



# Hillsboro School District 1J

April 9, 2019  
Board Meeting

## Board of Directors

Lisa Allen • Martin Granum • Erika Lopez • Yadira Martinez • Jaci Spross • Kim Strelchun • Mark Watson

## Student Representatives to the Board of Directors

Jessica Jose-Nickerson • Samanta Vega Contreras

**HILLSBORO SCHOOL DISTRICT 1J BOARD OF DIRECTORS**  
Administration Center, 3083 NE 49<sup>th</sup> Place, Hillsboro, OR

**Board Meeting Agenda**  
**April 9, 2019**  
**5:00 PM**

Please note that the estimated times listed below for specific agenda items are subject to change; if audience members wish to be present for specific agenda items, they are encouraged to arrive at least 15 minutes prior to the estimated time.

**1. 5:00 PM - Executive Session**

- A. ORS 192.660(2)(b)—Complaint Hearing Deliberation  
Time: 5:00 PM; 15 minutes
- B. ORS 192.660(2)(k)—School Safety  
Time: 5:15 PM, 30 minutes
- C. ORS 192.660(2)(i)—Evaluation of the Superintendent  
Time: 5:45 PM, 30 minutes
- D. Recess Board Meeting  
Time: 6:15 PM

**2. 6:20 PM - Work Session**

- A. Hillsboro School District Board of Directors' Discussion with Cornelius City Officials 5  
Time: 6:20 PM, 45 minutes
  - 1. Introductions  
Time: 6:20 PM, 5 minutes
  - 2. Overview of HSD Career and College Pathways Programs  
Presenter: Travis Reiman / Brooke Nova  
Time: 6:25 PM, 10 minutes
  - 3. School Bond Projects Update: Highlights, Priorities, Benefits, and Impact to the Community: Free Orchards Elementary School, Evergreen Middle School, and Glencoe High School  
Presenter: Adam Stewart  
Time: 6:35 PM, 10 minutes
  - 4. Overview of Free Orchards Elementary School Programs, Activities, and Highlights  
Presenter: Karen Murphy  
Time: 6:45 PM, 10 minutes
  - 5. Future Partnership and Collaboration Opportunities  
Presenter: Lisa Allen / Mike Scott / Jeffrey Dalin / Rob Drake  
Time: 6:55 PM, 10 minutes
- B. Recess Board Meeting  
Time: 7:05 PM
- C. Reconvene Meeting  
Time: 7:15 PM
- D. Budget Development Update 6  
Presenter: Mike Scott / Michelle Morrison

	Time: 7:15 PM, 45 minutes	
E.	PK-21 Universal Supports Update Presenter: Travis Reiman / Brooke Nova / Sarah Keller Time: 8:00 PM, 10 minutes	7
F.	Facility Use Fees Update Presenter: Mike Scott / Rian Petrick Time: 8:10 PM, 10 minutes	8
G.	Student Representative Selection Planning Presenter: Lisa Allen / Mike Scott Time: 8:20 PM, 15 minutes	9
H.	<u>ACTION</u> : Approve Scholarship Committee Recommendation Presenter: Erika Lopez / Jaci Spross / Kim Strelchun Time: 8:35 PM, 10 minutes	10
I.	<u>ACTION</u> : Approve Inclement Weather Makeup Proposal Presenter: Kona Lew-Williams Time: 8:45 PM, 10 minutes	11
J.	<u>ACTION</u> : Approve Inter-District Transfer Plan Presenter: Beth Graser Time: 8:55 PM, 10 minutes	12
K.	<u>ACTION</u> : Adopt Revised Planning Calendar for the 2019-20 Budget Presenter: Michelle Morrison Time: 9:05 PM, 5 minutes	13
L.	Policies - First Reading <i>Policies that are scheduled for first reading are included in the Board meeting packet. Staff members will not formally present the first reading of policies, unless the Board requests information that is not already included in the Board meeting packet. If no public comments or questions are received regarding these policies during the review period, they may be placed on the consent agenda for approval during the next regular meeting.</i> Time: 9:10 PM, 10 minutes	
1.	Policy Updates for the Annual Notification of Staff, Students, and Families	15
a.	GBC: Prohibited Use of Official Position for Financial Gain Presenter: Kona Lew-Williams	16
b.	GBEA: Workers' Compensation Insurance (Delete) Presenter: Michelle Morrison	23
c.	GBEC: Drug-Free Workplace (delete / replace) Presenter: Casey Waletich / Kona Lew-Williams	24
d.	GBG: Staff Participation in Political Activities Presenter: Kona Lew-Williams / Beth Graser	31
e.	GBH/JECAC: Staff/Student/Parent Relations Presenter: Dayle Spitzer	32
f.	GBMA: Whistleblower Presenter: Kona Lew-Williams	33
g.	GBNA: Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying – Staff Presenter: Kona Lew-Williams / Casey Waletich	35

