either release the teacher immediately from further teaching or administrative obligations or inform the teacher that he/she must continue teaching for part or all of the 60-day period.

Where less than a 60-day notice is given, the Board may request the Teacher Standards and Practices Commission to ~~suspend for the remainder of the school year~~ **discipline the licensee**. Exceptions due to emergency or other extenuating circumstances may be considered by the Board.

The superintendent is authorized to accept resignations of classified employees effective the day they are received.

END OF POLICY

Legal Reference(s):

ORS 342.553

ORS 652.140

OAR 581-022-1720

Pierce v. Douglas County Sch. Dist., 297 Or. 363 (1984).

Gresham-Barlow SD 10

Code: **GCPC/GDPC**
Adopted: 10/03/02

Retirement of Staff

To assist the district in its planning efforts, staff members considering retirement are encouraged to notify the district, preferably at the beginning of the school year, but no later than January 31 of the calendar year in which the retirement will take place.

While it is not the intention of the district to engage in the common practice of providing employment for district employees who retire, begin receiving benefits from the Public Employees Retirement system, and request continued district employment, there may be circumstances where such an arrangement is in the best interest of the district.

The superintendent will develop administrative regulations as may be necessary for district employees who retire, begin receiving benefits from the Public Employees Retirement system, and request continued district employment.

END OF POLICY

Legal Reference(s):

ORS Chapter 237

ORS Chapter 238

ORS 243.303

ORS 342.120

Consolidated Omnibus Budget Reconciliation Act of 1985, 29 U.S.C. §§ 1161-1169 (2006).

Employee Retirement Income Security Act of 1974, 29 U.S. C. §§ 1001-1461.

OR. CONST., art. IX, §§ 10-13.

4/4/03 | MW

Gresham-Barlow SD 10

Code: **GCQA/GDQA**
Adopted: 5/02/02

Outside Employment

All employees are expected to accomplish those tasks required by the district.

Employees must avoid outside employment that interferes with the performance of their responsibilities and the maintenance of productive relationships with students, parents and other staff members. If outside employment interferes with job performance, the employee will be required to make a choice between district employment and outside employment.

END OF POLICY

Legal Reference(s):

ORS 332.107

Gresham-Barlow SD 10

Code: **GCQB**
Adopted: 5/02/02

Research*

Employees are encouraged to participate in research for the development and improvement of education. If an employee plans to engage in a research project during the work day or use district resources or students, either for study toward advanced work or for use in classroom instruction, approval must be secured from the superintendent. If the study results in material which would be useful to other employees, it is recommended that it be made available for distribution throughout the district. For the protection of all concerned, privacy rights of students or other individuals involved in research projects must be protected.

Research which is conducted by or for a nondistrict employee must be approved by the superintendent or designee.

Classroom-based research approved by the ~~building~~ principal is not subject to this policy.

Research, publications, articles, materials, models and other items produced by district personnel for district use with district time, money and facilities as part of an employee's job responsibilities remain the property of the district.

END OF POLICY

Legal Reference(s):

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2011); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2011).
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).

Gresham-Barlow SD 10

Code: **GCQBA**
Adopted: 5/02/02

Copyrights and Patents*

The Board asserts the district's proprietary rights to publications, instructional materials and other devices prepared by district employees during their paid work time. The Board also recognizes the importance of encouraging its professional staff to engage in professional writing, research and other creative endeavors. Publications, articles, materials, models and other items produced by district personnel for district use with district time, money and facilities as part of an employee's job responsibilities remain the property of the district.

The district will apply for copyrights and patents when deemed appropriate by the superintendent. Employees will be expected to cooperate in the district's efforts.

In the event that an employee produces items described above partly on his/her own time and partly on district time, the district reserves the right to claim full ownership. The employee, however, may petition the district for assignment of copyright or patent rights. Employees will not attempt to copyright or patent such items without the knowledge and consent of the superintendent.

END OF POLICY

Legal Reference(s):

ORS 332.745

Copyrights, 17 U.S.C. §§ 101- 1332; 19 C.F.R. Part 133 (2006).
Patents, 35 U.S.C. §§ 1-376 (2006).

Educational Assistants

Educational assistants shall be hired by the Board upon recommendations of the superintendent.

All educational assistants must:

1. Have a high school diploma or the equivalent;
2. Be at least 18 years or older; and
3. Have standards of moral character as required of teachers.

In addition to the above, educational assistants providing translation services must have demonstrated proficiency and fluency, knowledge of and ability to provide accurate translations from a language other than English into English and from English into another language.

