Gresham-Barlow School District

BOARD OF EDUCATION

Regular Board Meeting / Work Session

AGENDA

November 20, 2014

GRESHAM-BARLOW SCHOOL DISTRICT NO. 10 JT. **AGENDA**

BOARD OF EDUCATION
November 20, 2014

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 Chriestenson, Director	_____	Jim Schlachter, Superintendent
_____	Kris Howatt, Director	_____	Mike Schofield, Chief Financial Officer

III. FIRST READING

1. Policy Review: Section J, Students; Section, K/L, District-Community Relations; and Policy DFA, Investment of Funds ..... Teresa Ketelsen

IV. DISCUSSION TOPICS

2. School Improvement Grant (SIG) Update ..... Teresa Ketelsen

V. RECESS INTO EXECUTIVE SESSION

- Negotiations - ORS 192.660 (2)(d)

VI. RECONVENE PUBLIC SESSION

VII. ANNOUNCEMENTS

Dec. 4: Regular Board Meeting - 7 p.m.
Council Chambers
Public Safety and Schools Building

VI. ADJOURN

JS:lc:11/14/14:3:25 PM

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

TO: Board of Directors

FROM: Jim Schlachter
Teresa Ketelsen

DATE: November 20, 2014

RE: No. 1 – Policy Review: Section J, Students; Section K/L, District-Community Relations; and Policy DFA, Investment of Funds

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 Boards 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 Section J, Students, Section K/L, District-Community Relations, and Policy DFA, Investment of Funds. Discussion is recommended on the following six policies; however, questions may be asked for any of the policies presented:

- Student Absences and Excuses (JED)
- Personal Electronic Devices and Social Media (JFCEB)
- Harassment/Intimidation/Bullying/Cyberbullying/Teen Dating Violence - Student (JFCF)
- Nonprescription Medication (JHCD)
- Prescription Medication (JHCDA)
- Public Involvement and Communications Program (KB)

PRESENTER: Teresa Ketelsen

SUPPLEMENTARY MATERIALS: Revised policies from Section J, Students; Section K/L, District-Community Relations; and, Policy DFA, Investment of Funds.

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 recommended at a subsequent meeting.

TK:lc

Gresham-Barlow School District
Section J: Students
Section K/L: District-Community Relations
Section D: Fiscal Management

Submitted for First Reading on 11/20/14

	Section J: Students
JB	Equal Educational Opportunity
JBAA	Section 504 – Students
JE	Attendance**
JEA	Compulsory Attendance**
JEBA	Early Entrance**.
JECA	Admission of Resident Students
JECB	Admission of Nonresident Students
JECBA	Admission of Exchange Students.
JECBD	Homeless Students
JECC	Assignment of Students to Schools
JECDA	Transcript Evaluation
JED	Student Absences and Excuses
JEDA	Truancy
JEFA	Closed Campus
JEFB	Release Time for Religious Instruction**.
JF/JFA	Student Rights and Responsibilities
JFCA	Student Dress and Grooming**
JFCB	Care of District Property by Students**
JFCE	Secret Societies/Gangs
JFCEB	Personal Electronic Devices and Social Media (versions 2)
JFCF	Harassment/Intimidation/Bullying/Cyberbullying/Teen Dating Violence – Student
JFCG/JFCH/JFCI	Use of Tobacco, Alcohol or Drugs
JFCM	Threats of Violence**
JFE	Pregnant and Parenting Students
JFG	Student Searches and Questioning**
JGA	Corporal Punishment**
JGAB	Use of Restraint and Seclusion
JGB	Detention of Students**
JGD	Suspension**
JGDA/JGEA	Discipline of Students with Disabilities**
JGE	Expulsion**
JGEA	Alternative Education Programs Following Expulsion**
JHCA	Physical Examinations of Students** (Delete)

JHCA/JHCB	Immunization, Physical Examination and Vision Screening/Eye Examination**.
JHCC	Communicable Disease
JHCCA	Students –HIV, HBV and AIDS
JHCCB	Students - HIV, AIDS**
JHCCF	Pediculosis (Head Lice)
JHCD	~~Administering Noninjectable Medicines to Students**~~ Nonperscription Medication **/*
JHCD~~DA~~	~~Administering Injectable Medicines to Students~~ Perscription Medication **/*
JHF	Student Safety
JHFC	Student Bicycle Use
JHFD	Student Vehicle Use
JHFDA	Suspension of Driving Privileges
JHFE	Reporting of Suspected Abuse
JHFF	Reporting Requirements Regarding Sexual Conduct with Students
JHHA	Crisis Prevention and Response
JN	Student Fees, Fines and Charges
JO	Education Records**
JOA	Directory Information**
JOB	Personally Identifiable Information**
JOD	Media Access to Schools
	Section K/L: District- Community Relations
KA/KAA	District-Community Relations Goals and Objectives
KAB	Parental Rights
KB	Public Involvement, Engagement and Communications Program**
KBA	Public Records**
KBCB	Board News Conference and Interviews
KC	Community Involvement in Decision Making
KGB	Public Conduct on District Property
KGC	Tobacco and/or Alcohol Use on District Premises by Public
KHA	Gifts and Donations to the District.
KI	Public Solicitation in District Facilities
KJ	Advertising in District Facilities
KJA	Materials Distribution
KK	Visitors to District Facilities**
KL	Public Complaints
KMA	Community Education
KMC	Community-Funded Activities
KN	Relations with Law Enforcement Agencies
LBE	Public Charter Schools
LGA	Compliance with Standards**
	Section D: Fiscal Management
DFA	Investment of Funds

Gresham-Barlow SD 10

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

Equal Educational Opportunity

The district will maintain a school climate which is free from discrimination, ethically wholesome, safe and healthy.

Every student of the district will be given equal educational opportunities regardless of age, sex, race, religion, color, disability, marital status, sexual orientation or national origin.

Further, no student will, ~~on the basis of sex~~, be excluded from participating in, denied the benefits of, or subjected to discrimination under any educational program or activity conducted by the district. The district will treat its students without discrimination on the basis of sex as this pertains to course offerings, counseling, employment assistance and cocurricular/extracurricular activities.

The superintendent shall appoint and make known the individuals ~~to contact on issues concerning the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, Title VI, Title VII,~~ to coordinate its efforts to comply with and carry out its responsibilities under Title IX. ~~and other civil rights or discrimination issues~~. The Title IX coordinator will investigate complaints communicated to the district alleging non compliance with Title IX. ~~The Board will adopt and the district will publish grievance procedures providing for prompt and equitable resolution of students complaints.~~ The name, address and telephone number of the Title IX coordinator will be provided to all students and employees.

The Board will adopt and the district will publish grievance procedures providing for prompt and equitable resolution of students complaints.

END OF POLICY

Legal Reference(s):

ORS 174.100
ORS 192.630
ORS 326.051
ORS 329.025
ORS 329.035
ORS 336.067
ORS 336.082
ORS 336.086
ORS 342.123
ORS 659.850
ORS Chapter 659
ORS Chapter 659A
ORS 659A.003
ORS 659A.006
ORS 659A.030
OAR 581-021-0045
OAR 581-021-0046
OAR 581-022-1140
OAR 839-003-0000

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).
Rehabilitation Act of 1973, 29 U.S.C. §§ 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).
Americans with Disabilities Act Amendments Act of 2008.

R2/26/09|RS

Gresham-Barlow SD 10

Code: **JBAA**
Adopted: 7/09/09

Section 504 – Students

In compliance with the requirements of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA), the district shall ensure that no otherwise qualified individual with disabilities shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity conducted by the district or those provided by the district through contractual or other arrangements. Programs and activities shall be accessible and usable by individuals with disabilities as prescribed by law.

The superintendent will ensure all Section 504-qualified students with disabilities are identified annually. Students will be evaluated by a team of individuals knowledgeable about the student, the meaning of the evaluation data and placement options. Services will be provided as required by law.

The superintendent will develop administrative regulations as needed for the implementation of this policy and to meet the requirements of state and federal law. Regulations will include provisions to ensure notice of the district's responsibilities are provided as required and that procedures are established for students, parents and staff with complaints concerning district compliance with the provisions of law.

END OF POLICY

Legal Reference(s):

ORS 192.630
ORS 326.051 (1)(e)
ORS 659.850
ORS 659.865
ORS 659A.103
ORS 659A.109

OAR 581-015-0054
OAR 581-021-0045
OAR 581-021-0046
OAR 581-021-0049
OAR 581-022-1140

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).
Rehabilitation Act of 1973, 29 U.S.C. § § 791, 793-794 (2006).
Americans with Disabilities Act Amendments Act of 2008.

HR2/26/09 | RS

Gresham-Barlow SD 10

Code: **JE**
Adopted: 5/02/02
Readopted: 2/02/12; 3/01/12
Orig. Code(s): JE

Attendance**

Regular attendance is essential if students are to receive full benefit of the educational opportunities offered in the schools of the ~~Gresham-Barlow School D~~district. Ultimate responsibility for attendance rests with students and their parents.

Goals of attendance requirements are to:

1. Contribute to the academic success of students;

2. Inform parents about their students' class attendance or nonattendance;

3. Provide the parents with information and resources needed to assist in fulfilling their responsibility and the student's responsibilities for attendance;

4. Aid students in making decisions and accepting the responsibilities and consequences resulting from those decisions;

5. Stress that punctual and regular attendance is a learned function necessary in coping with life;

6. Stress that attendance may impact grades, credit and progress towards graduation;

7. Meet Oregon graduation requirements.

Each school shall notify parents/guardians by the end of the school day if their child has an unplanned absence. The notification will be either in person, by telephone or another method identified in writing by the parent/guardian. If the parent/guardian cannot be notified by the above methods, a message shall be left, if possible.

A change of a student's address should be reported to the school office as soon as possible.

The superintendent is responsible for the establishment and implementation of attendance procedures. This includes maintaining proper attendance records, submitting necessary reports and timely reporting to parents of attendance and procedure for excusing attendance.

The Board directs the superintendent to develop rules and regulations which meet these objectives and to publish those rules and regulations annually for students and their parents.

END OF POLICY

Legal Reference(s):

ORS 336.010
ORS 339.020
ORS 339.030
ORS 339.055
ORS 339.065

OAR 581-021-0050
OAR 581-022-1130

HB 3197 (2011)

8/01/11 | PH

Gresham-Barlow SD 10

Code: **JEA**
Adopted: 9/13/01
Readopted: 5/02/02

Compulsory Attendance**

Except when exempt by Oregon law, all students ages 7-18 who have not completed the 12th grade are required to attend regularly, a school full-time ~~on a regular basis at the designated school within the attendance area~~ during the entire school term.

Persons having legal control of a student ages 7-18 who has not completed the 12th grade are required to have the student attend school. Persons having legal control of a student who is five or six years of age and has enrolled the child in a public school, are required to have the student attend and maintain regular attendance.

Under the superintendent's direction and supervision, attendance supervisors shall monitor and report any violation of the compulsory attendance law to the superintendent or designee. Violation is a Class C ~~infraction~~ violation and is punishable by a citation ~~up to $150~~ and fine.

The district will develop procedures for issuing a citation.

A parent who is not supervising his/her student by requiring school attendance may also be in violation of ORS 163.577 (1)(c). Failing to supervise a child is a Class A violation and punishable by a fine ~~up to $600~~.

In addition, under Board policy JHFDA - Suspension of Driving Privileges, the district may report students with 10 consecutive days unexcused absence or 15 cumulative days unexcused absence in a single semester to the Oregon Department of Transportation.

Exemptions from Compulsory School Attendance

In the following cases, students shall not be required to attend public schools full-time:

1. Students being taught in a private or parochial school in courses of study usually taught in grades 1-12 in the public schools, and in attendance for a period equivalent to that required of students attending public schools;

2. Students proving to the Board's satisfaction that they have acquired the courses of study taught in grades 1-12 in the public schools;

3. Students being taught by a private teacher the courses of study usually taught in grades 1-12 in the public school for a period equivalent to that required of students attending public schools;

4. Students being educated in the home by a parent:

    a. When a student is taught or is withdrawn from a public school to be taught by a parent or private teacher, the parent or teacher must notify the Multnomah Education Service District

(ESD) in writing within 10 days of such occurrence. In addition, when a home-schooled student moves to a new ESD, the parent shall notify the new ESD in writing, within 10 days, of the intent to continue home schooling. The ESD superintendent shall acknowledge receipt of any notification in writing within 90 days of receipt of the notification. ~~Notification must be received and acknowledged before a student is withdrawn from school and thereafter before the start of each school year~~ The ESD is to notify, at least annually, school districts of home-schooled students who reside in their district;

b. Each student being taught by a parent or private teacher shall be examined no later than August 15, following grades 3, 5, 8 and 10:

(1) If the student was withdrawn from public school, the first examination shall be administered at least 18 months after the date the student withdrew;
(2) If the student never attended public or private school, the first examination shall be administered prior to the end of grade 3;
(3) Procedures for home-schooled students with disabilities are set out in OAR 581-021-0029.

c. Examinations testing each student shall be from the list of approved examinations from the State Board of Education;
d. The examination must be administered by a neutral individual qualified to administer tests on the approved list provided by the Oregon Department of Education;
e. The person administering the examination shall score the examination and report the results to the parent. Upon request of the ESD superintendent, the parent shall submit the results of the examination to the ESD;
f. All costs for the test instrument, administration and scoring are the responsibility of the parent;
g. In the event the ESD superintendent finds that the student is not showing satisfactory educational progress, the ESD superintendent shall provide the parent with a written statement of the reasons for the finding, based on the test results and shall follow the guidelines in Oregon Revised Statutes and Oregon Administrative Rules.

5. Students excluded from attendance as provided by law;

6. An exemption may be granted to the parent of any student 16 or 17 years of age who is lawfully employed full-time, lawfully employed part-time and enrolled in school, or enrolled in a community college or other state-registered alternative education program.

END OF POLICY

Legal Reference(s):

ORS 153.018
ORS 163.577
ORS 336.615 - 336.665
ORS 339.010 - 339.090
ORS 339.925
ORS 339.990
ORS 807.065
ORS 807.066
OAR 581-021-0026
OAR 581-021-0029
OAR 581-021-0071
OAR 581-021-0077
HB 4014 (2012)

HR5/23/12 | RS

Gresham-Barlow SD 10

Code: **JEBA**
Adopted: 5/01/95
Revised/Readopted: 5/02/02~~,~~; 9/08/05
Orig. Code(s): JEBA

Early Entrance**

A student will be admitted to kindergarten if:

1. His/Her fifth birthday occurs on or before September 1, one year before the date established by law for admission into first grade; or

2. He/She is transferring from a public school kindergarten program and would be continuing his/her formal education; and~~, if~~

3. His/Her birthday is after September 1, and the parents complete the early entrance procedures delineated in the JEBA-AR~~;~~ (psychological testing and evaluation at the parents' expense)~~;~~ and the principal of the school reviews the assessment results and accepts the student.

A student will be admitted to first grade if:

1. His/Her sixth birthday occurs on or before September 1, as established by law; or

2. He/She is transferring from a public or private school and is in compliance with the age requirement of being six years old prior to September 1 of the current school year; or

3. He/She has successfully completed a year of public or private kindergarten (pursuant to JEBA-AR) and would be continuing his/her formal education; or

4. His/Her birthday is after September 1, and the parents complete the early entrance procedures delineated in the JEBA-AR~~;~~ (psychological testing and evaluation at the parents' expense)~~;~~ and the principal of the school reviews the assessment results and accepts the student.

END OF POLICY

Legal Reference(s):

ORS 327.006
ORS 336.095
ORS 339.115
ORS 343.395

R8/6/97 | MW

Gresham-Barlow SD 10

Code: **JECA**
Adopted: 9/05/96
Readopted: 5/02/02
Orig. Code(s): JECA

Admission of Resident Students**

School-age students who live within the district attendance area may attend school without paying tuition.

1. ~~Residents over age 19 who have a diploma may be admitted with the approval of the Board and upon payment of tuition at the rate established by the Board.~~ Students who turn 19 years of age during the school year shall continue to be eligible for a free and appropriate public education for the remainder of the school year.

2. The Board ~~shall~~ may admit otherwise eligible students who are not receiving special education and who have not yet attained 21 years of age prior to the beginning of the current school year if they are ~~receiving special~~ shown to be in need of additional education ~~services or if they have not earned~~ in order to receive a diploma. These students may attend school without paying tuition for the remainder of the school year.

3. The Board shall admit otherwise eligible students who have not yet attained age 21 prior to the beginning of the current school year if the student is receiving special education services and:

   a. Has not yet received a regular high school diploma; or
   b. Has received a modified diploma, an extended diploma or an alternative certificate.

4. Students with disabilities voluntarily placed outside the home by their parent(s) may continue to attend the school the student was attending prior to the placement as a district resident when the student's parent(s) and school staff can demonstrate it is in the student's best interest.

5. The Board may deny regular school admission to students who have become residents and who are under expulsion from another school district for reasons other than a weapons policy violation.

6. The Board shall deny for at least one calendar year from the date of the expulsion regular school admission to students who have become residents and who are under expulsion from another school district for a weapons policy violation.

7. The Board may, based on district criteria, provide alternative programs of instruction to students expelled for a weapons policy violation.

END OF POLICY

Legal Reference(s):

ORS 109.056
ORS 327.006
ORS 339.115
ORS 339.133
ORS 339.134
ORS 433.267

HR2/16/12 | R

Corrected 9/23/14

Gresham-Barlow SD 10

Code: **JECB**
Adopted: 9/05/96
Readopted: 5/02/02; 2/02/12; 5/01/14
Orig. Code(s): JECB

Admission of Nonresident Students

The district may enroll nonresident students as follows:

1. **Interdistrict Transfer Agreement.** By written consent of the affected school boards. The student becomes a "resident pupil" of the attending district thereby allowing the attending district to receive State School Fund money.

2. **Open Enrollment.** By written consent from the school board with which the student has made application for admission. The student becomes a "resident pupil" of the attending district thereby allowing the attending district to receive State School Fund moneys.

3. **Tuition Paying Student.** By ~~unilaterally~~ admitting ~~with tuition~~ a nonresident student with tuition whereby neither district is eligible for State School Fund moneys;

4. **Court Placement.** If a juvenile court determines it is in the student's best interest, a student placed in a substitute care program outside the district will continue to be considered a resident student and allowed to attend the school the student attended prior to placement. The public agency placing the student in a substitute care program will be responsible for the transportation of the student, if public agency funds are available.

The Board shall deny regular school admission to nonresident students who are under expulsion from another district for a weapons policy violation. The Board may, based on district criteria, deny admission to nonresident students who are under expulsion from another district for reasons other than a weapons policy violation.

Admission ~~by Consent of Both the Affected Boards~~ of a Nonresident Student by Interdistrict Transfer or Consent for Admission of a Tuition Paying Student

Annually, by May 31[1], the Board shall establish the number of student transfer requests into the district, and out of the district, to which consent will be given for the upcoming school year.

The Board reserves the right to accept/reject nonresident students based upon the availability of space~~,~~ and resources~~, personnel, appropriate programs~~. The Board may not consider nor ask for any information from the student about race, religion, sex, sexual orientation, ethnicity, national origins, disability, health, whether a student has an individual education program (IEP) or the terms of that IEP, identified as talented and gifted, income level, residence, proficiency in English, athletic ability or academic records. The Board may not request or require the student to participate in an interview, tour any of the schools or facilities, or

[1]The district must annually make this determination by a date set by the Board. Insert the date set by the Board.

otherwise meet with any representatives of the school or district prior to the district deciding whether to give consent.

The Board may ask for the student's name, contact information, date of birth, grade level and whether the student is currently expelled.

The Board will annually determine whether to limit the number of students to whom consent will be given. If the number of students seeking consent exceeds the number of spaces, the Board will use an equitable lottery selection process. The process may give priority to students who have siblings currently enrolled in the district. ~~For the 2014-2015 school year only, this process may also give priority to nonresident students who received consent from the Board of rhte 2013-2014 school year.~~

The Board may revise the maximum number of students to whom consent will be given at a time other than the annual date established by the Board if there are no pending applications for consent.

If the Board decides not to give consent to a student the Board must provide a written explanation to the student.

The Board may determine the length of time the consent is given. Any limitations in length of time must be applied consistently among all students to whom consent is given.

The district is not required to provide transportation outside the boundaries of the district. The student will be allowed to use existing bus routes and transportation services of the district. Transportation will be provided if required by federal law. The attending district is responsible for a free appropriate public education for those students on an IEP.

Consent by the Nonresident District Board for which the Student has Applied for Admission (Open Enrollment)

Annually, by March 1, the Board shall establish the number of students to whom consent will be given for the upcoming school year. The Board may choose to limit consent based on school, grade or the combination of both. The Board may decide not to give consent to any person under this process.

Applications for consent shall be submitted to the district no later than April 1, for the following school year.

The Board may not deny consent, give priority nor request student information related to race, religion, sex, sexual orientation, ethnicity, national origin, disability, health, whether a student has an IEP or the terms that IEP, income level, residence, proficiency in the English language, athletic ability, academic records or eligibility or participation in talented and gifted programs.

If the number of students seeking consent exceeds the number of students the Board has determined will be given consent, consent will be based on an equitable lottery selection process.

The district is not required to provide transportation outside the boundaries of the district. The student will be allowed to use existing bus routes and transportation services of the district. Transportation will be provided if required by federal law.