M. Discussion Time  
Time: 9:20 PM, 15 minutes

3. Adjourn  
Time: 9:35 PM

4. Next Meetings of the Board of Directors:
- April 30, 2019 - Regular Session
  - May 9, 2019 - Budget Committee Meeting
  - May 14, 2019 - Work Session

The complete Board meeting packet may be downloaded from the District website at: <https://www.hsd.k12.or.us/board>.

**HILLSBORO SCHOOL DISTRICT 1J**  
**April 9, 2019**  
**HILLSBORO SCHOOL DISTRICT BOARD OF DIRECTORS'**  
**DISCUSSION WITH CORNELIUS CITY OFFICIALS**

**SITUATION**

The Hillsboro School District Board of Directors will meet with Cornelius city officials to discuss matters of mutual interest. Discussion topics will include an update on bond projects at Free Orchards Elementary School, Evergreen Middle School, and Glencoe High School (highlights, priorities, benefits, and potential impact to the community); an overview of the District's Career and College Pathways programs; an overview of programs and activities at Free Orchards Elementary School; and brainstorming regarding future partnership opportunities.

**RECOMMENDATION**

The Superintendent recommends that the Board of Directors participate in a discussion with Cornelius City officials on topics of mutual interest.

**HILLSBORO SCHOOL DISTRICT 1J**  
**April 9, 2019**  
**BUDGET DEVELOPMENT UPDATE**

**SITUATION**

Throughout the budget development process, the Budget Committee receives periodic updates regarding the status of the District's budget. This update will include the most recent information regarding the development of the District's 2019-20 budget.

Budget Committee members are aware that the most recent budget proposals from the State indicate that the District will be facing another biennium of budget reductions. The District's proposed budget is being developed with consideration for the District's Strategic Plan and student achievement goals, efficiencies based on best practices, and program analyses from the Smarter School Spending framework. Additionally, since funding projections will continue to change as new information becomes available, budget options with contingency ranges will be discussed.

The Budget Committee is currently scheduled to meet with the Board again during the April 30 work session, and to approve the proposed 2019-20 District budget on May 9. The approved budget is scheduled to be presented to the Board for adoption on June 11.

**RECOMMENDATION**

The Superintendent recommends that the Board and Budget Committee listen to this report and ask any questions they may have.

**HILLSBORO SCHOOL DISTRICT 1J**  
**April 9, 2019**  
**PK-12 UNIVERSAL SUPPORTS UPDATE**

**SITUATION**

One of the commitments in the Hillsboro School District's Strategic Plan is to know every student by name, strength, and need. This evening's report will focus on the universal access to academic, personal, and social / emotional supports that the District is aspiring to provide for students.

**RECOMMENDATION**

The Superintendent recommends that the Board of Directors listen to this report and ask any questions they may have.

**HILLSBORO SCHOOL DISTRICT 1J**  
**April 9, 2019**  
**FACILITY USE FEES UPDATE**

**SITUATION**

Because the Hillsboro School District's facility use practices were last updated in the early 2000's, and the District has been receiving an increasing number of building use requests from organizations throughout the county, District staff recently completed a review of the District's facilities usage practices, and gathered information regarding the practices of other comparable districts. During the February 26 Board meeting, a proposed tiered fee structure for the use of District facilities was presented to the Board for discussion. The purpose of revising the District's fee practices is to establish a system whereby organizations that utilize the District's facilities contribute to the cost of maintaining them, and provide a revenue stream for facilities, programs, and support services, without increasing the costs for school-sponsored activities, feeder affiliates, or the District's contracted or government partners.

This evening, a revised fee structure proposal, incorporating Board members' suggestions, will be presented to the Board for further review and discussion. During a future meeting, revisions to policy KG and KG-AR: Community Use of District Facilities and KG-AR attachments, reflecting the fee structure changes, will be presented for first reading.