Educational assistants¹ who provide instructional support must have:

1. Completed at least two years of study at an institution of higher education; or
2. Obtained an associate's or higher degree; or
3. Met a rigorous standard of quality, and can demonstrate, through a formal state or local academic assessment or para-professional certificate program, knowledge of, and the ability to assist in instructing, as appropriate, reading/language arts, writing and mathematics or reading readiness, writing readiness and mathematics readiness.

¹Educational assistants may be assigned to: (1) provide one-on-one tutoring for eligible students, if the tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher; (2) assist with classroom management, such as organizing instructional and other materials; (3) provide assistance in a computer laboratory; (4) conduct parental involvement activities; (5) provide support in a library or media center; (6) act as a translator; or (7) provide instructional services to students while working under the direct supervision of a teacher. Educational assistants may assume limited duties that are assigned to similar personnel who are not working in a program supported with Title I funds, including duties beyond classroom instruction or that do not benefit participating children, so long as the amount of time spent on such duties is the same proportion of total work time as prevails with respect to similar personnel at the same school.

These requirements do not apply to an educational assistant: (1) who is proficient in English and a language other than English and who provides services primarily to enhance the participation of children in Title I programs by acting as a translator; or (2) whose duties consist solely of conducting parental involvement activities.

~~In addition to the above, educational assistants providing translation services must have certification, knowledge of and ability to provide accurate translations from a language other than English into English and from English into another language.~~

The district will require individuals newly hired as Title I educational assistants who have met another district's academic assessments as set forth by the No Child Left Behind Act of 2001, to meet the district's academic assessment standards.

The general responsibilities of an educational assistant shall be outlined in a job description. The major responsibility shall be to assist the classroom teacher, specialist or supervisor with instruction. The educational assistants shall be under the supervision of the appropriately licensed classroom teachers, specialist or supervisor. Other supporting tasks may include, but not limited to are: clerical support, student control, personal care, translation or parent/family involvement activities and media center or computer laboratory support.

Educational assistants shall not be used by the district or teacher as substitute teachers, unless the educational assistant has a current Oregon teaching license. The responsibility for classroom supervision remains with the teacher at all times.

END OF POLICY

Legal Reference(s):

ORS 332.107

ORS 332.505

ORS 342.120

OAR 581-022-1710(2)

OAR 581-037-0005 to -0025

OAR 584-005-0005(41)

OR. DEP'T OF EDUC., SUGGESTED PERSONNEL POLICY GUIDELINES FOR SCHOOL DISTRICTS - EDUCATIONAL

No Child Left Behind Act of 2001, 20 U.S.C. § 6319 (2006).

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. § 4212.

Title II of the Genetic Information Nondiscrimination Act of 2008.

Section 503 of the Rehabilitation Act of 1973.

Gresham-Barlow SD 10

Code: **GDC**
Adopted: 5/02/02

D

Recruitment of Classified Staff *

The superintendent will develop and maintain a recruitment program designed to attract classified personnel to the district.

It is the responsibility of the superintendent, with the assistance of other district administrators, to determine the district's personnel needs and to locate most suitably qualified candidates to recommend for district employment.

The search for classified staff members may extend to a wide variety of educational institutions and geographical areas. Those factors considered will include, but not be limited to, the district's diverse characteristics.

END OF POLICY

Legal Reference(s):

ORS 326.051
ORS 332.505
ORS 659.805
ORS 659.850
ORS 659A.009
ORS 659A.029
ORS 659A.030

ORS 659A.109
ORS 659A.142
ORS 659A.145
ORS 659A.233
ORS 659A.236
ORS 659A.309
ORS 659A.409

OAR 581-021-0045
OAR 581-022-1720

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).
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2006).
Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2006).
Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794 (2006).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2006).
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. § 4212.
Title II of the Genetic Information Nondiscrimination Act of 2008.

HR9/23/10 | RS

Gresham-Barlow SD 10

Code: **GDIA**
Adopted: 5/02/02

Notice of Employment *

The Board shall give, in writing, individual notices by May 30 to all employees for whom a teaching license is not required.

The notices shall address reasonable assurance of continued employment as covered in the Oregon Revised Statutes and Oregon Administrative Rules.

END OF POLICY

Legal Reference(s):

ORS 332.554

OAR 581-022-1720(5)

GRESHAM-BARLOW SCHOOL DISTRICT
1331 NW Eastman Parkway
Gresham, OR 97030-3825

TO: Board of Directors
FROM: Jim Schlachter
DATE: September 18, 2014
RE: No. 4 – Board Development Opportunities

EXPLANATION: Time has been reserved on the work session agenda to review a list of board development opportunities available through the Oregon School Boards Association.

PRESENTER: Jim Schlachter

SUPPLEMENTARY MATERIALS: None

RECOMMENDATION: This topic will be presented as information only.

REQUESTED ACTION: No formal action is required.

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