By May 1, the district shall provide written notification of admission of a nonresident student into the district, to the district of the student's legal residence.

END OF POLICY

Legal Reference(s):

ORS 109.056
ORS 327.006
ORS 329.485
ORS 335.090
ORS 339.115 to -339.133
ORS 339.141
ORS 339.250
ORS 343.221
ORS 433.267

Letter Opinions, Office of the OR Attorney General (March 15, April 18, June 30 1988).
OR. DEP'T OF EDUC., ODE EXECUTIVE MEMORANDA 23-1988-89, 42-1994-95.

Corrected 9/23/14

Gresham-Barlow SD 10

Code: **JECBA**
Adopted: 5/02/02
Readopted: 5/05/11

Admission of Exchange Students

The district will accept exchange students from other international exchange programs endorsed by the Council on Standards for International Education Travel and approved by the ~~S~~superintendent~~,~~ or designee.

Exchange students attending students attending district schools through group-sponsored exchanged programs must obtain a "J-1" Visa from the U.S. Department of Immigration and Naturalization Service which they must show upon registration. Approved group-sponsored exchange programs are those designated by the United States Information Agency and officially recognized by the Board. Exchange students on a J-1 Visa are not required to pay tuition.

Privately sponsored exchange students on an F-1 Visa may be enrolled if an adult resident of the district has been given temporary guardianship, and the student lives in the home of that guardian. Exchange students on an F-1 Visa are required to pay tuition at the established district rate. F-1 student admission is limited to secondary schools, and attendance may not exceed 12 months.

Exchange students must comply with immunization requirements set forth in state law. Once admitted, exchange students become subject to all district policies and regulations governing students.

END OF POLICY

Legal Reference(s):

ORS 339.133
ORS 433.267

OAR 581-022-1130

Illegal Immigration and Immigration Reform Act of 1996, 8 U.S.C. §§ 1101, 1221, 1252, 1224, 1363, 1367 (2006).

5/12/01 | MW

Gresham-Barlow SD 10

Code: **JECBD**
Adopted: 9/06/12

Homeless Students

Homeless students in the district will have access to the education and other services needed to ensure that an opportunity is available to meet the same academic achievement standards to which all students are held.

A liaison for students in homeless situations will be designated by the district to carry out duties as required by law.

The district will ensure that homeless students are not stigmatized nor segregated on the basis of their status as homeless. A homeless student will be admitted to the district school in the attendance area in which the student is actually living or to the student's school of origin as requested by the parent and in accordance with the student's best interest. Transportation will be provided to and from the student's school of origin at the request of the parent, or in the case of an unaccompanied student, the district's liaison for homeless students.

The superintendent will develop administrative regulations to implement this policy.

END OF POLICY

Legal Reference(s):

ORS 109.056
ORS 327.006
ORS 339.115
ORS 339.133
ORS 433.267

OAR 581-021-0045
OAR 581-021-0046

McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42 U.S.C. §§ 11431-11435 (2005).
No Child Left Behind Act of 2001, 20 U.S.C. § 6315 (2006).
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).
Letter Opinions, Office of the OR Attorney General (March 15, April 18, June 30 1988).
OR. DEP'T OF EDUC., ODE EXECUTIVE MEMORANDA 23-1988-89, 42-1994-95.

Gresham-Barlow SD 10

Code: **JECC**
Adopted: 7/11/94
Readopted: 5/02/02~~,~~; 1/12/06
Orig. Code(s): JECBB

Assignment of Students to Schools

Attendance areas are established for all schools in the district. Students are expected to attend the school serving the place of residence of their parents/guardians, or in the case of emancipated students, where the student resides. However, when overcrowding exists or a different school placement is considered to be in the best interest of the student, a student can be assigned to a different school.

The district believes, however, in the concept of open enrollment, and that parents ~~(~~and emancipated students~~)~~, should have the opportunity to request the school the student attends. Therefore, the district shall, with limitations, consider transfer requests by parents/guardians (and emancipated students) to attend a school outside the official attendance area in which the student's parents/guardians, or the student, reside.

In conjunction with the concept of open enrollment, ~~school~~ principals shall assist parents/guardians and emancipated students in making an informed decision when a request for transfer is being considered. This assistance is designed to serve as an act of providing information, not as an act to dissuade.

~~Students who attend a district school identified under the No Child Left Behind Act of 2001 for improvement, corrective action or restructuring may, as required by law, transfer to another public school in the district which has not been identified for improvement. Additionally~~, Students who attend a district school identified as persistently dangerous, or who are victims of a violent criminal offense occurring in or on the grounds of the school the student attends, may transfer to a public school in the district that has not been identified as in need of improvement.

The parent/guardian or emancipated student will be asked to complete a basic application form after which the request will be considered by the administration. Whenever possible, the request will be granted, but only in accordance with established school capacities and with the procedures and special provisions adopted by the district. In instances when it is not possible to grant all the requests for a particular school, a lottery will be conducted to determine which requests are approved.

When a student transfer is approved by the district, the student may continue at the school to which he/she transferred until such time he/she completes that level of instruction provided there is a space available. Should overcrowding occur, transfers will be rescinded in the reverse order of approval date or lottery list by grade. New transfer applications must be submitted and approved prior to student movement to the next level of instruction (from elementary to middle school, and from middle school to high school).

Student transfers may be denied or revoked for the following reasons: overcrowding at the requested building; irregular attendance; chronic tardiness; violation of school rules; failure to make academic progress; or because the student poses a specific threat to the safety of students or staff at the school.

Transportation to the school to which the student will transfer will be the responsibility of the parent/guardian and student. Transportation will be the responsibility of the district for all student transfers approved pursuant to the provisions of the No Child Left Behind Act or state law.

END OF POLICY

Legal Reference(s):

ORS 329.485
ORS 332.107

OAR 581-021-0045

No Child Left Behind Act of 2001, 20 U.S.C. §§ 6316, 7912 (2006).

5/15/04 | NC

Gresham-Barlow SD 10

Code: **JECDA**
Adopted: 2/04/99
Readopted: 5/02/02

Transcript Evaluation

The district recognizes the importance of transcript evaluation to determine the value of credits earned, number of years of school attendance and placement for students transferring to district schools from other public, Department of Defense Education Activity (DoDEA), private or alternative schools, nonaccredited schools and from home-schooling ~~situations~~ based courses, online or other distant learning methods.

Transfer credits and attendance may be accepted or rejected at the discretion of the district consistent with Oregon Administrative Rules. Validation of credit may be required.

The superintendent will develop administrative regulations to implement this policy.

END OF POLICY

Legal Reference(s):

ORS 326.565

OAR 581-021-0210
OAR 581-021-0220

10 U.S.C. §§ 1209, 1211 (2010).
32 U.S.C. § 502(f) (2010).

12/02/10 | PH

Gresham-Barlow SD 10

Code: **JED**
Adopted: 7/11/94
Readopted: 5/02/02; 9/01/11
Orig. Code(s): JED

Student Absences and Excuses**

It is the student's responsibility to maintain regular attendance in all assigned classes. Absence from school or class will be excused under the following circumstances:

1. Illness of the student;

2. Illness of an immediate family member when the student's presence at home is necessary;

3. Emergency situations that require the student's absence;

4. Field trips and school-approved activities;

5. Religious instruction;

6. Medical (dental) appointments. Confirmation of appointments may be required;

7. Other reasons deemed appropriate by the school administrator when satisfactory arrangements have been made in advance of the absence.

A student who is excused must still fulfill the school's requirements.

With these beliefs in mind, the district will develop procedures that foster a partnership with parents in the early detection of truancy, related counseling and appropriate consequences.

~~Each school shall notify parents/guardians by the end of the school day if their child had an unplanned absence.~~ Parents/guardians of elementary and middle school students will be notified early in the school day if their child had an unplanned absence. Parents/guardians of high school students will be notified by the end of the school day if their child had an unplanned absence. The notification will be either in person, by telephone or another method identified in writing by the parent/guardian. If the parent/guardian cannot be notified by the above methods, a message shall be left, if possible.

Additionally, the superintendent will develop procedures ~~whereby those students who are considered truant may be subject to the following penalties: detention, suspension, expulsion and/or ineligibility to participate in athletics, other activities, citation and fine~~ that foster a partnership with parents in the early detection of truancy, related counseling and appropriate consequence.

END OF POLICY

Legal Reference(s):

ORS 109.056
ORS 332.107
ORS 339.030
ORS 339.055
ORS 339.065
ORS 339.420

OAR 581-021-0046
OAR 581-021-0050
OAR 581-023-0006(11)

HB 3197 (2011)

Gresham-Barlow SD 10

Code: **JEDA**
Adopted: 5/02/02

Truancy

(This is covered in policy JED.)
Truancy is defined as absence from school without permission.

The district believes irregular attendance is one of the factors associated with student failure and frustration with the school experience. A fundamental purpose for insisting on punctual, regular school attendance is to help each student develop habits of responsibility.

With these beliefs in mind, the district will develop procedures that foster a partnership with parents in the early detection of truancy, related counseling and appropriate consequences.

END OF POLICY

Legal Reference(s):

ORS 339.040 - 339.090
ORS 339.240
ORS 339.250

OAR 581-021-0050 to -0075

DELETE

R3/7/02 | MW

Gresham-Barlow SD 10

Code: **JEFA**
Adopted: 7/31/97
Readopted: 5/02/02
Orig. Code(s): JEFA

Closed Campus

The safety and security of students and staff is a primary concern. To assist in providing such conditions, the Board directs all schools to operate closed campuses. Closed campus regulations should be developed at each school to ensure a safe environment for students and restrict the entrance and egress of visitors. Such regulations must minimally include the following.

Students are to remain on campus throughout the school day with the following exceptions:

1. A parent has provided permission to leave school for a specific need which meets established criteria;

2. A student has a school-approved work release privilege; and

3. A high school student who meets established criteria may leave the grounds for lunch.

Visitors are required by Board policy to check in at the school office and secure permission to be on campus. Visitors must wear an identification badge which allows staff and students to know the office has approved the visitor's presence on campus. Visitors are required to check-out at the school office upon departure.

Other appropriate security measures are encouraged by the Board to assist in the enforcement of a closed campus policy to provide security and safety to all students and staff.

END OF POLICY

Legal Reference(s):

ORS 332.107

11/14/01 | MW

Gresham-Barlow SD 10

Code: **JEFB**
Adopted: 1/04/01
Readopted: 5/02/02

Release Time for Religious Instruction and Religious Practices**

~~Upon application of the parent, a student may be excused from school for religious instruction as provided by law.~~

Students may be excused from school for religious instruction, not to exceed two hours for grades 1-8 and five hours for grades 9-12 in any school week.

Students not attending religious instruction will continue with the regular school program.

The administration shall have procedures for dismissing and recording excused absences for students attending religious instruction. These procedures should be formulated cooperatively with the director of religious instruction.

Any student unable to attend classes on a particular day due to religious beliefs shall be excused from attendance requirements for that day.

No such absence shall be counted against a student in determining exclusion, failure or reduction of grades. Any tests and assignments a student misses because of religious instruction shall be given to the student at another time.

END OF POLICY

Legal Reference(s):

ORS 339.420
ORS 659.850

OAR 581-021-0046

Dilger v. Sch. Dist. 24CJ, 222 Or. 108 (1960).

3/7/02 | MW

Corrected 9/23/14

Gresham-Barlow SD 10

Code: **JF/JFA**
Adopted: 7/11/94
Readopted: 5/02/02; 5/01/14
Orig. Code(s): JF/JFA

Student Rights and Responsibilities**

The Board has the responsibility to afford students the rights that are theirs by virtue of guarantees offered under federal and state constitutions and statutes. In connection with rights are responsibilities that must be assumed by students.

Among these student rights and responsibilities are the following:

1. Civil rights – including the rights to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others;

2. The right to attend public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school;

3. The right to due process of law with respect to suspension, expulsion and decisions which the student believes injure his/her rights;

4. The right to free inquiry and expression; the responsibility to observe reasonable rules regarding these rights;

5. The right to privacy, which includes privacy in respect to the student's school records.

Students have the right to know the behavior standards expected of them as well as to know the consequences of misbehavior.

Students' rights and responsibilities, including standards of conduct, will be made available to students, their parents and employees through information distributed annually.

END OF POLICY

Legal Reference(s):

ORS 332.061
ORS 332.072
ORS 337.150
ORS 339.155
ORS 339.240
ORS 339.250
ORS 659.850
ORS 659.865
OAR 581-021-0045
OAR 581-021-0046
OAR 581-021-0050 to -0075
OAR 581-022-1140

Hazelwood Sch. District v. Kuhlmeier, 484 U.S. 260 (1988).
Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986).

Cross Reference(s):

JFC - Student Conduct

Gresham-Barlow SD 10

Code: **JFCA**
Adopted: 7/11/94
Readopted: 5/02/02
Orig. Code(s): JFCA

Student Dress and Grooming**

Dress or grooming, whether in school or out, is basically the responsibility of the student and his/her parents. When dress and grooming disrupts or directly interferes with the learning process for the individual student and/or other students, or endangers the health or safety of members of the school community, it may become necessary to take corrective action.

Student dress and grooming is the responsibility of the individual and his/her parents under the following guidelines:

1. Dress and grooming shall be in keeping with health, hygiene and safety practices;

2. When a student is participating in school activities, his/her dress and grooming shall not disrupt the performance or constitute a health threat to the individual or other students;

3. Dress and grooming standards may be established by school authorities as a requirement for participation in the school activity program;

4. Dress and grooming that disrupts the learning process shall not be permitted;

5. Students shall not wear clothing, jewelry, tattoos, emblems, badges, symbols, signs or other things which are evidence of membership or affiliation in any gang;

6. Students shall not wear clothing with obscene, profane, alcohol, tobacco, illicit drug and/or violence-related references.

END OF POLICY

Legal Reference(s):

ORS 339.240
ORS 339.250

OAR 581-021-0050 to -0075

R8/6/97 | MW

Corrected 9/23/14

Gresham-Barlow SD 10

Code: JFCB
Adopted: 10/05/95
Readopted: 5/02/02
Orig. Code(s): JFCB

Care of District Property by Students**

(This is covered in policy ECAB.)

It is each student's responsibility to show respect for all district property. Any student who willfully, maliciously and/or negligently damages or defaces school property will be disciplined.

The Board declares its intent to hold students and their parents responsible for loss or damage of district property.

END OF POLICY

Legal Reference(s):

ORS 339.250
ORS 339.270
ORS 30.765
OAR 581-021-0050 to -0075

DELETE

2/1/04 | NC

Gresham-Barlow SD 10

Code: **JFCE**
Adopted: 7/11/94
Revised/Readopted: 5/02/02
Orig. Code(s): JFCE

Secret Societies/Gangs

The district feels that the presence of secret societies/gangs and activities related to secret societies/gangs can cause a substantial disruption of or material interference with school and school activities. A "gang" as defined by law means a group that identifies itself through the use of a name, unique appearance or language, including hand signs, the claiming of geographical territory or the espousing of a distinctive belief system that frequently results in criminal activity. By this policy, the Board acts to prohibit existence of gangs and gang activities as follows:

No student on or about school property or at any school activity:

1. Shall wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign or other things which are evidence of membership or affiliation in any gang;

2. Shall use any speech or commit any act or omission in furtherance of the interests of any gang or gang activity, including, but not limited to:

   a. Soliciting others for membership in any gangs;
   b. Requesting any person to pay protection or otherwise intimidating or threatening any person;
   c. Committing any other illegal act or other violation of ~~school~~ district policies;
   d. Inciting other students to act with physical violence upon any other person.

3. Shall wear or display materials, devices, identifying markings or paraphernalia which are patently racially, religiously or sexually offensive, including those associated with clubs, sects or groups avowing or practicing discrimination against persons on the basis of age, race, color, religion, disability, marital status, national origin, sexual orientation or sex.

END OF POLICY

Legal Reference(s):

ORS 339.885

2/9/94 | GP

Gresham-Barlow SD 10

Code: **JFCEB**
Adopted:

Personal Electronic Devices and Social Media** (Version 2)

(Student may possess a personal electronic device with certain restrictions)

Student possession or use of personal electronic devices on district property, in district facilities during the school day and while the student is 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 principal and approved by the superintendent.

A "personal electronic device" is a device that is capable of electronically communicating, sending, receiving, storing, recording, reproducing and/or displaying information and data.

Personal electronic devices shall be silenced or turned off during instructional or class time, during passing times between classes or at any other time where such use of the device would cause a disruption of school activities. Devices which have the capability to take photographs or record video or audio shall not be used for such purposes while on district property or while a student is engaged in district-sponsored activities, unless as expressly authorized in advance by the principal or designee. Computers, tablets, iPads or similar devices brought to school will be restricted to academic activities and independent communications.

If the district implements a curriculum that uses technology, students may be allowed to use their own personal electronic devices to access the curriculum. Students who are allowed to use their own devices to access the curriculum will be granted access to any application or electronic materials when they are available to students who do not use their own devices, or provided free of charge to students who do not use their own devices, for curriculum.

A process for responding to a student's request to use a personal electronic device, including an appeal process if the request is denied, will be provided.

The district will not be liable for personal electronic devices brought to district property and district-sponsored activities.

Students may not access social media websites using district equipment, while on district property or at district-sponsored activities unless the access is approved by a district representative. The district will not be liable for information or comments posted by students on social media websites.

Exceptions to the prohibitions set forth in this policy may be made for health, safety or emergency reasons with prior principal or designee approval or when use is provided for in a student's individualized education program (IEP).

Students are subject to disciplinary action up to and including expulsion for using a personal electronic device in any manner that is academically dishonest, illegal or violates the terms of this policy[1]. A referral to law enforcement officials may also be made. Personal electronic devices brought to district property or used in violation of this policy are subject to confiscation and will be released to the student's parent or property owner, as appropriate.

The superintendent shall ensure that the Board's policy and any subsequent school rules developed by building administrators are reviewed and approved in advance to ensure consistency with this policy and that pertinent provisions of policy and school rules are communicated to staff, students and parents through building handbooks and other means.

END OF POLICY

Legal Reference(s):

ORS 332.107 ORS 336.840

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

R6/12/14 | PH

Added 6/12/14; Corrected 9/30/14

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[1]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.

Gresham-Barlow SD 10

Code: **JFCF**
Adopted: 5/02/02
Readopted: 4/10/08; 1/06/11; 4/04/13

Harassment/Intimidation/Bullying/Cyberbullying/ Teen Dating Violence – Student

The Board, ~~is committed~~ in its commitment to providing a positive and productive learning environment will consult with parents/guardians, employees, volunteers, students, administrators and community representatives in developing this policy in compliance with applicable Oregon Revised Statutes.

Harassment, intimidation, bullying and acts of cyberbullying by students are strictly prohibited. Teen dating violence is unacceptable behavior and prohibited. 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. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. The district may also file a request with the Oregon Department of Transportation to suspend the driving privileges or the right to apply for driving privileges of a student 15 years of age or older who has been suspended or expelled at least twice for menacing another student or employee, willful damage or injury to district property or for the use of threats, intimidation, harassment or coercion.

Students may also be referred to law enforcement officials.

The superintendent or designee is responsible for ensuring that this policy is implemented.

Definitions

"District" includes district facilities, district premises and non=district property if the student 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.

"Harassment, intimidation or bullying" means any act that substantially interferes with a student's educational benefits, opportunities or performance, that takes place on or immediately adjacent to district grounds, at any district-sponsored activity, on district-provided transportation or at any official district bus stop, that may be based on, but not limited to, the protected class status of a person, having the effect of:

1. Physically harming a student or damaging a student's property;

2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property;

3. Creating a hostile educational environment including interfering with the psychological well being of the student.

"Protected class" means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, national origin, marital status, familial status, source of income or disability.

"Teen dating violence" means:

1. A pattern of behavior in which a person uses or threatens to use physical, mental or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or

2. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

"Cyberbullying" is the use of any electronic communication device to harass, intimidate or bully.

"Retaliation" means harassment, intimidation, bullying, teen dating violence and acts of cyberbullying toward a person in response to a student for actually or apparently reporting or participating in the investigation of harassment, intimidation, bullying, teen dating violence and acts of cyberbullying or retaliation.

Reporting

The principal will take reports and conduct a prompt investigation of any report of an act of harassment, intimidation, bullying and cyberbullying. Any employee who has knowledge of conduct in violation of this policy shall immediately report his/her concerns to the principal who has overall responsibility for all investigations. Any employee who has knowledge of incidents of teen dating violence that took place on district property, at a district-sponsored activity or in a district vehicle or vehicle used for transporting students to a district activity, shall immediately report the incident to the principal. Failure of an employee to report an act of harassment, intimidation, bullying, teen dating violence or an act of cyberbullying to the principal may be subject to remedial action, up to and including dismissal. Remedial action may not be based solely on an anonymous report.

Any student who has knowledge of conduct in violation of this policy or feels he/she has been harassed, intimidated, bullied, a victim of teen dating violence or cyberbullied in violation of this policy is encouraged to immediately report his/her concerns to the principal who has overall responsibility for all investigations. Any volunteer who has knowledge of conduct in violation of this policy is encouraged to immediately report his/her concerns to the principal who has overall responsibility for all investigations.

This report may be made anonymously. A student or volunteer may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate district official.

Complaints against the principal shall be filed with the superintendent or designee. Complaints against the superintendent shall be filed with the Board chair.