**RECOMMENDATION**

The Superintendent recommends that the Board of Directors listen to this report and ask any questions they may have.



**HILLSBORO SCHOOL DISTRICT 1J**  
**February 12, 2019**  
**STUDENT REPRESENTATIVE SELECTION PLANNING**

**SITUATION**

Because the Board values the input of students on matters that are important to them, Board members established a position of “Student Representative to the Board,” beginning with the 2018-19 school year.

It was determined that up to three students would be appointed each year, to serve from September through June; no school would be represented by more than one position; and the opportunity to serve as a student representative would rotate between schools, with students from Liberty High School, Century High School, and the Hillsboro Online Academy having the opportunity to participate during the first year (2018-19); and students from Glencoe High School, Hillsboro High School, and the Miller Education Center having the opportunity to participate the following year (2019-20).

During the February 12 work session, Board members agreed upon the following timeline for selecting Student Representatives to serve during the 2019-20 school year:

- February 18 – Recruitment begins
- April 5 – Applications due
- April 9 – Board selects applicants to interview, finalizes the interview questions, and identifies the interview subcommittee (at least two Board members and at least one current Student Representative)
- April 12 – Students are invited to interview and receive the interview questions
- Week of April 22 – Interviews are conducted
- April 30 – The interview committee presents its recommendation to the Board for approval
- May 1 – Students are notified of the Board’s decision
- June 11 - Students are appointed
- Last week of July – Students participate in orientation

**RECOMMENDATION**

The Superintendent recommends that the Board of Directors select applicants to interview, finalize the interview questions, and identify the interview subcommittee.

**HILLSBORO SCHOOL DISTRICT 1J**  
**April 9, 2019**  
**APPROVE SCHOLARSHIP COMMITTEE RECOMMENDATION**

**SITUATION**

Upon the Hillsboro School District Board of Directors' completion of the Oregon School Boards Association's (OSBA's) Promise Scholarship Program, OSBA presented the Board with \$5000 in scholarship funds for District students. On December 11, the Board agreed to use the funds to create two scholarships of \$2500 each, targeted for bilingual students in the District who plan to pursue teaching degrees and return to the District to teach. Board Vice Chair Erika Lopez and Directors Jaci Spross and Kim Strelchun volunteered to serve on the scholarship subcommittee, developing an application process, interviewing applicants, identifying finalists, and presenting their recommendation to the Board for approval.

Based on the values identified by the Board, bilingual students who are enrolled in the Hillsboro School District, on track to graduate in June 2019, accepted into the Bilingual Teacher Scholars Program, and intending to return to the Hillsboro School District as teachers were eligible to apply for the scholarships. The opportunity was shared with these students on February 19, applications were due on March 4, and four students applied. On March 20, the scholarship committee interviewed all four of the student applicants, and this evening, the committee will present its recommendation to the Board for approval.

On April 10, the students will be informed of the Board's decision. The scholarships will be awarded to the students during the April 30 Board meeting, and Board members will recognize the students during their schools' awards assemblies.

**RECOMMENDATION**

The Superintendent recommends that the Board of Directors take action on the following motion:

*I move that the Board of Directors approve the recommendation of the Scholarship subcommittee.*

**HILLSBORO SCHOOL DISTRICT 1J**  
**April 9, 2019**  
**APPROVE INCLEMENT WEATHER MAKEUP PROPOSAL**

**SITUATION**

Due to inclement weather, school had a delayed start of two hours on Monday, February 25, 2019, and the District was closed on Wednesday, February 27, 2019. Because students were in school on February 25, 2019, inclement weather resulted in only one District closure day. The District is proposing that this day not be made up. This proposal takes into account the decisions of neighboring districts, state-required instructional seat time, and contractual obligations with bargaining units.

**RECOMMENDATION**

The Superintendent recommends that the Board of Directors take action on the following motion:

*I move that the Board of Directors approve the proposal to not make up the February 27, 2019, inclement weather day.*

**HILLSBORO SCHOOL DISTRICT 1J**  
**April 9, 2019**  
**APPROVE INTER-DISTRICT TRANSFER PLAN**

**SITUATION**

House Bill 2747, passed by the Legislature during the 2013 full session, governs the process by which students are allowed to transfer between school districts. Under House Bill 2747, district school boards must take action to announce the number of students who will be allowed to leave and enter their district for the following school year. They must also determine the process by which transfer requests will be considered, the length of the transfer approval, and any other terms associated with the approval. Students wishing to leave their district of residence to seek enrollment in a non-resident district must obtain a release from their district of residence.