The complainant shall be notified of the findings of the investigation and, as appropriate, that remedial action has been taken. The complainant may request that the superintendent, or designee, review the actions taken in the initial investigation, in accordance with administrative regulations and district complaint procedures.

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

The district shall incorporate age-appropriate education about teen dating violence into new or existing training programs for students in grade 7 through 12.

The district shall incorporate into existing training programs for staff information related to the prevention of, and the appropriate response to, acts of harassment, intimidation or bullying, teen dating violence and acts of cyberbullying.

The superintendent or designee shall be responsible for ensuring annual notice of this policy is provided in a student or employee handbook, school and district websites, and in the development of administrative regulations, including reporting and investigative procedures.

END OF POLICY

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 339.254
ORS 339.351 to-339.364
OAR 581-021-0045
OAR 581-021-0046
OAR 581-021-0055
OAR 581-022-1140

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

Corrected 10/30/14; Corrected 9/30/14

Gresham-Barlow SD 10

Code: **JFCG/JFCH/JFCI**
Adopted: 5/02/02

Use of Tobacco, Alcohol or Drugs

Student substance abuse, possession or use of tobacco, alcohol or unlawful drugs, including drug paraphernalia or any substance purported to be an unlawful drug, on or near school grounds or while participating in school-sponsored activities is prohibited and will result in disciplinary action. If possession or use occurred on school grounds or while participating in school-sponsored activities, students will be subject to discipline up to and including expulsion. If possession or use occurred near school grounds, disciplinary action may include removal from any or all extracurricular activities and/or forfeiture of any school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). A student may be referred to law enforcement officials. Parents will be notified.

Clothing, bags, hats and other personal items used to display, promote or advertise tobacco, alcohol or unlawful drugs are prohibited on district grounds, at school-sponsored activities and in district vehicles.

Any person under age 18 possessing a tobacco product commits a Class D violation and is subject to a court-imposed fine up to $75, as provided by ORS 167.400.

Any person who distributes, sells or causes to be sold, tobacco in any form or a tobacco-burning device, to a person under 18 years of age commits a Class A violation and is subject to a court-imposed fine of not less than $100 and not exceeding $600, as provided by ORS 163.575.

~~An unlawful drug is any drug not prescribed for that individual by a licensed medical practitioner.~~An unlawful drug is any drug as defined by the Controlled Substances Act including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP). As used in this policy, unlawful drug also means possession, use, sale or supply of prescription and nonprescription drugs in violation of Board policy JHCD - Administering Noninjectable Medicines to Students, JHCDA - Administering Injectable Medicines to Students and any accompanying administrative regulations.

Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of school property is a Class A felony ~~Punishment is a maximum of 20 years of imprisonment, $300,000 fine or both,~~ as provided by ORS 475.999.

END OF POLICY

Legal Reference(s):

ORS 153.018
ORS 161.605
ORS 161.625
ORS 163.575
ORS 167.400
ORS 332.107
ORS 336.067
ORS 336.222
ORS 336.227
ORS 339.240
ORS 339.250
ORS 339.865
ORS 431.840
ORS 431.845
ORS 433.835 - 433.990
ORS Chapter 475
OAR 581-021-0050 to -0075
OAR 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)
OAR 584-020-0040

Controlled Substances Act, 21 U.S.C. § 812; Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11 - 1308.15 (2006).
Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2006).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2006).

R6/22/04 | NC

Gresham-Barlow SD 10

Code: **JFCM**
Adopted: 5/02/02

Threats of Violence**

The Board is committed to promoting healthy relationships and a safe learning environment. To this end, student threats of harm to self or others, threatening behavior or acts of violence, including threats to severely damage school property shall not be tolerated on district property or at activities under the jurisdiction of the district.

Students shall be instructed of the responsibility to inform a teacher, counselor or administrator regarding any information or knowledge relevant to conduct prohibited by this policy. Parents and others will be encouraged to report such information to the district. Staff shall immediately notify an administrator of any threat, threatening behavior or act of violence he/she has knowledge of, has witnessed or received. All reports will be promptly investigated.

Students found in violation of this policy shall be subject to discipline up to and including expulsion. A referral to law enforcement shall be made for any infraction involving a student bringing, possessing, concealing or using a weapon or destructive device as prohibited by state and federal law and Board policy.

The ~~building~~ principal shall, in determining appropriate disciplinary action, consider:

1. Immediately removing from the classroom setting any student who has threatened to injure another person or to severely damage school property;

2. Placing the student in a setting where the behavior will receive immediate attention from a building administrator, counselor, licensed mental health professional or others;

3. Requiring the student to be evaluated by a licensed mental health professional before allowing the student to return to the classroom setting.

The ~~building~~ principal shall ensure notification is provided to:

1. The parent of any student in violation of this policy and the disciplinary action imposed;

2. The parent of a student when the student's name appears on a targeted list that threatens violence or harm to the students on the list or when threats of violence or harm to the student are made by another student;

3. Any school employee whose name appears on a targeted list threatening violence or harm to the district employee and when threats of violence or harm are made by a student or others.

Notification to the above shall be attempted by telephone or in person within 12 hours of discovery of a targeted list or learning of a threat. Regardless, a written follow-up notification shall be sent within 24 hours of discovery of a targeted list or learning of a threat.

The principal will provide necessary information regarding threats of violence to law enforcement, child protective services and health-care professionals in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. Additionally, he/she may provide such information to other school officials, including teachers, within the district or other districts who have a legitimate educational interest in the student(s) consistent with state and federal education records laws and district policies.

The district may enter into contracts with licensed mental health professionals to perform student evaluations. Funds for evaluations or other disciplinary options as may be required by law and this policy shall be provided by the district.

END OF POLICY

Legal Reference(s):

ORS 161.015
ORS 166.210 - 166.370
ORS 332.107
ORS 339.115
ORS 339.240
ORS 339.250
ORS 339.327
ORS 809.060
ORS 809.260
OAR 581-021-0050 to -0075
OAR 581-053-0010(5)
OAR 581-053-0015(7)(k)
OAR 581-053-0545(4)(c),(w)
OAR 581-053-0550(5)(v)

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2006).
Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).
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).

R2/26/09 | MS

Gresham-Barlow SD 10

Code: **JFE**
Adopted: 5/02/02

Pregnant and Parenting Students

A pregnant and/or parenting student shall be encouraged to continue with an educational program and to participate in all school-sponsored activities unless physically unable. The district shall ensure that pregnant and parenting students receive special services as temporarily necessitated by their condition.

Neither pregnancy nor parenting constitute an exemption from Oregon compulsory attendance law.

No pregnant or parenting student shall be excluded from the public schools on the basis of pregnancy or parenthood.

The district shall, in considering and obtaining special services for pregnant and parenting students:

1. Inform pregnant and parenting students and their parents of the availability of such services in the school district, education service district or in the community;

2. Facilitate the provision of such services, including counseling, life skills and parenting education, child care, transportation, career development and health and nutrition services to pregnant and parenting students;

3. Inform pregnant and parenting students and their parents of the availability of resources provided by other agencies, including health and social services;

4. Provide educational programs and schedules that address the individual learning styles and needs of pregnant and parenting students;

5. Develop individualized educational programs or services, or both, to address the needs of pregnant and/or parenting students when their educational needs cannot be met by the regularly provided school program.

The superintendent will develop administrative regulations as necessary to ensure compliance with the provisions of state and federal law.

END OF POLICY

Legal Reference(s):

ORS 109.520
ORS 336.640
OAR 581-021-0046

R8/6/97 | MW

Gresham-Barlow SD 10

Code: **JFG**
Adopted: 7/11/94
Readopted: 5/02/02
Orig. Code(s): JFG

Student Searches and Questioning**

Searches

The Board seeks to assure a learning environment which protects the health, safety and welfare of students and staff. To assist the Board in attaining these goals, district officials may search a student's person and property, including property assigned by the district for the student's use. District officials may seize any item which is evidence of a violation of law, district policy or rules, or which the possession or use of is prohibited by law, policy or rules.

The superintendent will develop rules for implementing this policy in a manner which both protects students' rights and provides a safe learning environment without unreasonable interference following these basic procedures:

1. A search may be conducted when there is reasonable suspicion to believe that evidence or a prohibited item is present in a particular place;

2. Evidence, or a prohibited item, may be seized by district officials;

3. A search of district property assigned to students, including but not limited to lockers or desks, may occur from time to time. Students will be notified that a search of district property has occurred and will be notified of any evidence or prohibited item seized;

4. At the time district property is assigned to students for their use, the district shall inform students of conditions for the use of such property and of the intent of the district to conduct searches from time to time;

5. The search shall be "reasonable in scope." That is, the measures used are reasonably related to the objectives of the search and not excessively intrusive in light of the age, sex, maturity of the student and nature of the infraction;

6. Students may be searched by law enforcement officials on district property or when the student is under the jurisdiction of the district upon the request of the law enforcement official. Law enforcement requests ordinarily shall be based on a warrant. District officials will attempt to notify the student's parent(s) in advance and will be present for all such searches, whenever possible.

7. District officials may also search when they have reasonable information that emergency/dangerous circumstances exist;

8. Routine inspections of district property assigned to students may be conducted at any time;

9. Use of drug-detection dogs and metal detectors, or similar detection devices, may be used only on the express authorization of the superintendent.

Questioning

When law enforcement officials find it necessary to question students during the school day or during periods of cocurricular activities, an administrator will be present when possible. An effort will be made to inform the parent, guardian or person in a parental relationship. However, in suspected child abuse cases, Oregon Department of Human Services, Community Human Services, and law enforcement officials may exclude district personnel from investigation procedures and may prohibit informing the parents.

When law enforcement officials find it necessary to take a student into custody, the administrator will request that the officials act in a manner which causes the least possible disruption to the learning environment.

END OF POLICY

Legal Reference(s):

ORS 332.107

OAR 581-021-0050 to -0075

New Jersey v. T.L.O., 469 U.S. 325 (1985)

Gresham-Barlow SD 10

Code: **JGA**
Adopted: 5/02/02

Corporal Punishment**

The use of corporal punishment in any form is strictly prohibited in the district. No student will be subject to the infliction of corporal punishment.

Corporal punishment is defined as the willful infliction of, or willfully causing the infliction of, physical pain.

No teacher, administrator, other school personnel or school volunteer will subject a student to corporal punishment or condone the use of corporal punishment by any person under his/her supervision or control. Permission to administer corporal punishment will not be sought or accepted from any parent or school official.

A staff member is authorized to employ physical force when, in his/her professional judgment, the physical force is necessary to prevent a student from harming self, others or doing harm to district property. Physical force shall not be used to discipline or punish a student. The superintendent shall inform all staff members and volunteers of this policy.

END OF POLICY

Legal Reference(s):

ORS 161.205
ORS 339.240
ORS 339.250

OAR 581-021-0050 to -0075
OAR 584-020-0040

R8/6/97 | MW

Gresham-Barlow SD 10

Code: **JGAB**
Adopted: 11/01/07
Readopted: 6/14/12

Use of Restraint and Seclusion

The Board is dedicated to the development and application of best practices within the district's public educational/behavioral programs. It is the intent of the Board to establish a policy that defines the circumstances that must exist and the requirements that must be met prior to, during and after the use of physical restraint and/or seclusion as an intervention with district students.

Definitions

1. "Physical restraint" means the restriction of a student's movement by one or more persons holding the student or applying physical pressure upon the student. "Physical restraint" does not include touching or holding a student without the use of force for the purpose of directing the student or assisting the student in completing a task or activity. The definition of "physical restraint" does not include the use of mechanical, chemical or prone restraint of a student as these methods are prohibited by Oregon law.

2. "Seclusion" means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. Seclusion does not include the removal of a student for a short period of time to provide the student with an opportunity to regain self-control, in a setting from which the student is not physically prevented from leaving.

3. "Serious bodily injury" means any significant impairment of the physical condition of a person, as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else.

4. "Mechanical restraint" means a device used to restrict the movement of a student or the movement or normal function of a portion of the body of a student.

   "Mechanical restraint" does not include:

   a. A protective or stabilizing device ordered by a licensed physician; or
   b. A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.

5. "Chemical restraint" means a drug or medication that is used on a student to control behavior or restrict freedom of movement that has not been prescribed by a licensed health professional or other qualified health care professional acting under the professional's scope of practice.

6. "Prone restraint" means a restraint in which a student is held face down on the floor.

The use of physical restraint and/or seclusion is only permitted as a part of a behavioral support plan when other less restrictive interventions would not be effective and the student's behavior poses a threat of imminent, serious physical harm to the student or others.

Except in the case of an emergency, only staff current in the required training in accordance with the district-designated physical restraint and seclusion training program will implement physical restraint or seclusion with a student. In an emergency, physical restraint and/or seclusion may also be used by a school administrator, teacher or other school employee when the student's behavior imposes a reasonable threat of imminent, serious bodily injury to the student or to others. The use of physical restraint~~/~~ or seclusion under these circumstances is only allowed so long as the student's behavior poses a threat of imminent, serious physical harm to themselves or to others. Any student being restrained or secluded within the district whether in an emergency or as a part of a plan shall be constantly monitored by staff for the duration of the intervention. Any room used for seclusion of a student must ~~allow staff full view of the student in all areas of the room and be free of potentially hazardous conditions such as unprotected light fixtures and electrical outlets~~ meet the standards as outlined in OAR 581-021-0568.

The district shall utilize the Oregon Intervention System (OIS) training program of physical restraints and seclusion for use in the district. As required by state regulation, the selected program shall include: behavioral support, prevention, de-escalation and crisis response techniques. Any program selected by the district must be in compliance with state and federal law with respect to the use of restraint and/or seclusion.

An annual review of the use of physical restraint and seclusion during the preceding school year~~, including a review of all district cases involving restraint and/or seclusion,~~ shall be completed and submitted to the Superintendent of Public Instruction to ensure compliance with district policies and procedures.

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

1. The total number of incidents of physical restraint;

2. The total number of incidents of seclusion;

3. The total number of seclusions in a locked room;

4. The total number of students placed in physical restraint;

5. The total number of incidents that resulted in injuries or death to students or personnel as a result of the use of physical restraint or seclusion;

6. The total number of students placed in seclusion;

7. The total number of students placed in physical restraint and/or seclusion more than 10 times in a school year and an explanation of what steps have been taken by the district to decrease the use of physical restraint and seclusion for each student;

8. The total number of physical restraint and seclusion incidents carried out by untrained individuals; ~~and~~

9. The demographic characteristics of all students upon whom physical restraint and/or seclusion was imposed~~:~~;

10. The total number of rooms available for use by the district for seclusion of a student and a description of the dimensions and design of the rooms.

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

At least once each school year the public shall be notified as to how to access the report.

The district shall investigate all complaints regarding the use of restraint and/or seclusion practices according to the procedures outlined in Board policy KL and KL-AR - Public Complaints.

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

END OF POLICY

Legal Reference(s):

ORS 161.205
ORS 339.250

OAR 581-021-0061
OAR 581-021-0062
OAR 581-021-0550
OAR 581-021-0553
OAR 581-021-0556
OAR 581-021-0559
OAR 581-021-0563
OAR 581-021-0566
OAR 581-021-0568
OAR 581-021-0569
OAR 581-021-0570

Corrected 1/16/14; 6/12/14

Gresham-Barlow SD 10

Code: **JGB**
Adopted: 5/02/02

Detention of Students**

A school administrator or teacher may detain a student for disciplinary reasons outside the school day, provided the parent has been notified of the detention and, in the case of bus students, arrangements have been made for the student's transportation home. In cases where transportation is required, 24-hour notice will be given so that transportation may be arranged.

Parents may be asked to arrange for the transportation of the detained student; however, if the parent cannot or will not provide it, an alternative disciplinary procedure must be substituted.

Students who are detained after school must not be left alone during their detention. Their supervision must be provided or arranged for by the teacher or administrator who detains them.

END OF POLICY

Legal Reference(s):

ORS 332.107
ORS 339.250

OAR 581-021-0050 to -0075

8/6/97 | MW

Gresham-Barlow SD 10

Code: **JGD**
Adopted: 7/11/94~~;~~; 10/05/95
Readopted: 5/02/02

Suspension**

The Board authorizes student suspension for one or more of the following reasons:

1. Willful violation of school regulations;

2. Willful conduct which materially and substantially disrupts the rights of others to an education;

3. Willful conduct which endangers the student, other students or employees;

4. Willful conduct which endangers school property.

Each suspension will include a statement of the reasons for suspension, the length of the suspension and a plan for readmission. No single suspension shall extend beyond 10 school days. The district may require a student to attend school during nonschool hours as an alternative to suspension. Every reasonable and prompt effort must be made to notify the parents of suspended students.

Students who are suspended may not attend after-school activities and athletic events, be present on district property without a parent or participate in activities directed or sponsored by the district. Additionally, students under suspension are not guaranteed to be provided with homework assignments during the suspension period.

END OF POLICY

Legal Reference(s):

ORS 339.240
ORS 339.250

OAR 581-021-0050
OAR 581-021-0065

R4/4/03 | MW

Gresham-Barlow SD 10

Code: **JGDA/JGEA**
Adopted: 7/11/94
Revised/Readopted: 1/04/01~~;~~; 7/12/01~~;~~; 5/02/02~~;~~; 4/10/08
Orig. Code(s): JGDA/JGEA

Discipline of Students with Disabilities**

When considering student disciplinary procedures that may result in removal of the student, the district follows all special education procedures and ensures the parent and the student are afforded the procedural safeguards of the Individuals with Disabilities Education Act (IDEA) if:

1. The student is receiving IEP services;

2. ~~For~~ The student has not yet been identified as a student with a disability, the district had knowledge that the student had a disability and needed special education.

For a violation of a code of conduct, the district may remove a student with a disability from a current educational placement to an appropriate interim alternative educational setting, another setting, or suspension, for up to 10 school days in a school year to the same extent, and with the same notice, as for students without disabilities, if the removals do not constitute a pattern. The district may remove a student with disabilities for additional periods of up to 10 days if the removals do not constitute a pattern. The determination regarding whether a series of removals constitutes a pattern is subject to review in an expedited due process hearing.

Disciplinary removal of a student with a disability constitutes a change in the student's educational placement when the removal is for more than 10 consecutive school days, or the removal is for more than 10 cumulative school days and constitutes a pattern of removals. When considering whether to order a disciplinary change of placement the district may consider any unique circumstances on a case-by-case basis. Any decision to initiate a disciplinary change in placement requires a determination of whether the conduct leading to the disciplinary removal was caused by, or was substantially related to, the student's disability or was a direct result of the district's failure to implement the student's IEP.

For a violation involving drugs, weapons or the infliction of serious bodily injury, the district may remove a student with a disability from the student's current educational placement to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than 45 school days in a school year without regard to whether the behavior is a manifestation of the student's disability. This removal is considered a change in placement.

The district will provide educational services to a student who is suspended or expelled for more than 10 school days in a school year. These services may be provided in a different location or interim alternative educational setting as determined by the IEP and placement teams.

END OF POLICY

Legal Reference(s):

ORS 326.565
ORS 326.575
ORS 336.187
ORS 339.240
ORS 339.250
ORS 339.252
ORS 343.177

OAR 581-015-2400
OAR 581-015-2405
OAR 581-015-2410
OAR 581-015-2415
OAR 581-015-2420
OAR 581-015-2425
OAR 581-015-2430
OAR 581-015-2435
OAR 581-015-2440

Individuals with Disabilities Education Act (IDEA, 20 U.S.C. § 1415 (k) (2006).
Assistance to States for the Education of Children with Disabilities, 34 CFR § 300.507 and § 300.508(a)-©; §§ 300.510 - 300.514; §§ 300.530 - 300.536.

R12/31/07 | JW

Gresham-Barlow SD 10

Code: **JGE**
Adopted: 7/11/94~~-~~; 9/05/96
Revised/Readopted: 5/02/02
Orig. Code(s): JGE

Expulsion**

A principal, after reviewing available information, may recommend to the superintendent that a student be expelled. Expulsion of a student shall not extend beyond one calendar year.

No student may be expelled without a hearing unless the student's parents, or the student if 18 years of age, waive the right to a hearing, either in writing or by failure to appear at a scheduled hearing. By waiving the right to a hearing, the student and parent agree to abide by the findings of a hearings officer.

When an expulsion hearing is not waived, the following procedure is required:

1. Notice will be given to the student and the parent by personal service or by certified mail at least five days prior to the scheduled hearing. Notice will include:

   a. The specific charge or charges;
   b. The conduct constituting the alleged violation, including the nature of the evidence of the violation;
   c. A recommendation for expulsion;
   d. The student's right to a hearing;
   e. When and where the hearing will take place; and
   f. The right to representation.