It is recommended that the District participate in this process, both to accept transfers to the District and release students to attend other districts.

Details of the proposed plan will be shared during the meeting.

**RECOMMENDATION**

The Superintendent recommends that the Board of Directors take action on the following motion:

*I move that the Board of Directors adopt the plan presented for inter-district transfers for the 2019-20 school year.*

**HILLSBORO SCHOOL DISTRICT 1J**  
**April 9, 2019**  
**ADOPT REVISED PLANNING CALENDAR FOR THE 2019-20 BUDGET**

**SITUATION**

Each year, the Board of Directors adopts a budget planning calendar for the upcoming year, in accordance with ORS 294.305 – 294.565 and Board policy DBC. The planning calendar for the 2019-20 budget was approved by the Board of Directors on December 11, 2018. Since that date, the following changes have occurred:

- The “Hillsboro Tribune” is the Hillsboro School District 1J publication of record for public notices. The “Hillsboro Tribune” and the “Forest Grove News-Times” newspapers are owned by the Pamplin Media Group. The newspapers are weekly publications. Each week, Pamplin combines the “Hillsboro Tribune” and the “Forest Grove News-Times” public notices, which are run first in the Wednesday “Forest Grove News-Times” publication and then, two days later, in the Friday “Hillsboro Tribune” publication. Public notices are also posted in the online news editions. Therefore, the Budget Committee Meeting and Budget Hearing public notice dates listed on the December 11, 2018, Adopted Budget Planning Calendar have been changed from “Forest Grove News-Time” run dates to “Hillsboro Tribune” run dates.
- The budget workshop that was originally scheduled to be presented to Budget Committee members on January 22 was moved to February 26, and the March 12 budget update was moved to April 9, due to unanticipated business that the Board needed to address during the January 22 and March 12 Board meetings.

Other details of the budget planning calendar that was adopted by the Board in December remain unchanged. Key dates on the calendar include:

- The 2019-20 Proposed Budget will be presented during the Budget Committee meeting on May 9, 2019.
- Provision has been made for an additional Budget Committee meeting on May 14, 2019, if needed.
- The calendar provides for the Public Hearing and Board actions to be taken during the regular June 11, 2019, Board meeting.

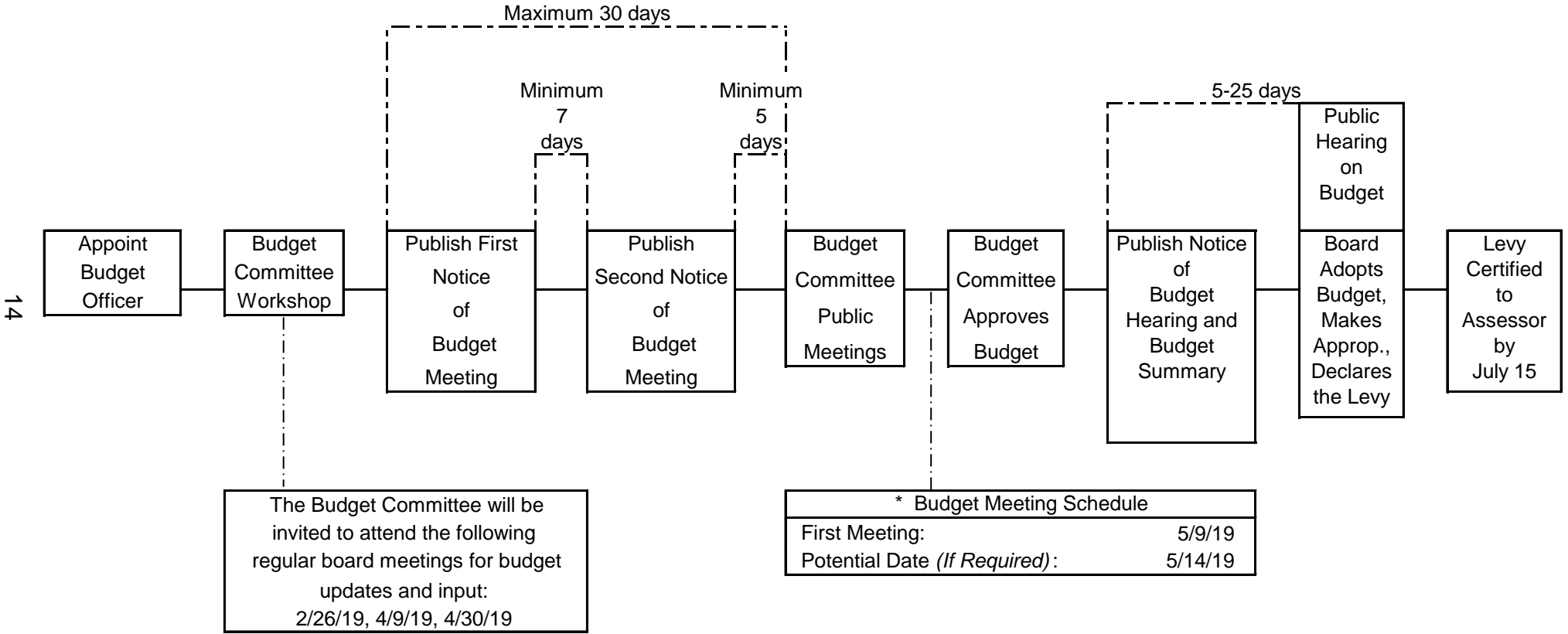
**RECOMMENDATION**

The Superintendent recommends that the Board of Directors take action on the following motion:

*I move that the Board of Directors adopt the revised planning calendar for the 2019-20 budget.*

# HILLSBORO SCHOOL DISTRICT 1J PLANNING CALENDAR - 2019-20 BUDGET

6/26/18	1/22/19	<i>Hillsboro Tribune</i> 4/26/19	<i>Hillsboro Tribune</i> 5/3/19	5/9/2019*	5/9/19*	<i>Hillsboro Tribune</i> 5/31/19	6/11/19	By 7/15/19
Date	Date	Date	Date	Date	Date	Date	Date	Date



* Budget Meeting Schedule	
First Meeting:	5/9/19
Potential Date (If Required):	5/14/19

**HILLSBORO SCHOOL DISTRICT 1J**  
**April 9, 2019**  
**FIRST READING – POLICY UPDATES FOR THE**  
**ANNUAL NOTIFICATION OF STAFF, STUDENTS, AND FAMILIES**

**SITUATION**

The Hillsboro School District has contracted with Oregon School Boards Association (OSBA) to perform a complete review of the District's policy manual, and has been working with OSBA's policy specialist throughout the year to review all of the District's policies and administrative regulations.

Policy language must meet the following criteria:

1. Legally mandated or legally wise
2. Harmonize with District's existing collective bargaining agreements
3. Reflect current District practice

Over the next two months, the updates to policies that are included in annual notifications to staff, students, and families will be prioritized. Revisions to the policies listed below have been reviewed by the Superintendent and Cabinet members, and are being presented to the Board for first reading this evening:

- Policy GBC: Prohibited Use of Official Position for Financial Gain
- Policy GBEA: Workers' Compensation Insurance (delete)
- Policy GBEC: Drug-Free Workplace (delete / replace)
- Policy GBG: Staff Participation in Political Activities
- Policy GBH/JECAC: Staff/Student/Parent Relations
- Policy GBMA: Whistleblower
- Policy GBNA: Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying – Staff

**RECOMMENDATION**

The Superintendent recommends that the Board of Directors review the first reading of these policies that are included in the annual notification of staff, students, and families.



Code: **GBC**  
Adopted: 12/01/16  
Orig. Code(s): GBC

## Staff Ethics

### I. ~~Conflict of Interest~~ Prohibited Use of Official Position for Financial Gain

No District employee will attempt to use his/her/their District position to obtain personal financial benefit gain or to avoid financial detriment for him or herself or his/her/themselves, relatives, or members of household members, or for any business with which the employee, a household member, or relative is associated, if the financial gain or avoidance of financial detriment would not otherwise be available but for the District employee's employment with the District.

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

The employee may receive district or school logo apparel as part of the employee's official compensation package.

District employees will not engage in, or have a personal financial interest in, any activity that raises a reasonable question of conflict of interest with regarding the use of their official position in regards to their duties and responsibilities as staff members District employees. This would also apply to any personal financial benefit for the District employee's relative or member of household of the employee, or any business with which the District employee or a relative or member of the household of the District employee is associated.