2. The superintendent or designee will act as hearings officer. The district may contract with an individual who is not employed by the district to serve as the hearings officer. The hearings officer will conduct the hearing and will not be associated with the initial actions of the building administrators;

3. In case the parent or student has difficulty understanding the English language or has other serious communication disabilities, the district will provide a translator;

4. The student will be permitted to have a representative present at the hearing to advise and to present arguments. The representative may be an attorney or parent. The district's attorney may be present;

5. The student will be afforded the right to present his/her version of the charges and to introduce evidence by testimony, writings or other exhibits;

6. The student will be permitted to be present and to hear the evidence presented by the district;

7. The hearings officer will determine the facts of each case on the evidence presented at the hearing. Evidence may include the relevant past history and student education records. Findings of fact as to whether the student has committed the alleged conduct will be submitted to the superintendent, along with the officer's decision on disciplinary action, if any, including the duration of any expulsion. This decision will be available in identical form to the Board, the student and the student's parents at the same time;

8. The hearings officer or the student may make a record of the hearing;

9. The hearings officer's decision is final. However, this decision may be appealed to the Board. At its next regular or special meeting the Board will review the hearings officer's decision and will affirm, modify or reverse the decision. Parents of students who wish to appeal the hearings officer's decision will have the opportunity to be heard at the time the Board reviews the decision;

10. Expulsion hearings will be conducted in private and Board review of the hearings officer's decision will be conducted in executive session unless the student or the student's parent requests a public hearing. If an executive session is held by the Board or a private hearing by the hearings officer, the following will not be made public:

    a. The name of the minor student;
    b. The issues involved;
    c. The discussion; or
    d. The vote of Board members, which may be taken in executive session.

Prior to expulsion, the district must propose alternative programs of instruction or instruction combined with counseling to a student subject to expulsion for reasons other than a weapons policy violation. The district must document to the parent of the student that proposals of alternative programs have been made.

END OF POLICY

Legal Reference(s):

ORS 192.660
ORS 332.061
ORS 336.615 - 336.665
ORS 339.115
ORS 339.240
ORS 339.250
OAR 581-021-0050
OAR 581-021-0070
OAR 581-021-0071

R9/20/02 | MW

Gresham-Barlow SD 10

Code: **JGEA**
Adopted: 5/02/02
Readopted: 1/05/12
Orig. Code(s): None

Alternative Education Programs Following Expulsion**

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

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

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

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

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

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

END OF POLICY

Legal Reference(s):

ORS 336.615 - 336.665
ORS 339.240
ORS 339.250
OAR 581-021-0070
OAR 581-021-0071
OAR 581-022-1350
OAR 581-022-1620
OAR 581-023-0006
OAR 581-023-0008

R2/10/04 | NC

Gresham-Barlow SD 10

Code: **JHCA**
Adopted: 1/10/02
Readopted: 5/02/02

Physical Examinations of Students**

Students in grades 7 through 12 are to have physical examinations performed prior to participation in extracurricular sports. "Participation," as used in this policy means participation in sports practices and interscholastic sports competition. The physical examination must be conducted by a physician possessing an unrestricted license to practice medicine, a licensed physician assistant, a certified nurse practitioner or a licensed chiropractic physician. The examination should be performed no earlier than May 1 of the preceding school year.

Students who continue to participate in extracurricular sports in grades 7 through 12 shall be required to complete a physical examination once every two years, thereafter.

Students are required to submit to the district ~~an Annual Interval History~~ School Sports Preparticipation Examination Form prior to their participation. This form is to be completed and signed by a parent, giving permission for the student to participate and indicating his/her responsibility for insurance coverage. The district shall require a student to have an additional physical examination if he/she is diagnosed with a significant illness or has had major surgery, prior to further participation in extracurricular sports.

A student new to the district is required to have a physical examination if he/she has not had the required Oregon medical examination or its equivalent.

Any participant who has an injury, significant illness or major surgery and has been under the care of a physician must have a Return to Play form signed by the physician before participation.

END OF POLICY

Legal Reference(s):

ORS 332.107
ORS 336.479

OAR 581-021-0041

OR. SCH. ACTIVITIES ASS'N, OSAA HANDBOOK.

9/19/03 | MW

Corrected 1/16/14

Gresham-Barlow SD 10

Code: **JHCA/JHCB**
Adopted:

Immunization, Physical Examination and Vision Screening/Eye Examination**

Immunization

Proof of immunization must be presented prior to the time of initial enrollment in school or within 30 days of transfer to the district. Proof consists of a signed Certificate of Immunization Status form documenting either evidence of immunization or a religious, philosophical beliefs and/or medical exemption.[1]

Physical Examination

~~The Board recommends that all students initially enrolling in school have a physical examination.~~ Parents will be asked to complete a district Health History form when initially enrolling their students in the district and when registering them for seventh grade.

All students participating in athletic programs are required to submit to the district a School Sports Pre-participation Examination[2] form prior to their initial participation in a district athletic program. The form is to be completed and signed by a parent and physician giving permission for the student to participate.

A student who is subsequently diagnosed with a significant illness or has had a major surgery is required to have a physical examination prior to further participation in extracurricular sports.

Students who continue to participate in extracurricular sports in grades 7 through 12 shall be required to complete a physical examination once every two years, thereafter.

Vision Screening or Eye Examination

The parents of a student who is 7 years of age or younger and is beginning an education program with the district for the first time shall, within 120 days of beginning the education program, submit a certification that:

1. The student has received a vision screening or eye examination; and

2. Any further examination, treatments or assistance necessary.

[1]Documentation requirements for exemptions are outlined in ORS 433.267.

[2]Form available at *www.osaa.org*.

The certification is not required if the parent or guardian provides a statement to the district that:

1. The student submitted a certification to a prior education provider; or

2. The vision screening or eye examination is contrary to the religious beliefs of the student or the parents or guardian of the student.

END OF POLICY

Legal Reference(s):

ORS 326.580
ORS 336.479
ORS 433.235 - 433.280

OAR 333-019-0010
OAR 333-050-0010 to -0120
OAR 581-021-0041

OAR 581-022-0705

HB 3000 (2013)

OREGON SCHOOL ACTIVITIES ASSOCIATION, OSAA HANDBOOK.

1/16/14 | RS

Added 1/16/14; Corrected 9/23/14

Gresham-Barlow SD 10

Code: **JHCC**
Adopted: 7/11/94
Readopted: 5/02/02
Orig. Code(s): JHCC

Communicable Disease

The district shall provide reasonable protection for students against the risk of exposure to communicable disease. The district will follow the Oregon Department of Education and the state and local health authorities' rules and regulations pertaining to communicable diseases.

Protection from communicable disease generally shall be through immunization, exclusion or other measures provided for in Oregon Revised Statutes and rules of the county health department. Services generally will not be provided to students excluded under this policy unless otherwise required by law.

Where the district knows that a student is infected by any communicable disease for which the student would not be excluded under this policy, the school involved shall take whatever reasonable steps it considers necessary to organize and operate its programs in a way which both furthers the education and protects the health of the students.

The district may, for the protection of both the infected student and the exposed student, provide an educational program in an alternative setting. A student shall continue in the alternative setting, if provided, until such time that:

1. The district determines that the student presents no unreasonable risk of infection to the other students and bears no unreasonable risk of opportunistic infections; or

2. The student is ordered to be returned to the classroom by a court or other authority of competent jurisdiction.

The district shall protect the confidentiality of each student's health condition/record consistent with the overall intent of this policy.

END OF POLICY

Legal Reference(s):

ORS 431.035 to-431.530
ORS 433.255
ORS 433.260

OAR 437-002-0360
OAR 581-022-0705

9/28/07 | PH

Gresham-Barlow SD 10

Code: **JHCCA**
Adopted: 9/13/01
Readopted: 5/02/02

Students - HIV, ~~and~~ HBV and AIDS**

~~This policy applies to students six years or older who are HIV or HBV[1] and are not special risk.~~

~~"Special risk" students as used in this policy and as defined by the Oregon Health Division means students who lack control of their body secretions or who display behaviors such as biting, spitting or scratching and/or who have uncoverable, oozing lesions.~~

The district will adhere strictly in policies and procedures to the Oregon Revised Statutes and the Oregon Administrative Rules as they relate to a student infected with HIV or HBV or diagnosed with AIDS[2].

The district recognizes a parent (student) has no obligation to inform the district of an HIV, ~~or~~ HBV or AIDS condition and that the student has a right to attend school. If the district is informed of such a student, written guidelines shall be requested of the parent (student). These guidelines shall include who may have the information, who will give the information, how the information will be given and where and when the information will be given.

When informed of the infection, and with written permission from the parent (student), the district will develop procedures for formulating an evaluation team. 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 student's condition.

Notification of alternative educational programs shall be made to the parent or eligible student, if an HIV, ~~or~~ HBV or AIDS student withdraws from school.

The district shall also develop ~~policies and/or~~ procedures for rumor control, infection control, student accommodations and public relations/media.

END OF POLICY

Legal Reference(s):

ORS 326.565
ORS 326.575
ORS 332.061
ORS 336.187
ORS 339.030
ORS 339.250
ORS 433.008
ORS 433.045
OAR 333-012-0265
OAR 333-012-0270
OAR 333-018-0000
OAR 333-018-0005
OAR 581-022-0705
OAR 581-022-1660

OR HEALTH DIVISION, GUIDELINES FOR SCHOOLS WITH CHILDREN WHO HAVE HEPATITIS B VIRUS OR HIV INFECTION (2001).

R2/10/04 | MW

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[1] ~~HIV - Human Immunodeficiency Virus; HBV - Hepatitis B Virus~~

[2] HIV - Human Immunodeficiency Virus; HBV - Hepatitis B Virus; AIDS - Acquired Immune Deficiency Syndrome

Gresham-Barlow SD 10

Code: **JHCCB**
Adopted: 5/02/02

Students - HIV, AIDS**

This policy applies to HIV students five years of age or younger, special risk HIV students as well as all students with AIDS.

"Special risk" students as used in this policy and as defined by the Oregon Health Division means students who lack control of their body secretions or who display behaviors such as biting, spitting or scratching and/or who have uncoverable, oozing lesions.

The district shall adhere strictly in policies and procedures to the Oregon Revised Statutes and Oregon Administrative Rules as they relate to a student infected with HIV or AIDS[1].

A student with HIV or AIDS must notify the district superintendent for continued educational services.

If the parent or student does not notify the school district, the Oregon Health Division or local health department will issue an order to exclude the student from school, or the parent (student) may voluntarily withdraw from school. In either case, the district must notify the student and parent of alternative education programs.

If the district is informed, written guidelines shall be requested of the parent (student). These guidelines shall include who may have the student information, who will give the information, how the information will be given and where and when the information will be given.

After the Oregon Health Division or local health department evaluates the student's risks to others, including any restrictions which may be required, this condition will be reported by the parents to the district.

When informed and with written permission from the parent (student), the district will develop procedures for formulating an evaluation team. The team shall address the nature, duration and severity of risk as well as any modification of activities. Monitoring of the student's condition shall be included.

The district shall also develop ~~policies and/or~~ procedures for rumor control, infection control, student accommodations and public relations/media.

END OF POLICY

[1]HIV - Human Immunodeficiency Virus; AIDS - Acquired Immune Deficiency Syndrome

Legal Reference(s):

ORS 326.565
ORS 326.575
ORS 332.061
ORS 336.187
ORS 339.030
ORS 339.250
ORS 433.008
ORS 433.045
ORS 433.255
ORS 433.260

OAR 333-012-0270
OAR 333-018-0000
OAR 333-018-0005
OAR 333-018-0030
OAR 333-019-0031
OAR 581-022-0705
OAR 581-022-1660
OAR 581-022-1910

OR Health Division, Guidelines for Schools with Children Who Have Hepatitis B Virus or HIV Infection (2001).

DELETE

R2/10/04 | MW

Gresham-Barlow SD 10

Code: **JHCCF**
Adopted: 5/05/05

Pediculosis (Head Lice)

~~The Board recognizes that district programs should be conducted in a manner that protects and enhances student and employee health and is consistent with recognized health practices. Consequently, in order to prevent the spread of the communicable disease pediculosis (head lice) in the school setting, district staff shall make checks for head lice. Infected students shall be excluded from school attendance. Students excluded from school will be readmitted after a recognized treatment for pediculosis is completed.~~

~~Successful treatment of head lice requires a coordinated approach that involves the use of recognized anti-louse products and implementation of preventative measures recommended by health authorities. When a student is found to have contracted head lice, the district will provide his/her parents with recommended treatment information. It is the district's intent to not only eliminate the current infestation, but also to prevent a repeat episode.~~

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

The Board recognizes that district programs should be conducted in a manner that protects and enhances student and employee health and is consistent with recognized health practices. In addition, the board recognizes that absences from school create barriers to educational success.

Consequently, in order to prevent the spread of pediculosis (head lice) in the school setting and ensure students are allowed to attend school to the greatest extent possible, district staff shall institute guidelines for classrooms that will assist in the prevention and spread of head lice. Students with suspected cases of lice will be referred to the school nurse or administrator for assessment. When a student is found to have contracted head lice, the district will provide his/her parents with recommended treatment information. Students found with live lice or nits will be sent home at the end of the school day with instructions for treatment and removal. Students will be readmitted the following day and reassessed until no live lice or nits are present. Students who return to school without having the required treatment, will be sent home at the end of the school day with treatment instructions. A phone call will be made to the parent or guardian by the school administrator/designee.

Successful treatment of head lice requires a coordinated approach that may involve the use of recognized anti-louse products, combing and implementation of preventative measures recommended by health authorities as well as classroom interventions. It is the district's intent to not only eliminate the current infestation, but also to prevent a repeat episode.

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

END OF POLICY

Legal Reference(s):

ORS 433.255
ORS 433.260

OAR 333-019-0010
OAR 437-002-0360
OAR 581-022-0705

Gresham-Barlow SD 10

Code: **JHCD**
Adopted: 7/11/94~~,~~; 10/01/98
Readopted: 5/02/02~~,~~; 5/01/08~~,~~; 10/07/10
Orig. Code(s): JHCD

~~Administering Noninjectable Medicines to Students~~ Nonprescription Medication**/*

The district recognizes that administering of nonprescription medication to students and/or self-medication may be necessary when the failure to take such medication ~~would jeopardize the health of the student or the student would not be able to attend school if medication was not made available~~ during school hours would prevent the student from attending school. Consequently, students may be permitted to take noninjectable prescription or nonprescription medication at school~~, on a temporary or regular basis~~.

~~When directed by a physician or other licensed health care professional, students in grades K-12 will be allowed to self administer medication. A medical protocol regarding each student who self administers medication will be developed, signed by a physician or other licensed health care professional and kept on file. Permission for self administered medication may be revoked at any time if the student violates policy or medical protocol.~~

~~All requests for the district to administer medication to a student shall be made by the parent in writing. Requests shall include the written instructions of the physician for the administration of a prescription medication to a student or the written instructions of the parent for the administration of a nonprescription medication to a student. A prescription label will be deemed sufficient to meet the requirements for written physician instructions.~~

A request to the district to allow a student to self medicate with a nonprescription medication shall include written permission and instruction from a parent or guardian, and shall include an assurance from the parent or guardian that the student has received appropriate instruction for its use.

A request to the district to administer a nonprescription medication shall include written permission and instruction from a parent or guardian.

The district shall designate staff authorized to administer medication to students. Training shall be provided as required by law.

~~The district reserves the right to reject a request to administer prescription or nonprescription medication when such medication is not necessary for the student to remain in school.~~

This policy and administrative regulation shall not prohibit, in any way, the administration of recognized first aid to students by district employees in accordance with established state law, Board policy and procedures.

The superintendent shall develop administrative regulations as needed to meet the requirements of law, Oregon Administrative Rules and for the implementation of this policy. ~~Regulations will include provisions for student self-medication.~~

END OF POLICY

Legal Reference(s):

ORS 109.640
ORS 339.867
ORS 339.869
ORS 339.870
ORS 433.800 - 433.830
ORS 475.005 - 475.285

OAR 581-021-0037
OAR 581-022-0705
OAR 166-400-0010(17)
OAR 166-400-0060(29)

R5/27/10 | PH

Gresham-Barlow SD 10

Code: **JHCDD~~D~~A**
Adopted: 3/03/05
Readopted: 5/01/08~~,~~; 10/07/10

~~Administering Injectable Medicines to Students~~ Prescription Medication **/*

~~In order to ensure the health and well-being of district students who require regular injections of medication, who may experience allergic reactions, or suffer from hypoglycemia, asthma or diabetes, epinephrine, glucagons or other medication as prescribed by a physician and allowed under Oregon Law (OAR 851-047-0030) may be administered by means of injection to students by trained staff in situations when a licensed health care professional is not immediately available.~~The district recognizes a need to ensure the health and well-being of students who require regular doses or injections of medication as a result of experiencing a~~n~~ severe allergic reaction or have a need to manage hypoglycemia, asthma or diabetes. ~~Therefore, in situations w~~When a licensed health care professional is not immediately available, a designated trained staff member may administer to a student~~s, by means of injection,~~ epinephrine, glucagon or other medications as prescribed and allowed by Oregon law ~~(OAR 851-047-0030)~~.

When directed by a physician or other licensed health care professional students in grades K-12 will be allowed to self-administer medication, including medication for asthma or severe allergy as defined by state law.

A ~~medical protocol regarding each~~ written treatment plan for a student who self-administers ~~injectable~~ medication will be developed~~,~~ and signed by a physician or other Oregon licensed health care professional and kept on file. ~~Permission for self-administered medication may be revoked if the student violates policy or medical protocol.~~ A written request and permission form signed by a parent or guardian is required and will be kept on file. If the student is deemed to have violated Board policy or medical protocol by the district, the district may revoke the permission given to a student to self-administer medication.

A~~ll~~ request~~s~~ for the district to administer ~~injectable~~ prescription medication to a student shall ~~be made by the parent in writing.~~ include the written permission of the parent or guardian, using a ~~(~~Parent Authorization for Specialized Health Care form~~.).~~, ~~Requests~~ and shall be accompanied by ~~the physician's order for administering epinephrine, glucagon, or other medication as allowed by law~~ written instruction form a physician, physician assistant or nurse practitioner. A prescription label prepared by a pharmacist will be deemed sufficient to meet the requirements for a physician's order ~~for epinephrine, glucagon or other medication~~.

The district reserves the right to reject a request to administer or allow self administration of a medication when such medication is not necessary for the student to remain in school.

A premeasured dose of epinephrine may be administered by designated, trained district staff to any student or other individual on school premises who the personnel believe, in good faith, is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

A process shall be established by which, upon parent written request, a backup prescribed autoinjectable epinephrine ~~be~~ is kept at a reasonable, secured location in the student's classroom as provided by state law.

~~The district may designate staff authorized to administer epinephrine and glucagon or other medication as allowed under Oregon law.~~ Training shall be provided to designated staff as required by law in accordance with approved protocols as established by ~~Oregon Department of Human Services, Health Services~~ the Oregon Health Authority. Staff designated to receive training shall also receive bloodborne pathogens training. A current first-aid and CPR card will also be required.

~~Injectable~~ Prescription medication will be handled, stored, monitored, disposed of and records maintained in accordance with established district regulations governing administering noninjectable~~/~~ or injectable, or prescription or nonprescription medicines to students including procedures for the disposal of sharps and glass. ~~(JHCD and JHCD-AR Administering Noninjectable Medicines to Students)~~

The superintendent will ensure student health management plans are developed as required by training protocols, maintained on file and pertinent health information is provided to district staff as appropriate.

Such plans will include provisions for administering medication and/or responding to emergency situations ~~including those occurring during curricular and extracurricular activities held after regular school hours and on or off district property~~ while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before- or after-school care programs on school-owned property and in transit to or from school or school-sponsored activities.

This policy and administrative regulation shall not prohibit, in any way, the administration of recognized first aid to students by district employees in accordance with established state law, Board policy and procedures.

END OF POLICY

Legal Reference(s):

ORS 109.640
ORS 339.866
ORS 339.870
ORS 339.871
ORS 433.800 to-433.830
OAR 851-047-0030
OAR 851-047-0040

R5/27/10 | PH

Gresham-Barlow SD 10

Code: **JHF**
Adopted: 7/11/94
Revised/Readopted: 5/02/02
Orig. Code(s): JHF

Student Safety

The district will have a Health, Safety and Emergency Plan. The plan is designed to assure every student a safe, healthy environment in which to learn. The plan will comply with federal, state and local laws and regulations and with Board policy.

Local building safety and health committees will ensure that general safety regulations are reviewed with staff and students as appropriate to assure student safety.

Instruction in professional technical courses and other offerings such as science, consumer homemaking, art and physical education, will include and emphasize accident prevention.

Safety instruction will assist students to:

1. Learn how to work, play and exercise safely and how to prevent accidents;

2. Learn proper procedures to reduce the possibility of accidents;

3. Develop habits of good housekeeping, proper storage and handling of materials;

4. Become familiar with personal protective devices and the proper clothing to be worn for safety purposes;

5. Develop skills in the safe use of tools and equipment;

6. Learn how to cooperate with others in the promotion and operation of a safety program in the school;

7. Respond to emergency situations in all settings.

Safety instruction will precede the use of materials and equipment by students in applicable units of work in the courses listed above. Instructors will teach and enforce all safety rules set up for these particular courses. Rules will include, but not be limited to, wearing protective eye devices in appropriate activities.

Students will be asked to sign off upon completion of reading safety policies and materials and upon the completion of safety instruction.

END OF POLICY

Legal Reference(s):

ORS 329.095 OAR 581-022-1420

HR10/22/98 | MW

Gresham-Barlow SD 10

Code: **JHFC**
Adopted: 7/11/94
Revised/Readopted: 5/02/02
Orig. Code(s): JHFC

Student Bicycle Use

Students may ride bicycles to school. Bicycle riders are encouraged to observe safe and lawful practices. All bicycle riders under the age of 16 must comply with Oregon helmet laws.

Bicycles must be parked in a designated area on school grounds and should be locked. The district assumes no responsibility or liability for loss or damage to bicycles.

END OF POLICY

Legal Reference(s):

ORS 332.107
ORS Chapter 814

OAR 581-021-0050

DELETE

HR4/3/01 | MW

Gresham-Barlow SD 10

Code: **JHFD**
Adopted: 7/11/94
Revised/Readopted: 5/02/02
Orig. Code(s): JHFD

Student Vehicle Use

All students who drive vehicles to school are subject to parking and driving rules developed by the school administration.

The district may require all students parking vehicles on district property on a regular basis to show evidence:

1. That the student driving the vehicle holds a valid driver's license;

2. That the vehicle is currently registered;

3. That the student driving is insured under a motor vehicle liability insurance policy or other satisfactory proof of compliance with the financial responsibility requirements of the state;

4. That the vehicle is in compliance with district rules by displaying the appropriate tag/sticker.

Continued parking privileges will be subject to the specific requirements of this policy and any other applicable policy and/or rules of the district.

Parking privileges will be subject to the specific requirements of this policy and any other applicable policy and/or rules of the district. Parking privileges, including driving on district property, may be revoked by the principal for violations of Board policies, administrative regulations or school rules.

The district will post appropriate parking signs.

The district shall not be responsible for stolen or damaged vehicles.

END OF POLICY

Legal Reference(s):

ORS 332.107
ORS 332.445
ORS 806.060 - 806.080

OAR 581-021-0050

HR4/4/03 | MW

Gresham-Barlow SD 10

Code: **JHFDA**
Adopted: 5/02/02

Suspension of Driving Privileges

Conduct

The superintendent may make a request to the Oregon Department of Transportation (ODOT) for the suspension of a student's driving privilege or the right to apply for a driving privilege . If a request is made, the following requirements will be met:

1. The superintendent will meet with parent before submitting a request to the ODOT;

2. The request to the ODOT will be in writing;

3. The student involved is at least 15 years of age;

4. The student has been expelled for bringing a weapon on school property; or

5. The student has been suspended or expelled at least twice for any of the following reasons:

    a. Assaulting or menacing a school employee or another student;
    b. Willful damage or injury to district property;
    c. Use of threats, intimidation, harassment or coercion against a school employee or another student;
    d. Possessing, using or delivering any controlled substance or being under the influence of any controlled substance at a school or on school property or at a school-sponsored activity, function or event.

6. The request to suspend a student's driving privilege or the right to apply for a driving privilege shall not be for more than one year unless the superintendent or Board is filing a second written request. A second request may state suspension of privilege until the student reaches 21 years of age;

7. If a driving privilege is suspended the student may apply to the ODOT for a hardship permit.

Withdrawal

The superintendent may, under ORS 339.257, notify ODOT of the withdrawal from school of a student who is at least 15 years of age and under 18 years of age.

Upon receipt of the district's notice that a student has withdrawn from school, ODOT shall notify the student that driving privileges will be suspended on the 30th day following the date of notice unless the student presents documentation that complies with ORS 807.066. For purposes of this policy, a student shall be considered to have withdrawn from school if the student has:

1. More than 10 consecutive school days of unexcused absences; or

2. Fifteen school days total of unexcused absences during a single semester.

Appeals

The student has a right to appeal the superintendent's decision through district suspension/expulsion due process procedures.

END OF POLICY

Legal Reference(s):

ORS 192.660
ORS 332.061
ORS 336.615 - 336.665
ORS 339.240
ORS 339.250
ORS 339.254
ORS 339.257
ORS 807.065
ORS 807.066
ORS 807.240

OAR 581-021-0065
OAR 581-021-0070

R2/1/04 | NC

Gresham-Barlow SD 10

Code: **JHFE**
Adopted: 7/11/94
Readopted: 5/02/02; 10/06/05; 2/07/08; 2/04/10; 2/02/12; 4/04/13
Orig. Code(s): JHFE

Reporting of Suspected Abuse of a Child

Consistent with state law, any district employee who has reasonable cause to believe that any child with whom the employee has come in contact has suffered abuse or neglect by any adult, or a student with whom the employee is in contact has abused a child, will immediately notify the Oregon Department of Human Services or the local law enforcement agency. The employee shall also immediately inform his/her supervisor. If the abuse involves a district employee, then the reporting employee shall also notify the director of human resources.

Abuse of a child by district employees or by students will not be tolerated. All district employees are subject to this policy and the accompanying administrative regulation. The district designates the director of human resources to receive reports of abuse of a child by district employees and specify the procedures to be followed upon receipt of an abuse report. In the event the designated person is the suspected abuser, the superintendent or designee shall receive the report of abuse. The district will post in each school building the name and contact information of the person designated to receive child abuse reports, as well as the procedures to be followed upon receipt of a report. When the director of human resources takes action on the report, the person who initiated the report must be notified.

A substantiated report of abuse by an employee shall be documented in the employee's personnel file. A substantiated report of abuse by a student shall be documented in the student's education record.

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

Any district employee participating in good faith in the making of a report, pursuant to this policy and Oregon law and who has reasonable grounds for the making thereof, shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making or content of any such report. Further, the initiation of a report in good faith about the suspected abuse of a child may not adversely affect any terms or conditions of employment or the work environment of the complainant. If a student initiates a report of suspected abuse of a child by a district employee or a student, in good faith, the student will not be disciplined by the Board or any district employee. Intentionally making a false report of abuse of a child is a Class A violation.

The district shall establish written procedures to provide annual training: 1) for district staff in the prevention and identification of abuse of a child and on the obligations of district employees under ORS 419B.005, as directed by Board policy, to report suspected abuse of a child; 2) for parents and legal guardians of students attending district schools on the prevention, identification of abuse of a child and the obligation of district employees to report suspected abuse of a child, separate from district staff training; and 3) designed to prevent abuse of a child available to students attending district-operated schools.

The superintendent shall implement such regulations as are necessary to accomplish the intent of this policy and to comply with state law.

END OF POLICY

Legal Reference(s):

ORS 339.370 to-339.400
ORS 418.746 to-418.751

ORS 419B.005 to-419B.050

OAR 581-022-0711

HB 4016 (2012)

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

Gresham-Barlow SD 10

Code: **JHFF**
Adopted: 2/04/10

Reporting Requirements Regarding Sexual Conduct with Students

Sexual conduct by district/school employees as defined by Oregon law will not be tolerated. All district employees are subject to this policy.

"Sexual conduct" as defined by Oregon law is any verbal or physical or other conduct by a school employee that is sexual in nature; directed toward a kindergarten through grade 12 student; unreasonably interferes with a student's educational performance; and creates an intimidating, hostile or offensive educational environment. The definition for sexual conduct does not include behavior that would be considered child abuse as outlined by Oregon law and district Board policy JHFE and JHFE-AR - Reporting of the Suspected ~~Child~~ Abuse of a Child.

Any district/school employee who has reasonable cause to believe that another district/school employee or volunteer has engaged in sexual conduct with a student must immediately notify the Oregon Department of Human Services or a law enforcement agency, and must also notify his/her immediate supervisor and the district's ~~D~~director of ~~H~~human ~~R~~resources by telephone and by delivering a copy of the report.

When the district receives a report of suspected sexual conduct by a district employee, the district may decide to place the employee on paid administrative leave or in a position that does not involve direct, unsupervised contact with students while conducting an investigation. An investigation is a detailed inquiry into the factual allegations of a report of suspected sexual conduct that is based on interviews with the complainant, witnesses, ~~and~~ the district employee or student who is the subject of the report. If the subject of the report is a school employee, the investigation must meet any negotiated standards of an employment contract or agreement.

If, following the investigation, the report is substantiated, the district will inform the employee that the report has been substantiated and provide information regarding the appeal process. The employee may appeal the district's decision through the appeal process provided by the district's collective bargaining agreement. A substantiated report is one that: a) an educational provider has reasonable cause to believe is founded based on the available evidence after conducting an investigation; and b) involves conduct that the educational provider determines is sufficiently serious to be documented in the employee's personnel file.

If the employee decides not to appeal the determination or if the determination is sustained after an appeal, a record of the substantiated report will be placed in the employee's personnel file. Such records are confidential and are not public, but may be used as a basis for providing information required to be disclosed under state law.

The district will post in each school building the name and contact information of the person designated to receive sexual conduct reports, as well as the procedures the district's ~~D~~director of ~~H~~human ~~R~~resources will follow upon receipt of a report. In the event that the designated person is the suspected perpetrator,

the superintendent shall receive the report. When the ~~D~~ddirector of ~~H~~human ~~R~~resources takes action on the report, the person who initiated the report must be notified.

The initiation of a report in good faith about suspected sexual conduct may not adversely affect any terms or conditions of employment or the work environment of the complainant. If a student initiates a report of suspected sexual conduct by a district employee in good faith, the student will not be disciplined by the Board or any district employee.

The district will provide annual training to district employees, parents and students regarding the prevention and identification of sexual conduct. The district will provide to employees at the time of hire a description of conduct that may constitute sexual conduct and a description of records subject to disclosure if a sexual conduct report is substantiated.

Educational providers shall follow hiring and reporting procedures as outlined in ORS 339.370 for all district employees.

END OF POLICY

Legal Reference(s):

ORS 339.370 to-339.400
ORS 418.746 to-418.751

ORS 419B.005 to-419B.045

HB 4016 (2012)

Gresham-Barlow SD 10

Code: **JHHA**
Adopted: 9/13/01
Readopted: 5/02/02

Crisis Prevention and Response

The Board recognizes that schools are subject to a number of potentially violent events. No school is immune from these events no matter the size or location.

The Board is committed to the prevention of violence against people or property in the schools or at school activities, whether by students, staff or others. While committed to each person's constitutional rights, including due process rights, the Board does not condone lawlessness. The Board would like schools to be sanctuaries and recognizes that protecting students is a challenge that must be accepted.

The superintendent shall ~~maintain an advisory~~ establish a committee to ~~develop a Crisis Prevention and Response Plan~~ carry out safety and emergency planning. The committee will ~~review district anti-violence related programs and activities,~~ assess the district's security and safety needs, review Board policies, administrative regulations, response plans and procedures.

~~The superintendent will develop an administrative regulation that ensures the effective development and implementation of the district's plan.~~

END OF POLICY

Legal Reference(s):

ORS 332.107

OAR 581-022-1420

HR3/25/99 | SW

Corrected 9/30/14

Gresham-Barlow SD 10

Code: **JN**
Adopted: 7/11/94
Readopted: 5/02/02; 2/03/05; 4/05/12
Orig. Code(s): JN

Student Fees, Fines and Charges

The Board recognizes the need for student fees to fund certain school activities which are not sufficiently funded by the district.

No student will be denied an education because of his/her inability to pay supplementary fees.

No student, however, is exempt from charges for lost or damaged books, locks, materials, supplies and equipment.

All student fees and charges, both optional and required, will be listed and described annually in the student/parent handbook, or in some other written form, and distributed to each student. Students will be advised of the due dates for such fees and charges as well as of possible penalties for failure to pay them.

In accordance with the law and with Board policy, restrictions and/or penalties may be imposed until such fees, fines or charges are paid.

The district may waive all or a portion of the debt if one of the following conditions are met:

1. The district determines that the student or the parent or guardian of the student is unable to pay the debt;

2. The payment of the debt could impact the health or safety of the student;

3. The cost to notify the student and his/her parents would cost more than the potential total debt collected relating to the notice; or

4. There are mitigating circumstances as determined by the superintendent of the district that preclude the collection of the debt.

Education records shall not be withheld for student fees, fines and charges if requested in circumstances described in ORS 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

Prior to collection of debts, the superintendent will ensure that notice has been provided as required by ORS 339.260 and 339.270.

END OF POLICY

Legal Reference(s):

ORS 326.565
ORS 326.575
ORS 339.115
ORS 339.155
ORS 339.270

9/29/11 | PH

Gresham-Barlow SD 10

Code: **JO**
Adopted: 7/11/94
Readopted: 7/12/01~~;~~; 5/02/02
Orig. Code(s): JO

Education Records**

Education records are those records maintained by the district that are directly related to a student.

The primary reason for the keeping and maintaining of education records for students is to help the individual student in his/her educational development by providing pertinent information for the student, his/her teachers and his/her parents. These records also serve as an important source of information to assist students in seeking productive employment and/or post-high school education.

It is the policy of the district to keep education records for students to conform with state and federal laws and regulations.

Information recorded on official education records should be carefully selected, accurate and verifiable, and should have a direct and significant bearing upon the student's educational development.

The district will develop regulations for the maintenance, access and release of education records as well as for preserving confidentiality and for challenging the content of those records.

The district may withhold the grade reports, diploma or other records of students who owe fees, fines or damages until those fees, fines or damages are paid. Students or parents will receive written notice at least 10 days in advance of withholding stating the district's intent to withhold records. The notice will include an itemization of the fees, fines or damages owed and will notify parents of their right to request a hearing. The district may waive fees, fines and charges if the student or parent cannot pay.

Records requested by another school district to determine a student's appropriate placement may not be withheld.

The district shall give full rights to education records to either parent, unless the district has been provided legal evidence that specifically revokes these rights. However, once the student reaches age 18 those rights transfer to the student.

A copy of this policy and administrative regulation shall be made available upon request by parents and students 18 years or older or emancipated.

END OF POLICY

Legal Reference(s):

ORS 30.864
ORS 107.154
ORS 326.565
ORS 326.575
ORS 339.260
ORS 343.177 (3)

OAR 166-405-0010 to 166-415-0010
OAR 581-021-0210 to -0440
OAR 581-022-1660
OAR 581-022-1670

Education of the Handicapped Act of 1975, as amended, 20 U.S.C. Sections 1400-1427, as amended and renamed Individuals with Disabilities Education Act (IDEA), P.L. 101-476, 104 Stat 1103 (1990), as amended P.L. 105-17 (1997). [P.L. 94-142 is a well-known "short" reference to this federal legislation.]
Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 CFR Part 99 (2000).
Assistance to States for the Education of Children with Disabilities, 34 CFR Section 300.501 (2000).

DELETE

Gresham-Barlow SD 10

Code: **JOA**
Adopted: 7/11/94
Revised/Readopted: 5/02/02; 9/06/12
Orig. Code(s): JOA

Directory Information**

Directory information means those items of personally identifiable information contained in a student education record which is not generally considered harmful or an invasion of privacy if released. The following categories are designated as directory information and may be released to the public through appropriate procedures: the student's name, address, telephone listing, date and place of birth, classroom teacher, officially recognized activities and sports participated in, weight and height (if on athletic team), dates of attendance, awards received and the previous school or program attended, photos, including yearbook and such other categories of information as the superintendent shall designate under the authority of and in conformance with this policy.

Public Notice

The district will give annual public notice to parents of students in attendance and students 18 years of age or emancipated. The notice shall identify the types of information considered to be directory information and the district's option to release such information and the requirement that the district must, by law, release secondary students' names, addresses and telephone numbers to military recruiters and/or institutions of higher education, unless parents or eligible students request the district withhold this information. Such notice will be given prior to release of directory information.

Exclusions

Exclusions from any or all directory categories named as directory information must be submitted in writing to the principal by the parent, student 18 years of age or emancipated student within 15 days of annual public notice. A parent or student 18 years of age or an emancipated student, may not opt out of directory information to prevent the district from disclosing or requiring a student to disclose their name or from requiring a student to disclose a student ID card or badge that exhibits information that has been properly designated directory information by the district in this policy.

Directory information shall be released only with administrative direction.

Directory information considered by the district to be detrimental will not be released.

Information will not be given over the telephone except in health and safety emergencies.

At no point will a student's Social Security Number or student identification number be considered directory information.

END OF POLICY

Legal Reference(s):

ORS 30.864
ORS 107.154
ORS 326.565
ORS 326.575
ORS 336.187
OAR 581-021-0220 to -0430
OAR 581-022-1660

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).
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).
No Child Left Behind Act of 2001, 20 U.S.C. § 7908 (2006)

R5/23/12 | LF

Gresham-Barlow SD 10

Code: **JOB**
Adopted: 7/11/94
Revised/Readopted: 5/02/02~~;~~; 6/12/08
Orig. Code(s): JOB

Personally Identifiable Information**

Personally identifiable information includes, but is not limited to:

1. Student's name, if excluded from directory information, as requested by the student/parent in writing;

2. Name of the student's parent(s) or other family member;

3. Address of the student or student's family, if excluded from directory information, as requested by the student/parent in writing;

4. Personal identifier such as the student's social security number, ~~or~~ student ID number or biometric record;

5. A list of personal characteristics that would make the student's identity easily traceable such as student's date of birth, place of birth and mother's maiden name;

6. Other information alone or in combination that would make the student's identity easily traceable;

7. Other information requested by a person whom the district reasonably believes knows the identity of the student to whom the educational record relates.

Prior Consent to Release

Personally identifiable information will not be released without prior signed and dated consent of the parent, student 18 years or older or emancipated.

Notice of and/or request for release of personally identifiable information shall specify the records to be disclosed, the purpose of disclosure and the identification of person(s) to whom the disclosure is to be made. Upon request of the parent or eligible student, the district will provide a copy of the disclosed record.

Exceptions to Prior Consent

The district may disclose personally identifiable information without prior consent under the following conditions:

1. To a school official employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel). A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility;

2. To personnel of an education service district or state regional program where the student is enrolled or is receiving services;

3. To personnel of another school, another district or institution of postsecondary education where the student seeks or intends to enroll;

4. To personnel connected with an audit or evaluation of federal or state education programs or the enforcement of or compliance with federal or state legal requirements of the district;

5. To personnel determining a financial aid request for the student;

6. To personnel conducting studies for or on behalf of the district;

7. To personnel in accrediting organizations fulfilling accrediting functions;

8. To comply with a judicial order or lawfully issued subpoena;

9. For health or safety emergency;

10. By request of a parent of a student who is not 18 years of age;

11. By request of a student who is 18 years of age or older or emancipated;

12. Because information has been identified as "directory information;"

13. To the court when legal action is initiated;

14. To a court and state local juvenile justice agencies.;

15. A judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependancy matters;

16. To a caseworker or other representative of a state or local child welfare agency or tribal organization that is legally responsible for the care and protection of the student including educational stability of children in foster care.

END OF POLICY

Legal Reference(s):

ORS 30.864
ORS 107.154
ORS 326.565
ORS 326.575
ORS 336.187
OAR 581-015-2000
OAR 581-021-0220 to -0430
OAR 581-022-1660

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).
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).
Uninterrupted Scholars Act (USA), 2013 (P.L. 112-278, Jan. 14, 2013), 20 U.S.C. § 1221.

R5/23/12 | LF

Gresham-Barlow SD 10

Code: **JOD**
Adopted: 5/02/02

Media Access to Schools

The Board recognizes the important role the media serves in reporting information about the district's programs, services and activities. Therefore, the district will make every reasonable effort to cooperate with media.

School administrators shall be authorized to grant permission and set parameters for media access to students in their respective schools. The media may interview and photograph students involved in instructional programs and school activities including athletic events. Such media access shall not be unduly disruptive and shall comply with Board policies and district goals.

Media representatives shall be required to report to the administration for prior approval before accessing district/school instructional programs and activities not attended by the general public.

Information obtained by media representatives directly from students does not require parental approval prior to publication by the media. Parents who do not want their student interviewed or photographed by the media may direct their student accordingly.

District employees may release student information to the media only in accordance with applicable provisions of the education records law and Board policies governing directory information and personally identifiable information.

Parents will be advised of the district's "Media Access to Schools" policy at the time of the student's registration and each fall in the student/parent handbook.

END OF POLICY

Legal Reference(s):

ORS 30.864
ORS 107.154
ORS 326.565
ORS 326.575
OAR 581-021-0210 to -0440
OAR 581-022-1660

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).
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).

11/14/01 | MW

Gresham-Barlow SD 10

Code: **KA/KAA**
Adopted: 7/11/94
Revised/Readopted: 5/02/02
Orig. Code(s): KA/KAA

District-Community Relations Goals and Objectives

(This usually is found in a mission/vision statement or strategic plan, but not policy; recommend delete.)
The Board's goals for achieving positive district-community relations are to:

1. Develop public understanding of all aspects of school operations, ascertain public attitudes toward issues in education and identify the public's educational expectations for their students;

2. Secure adequate financial support for the educational program;

3. Help citizens assume responsibility for the quality of education provided by their schools;

4. Earn the public's confidence with regard to district staff and services;

5. Foster public understanding of the need for constructive change and solicit public advice on achieving educational goals;

6. Engage citizens as active volunteers in the district;

7. Provide community use of district facilities within district limitations;

8. Promote cooperation between the district/school and the community and share the leadership for improving community life;

9. Promote business-education partnerships;

10. Cooperate with other government agencies.

Achieving these objectives requires that the Board and staff, individually and collectively, express positive attitudes toward the schools in their daily contacts with parents, community members and one another; make systematic, honest and continuing efforts to discover what the public thinks and what citizens want to know; interpret school programs, problems and accomplishments; develop an active partnership with the community in working toward improvement of the educational program; and take an active interest in the needs of the community to find ways to make the community a better place to live.