This means that:

1. Employees, relatives, or members of the District employee's household will not use their employee's position to obtain financial gain or avoid financial detriment from students, parents, or staff.
2. Any device, publication, or any other item developed during the employee's paid time shall be District property.
3. Employees will not further personal gain through the use of confidential information gained in the course of, or by reason of, their position or activities in any way.
4. No District employee may serve as a Board or budget committee member in the District.



5. An employee will not perform any duties related to an outside job during his/her the employee's regular working hours or during the additional time that he/she needed to fulfill the position's responsibilities; nor will an employee use any District facilities, equipment, or materials in performing outside work.
6. If an employee authorizes a public contract, the employee may not have a direct beneficial financial interest in that public contract for two years after the date the contract was authorized.

If an District employee has a potential or actual conflict of interest, the District employee must notify his/her supervisor in writing of the nature of the conflict, and request that the supervisor dispose of the matter giving rise to the conflict. This must be done on each occasion the District employee is met with a conflict of interest.

“Potential conflict of interest” means any action or any decision or recommendation by a District employee that could result in a financial benefit or detriment for self or relatives or for any business with which the District employee or relatives are associated, unless otherwise provided by law.

“Actual conflict of interest” means any action or any decision or recommendation by a District employee that would result in a financial benefit or detriment for self or relatives or for any business with which the District employee or relatives are associated, unless otherwise provided by law.

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

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

In the conflict of interest context:

“Member of household” means any person who resides with the employee.

“Relative” means: the spouse<sup>1</sup>, parent, step-parent, child, sibling, step-sibling, son-in-law, or daughter-in-law of the employee; or the parent, step-parent, child, sibling, step-sibling, son-in-law, or daughter-in-law of the spouse of the employee. Relative also includes any individual for whom the employee has a legal support obligation, whose employment provides benefits<sup>2</sup> to the employee, or who receives any benefit from the employee’s public employment.

## II. Gifts

District employees must comply with the following rules involving gifts:

Employees are public officials, and therefore will not solicit or accept a gift or gifts with an aggregate value in excess of \$50 from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the District employee. All gift-related provisions apply to the employee, their relatives, and members of their household. The \$50 gift limit applies separately to the employee and to the employee’s relatives or members of household, meaning that the employee and each member of their household and relative can accept up to \$50 each from the same source/gift giver. A gift may be received by the District employee from, but not limited to, another District employee, a student or parent of a student or a vendor within the \$50 gift limit. Except for exclusions in ORS 244.040(2), an item received by an employee from the District is prohibited.

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

“Relative” in the gift context means the spouse<sup>3</sup>, parent, step-parent, child, sibling, step-sibling, son-in-law, or daughter-in-law of the employee; or the parent, step-parent, child, sibling, step-sibling, son-in-law, or daughter-in-law of the spouse of the employee. Relative also includes any individual for whom the employee has a legal support obligation, whose employment provides benefits<sup>4</sup> to the employee, or who receives any benefit from the employee’s public employment.

“Member of the household” means any person who resides with the employee.

### Determining the Source of Gifts

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

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<sup>1</sup> The term spouse includes domestic partner.

<sup>2</sup> Examples of benefits may include, but not be limited to, elements of an official compensation package including benefits such as insurance, tuition or retirement allotments.

<sup>3</sup> Ibid. p. 23

<sup>4</sup> Ibid. p. 23

## Determining Legislative and Administrative Interest

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

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

## Determining the Value of Gifts

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

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

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

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

2. For receptions and meals with multiple attendees, but with no price established to attend, the source of the employee’s meal or reception will use reasonable methods to determine the per person value or benefit conferred. The following examples are deemed reasonable methods of calculating value or benefit conferred:
  - a. The source divides the amount spent on food, beverage, and other costs (other than charitable contributions) by the number of persons whom the payor reasonably expects to attend the reception or dinner.
  - b. The source divides the amount spent on food, beverage, and other costs (other than charitable contributions) by the number of persons who actually attend the reception or dinner.
  - c. The source calculates the actual amount spent on the employee.

~~3.~~ Upon request by the employee, the source will give notice of the value of the merchandise, goods, or services received.

~~4.~~ Attendance at receptions where the food or beverage is provided as an incidental part of the reception is permitted without regard to the fair market value of the food and beverage provided.

## Value of Unsolicited Tokens or Awards: Resale Value

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

## Entertainment

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

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

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

## Exceptions

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

1. Gifts from “relatives” and “members of the household” to the employee are permitted in an unlimited amount; they are not considered gifts under the ethics rules.
2. Informational or program material, publications, or subscriptions related to the recipient’s performance of official duties.
3. Food, lodging, and travel generally count toward the \$50 aggregate amount per year from a single source with a legislative or administrative interest, with the following exceptions:

~~a. Organized Planned Events.~~ Employees are permitted to accept payment for travel conducted in the employee’s official capacity, for certain limited purposes:

- a. ~~(1)~~ Reasonable expenses (i.e., food, lodging, travel, fees) for attendance at a convention, fact-finding mission or trip, or other meeting do not count toward the \$50 aggregate amount IF:
  - (1) ~~(a)~~ The employee is scheduled to deliver a speech, make a presentation, participate on a panel, or represent the District; AND
    - (a) ~~(1)~~ The giver is a unit of:
      - (i) ~~(1)~~ A federal, state, or local government;

- (ii) ~~2~~ An Oregon or federally recognized Native American Tribe; or
- (iii) ~~3~~ A non-profit corporation.

(2) ~~(b)~~ The employee is representing the District:

- (a) ~~(i)~~ On an officially sanctioned trade-promotion or fact-finding mission; or
- (b) ~~(ii)~~ On officially designated negotiations or economic development activities *where receipt of the expenses is approved in advance by the Superintendent or designee.*

~~(2)~~ The purpose of this exception is to allow employees to attend organized, planned events and engage with the members of organizations by speaking or answering questions, participating in panel discussions or otherwise formally discussing matters in their official capacity. This exception to the gift definition does not authorize private meals where the participants engage in discussion.

4. Food or beverage, consumed at a reception, meal, or meeting IF held by an organization and IF the employee is representing the District.

“Reception” means a social gathering. Receptions are often held for the purpose of extending a ceremonial or formal welcome, and may include private or public meetings during which guests are honored or welcomed. Food and beverages are often provided, but not as a plated, sit-down meal.

5. Food or beverage consumed by an employee acting in an official capacity in the course of financial transactions between the public body and another entity described in ORS 244.020(67)(b)(I)(H).

6. Waiver or discount of registration expenses or materials provided to an employee at a continuing education event that the employee may attend to satisfy a professional licensing requirement.

7. An ~~gift item~~ received by the employee as part of the usual or customary practice of the employee’s private business, employment, or position as a volunteer that bears no relationship to the employee’s District employment.

8. Reasonable expenses paid to an employee for accompanying students on an educational trip.

### **Honoraria**

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

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

END OF POLICY

**Legal Reference(s):**

[ORS 244.010 - 244.400](#)  
[ORS 332.016](#)

[ORS 659A.309](#)

[OAR 199-005-0001 - 199-020-0020](#)  
[OAR 584-020-0040](#)

OR. ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS.



Code: **GBEA**  
 Adopted: 11/25/08  
 Orig. Code(s): GBEA

## Workers' Compensation Insurance

*(Recommend following law.)*

All employees, including students as required by Oregon Law, are covered by the District workers' compensation insurance. Any injury or illness to an employee while on duty (even if not considered serious by the employee) must be reported at once to the immediate supervisor who will submit a written report to the Superintendent's office within 24 hours. If medical attention is needed the employee will be advised to notify the medical service provider that the injury or illness is covered by workers' compensation laws. The accident or illness must qualify as an industrial accident or illness under state law and district regulations.

Any employee who is injured while on duty or becomes ill as a result of performing his/her responsibilities may receive compensation and expenses as prescribed by state law and rules.

END OF POLICY

**Legal Reference(s):**

[ORS 243.650](#)  
[ORS 656.033](#)

[ORS 657.170](#)

[OAR 437-001-0760](#)





Code: **GBEC**  
Adopted: 12/01/15  
Orig. Code: GBEC

## Drug-Free Workplace

*(See proposed version)*

The District believes that illegal use of alcohol and other drugs is a problem that dramatically affects the physical, social, and emotional health of the individual, the family, and our educational system.

The District believes that school employees are responsible for acting as role models for students and as representatives to the community of the District's commitment to combat drug and alcohol abuse.

In order to ensure the highest standards of learning, safety, health, and well-being for students and employees, the District endorses substance abuse policies that help students and employees avoid alcohol and other drug use.