END OF POLICY

Legal Reference(s):

ORS 332.107

12/28/00 | MW

Gresham-Barlow SD 10

Code: **KAB**
Adopted:

Parental Rights (NCLBA)

The Board recognizes the importance of ~~promoting~~ parental input in decision making related to their student's health and general well-being, in determining district and student needs for educational services, in program development and district operations. ~~To assist the district in this effort, and i~~In accordance with the No Child Left Behind Act of 2001 (NCLBA), the district affirms the following right of parents, upon request, to inspect:[1]

1. A survey created by a third party before the survey is administered or distributed by the district to a student, including any district survey containing "covered survey items"[2] as defined by NCLBA;

2. Any instructional material used by the district as part of the educational curriculum for the student;

3. Any instrument used in the collection of personal information from students for the purpose of marketing or for selling that information or otherwise providing that information to others for that purpose.

As provided by law, parents of district students will also, upon request, be permitted to excuse their student from "covered activities"[3] as defined by NCLBA. The rights provided to parents under this policy, transfer to the student when the student turns 18 years old, or is an emancipated minor under applicable state law.

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

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[1]This parental rights list is not comprehensive and only applies to legislation governed by NCLBA.

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

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

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

END OF POLICY

Legal Reference(s):

ORS 332.107

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: **KB**
Adopted:

Public Involvement, Engagement and Communications Program**

The Board believes public education can be improved through public involvement, engagement and communications resulting in the increased instructional benefits for students.

The superintendent shall maintain a public involvement, engagement and communications program that follows the guidelines below:

1. The public involvement, engagement and communications program should be a planned, systematic, two-way process of communication between the district and its internal/external publics to support the decision-making process and build trust;

2. The public involvement, engagement and communications program should be many-faceted and should include a variety of media to efficiently and effectively inform all citizens of the district, with the purpose to increase understanding, seek input and positively impact the health, safety and success of students;

3. Public involvement, engagement and communications should be dynamic and sensitive to change as determined by events and evaluation of the program, keeping pace with current technological and social changes in communication methods;

4. Communications should include internal as well as external audiences and should stress the dissemination of factual, objective and realistic data about the district that is transparent, timely and understandable;

5. Communication should be conducted with the approaches most effective for the recipients.

END OF POLICY

Legal Reference(s):

ORS 332.107

3/26/01*SW

Gresham-Barlow SD 10

Code: **KBA**
Adopted: 1/08/09
Readopted: 4/05/12

Public Records**

Public record means any information that:

1. Is prepared, owned, used or retained by the district;

2. Is related to an activity, transaction or function of the district; and

3. Is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the district.

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

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

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

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

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

If a copy of a record is requested, the district will provide a single certified copy. If a request to inspect a record is made and the public record is maintained in a machine readable or electronic form, the custodian shall provide the record in the form requested, if available. If not available in the form requested, it will be provided in the form the public record is maintained. If a person who is a party to a civil judicial proceeding to which the district is a party or who has filed notice under ORS 30.275 (5)(a), asks to inspect or to receive a copy of a public record that the person knows relates to the proceeding or notice, the individual must submit the request in writing to the designated custodian of district records and at the same time to the district's attorney.

Employee and volunteer home addresses, electronic mail addresses (other than district electronic mail addresses assigned by the district to district employees and Board members), social security numbers, dates of birth and personal telephone numbers ~~or electronic mail addresses~~ contained in personnel records maintained by the district are exempt from public disclosure pursuant to ORS 192.445 and ORS 192.502 (3). Such information may be released only upon the written request of the employee or volunteer or as otherwise provided by law. This exemption does not apply to a substitute teacher, as defined in ORS 342.815, when requested by a professional education association of which the substitute teacher may be a member. District electronic mail addresses assigned by the district to district employees and Board members are not exempt. Additionally, the district will not disclose the identification badge or card of an employee without the employee's written consent if the badge or card contains the employee's photograph and the badge or card was prepared solely for internal use by the district to identify district employees. A duplicate of the photograph used on the badge or card shall not be disclosed.

Upon receipt of a request, the district will respond as soon as practicable and without unreasonable delay. The district may request additional information or clarification from the requester for the purpose of expediting the district's response to the request.

The Board reserves the right to establish a fee schedule which will reasonably reimburse the district for the actual cost of making copies of public records for the public. There will be no additional charge for auxiliary aids and services provided for qualified persons with disabilities.

Requests for copies of documents shall be in writing and will be presented to the superintendent's office.

The district shall retain and maintain its public records in accordance with OAR 166, Division 400.

END OF POLICY

Legal Reference(s):

ORS Chapter 192

OAR 137-004-0800(1)
OAR 166-400

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).
OR. DEP'T OF JUSTICE, OR. ATT'Y GENERAL'S PUBLIC RECORD AND MEETINGS MANUAL.

Gresham-Barlow SD 10

Code: **KBCB**
Adopted: 7/11/94
Readopted: 5/02/02
Orig. Code(s): KBCB

Board News Conference and Interviews

News conferences will be authorized by the superintendent. In accordance with Board operating agreements, ~~T~~the Board chair is the designated spokesperson for the Board as a governmental unit. Individual Board members are encouraged to refer inquiries from media representatives to the chair who will respond on behalf of the Board. Individual Board members, however, may respond to media questions/interviews by expressing personal views that do not necessarily represent the Board as a unit. Accordingly, the media should be advised that personal views are being presented.

The chair may designate others to speak on behalf of the Board at his/her discretion. An exception would be when an individual Board member, other than the chair, has been designated by the Board to speak on its behalf.

~~News conferences will be authorized by the superintendent.~~

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

END OF POLICY

Legal Reference(s):

ORS 192.640
ORS 332.107

8/6/97 | MW

Corrected 11/02/14

Gresham-Barlow SD 10

Code: **KC**
Adopted: 10/5/95
Revised/Readopted: 5/02/02
Orig. Code(s): KC

Community Involvement in Decision Making

The Board endorses the concept that community participation in school affairs is essential if the school system and the community are to maintain mutual respect and work together to improve the quality of education for students. It therefore intends to exert every effort to identify the community's desires and to be responsive, through its actions, to those desires.

All district citizens will be encouraged to express their ideas, concerns and judgments about the schools through such means as:

1. Written suggestion(s) or proposal(s);

2. Presentations at hearings;

3. Responses to surveys made through interviews, written instruments, social media, internet or other means;

4. Comments at Board meetings; and

5. Service on various citizens' advisory committees, school improvement teams and/or 21st Century Schools Councils.

The public advice will be given careful consideration. In evaluating such advice, the first concern will be for the educational program as it affects students. The Board's final decisions may depart from public advice when, in the judgment of staff and the Board, such advice is not consistent with goals adopted by the Board or with good educational practice or within available financial resources.

END OF POLICY

Legal Reference(s):

ORS 329.125
ORS 332.107

HR10/22/98 | MW

Gresham-Barlow SD 10

Code: **KGB**
Adopted:

Public Conduct on District Property (Version 2)

No person on district property shall:

1. Haze, harass, intimidate, bully or menace another, or engage in behavior deemed by the district to endanger the safety of students, employees, self or others;

2. Use or engage in abusive verbal or physical conduct that interferes with the performance of students, event officials or sponsors of approved activities;

3. Damage the property of another or of the district;

4. Initiate or circulate a report, one knows to be false, concerning an alleged hazardous substance, impending fire, explosion, catastrophe or other emergency that will take place in or upon a school;

5. Construct or transport to district property for temporary or permanent purposes any structure not approved for construction on, or transportation to district property;

6. Uproot, pick, cut, mutilate or remove plant life or other natural resources of any kind; roots, tubers, flowers and stems may not be collected; soil or rock may not be dug up or removed; unless employed or directed by the district to do so;

7. Dump or spill any sewage, waste water or other fluids from any vehicle;

8. Use district waste containers or other district property for the deposit of waste or refuse generated from household, commercial, industrial, construction or other uses not related to approved use on district property;

9. Block, obstruct or interfere with vehicular or pedestrian traffic on any district road, parking area, walkway, pathway or common area. Occupying or impeding access to any district facility in a manner that interferes with the approved use of such facility by district employees, students or other authorized users is prohibited;

10. Fly, launch or otherwise operate motorized model airplanes/helicopters/rockets or other similar propulsion devices unless approved in advance by the district;

11. Distribute or post circulars, notices, leaflets, pamphlets or other written or printed material in violation of Board policy KJA - Materials Distribution;

12. Operate a concession, solicit, sell or offer for sale any goods, wares, merchandise, food, beverages or services without prior district approval. Public sales and solicitation on district property will be governed by Board policies KGA - Public Sales on District Property, KI - Public Solicitation in District Facilities and KJ - Advertising in District Facilities;

13. Operate a motor vehicle in an area other than on roads and in parking areas constructed or designated for motor vehicle use. Vehicles shall be driven in a safe manner, at posted speeds only and appropriately parked in areas designated by the district. Motorized vehicles such as minibikes, scooters, go-carts, all-terrain-vehicles, snowmobiles and other similar devices are prohibited on district grounds. Bicyclists must comply with motor vehicle and bike regulatory signs;

14. Use a skateboard, rollerblades, scooter or similar device other than in designated areas during nonschool hours at the user's risk;

15. Bring an animal into a district building without prior administrator approval and, where appropriate, only when proof of current rabies vaccination has been provided. Dogs are permitted on district grounds only when confined to a vehicle or on a leash and when kept under the physical control of the individual at all times. The owner is responsible for the animal's behavior and containment and for the removal of the animal's wastes while on district property. All other animals on district property are permitted with prior district approval only. Animals serving the disabled are permitted as provided by law;

16. Camp overnight, loiter or otherwise be present on district property after the conclusion of approved activities or as otherwise posted or authorized by the district. Individuals are prohibited from entering any portion of district premises at any other time for purposes other than those which are lawful and authorized by district officials;

17. Use or operate any noise-producing machine, vehicle, device or instrument in a manner that, in the judgment of district officials, is disturbing to, or interferes with, the orderly conduct of district programs or approved activities;

18. Impede, delay or otherwise interfere with the orderly conduct of the district's educational program or any other activity taking place on district property which has been authorized by the district;

19. Bring, possess or use a weapon as prohibited by Board policy JFCJ - Weapons in the Schools and state and federal law;

20. Possess, consume, sell, give or deliver unlawful drugs and/or alcoholic beverages. Possess, sell, give or deliver drug paraphernalia;

21. Smoke or use tobacco products. In accordance with the Pro-Children Act of 1994, and ORS 433.835 - 433.990 and OAR 581-021-0110, Tobacco-Free Schools;

21. Wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign or other items which are evidence of membership or affiliation in any gang. Use speech or commit any act or omission in furtherance of the interests of any gang or gang activity. A "gang" is defined as a group that identifies itself through the use of a name, unique appearance or language including hand signs, claiming of geographical territory or the espousing of a distinctive belief system that frequently results in criminal activity;

22. Violate posted regulatory signs;

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

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

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

END OF POLICY

Legal Reference(s):

ORS 161.015
ORS 164.245
ORS 164.255
ORS 166.025
ORS 166.155 - 166.165
ORS 166.210 - 166.370
ORS 336.109
ORS 433.835-433.990
ORS 806.060 - 806.080

OAR 333-015-0025 to 0090
OAR 581-021-0110
OAR 584-020-0040(4)(e),(g)

Gun-Free Schools Act, 20 U.S.C. 7151 (2006).
Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2006).
Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2006).

Gresham-Barlow SD 10

Code: **KGC**
Adopted: 5/02/02

DELETE

Tobacco and/or Alcohol Use on District Premises by Public

Tobacco and/or alcohol use on district premises is prohibited.

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

OAR 581-021-0050 to -0075
OAR 581-022-0413
OAR 581-021-0110
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).

DELETE

R2/24/11

Gresham-Barlow SD 10

Code: **KH~~A~~**
Adopted: 7/11/02
Readopted: 7/09/09

Gifts and Donations to the District

The ~~Gresham-Barlow School District~~ Board ~~of Directors~~ recognizes that individuals and organizations in the community may wish to contribute supplies, equipment, property, large capital improvements or money to extend or enhance instruction or services offered by the district. The district reserves the right to accept gifts and donations for any purpose deemed to be consistent with district goals, programs and policies. Once the gift or donation is accepted, it becomes the property of the ~~school~~ district. It is important that the district administer fund-raising activities in such a way as to maintain an equitable balance of resources so that all district students have comparable educational opportunities.

Only the Board may accept and approve gifts which are over ~~$5,000~~ 10,000 in value. Gifts which are $10,000 or less ~~than $5,000~~ ~~10,000~~ may be accepted and approved by either the superintendent, chief financial officer or building administrator.

In considering acceptance of a gift or donation, the Board and/or administrators will adhere to the following basic principles:

1. Emphasis will be placed on providing comparable educational opportunity for all students;

2. Donations to employ individual staff members are discouraged;

3. Gifts to specific individual members of the staff by students, parents or organization are discouraged, excluding greeting cards and small token gifts of appreciation;

4. Gifts and donations that ~~will~~ become the property of the school district ~~and~~ are subject to the same controls, rules and regulations that govern the use of district-owned property;

5. Any district purchase funded by a cash donation must be processed in accordance with Board policies and public purchasing requirements;

6. At the time of acceptance, there will be a written plan to specify understandings with regard to the use, implementation, ownership, maintenance and timeline of the gift. The written plan should include such topics as:

    a. A specific business plan;
    b. An explanation of the project;
    c. Motivation or need for the project;
    d. District goal or need that the project meets;
    e. All costs of the project;
    f. Provisions for obtaining funds for the project;
    g. Deadline for fund raising;

h. ———Deadline for project completion;
i. ———Total project timeline;
j. ———Name of the person responsible for the project;
k. ———Use of funds if insufficient funds are raised.

7. Any group planning to raise money for a gift or donation to the ~~school~~ district must first consult with the superintendent or designee before fund-raising activities can begin. Written guidelines will be developed for each fund-raising project.

Acceptance of gifts or donations over $~~5,000~~ 10,000 must take place in a public, open Board meeting and must require approval of the written plan and, if appropriate, guidelines for fund raising.

END OF POLICY

Legal Reference(s):

ORS 294.326
ORS 332.075
ORS 332.107
ORS 332.385

6/13/96 | NC

Corrected 11/02/14

Gresham-Barlow SD 10

Code: **KI**
Adopted: 7/11/95
Revised/Readopted: 5/02/02
Orig. Code(s): KI/KJ

Public Solicitation in District Facilities

Students and staff are to be protected from intrusions by announcements, posters, bulletins and communications from individuals and organizations not directly connected with the schools without prior approval.

The solicitation and sale of travel services to students may be permitted only with specific approval of the superintendent on school property, at activities under the jurisdiction of the district and at interscholastic activities administered by a voluntary organization approved by the State Board of Education (i.e., Oregon School Activities Association).

This includes sale of services to students by any person or group that sells, provides, furnishes, contracts for, arranges or advertises travel services.

Sellers of travel services must meet the following district criteria:

1. Belong to an association of sellers of travel certified by the director of the Department of Consumer and Business Services;

2. Provide proof of errors and omissions insurance;

3. Provide proof of a client trust account or performance bond;

4. Submit references;

5. Include in all information provided to students and parents that drug, alcohol and tobacco use will be prohibited;

6. Include in all information provided to students and parents a statement that the activity is a non-school-sponsored event;

7. Other criteria, as appropriate.

The administration of surveys, questionnaires and requests for information by non-school-connected organizations are disallowed. Exceptions may be approved by the superintendent. In the event an exception is granted for the administration or distribution of a survey created by a third party, the district will provide an opportunity for the student's parent to inspect such survey upon request, before the survey is administered or distributed by a school to a student, as required by the No Child Left Behind Act of 2001

(NCLBA). Any district survey containing any "covered survey items"[1] as defined by NCLBA, may also be inspected by parents.

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

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

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

No commercial advertising or sales are permitted in schools or on school grounds except those which closely support published school goals and which have the approval of the ~~school~~ principal.

END OF POLICY

Legal Reference(s):

ORS 332.593 ORS 339.880

32 OR. ATTY. GEN. OP. 209 (1965)
46 OR. ATTY. GEN. OP 239 (1989)
Protection of Pupil Rights, 20 U.S.C. § 1232h (2006); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2006)

R5/1/03 | NC

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

Gresham-Barlow SD 10

Code: **KJ**
Adopted: 5/02/02

Advertising in District Facilities

The Board recognizes that business and cultural organizations make available for public use information which is of value in advancing student education. This information may not be available through other sources.

The facilities, the staff or the students of the district shall not be used in any manner to advertise or promote commercial, cultural, organizational or other nonschool interests except that the district may:

1. Utilize ~~films and other~~ instructional ~~aids~~ materials furnished by private sources when the advertising content is reasonable in the judgment of the principal of the school involved;

2. Cooperate through announcements and distribution of program material with nonprofit community organizations that supplement the school program when such cooperation will not interfere with the school program;

3. Permit participation on a student option basis in essay, art, science and similar contests sponsored by outside interests when such activities parallel the curriculum and contribute to the educational program;

4. Release promotional material for nonschool athletic and cultural events only through appropriate school departments;

5. Accept, but not actively solicit, limited advertising on cocurricular activity schedules and programs at the discretion of the principal of the school involved;

6. Permit other exceptions when, in the judgment of the superintendent, students of the district will benefit. The superintendent may, at his/her option, refer specific cases to the Board for decision.

When a contract for advertising or other exclusive use contract is solicited for compensation, the district shall follow Board policy DJC - Bidding Requirements and, as appropriate, adopted public contracting rules as provided in DJC-AR - Exemptions from Competitive Bidding prior to contract approval.

END OF POLICY

Legal Reference(s):

ORS 279B.055 ORS 332.107

Gresham-Barlow SD 10

Code: **KJA**
Adopted: 7/11/94
Readopted: 5/02/02
Orig. Code(s): KJA

Materials Distribution

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

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

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

1. Distribution to each student before or after class if materials are not directly related to the instructional goals;

2. Notification to students or parents of the availability of the materials in a specified location if this procedure is deemed less disruptive to the educational process;

3. Inclusion of materials in a direct mailing; or

4. Solicitation of school-related groups such as parent organizations, to disseminate materials.

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

END OF POLICY

Legal Reference(s):

ORS 332.107

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

HR5/12/01 | MW

Gresham-Barlow SD 10

Code: **KK**
Adopted: 7/11/94
Revised/Readopted: 5/02/02
Orig. Code(s): KK

Visitors to District Facilities**

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

The district is responsible for the schools' supervision and administration. To ensure that school work is not disrupted and that visitors are properly directed to the areas in which they are interested, all visitors must report to the school office when entering and departing the building, wear a visitor's badge, and ~~to~~ receive authorization to visit elsewhere in the school. ~~Visitors are also requested to check out through the office when leaving the building.~~ All visitors are expected to follow the rules and regulations of the school while on the school campus.

END OF POLICY

Legal Reference(s):

ORS 164.245
ORS 164.255
ORS 166.025
ORS 166.155 - 166.165
ORS 332.107

HR10/22/98 | NC

Corrected 11/02/14

Gresham-Barlow SD 10

Code: **KL**
Adopted: 7/11/94
Revised/Readopted: 5/02/02
Orig. Code(s): KL

Public Complaints

Complaints are handled and resolved as close to their origin as possible.

Although no community member will be denied the right to petition the Board for redress of a grievance, complaints will be referred through the proper administrative channels for solution before investigation or action by the Board. Exceptions are complaints that concern Board actions or Board operations.

The Board advises the public that the proper channeling of complaints involving instruction, discipline or learning materials is as follows:

1. Teacher;

2. ~~School~~ Principal;

3. Central administration;

4. Board.

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

While speakers may offer objective criticism of school operations and programs, the Board will not hear personal complaints concerning school personnel nor against any person connected with the school system. To do so could expose the Board to a charge of being party to slander and would prejudice any necessity to act as the final review of administrative recommendations regarding the matter. The chair will direct the visitor to the appropriate means for Board consideration and disposition of legitimate complaints involving individuals.

END OF POLICY

Legal Reference(s):

ORS 192.610 - 192.690
ORS 332.107
OAR 581-022-1940
OAR 581-022-1941

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

HR8/6/97 | MW

Gresham-Barlow SD 10

Code: **KMA**
Adopted: 7/11/94
Readopted: 5/02/02
Orig. Code(s): KMA

Community Education

The community education concept is based on the belief that all communities have human and physical resources that can be identified and mobilized to work toward solutions to the various challenges faced by schools. Inherent in the community education concept is the belief that each district's approach to community education will reflect the needs of that particular community as well as that community's resources.

~~The Board believes that school buildings, equipment and staff represent a considerable investment of public funds and that it is desirable that these resources be fully used. It also recognizes that a good school system involves the active participation and cooperation of groups within the schools such as: parent support groups, the 21st Century School Councils and the entire school staff.~~ *(This is covered in policy KG.)* The Board further believes that, to the degree its resources allow, the district should be genuinely responsive to the needs and wants of its citizens through community education.

~~The Board supports the community education concept and encourages the district's cooperation with other community organizations, agencies and groups in relation to the use of school facilities and grounds.~~ *(This is covered in policy KG.)* The Board further supports the district's efforts to work collaboratively with these organizations, agencies and groups in meeting the needs of students and families, particularly in regard to providing community-based learning opportunities.

END OF POLICY

Legal Reference(s):

ORS 336.505 - 336.525

5/24/94 | GP

Corrected 11/02/14

Gresham-Barlow SD 10

Code: **KMC**
Adopted: 7/09/09

Community-Funded Activities

The Board recognizes that declining district resources may not permit the funding of certain programs or school activities ~~at current levels~~. Programs or activities may be reduced, suspended or discontinued entirely due to budgetary reductions, reallocation of funds or other reasons. Nevertheless, the Board also understands the important role and positive impact a comprehensive cocurricular ~~and extracurricular~~ program can have on the individual development of its students, the total school climate and the community at large.

Therefore, the Board may grant permission to school-related or community individuals, groups or organizations and others to provide financial support and/or conduct fund raising on behalf of the district to operate designated programs and activities reduced, suspended or discontinued by the district. Maintaining comparable educational opportunities for all district students to meet the requirements of Title IX, state law and district goals, will guide the district in all decisions to reinstate reduced, suspended or discontinued programs and activities due to declining district resources.

The superintendent is directed to develop an administrative regulation to implement this policy, including a process for individuals, groups and organizations interested in submitting proposals to fund district programs or activities reduced, suspended or discontinued. Following superintendent review and recommendation, proposals will be submitted to the Board for final approval.

END OF POLICY

Legal Reference(s):

ORS 294.305 - 294.565
ORS 328.441 - 328.470
ORS 332.107

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).

5/11/04 | MW

Corrected 11/02/14

Gresham-Barlow SD 10

Code: **KN**
Adopted: 11/30/01
Readopted: 5/02/02

Relations with Law Enforcement Agencies

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

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

Law enforcement officials may enter school facilities if a crime has been committed on district property or to investigate matters concerning staff and students upon request initiated by either agency officials or by district administrators. A safety resource officer (SRO) assigned to the campus may interact with students and will follow legal procedures should he/she observe or suspect criminal activity.

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

END OF POLICY

Legal Reference(s):

ORS 329.150
ORS 419B.015
ORS 419B.045

Letter Opinion, Office of the Attorney General (August 18, 1986).
Greene v. Camreta, 588 F.3d 1011 (9th Cir. 2009), vacated in part by, remanded by Camreta v. Greene, 131 S. Ct. 2020 (U.S. 2011); vacated in part, remanded by Greene v. Camreta 661 F. 3d 1201 (9th Cir. 2011)

HR10/20/98 | MW

Gresham-Barlow SD 10

Code: **LBE**
Adopted: 12/09/99
Readopted: 5/02/02

Public Charter Schools

~~The district recognizes that public charter schools offer an opportunity to create new, innovative and more flexible ways of educating students in an atmosphere of learning experiences based on current research and development.~~ Public charter schools shall demonstrate a commitment to the mission and diversity of public education while adhering to one or more of the following goals:

1. Increase student learning and achievement;

2. Increase choices of learning opportunities for students;

3. Better meet individual student academic needs and interests;

4. Build stronger working relationships among educators, parents and other community members;

5. Encourage the use of different and innovative learning methods;

6. Provide opportunities in small learning environments for flexibility and innovation;

7. Create new professional opportunities for teachers;

8. Establish additional forms of accountability for schools; and

9. Create innovative measurement tools.

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

The Board will not approve any public charter school proposal when it is deemed that its value is outweighed by any direct identifiable, significant and adverse impact on the quality of the public education of students residing in the district. To meet the eligibility criteria for Board approval, a public charter school proposal must meet the requirements of Oregon Revised Statutes, Oregon Administrative Rules, Board policy and regulation. Upon request of the Board, the public charter school applicant must furnish in a timely manner any other information the Board deems relevant and necessary to conduct a complete and good faith evaluation of the public charter school proposal.

The district will determine if it has any unused or underutilized buildings. Buildings may be made available for public charter school use, subject to Board approval. Approved use may be limited to instructional purposes only. Appropriate-use fees will be determined by the Board. Public charter school use outside the district's instructional day will be subject to Board policy KG - Community Use of District Facilities.

~~The district will provide instructional materials, lesson plans or curriculum guides for use in a public charter school.~~

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

Virtual Public Charter School Enrollment

The district will calculate the number of students residing in the district monthly who are enrolled in a virtual public charter school. When the percentage is three percent or above, the district may choose to not approve additional students for enrollment to a virtual public charter school, subject to the requirements in OAR 581-026-0305(2).

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

1. The number of students residing in the district enrolled in the schools within the district;

2. The number of students residing in the district enrolled in public charter schools located in the district;

3. The number of students residing in the district enrolled in virtual public charter schools;

4. The number of home-schooled students who reside in the district and who have registered with the educational service district; and

5. The number of students who reside in the district enrolled in private schools located within the school district.

A parent may appeal a decision of a school district to not approve a student for enrollment to a virtual public charter school to the State Board of Education.

The superintendent will develop administrative regulations for public charter schools to include the proposal process, review and appeal procedure and charter agreement provisions.

END OF POLICY

Legal Reference(s):

ORS 327.077
ORS 327.109
ORS 332.107
ORS Chapter 338
ORS 339.141
ORS 339.147

OAR 581-020-0301 to-0395
OAR 581-020-1342

HB 2030 (2011)
HB 2299 (2011)

HB 2301 (2011)
HB 3417 (2011)

SB 800 (2011)

No Child Left Behind Act of 2001, 20 U.S.C. §§ 6311-6322 (2006).

Gresham-Barlow SD 10

Code: **LGA**
Adopted: 7/11/94
Readopted: 5/02/02
Orig. Code(s): LGA

Compliance with Standards**

The Board recognizes the need to comply with the educational standards as outlined by the State Board of Education.

It is also recognized that a school district may petition the ~~State Superintendent of Public Instruction~~ Oregon Department of Education for a waiver of a specific standard. A petition shall specify the reason(s) the district is seeking the waiver and other relevant information. If it is determined the request conforms with the intent of the standards, the state superintendent shall recommend the waiver to the State Board of Education.

The district will maintain a record of any waivers which have been requested by the district and approved by the State Board of Education.

The superintendent shall provide procedures whereby residents of the district or any parent of students attending school in the district may make an appeal or complaint alleging a violation of a standard. The district shall also include a procedure for direct appeal to the ~~State Superintendent of Public Instruction~~ Oregon Department of Education of an alleged standards violation.

END OF POLICY

Legal Reference(s):

ORS 327.103
ORS 329.085
ORS 336.035 - 336.088

OAR 581-022-0102 to -1940

HR9/20/02*MW

Corrected 11/02/14

Gresham-Barlow SD 10

Code: **DFA**
Adopted: 7/11/94
Readopted: 6/10/96~~;~~; 5/02/02~~;~~; 11/06/08
Orig. Code(s): DFA

Investment of Funds (Version 1)

Scope

This policy applies to district activities with regards to investing the financial assets of all funds, except deferred compensation funds held under annuity contracts for district employees. In addition, funds held by trustees or fiscal agents are excluded from these rules; however, all funds are subject to regulations established by the state of Oregon. This policy provides direction for the following funds:

General Fund	Debt Service Funds
Special Revenue Funds	Internal Service Funds
Capital Project Funds	Pension Trust Funds

Funds of the district will be invested in compliance with the provisions of, but not necessarily limited to, ORS 294.035 through 294.048~~;~~, ORS 294.125 through 294.155~~;~~, ORS 294.810~~;~~ and other applicable statutes. Investments will be in accordance with these policies and written administrative procedures. Investments of any tax exempt borrowing proceeds and of any debt service funds will comply with the "arbitrage" restrictions of the Internal Revenue Code.

General Objectives

The primary objectives, in priority order, of investment activities shall be safety, liquidity, and yield:

1. Safety~~.~~

   Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.

   a. Credit risk – The district will minimize credit risk, the risk of loss due to the financial failure of the security issuer or backer by:

      (1) Limiting exposure to poor credits and concentrating investments in the safest types of securities~~.~~;
      (2) Pre-qualifying financial institutions, broker/dealers, intermediaries~~,~~ and advisers with which the district will do business~~.~~;
      (3) Diversifying the investment portfolio to minimize potential losses on individual securities~~.~~;
      (4) Actively monitor investment portfolio holdings for ratings changes, changing economic and market conditions, etc.

b. Interest rate risk – The district will minimize risk that the market value of securities in the portfolio will fall due to changes in general interest rates by:

(1) Structuring the investment portfolio to ensure that maturities meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.;
(2) Investing operating funds primarily in shorter-term securities or short-term investment pools.

2. Liquidity.—

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This will be accomplished by structuring the portfolio where securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, the portfolio will consist largely of securities with active secondary or resale markets (dynamic liquidity). A portion of the portfolio may also be placed in the Oregon Short-Term Fund which offers next-day liquidity for short-term funds.

3. Yield.—

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles while accounting for investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above. Core investments are limited to relatively low risk securities in anticipation of earning a fair return compared to the risk assumed. Securities shall not be sold prior to maturity with the following exceptions:

a. A security with declining credit may be sold early to minimize loss of principal.
b. A security swap would improve quality, yield, or target duration in the portfolio.
c. Liquidity needs of the portfolio require sale of the security.

Standards of Care

1. Prudence – The standard of prudence to be used by the investment officer in the context of managing an overall portfolio shall be the "prudent investor" rule, which states:

"Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."

The investment officer and staff, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific security's credit risk, market price changes or loss of principal if securities are liquidated prior to maturity, provided that these deviations and losses are reported as soon as practical and appropriate action is taken to control adverse developments.

2. Ethics and Conflicts of Interest – The investment officer and staff involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program or that could impair their ability to make impartial decisions. Employees shall disclose any material interests in financial institutions that conduct business with the district. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the district. Officers and employees shall, at all times, comply with the Oregon Government Ethics Commission code of ethics set forth in ORS 244.

3. Delegation of Authority. – Authority to manage the investment program is granted to the Chief Financial Officer or investment officer and derived from the following: ORS 294.035 to 294.053, 294.125 to 294.145, and 294.810. Responsibility for the operation of the investment program is hereby delegated to the investment officer, who shall act in accordance with established written procedures and internal controls for the operation of the investment program consistent with this investment policy. Procedures should include references to: safekeeping, delivery vs. payment, investment accounting, repurchase agreements, wire transfer agreements, and collateral/depository agreements. No person shall engage in an investment transaction except as provided under the terms of this policy and the procedures established by the investment officer. The investment officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

Safekeeping and Custody

1. Authorized Financial Dealers and Institutions. – The district shall maintain a listing of all authorized dealers and financial institutions which are approved for investment purposes. Any firm is eligible to make an application to the investment officer, and upon due consideration and approval, may be added to the authorized list. Additions or deletions to the list will be made at the investment officer's discretion. These may include "primary" dealers or regional dealers that qualify under Securities and Exchange Commission (SEC) Rule 15C3-1 (uniform net capital rule).

   Securities dealers not affiliated with a qualified financial institution of the State of Oregon shall be required to have an office located in Oregon (preferably local) and classified as reporting as dealers affiliated with the New York Federal Reserve Bank as primary dealers. The investment officer may reserve the right to waive the primary dealer requirement for broker/dealers in good standing with the National Association of Securities Dealers (NASD) and which have a local office that is supervised by an NASD qualified principal.

   All financial institutions and broker/dealers who desire to become qualified for investment transactions must supply the following, as appropriate:

   a. Audited financial statements.;
   b. Proof of National Association of Securities Dealers (NASD) certification.;
   c. Proof of state registration.;
   d. Completed broker/dealer questionnaire;
   e. Certification and agreement to comply with the district's investment policy.

   A periodic review of the financial condition and registration of qualified financial institutions and broker/dealers will be conducted by the investment officer.

2. Internal Controls: – The investment officer is responsible for establishing and maintaining an adequate internal control structure designed to reasonably protect the assets of the district from loss, theft or misuse. The concept of reasonable assurance recognizes that: (1) the cost of a control should not exceed the benefits likely to be derived, and (2) the valuation of costs and benefits requires estimates and judgments by management.

   Accordingly, the investment officer shall establish a process for an annual independent review by an external auditor to assure compliance with policies and procedures. The internal controls shall address the following:

   a. Control of collusion;
   b. Separation of transaction authority from accounting and record keeping;
   c. Custodial safekeeping;
   d. Avoidance of physical delivery of securities whenever possible and address control requirements for physical delivery where necessary;
   e. Clear delegation of authority to subordinate staff members;
   f. Written confirmation of transactions for investments and wire transfers;
   g. Development of a wire transfer agreement with the lead bank and third-party custodian and implementation of appropriate safeguards described in the GFOA Recommended Practice on Electronic Transfers for State and Local Governments;
   h. Compliance and oversight with investment parameters including diversification and maximum maturities.

3. Delivery vs. Payment: – All trades where applicable will be executed by delivery vs. payment (DVP) to ensure that securities are deposited in an eligible financial institution prior to the release of funds.

4. Safekeeping: – Securities (excluding bank deposits and CD's) will be held by a third-party custodian as evidenced by safekeeping receipts.

5. Pooling of Funds: – Except for cash in certain restricted and special funds, the district will consolidate cash balances from all funds to maximize investment earnings. Investment income will be allocated to the various funds based on their respective participation and in accordance with Generally Accepted Accounting Principles (GAAP).

Suitable and Authorized Investments

1. Investment Types: – Consistent with GFOA Policy Statement on State and Local Laws Concerning Investment Practices, the following investments will be permitted by this policy and are those defined by ORS 294.035 and 294.810:

   a. US Treasury securities and other lawfully issued general obligations of the United States;
   b. General obligations of government sponsored enterprises (GSE's) of the United States;
   c. Time deposits, certificates of deposits and savings accounts;
   d. Guaranteed investment contracts (GIC's) issued by insurance companies licensed to do business in Oregon;
   e. Banker's acceptances that meet the following criteria:

      (1) Guaranteed and carried on the books of a qualified financial institution whose short-term letter of credit rating is A-1, P-1, D-1, or F-1. The financial institution must be located

and licensed to do banking business in Oregon, or be wholly owned by a bank holding company that owns a financial institution that is located and licensed to do banking business in Oregon~~.~~; and

(2) Eligible for discount by the Federal Reserve System~~.~~.

f. Commercial paper or corporate notes that meet the following criteria:

(1) Issued under section 3(a)(2) or 3(a)(3), but not under section 4(2) of the Securities Act of 1933~~.~~;

(2) Issued by a commercial, industrial or utility business enterprise, or on behalf of a financial institution~~.~~;

(3) Commercial paper must be rated A-1 or P-1 by Moody's or Standard & Poor's. Corporate notes must be rated AA or Aa. Commercial paper ratings may be A-2 or P-2 and corporate note ratings may be A or better if issued on Oregon business enterprises. (See specific requirements under ORS 294.035(9)(c) before purchasing the lower rated debt)~~.~~.

g. Repurchase agreements with a maximum term of 90 days and comply with specific terms of ORS 294.035(11) and the coverage specified by the Oregon Investment Council or Oregon Short-Term Fund Board which may be found on the Oregon State Treasury website;

h. Municipal debt obligations in accordance with ORS 294.035;

i. Oregon Short-Term Fund.

Investment in derivatives of the above instruments shall require authorization by the governing body.

2. Collateralization~~.~~~~–~~ All bank deposits, time deposits, certificates of deposit~~,~~ and savings accounts shall be held in qualified Oregon depositories in accordance with ORS Chapter 295. Such deposits are designated cash management tools and not investments under this policy or otherwise.

ORS 294.035(3)(k) requires repurchase agreement collateral to be limited in maturity to three years and priced according to percentage prescribed by written policy of the Oregon Investment Council or the Oregon Short-Term Fund Board (OSTF). On March 12, 1996, the OSTF Board adopted the following margins:

a. US Treasury Securities: 102%

b. US Agency Discount and Coupon Securities: 102%

Investment Parameters

1. Diversification~~.~~~~–~~ Investments shall be diversified by:

a. Limiting investments to avoid over-concentration in securities from a specific issuer or business sector (excluding US Treasury securities)~~.~~;

b. Limiting investment in securities with high credit risks~~.~~;

c. Investing in securities with varying maturities~~.~~;

d. Continuously investing a portion of the portfolio in readily available funds such as the Oregon Short-Term Fund.

2. Maximum Maturities:– To the extent possible, the district shall attempt to match its investments with anticipated future cash flow requirements. The maximum maturity shall be the anticipated use of the cash or 18 months, whichever is shorter, unless:

   a. This investment policy has been submitted to the OSTF Board for comment prior to being approved by the ~~D~~district's governing body and complies with the requirements of ORS 294.135. In this case, the maximum maturity shall be defined based on ~~b~~Board action.
   b. The funds are accumulated for a specific purpose, including future construction projects and, upon approval of the ~~D~~district, the maximum maturity date matches the anticipated use of the funds according to ORS 294.135(1)(b).

   If this investment policy has been submitted for review by the OSTF Board as specified above and in accordance with ORS 294.135(1)(a), debt service reserves may be invested to mature (not longer than five years or other appropriate date). Otherwise, debt service reserves shall not be invested to a maturity date exceeding eighteen months as specified under ORS 294.135(1).

3. Maximum Percentages of Investments:– Funds available for investment are those funds not required for immediate expenditure including investments, savings accounts, certificates of deposit; and Oregon Short-Term Fund deposits. Balances in checking accounts, negotiable order of withdrawal (NOW) accounts and demand deposit accounts are not considered funds available for investment.

   The maximum percentages of investments for surplus funds are as follows:

Security	**Limitation**
US Treasury	None
US Government Agencies	50% of surplus funds in any single GSE, no limit on GSE as a category
Time Deposits, CDs, Savings Accounts	50% of surplus funds with any single depository. (Unless total surplus funds are under $5 million)
GICs	25% of Operations surplus funds 100% of Capital Fund surplus funds
Banker's Acceptances	25% of surplus funds in any single qualified financial institution 50% of surplus funds in the aggregate
Commercial Paper and Corporate Notes	35% of surplus funds in the aggregate 5% of surplus funds in any one corporation or their subsidiaries or affiliates
Repurchase Agreements	25% of Operations surplus funds 100% of Capital Funds surplus funds Maximum maturity of 90 days
OSTF Balances	None, except the maximum balance imposed by statute
State and Local Government Securities	25% Subject to ORS 294.035(3)

Due to fluctuations in the aggregate amounts available for investment, maximum percentages for a particular issuer or investment type may be exceeded at a point in time subsequent to the purchase of a particular security. Securities need not be liquidated to realign the portfolio, however, consideration should be given to this matter when future liquidations are made.

Because of inherent difficulties in accurately forecasting cash flow requirements, a portion of the portfolio should be continuously invested in readily available funds such as the OSTF, bank balances or overnight repurchase agreements to ensure appropriate liquidity is maintained to meet ongoing obligations.

4. Bond Funds: The investment of bond proceeds are restricted under bond covenants that may be more restrictive that the investment parameters included in this policy. Bond proceeds shall be invested in accordance with the most restrictive parameters of this policy and the applicable bond covenants and tax laws.

5. Securities Lending: The district shall not lend securities nor directly participate in a securities lending or reverse repurchase program.

6. Bids and Offers: Before any security purchase or sale is initiated, the investment officer shall first determine the appropriateness of seeking competitive bids or offers. Such factors to consider include where the securities are held, the size of the transaction, and the term to maturity. In the event competitive bids or offers are not sought, the decision to do so shall be documented. Competitive bids and offers shall always be sought for security purchases and sales of bond funds, when tax laws or bond covenants require such action.

Reporting

1. Methods: The investment officer shall prepare an investment report at least quarterly including a management summary that provides an analysis of the status of the current investment portfolio and transactions made over the last quarter. This management summary will be prepared in a manner which will allow the district to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report shall be provided to the governing body and will include the following:

   a. Listing of transactions occurring during the reporting period;
   b. Listing of individual securities held at the end of the reporting period;
   c. Listing of investments by maturity date;
   d. Percentage of the total portfolio which each type of investment represents.

2. Performance Standards: The investment portfolio will be managed in accordance with the parameters specified within this policy. The performance of the district's investment portfolio will be measured against the State of Oregon Local Government Investment Pool, using monthly yield of both as a comparison. It is anticipated the portfolio should attain a benchmark average rate of return over time.

3. Marking to Market: – The market value of the portfolio shall be calculated at least annually and a statement of the market value of the portfolio shall be issued at least quarterly, if there are significant investments required to be marked to market in accordance with GASB Statement 31. This will ensure that review of the investment portfolio, in terms of value and price volatility, has been performed consistent with the GFOA Recommended Practice on Mark-to-Market for State and Local Government Investment Portfolios and Investment Pools. In defining market value, considerations should be given to the GASB 31 pronouncement.

Policy Adoption and Re-Adoption:

This policy shall be reviewed annually by the investment officer. OSTF Board review is required if:

1. District elects to invest to maturities described earlier under "maximum maturities"; and, either
2. The policy has never been submitted to the OSTF Board for comment; or
3. Any material changes have been made since the last review by the OSTF Board.

In either case, this policy shall be re-submitted to the Board for approval if changes are recommended.

Banking Services:

Bank services will be engaged by the district based solely on considerations of availability of required services, cost of those services and any applicable legal requirements. The district will solicit competitive proposals from commercial banks operating in Gresham to provide banking services. Such proposals will be solicited at lease every five years and reviewed annually for viability. The district will use one bank as the primary depository institution, except for funds held in an agency capacity on behalf of student activity funds. The district may use different banks or other financial institutions for investment purposes than it does for depository purposes.

Accounting Method:

The district shall comply with required legal provisions and Generally Accepted Accounting Principles (GAAP). The accounting principles are those contained in the pronouncements of authoritative bodies including, but not necessarily limited to, the American Institute of Certified Public Accountants (AICPA); the Financial Accounting Standards Board (FASB); and the Government Accounting Standards Board (GASB).

Documents used:

The following documents are used in conjunction with this policy:

1. Listing of authorized personnel;
2. Relevant investment statutes and ordinances;
3. Master repurchase agreements and third-party agreements;
4. Listing of authorized broker/dealers and financial institutions;

5. Credit studies for securities purchased and financial institutions used.;

6. Safekeeping agreements.;
7. Wire transfer agreements.;

8. Sample investment reports.;

9. Broker confirmations and safekeeping reports.;

10. Financial institution account agreements and resolutions.

END OF POLICY

Legal Reference(s):

ORS 294.033
ORS 294.035
ORS 294.125
ORS 294.135
ORS 294.145
ORS 294.155

DELETE

R10/22/01 | MW

Gresham-Barlow SD 10

Code: **DFA**
Adopted:

Investment of Funds (Version 2)

At certain times during the course of the fiscal year, there will be available funds that are in excess of immediate operational needs of the district.

The Board directs that the district invest such excess funds in accordance with applicable Oregon Revised Statutes.

Authority

The Board delegates to the chief financial officer or designee, the responsibility of investment portfolio manager. The portfolio manager is responsible for investment decisions and activities, under the direction of the superintendent. The portfolio manager will maintain written procedures for the operation of the investment program, consistent with related policies.

Objectives

There are three principles that will guide the portfolio manager in implementation of this policy:

1. The primary objective of investment activities is the preservation of capital and the protection of investment principal. In investing public funds, the district will not assume unreasonable investment risk to obtain investment income. In all investment activities, the portfolio manager will follow the prudent investor rule, which states, "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.";

2. Adequate liquidity to meet daily funds needs for payment of district operating requirements which might be reasonably anticipated will be the second objective of the portfolio manager;

3. The third objective of the portfolio manager will be optimization of investment earnings consistent with adherence to the objectives.

Reporting Requirements

The portfolio manager shall prepare daily and monthly reports for management purposes. Additionally, the Board will be provided quarterly reports which will include data providing information such as dealer name, type of investment, issue date, maturity date, rate of interest and principal invested. As soon as practical after the end of the fiscal year, a comprehensive annual report on the investment program and investment activity shall be presented to the Board. The annual report shall include a summary of

administrative accomplishments, the overall trend of the economy and interest rates and other pertinent data.

END OF POLICY

Legal Reference(s):

ORS 294.033
ORS 294.035
ORS 294.125
ORS 294.135
ORS 294.145
ORS 294.155

R8/6/97 | MW

Gresham-Barlow SD 10

Code: **DFA-AR**
Revised/Reviewed:

Investment of Funds

Scope

This administrative rule applies to district activities with regards to investing the financial assets of all funds under the control of the district. Funds held by trustees or fiscal agents are excluded from these rules; however, all funds are subject to statutes and regulations established by the state of Oregon. This administrative rule applies to the investment of operating funds and capital funds including bond proceeds and bond reserve funds held by the district. This administrative rule excludes petty cash activities.

Funds of the district will be invested in compliance with Oregon law. Investments of any tax exempt borrowing proceeds and of any debt service funds will comply with the "arbitrage" restrictions of the Internal Revenue Code.

General Objectives

The primary objectives, in priority order, of investment activities shall be preservation of capital, liquidity and yield.

1. Preservation of capital. Preservation of capital is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.

    a. Credit risk – The district will minimize credit risk, the risk of loss due to the financial failure of the security issuer or backer by:

        (1) Limiting exposure to poor credits and concentrating investments in the safest types of securities;
        (2) Pre-qualifying financial institutions, broker/dealers, intermediaries and advisers with which the district will do business;
        (3) Diversifying the investment portfolio to minimize potential losses on individual securities;
        (4) Actively monitor investment portfolio holdings for ratings changes, changing economic and market conditions, etc.

    b. Interest rate risk – The district will minimize risk that the market value of securities in the portfolio will fall due to changes in general interest rates by:

        (1) Structuring the investment portfolio to ensure that maturities meet cash requirements for ongoing operations and/or capital projects, thereby avoiding the need to sell securities on the open market prior to maturity;
        (2) Investing operating funds primarily in shorter-term securities or short-term investment pools.

2. Liquidity. The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This will be accomplished by structuring the portfolio where securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, the portfolio will consist largely of securities with active secondary or resale markets (dynamic liquidity). A portion of the portfolio may also be placed in the Oregon Short-Term Fund which offers next-day liquidity for short-term funds.

3. Yield. The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles while accounting for investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above. Core investments are limited to relatively low risk securities in anticipation of earning a fair return compared to the risk assumed. Securities shall not be sold prior to maturity with the following exceptions:

    a. A security with declining credit may be sold early to minimize loss of principal;
    b. A security swap would improve quality, yield or target duration in the portfolio;
    c. Liquidity needs of the portfolio require sale of the security.

Standards of Care

1. Prudence – The standard of prudence to be used by the investment officer in the context of managing an overall portfolio shall be the "prudent person" standard, which states: "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."

    The investment officer and staff, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific security's credit risk, market price changes or loss of principal if securities are liquidated prior to maturity, provided that these deviations and losses are reported as soon as practical and appropriate action is taken to control adverse developments.

2. Ethics and Conflicts of Interest – The investment officer and staff involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program or that could impair their ability to make impartial decisions. Employees shall disclose any material interests in financial institutions that conduct business with the district. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the district. Officers and employees shall, at all times, comply with the Oregon Government Ethics Commission code of ethics set forth in ORS Chapter 244.

3. Delegation of Authority. Authority to manage the investment program is granted to the chief financial officer or investment officer and derived from the following: ORS 294.035 to 294.053, 294.125 to 294.145 and 294.810. Responsibility for the operation of the investment program is hereby delegated to the investment officer, who shall act in accordance with established written procedures and internal controls for the operation of the investment program. Procedures should include references to: safekeeping, delivery vs. payment, investment accounting, repurchase

agreements, wire transfer agreements and collateral/depository agreements. No person shall engage in an investment transaction except as provided under the terms of the investment policy and administrative rules established by the investment officer. The investment officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

Transaction Counterparties and Depositories

1. Broker/Dealers

The investment officer shall determine which broker/dealer firms and registered representative are authorized for the purposes of investing funds within the scope of this investment policy. A list will be maintained of approved broker/dealer firms and affiliated registered representatives.

The following minimum criteria must be met prior to authorizing investment transactions. The investment office may impose more stringent criteria.

a. Broker/Dealer firms must meet the following minimum criteria:

(1) Be registered with the Securities and Exchange Commission (SEC);
(2) Be registered with the Financial Industry Regulatory Authority (FINRA);
(3) Provide most recent audited financials;
(4) Provide FINRA Focus Report filings.

b. Approved broker/dealer employees who execute transactions with the district must meet the following minimum criteria:

(1) Be a registered representative with the FINRA;
(2) Be licensed by the state of Oregon;
(3) Provide certification, in writing, of having read; understood; and agreed to comply with the most current version of this investment policy.

c. The investment officer may want to establish policy for engaging broker/dealer firms and registered representatives that are more restrictive than stated in this policy. Additional requisites or due diligence items may include:

(1) Positive reference from other local government clients;
(2) As part of the periodic due diligence review, inquires with other local government clients with regard to their recent experiences with broker/dealer firms or registered representatives and any change in relationship status;
(3) Requirements that approved registered representative provide notification with 30 days of any formal investigations or disciplinary actions initiated by federal of state regulators.
(4) Requirement that prospective registered representative have established history of advising local governments with similar amounts of assets under management;
(5) Requirement that approved registered representative maintain an office in the state of Oregon, Washington or California.

d. Periodic, at least annual, review of all authorized broker/dealers and their respective authorized representative will be conducted by the investment officer. Factors to consider would be:

(1) Pending investigations by securities regulators;
(2) Significant changes in net capital;
(3) Pending customer arbitration cases;
(4) Regulatory enforcement actions.

2. Depositories

All financial institutions who desire to become depositories must be qualified Oregon depositories pursuant to ORS Chapter 295.

Administration and Operations

1. Internal Controls. The investment officer is responsible for establishing and maintaining an adequate internal control structure designed to reasonably protect the assets of the district from loss, theft or misuse. The concept of reasonable assurance recognizes that: (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

Accordingly, the investment officer shall establish a process for an annual independent review by an external auditor to assure compliance with policies and procedures. The internal controls shall address the following:

a. Control of collusion;
b. Separation of transaction authority from accounting and record keeping;
c. Custodial safekeeping;
d. Avoidance of physical delivery of securities whenever possible and address control requirements for physical delivery where necessary;
e. Clear delegation of authority to subordinate staff members;
f. Confirmation of transactions for investments and wire transfers in written or digitally verifiable electronic form;
g. Development of a wire transfer agreement with the lead bank and third-party custodian and implementation of appropriate safeguards described in the GFOA Best Practice on Adopting Electronic Payment Systems;
h. Compliance and oversight with investment parameters including diversification and maximum maturities;
i. Staff training;
j. Review, maintenance and monitoring of security procedures both manual and automated.

2. Delivery vs. Payment. All trades where applicable will be executed by delivery vs. payment (DVP) in accordance with ORS 294.145(4), ORS 291.145(5) and GFOA Best Practice to ensure that securities are deposited in an eligible financial institution prior to the release of funds.

3. Safekeeping. Securities, excluding bank deposits and CD's, will be delivered by fed book entry, DTC or physical delivery and to the extent feasible, held in third party safekeeping with a designated custodian. The trust department of a bank may be designated as custodian for safekeeping specific securities. The custodian shall issue a safekeeping receipt to the Gresham-Barlow School District listing the specific instrument, selling broker/dealer, transaction date and other pertinent information.

4. Pooling of Funds. Except for cash in certain restricted and special funds, the district will consolidate cash balances from all funds to maximize investment earnings. Investment income will be allocated to the various funds based on their respective participation and in accordance with Generally Accepted Accounting Principles (GAAP).

Suitable and Authorized Investments

1. Investment Types. Consistent with Government Finance Officers Association (GFOA) policy statement on state and local laws concerning investment practices, the following investments will be permitted by this administrative rule and are those defined under ORS 294.035, ORS 294.052, ORS 294.046 and 294.810:

   a. U.S. Treasury Obligations: U.S. Treasury and other government obligations that carry the full faith and credit guarantee of the United States for the timely payment of principal and interest;
   b. U.S. Agency Obligations: Senior debenture obligation of U.S. federal agencies and instrumentalities or U.S. government sponsored enterprises (GSE);
   c. Debt of the agencies and instrumentalities of the State of Oregon and it political subdivisions with a long-term debt rating of A or an equivalent rating or better or are rated on the settlement date in the highest category for short-term municipal debt by a nationally recognized statistical rating organization;
   d. Debt of the agencies and instrumentalities of the states of California, Idaho and Washington and their political subdivisions with a long-term debt rating of AA or an equivalent rating or better or are rated on the settlement date in the highest category for short-term municipal debt by a nationally recognized statistical rating organization;
   e. Time deposits, certificates of deposits and savings accounts held in qualified Oregon depositories in accordance with ORS Chapter 295;
   f. Banker's acceptances that meet the following criteria:

      (1) Guaranteed and carried on the books of a qualified financial institution whose short-term letter of credit rating is A-1, P-1, F-1or better. The financial institution must be located and licensed to do banking business in Oregon, or be wholly owned by a bank holding company that owns a financial institution that is located and licensed to do banking business in Oregon; and
      (2) Eligible for discount by the Federal Reserve System.

   g. Commercial paper or corporate notes that meet the following criteria:

      (1) Issued under section 3(a)(2) or 3(a)(3), but not under section 4(2) of the Securities Act of 1933;
      (2) Issued by a commercial, industrial or utility business enterprise, or on behalf of a financial institution;
      (3) Commercial paper must have minimum ratings of A-1 or P-1 or F-1 by Moody's or Standard & Poor's or Fitch. Corporate notes must have minimum ratings of Aa or AA. Commercial paper ratings may be A-2 or P-2 and corporate note ratings may be A, or better if issued on Oregon business enterprises. (See specific requirements under ORS 294.035(9)(c) before purchasing the lower rated debt).

   h. Repurchase agreements with a maximum term of 90 days and comply with specific terms of ORS 294.035(3)(j) and the coverage specified by the Oregon Investment Council or Oregon Short-Term Fund Board which may be found on the Oregon State Treasury website;

i. Oregon Short-Term Fund (OSTF), also known as the Local Government Investment Pool (LGIP);
j. For investment of bond proceeds only: various investment agreements that meet the requirements of ORS 294.052 and the collateral requirements and restrictions of this administrative rule.

2. Collateralization. All bank deposits, time deposits, certificates of deposit and savings accounts shall be held in qualified Oregon depositories in accordance with ORS Chapter 295. A list of the qualified depositories for public funds can be found on the Oregon State Treasury's website. Such deposits are designated cash management tools and not investments under this administrative rule or otherwise.

ORS 294.035(3)(k) requires repurchase agreement collateral to be limited in maturity to three years and priced according to percentage prescribed by written policy of the Oregon Investment Council or the OSTF. The OSTF Board adopted the following margins:

a. U.S. Treasury Securities: 102%;
b. U.S. Agency Discount and Coupon Securities: 102%;
c. Mortgage Backed and Other[1]: 103%.

Investment Parameters

1. Diversification. Investments shall be diversified by:

a. Limiting investments to avoid over-concentration in securities from a specific issuer or business sector (excluding U.S. Treasury securities);
b. Investing in securities that have high credit quality;
c. Investing in securities with varying maturities; and
d. Continuously investing a portion of the portfolio in ready available funds such as the Oregon Short-Term Fund (LGIP).

2. Maximum Maturities and Percentage of Investment by Type.

The maximum percentage for direct investments of surplus funds are as shown in the chart below. Surplus funds are defined as the sum of all investments, cash balances, deposit balances of all types and LGIP balances. The maximum maturity is measured from the settlement date of the investment transaction. Capital project funds are funds specifically dedicated to capital projects, and will typically include proceeds from the district's bond sales. All bond fund reserves will be considered to be capital project funds. Operating funds are all surplus funds that are not capital project funds.

To the extent possible, the district shall attempt to match its investments with anticipated future cash flow requirements. The maximum maturity shall be the anticipated use of the cash or 18 months, whichever is shorter unless the investment policy and administrative rules have been submitted to the OSTF Board for comment prior to being approved by the district's Board as specified under ORS 294.135(1)(a).

[1]Limited to those securities described in ORS 294.035(1)

Security	Maximum % of Total Portfolio	Maximum Maturity
U.S. Treasury Obligations	No limit	18 months for operating funds and 5 years for capital project funds
U.S. Agency Obligations	No limit, 50% of surplus funds in any single agency	18 months for operating funds and 5 years for capital project funds
State and Local Government Securities	25% Subject to ORS 294.035(3)	18 months for operating funds and 5 years for capital project funds
Time Deposits, CDs, Savings Accounts	50% of total portfolio, 25% of surplus funds with any single depository. (Unless total surplus funds are under $5 million)	18 months
Banker's Acceptances	25% of surplus funds in any single qualified financial institution 50% of surplus funds in the aggregate	6 months
Commercial Paper and Corporate Notes	5% of surplus funds in any one corporation or their subsidiaries or affiliates. 35% of surplus funds in the aggregate	18 months
Repurchase Agreements	25% of Operating Surplus funds 100% of Capital Surplus funds 90 days	
OSTF Local Government Investment Pool	Maximum allowed per ORS 294.810	N/A

In addition to the above, the district may invest up to 100 percent of the proceeds from any bond issue in investment agreements that meet the requirements of ORS 294.052 and the repurchase agreement collateral requirements and restrictions of this administrative rule. The maximum percentage of callable securities in the portfolio shall be 25 percent.

Due to fluctuations in the aggregate amounts available for investment, maximum percentages (based on amortized book values) for a particular issuer or investment type may be exceeded at a point in time subsequent to the purchase of a particular security. Securities need not be liquidated to realign the portfolio; however, consideration should be given to this matter when future purchases are made.

3. Because of inherent difficulties in accurately forecasting cash flow requirements, a portion of the portfolio should be continuously invested in readily available funds such as the OSTF, bank balances or overnight repurchase agreements to ensure appropriate liquidity is maintained to meet ongoing obligations.

   Maturity limitations will depend upon whether the funds being invested are considered short-term or long-term funds. Surplus funds will be considered operating except those reserved for capital projects. Except for special situations, as directed by the investment officer, investments will be limited to maturities not exceeding 18 months.

   Short-term portfolio investment maturities for operating funds shall be scheduled to coincide with projected cash flow needs. In addition, the following maturity limits are designed to ensure liquidity in the portfolio:

Length of Maturity	**Minimum % of Total Portfolio**
Under 30 days	10%
Under 90 days	25%
Under 365 days	90%
Under 18 months	100%

   If these maturity limits, based on amortized book values, are inadvertently exceeded at the time of a specific investment, the purchase does not need to be liquidated. Future investments must not be made to longer maturity dates until the limits will be met.

4. Bond Funds. The investment of bond proceeds are restricted under bond covenants that may be more restrictive than the investment parameters included in this administrative rule. Bond proceeds shall be invested in accordance with the most restrictive parameters of this administrative rule and the applicable bond covenants and tax laws.

5. Securities Lending. The district shall not lend securities nor directly participate in a securities lending or reverse repurchase program.

6. Competitive Transactions. The investment officer shall obtain and document competitive bid information on all investments purchased or sold in the secondary market. Competitive bids or offers should be obtained when possible, from at least three separate broker/financial institutions. In the instance of a security for which there is no readily available competitive bid or offering on the same specific issue, the investment officer shall document quotations for comparable or alternative securities. When purchasing original issue instrumentality securities, no competitive offerings will be required as all dealers in the selling group offer those securities as the same original issue price. However, the investment officer is encouraged to document quotations on comparable securities.

7. Credit Ratings. The minimum credit rating levels for the permissible investments are set out in ORS 294.035. The district will only recognize ratings of Moody's, S&P, and Fitch of the available NRSROs. These credit rating levels apply to the security at the transaction settlement date. If the credit rating of a security is subsequently downgraded below the minimum rating level for a new investment of that security, the investment officer shall evaluate the downgrade on a case-by-case basis in order to determine if the security should be held or sold. The investment officer shall notify the chief financial officer (CFO) or his/her designee about the credit rating downgrade and whether the decision was made to sell or hold the security.

Reporting

1. Methods. The investment officer shall prepare an investment report at least quarterly including a management summary that provides an analysis of the status of the current investment portfolio and transactions made over the last quarter. This management summary will be prepared in a manner which will allow the district to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report shall be provided to the governing body and will include the following:

    a. Listing of transactions occurring during the reporting period;
    b. Listing of individual securities held at the end of the reporting period;
    c. Listing of investments by maturity date;
    d. Percentage of the total portfolio which each type of investment represents.

2. Performance Standards. The investment portfolio will be managed in accordance with the parameters specified within the investment policy and administrative rules. The performance of the district's investment portfolio will be measured against the State of Oregon Local Government Investment Pool and the 90-day treasury bill rate. The average monthly net yield of the district's portfolio shall be used for such evaluation. The district may also benchmark against any other money market indices it deems appropriate. Because bond proceeds are expected to be invested at the time they are received, and are therefore invested in an interest rate environment that exists at that point in time, that portion of the portfolio will be excluded from ongoing benchmark performance measurement.

3. Marking to Market. The market value of the portfolio shall be calculated and reported to the Board quarterly. The portfolio shall be marked to market, if there are significant investments required to be marked to market in accordance with Government Accounting Standards Board (GASB) Statement 31, annually at fiscal year end. This will ensure that review of the investment portfolio, in terms of value and price volatility, has been performed consistent with the GFOA Best Practice on Mark-to-Market for State and Local Government Investment Portfolios. In defining market value, considerations should be given to the GASB 31 pronouncement.

Policy Adoption and Re-Adoption

The investment policy and administrative rules for investments shall be reviewed annually by the investment officer and CFO, who shall submit the policy to the OSTF Board, if required. Regardless of whether the policy is submitted to the OSTF Board for comment or not, the investment policy shall be re-submitted to the Board for approval annually.

Banking Services

Bank services will be engaged by the district based solely on considerations of availability of required services, cost of those services and any applicable legal requirements. The district will solicit competitive proposals from commercial banks operating in Gresham to provide banking services. Such proposals will be solicited at the discretion of the CFO and reviewed annually for viability. The district will use one bank as the primary depository institution, except for funds held in an agency capacity on behalf of student activity funds. The district may use different banks or other financial institutions for investment purposes than it does for depository purposes.

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6. Safekeeping agreements;
7. Wire transfer agreements;
8. Sample investment reports;
9. Broker confirmations and safekeeping reports;
10. Financial institution account agreements and resolutions;
11. Broker/Dealer Questionnaire (DFA-AR-3).

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

TO: Board of Directors

FROM: Jim Schlachter
Teresa Ketelsen

DATE: November 20, 2014

RE: No. 2 – School Improvement Grant (SIG) Update

EXPLANATION: Principal Kimberly Miles will provide an update on the focus she and her staff have created for the 2014-15 school year at East Gresham Elementary School. As part of the School Improvement Grant (SIG), the Leadership and Learning Center has been a strategic partner providing a framework and support for the identified areas of focus.

PRESENTERS: Teresa Ketelsen, Kimberly Miles

SUPPLEMENTARY MATERIALS: None

RECOMMENDATION: This report is being provided as information only.

REQUESTED ACTION: No action is required

TK:lc