The District will take corrective disciplinary actions when necessary, and may recommend appropriate aftercare. Aftercare will not be incumbent upon the District.

This policy applies to all employees, including the employees of contractors.

### 1. Responsibilities Regarding Drugs and Alcohol in the Workplace:

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

- a. No District employee shall unlawfully manufacture, buy, sell, transport, distribute, dispense, possess, use, or be under the influence of intoxicants, including alcohol, or illegal drugs, or controlled substances, as defined by law, in the workplace, while on District property, during work hours (including meal periods), while assigned to extra duty or special projects, including those held after or in addition to regular school hours, and while driving between work sites during the work day, in either a District-supplied vehicle or a vehicle supplied by the employee.
  - (1) "Drugs" shall include any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or other controlled substance as defined in schedules I through V of Section 202 of the controlled substance act (21 U.S.C 8120 and as further defined by regulation at 21 C.F.R 1308.11-1308.15).
  - (2) Alcohol shall include any form of alcohol for consumption, including beer, wine, wine coolers, or liquor.
  - (3) "Workplace" shall mean the site of the performance of work done for the District. This includes any District building or District building premises, any District-owned vehicle, or any other District-approved vehicle (including the employee's own vehicle) while



used to transport students off school property during any District-sponsored or District-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the District.

- D**
- (4) The legal/medical use of controlled substances may be exempt from this policy.
  - b. No District employee shall knowingly sell, market, or facilitate the sale, use, or distribution of steroid or performance enhancing substances to Grades K-12 students, or knowingly endorse or suggest the use of such substances.
  - c. An individual is considered to be “under the influence of alcohol, intoxicants, and/or a controlled substance” when, in the District’s determination, based upon the supervisor’s observations and testing conducted by and interpreted by trained medical personnel, the controlled substance, alcohol, or intoxicant is deemed to be at a level that may impair the individual’s ability to safely and/or efficiently perform assigned work, or prevent the employee from presenting a positive role model to students.
  - d. If the District has reasonable suspicion that an employee is under the influence of intoxicants, including alcohol or any controlled substance, the District will require the employee to submit to immediate testing by trained medical personnel. Refusal to submit immediately to such tests may result in disciplinary action, up to and including dismissal.
  - e. Reasonable suspicion of employee use of an unlawful controlled substance or alcohol will be based on specific, contemporaneous, articulable observations made by a trained supervisor, as designated by the District. These observations may include, but are not limited to, the following:
    - (1) Observed abnormal appearance or behavior, or impairment in mental or physical performance (for example, dilated pupils, slurred speech, unsteady balance, difficulty walking, or peculiar odors)
    - (2) Direct observation of use in the workplace
    - (3) Indications of chronic and withdrawal effects of drugs
    - (4) Noticeable decline in job performance that may be associated with the misuse of drugs
    - (5) A work-related accident in conjunction with a basis for reasonable suspicion as listed above
  - f. A written record shall be made of the observations leading to a reasonable suspicion drug test and signed by the supervisor authorized to make such observations within 24 hours of the observed behavior or before the results of the drug test are released, whichever is earlier.
  - g. The District reserves the right, with prior notice and reasonable suspicion, to conduct searches on District property of employees and/or their personal property that is on the District’s premises. The District also reserves the right, with or without prior notice and reasonable suspicion, to conduct searches of District property, vehicles, or equipment at any time. A refusal to submit to a search may result in disciplinary action, up to and including dismissal.
  - h. Employees who are convicted of any violation of criminal drug statutes occurring in the workplace are required to notify the Superintendent or designee no later than five days after such conviction.<sup>1</sup>

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<sup>1</sup> Districts directly receiving grants or contracts of \$100,000 or more from the federal government are required to meet this obligation.

2. Notice to Employees:

The District will annually provide employees with the following information:

- a. The dangers of drug and alcohol abuse in and outside the workplace;
- b. The terms of this District policy;
- c. Any available drug counseling, rehabilitation, and employee assistance programs (the District provides an employee assistance program as specified through the employee agreements);
- d. The penalties an employee can incur for any infraction of this policy.

3. District Action in Case of Violation of this Policy by Employees:

- a. As a condition of employment with the District, all employees are required to abide by the terms of this policy and any implementing administrative rules.<sup>1</sup>
- b. If the District's investigation determines that an employee has violated this policy and/or implementing administrative rules, the District will take appropriate disciplinary action(s), including reprimand, suspension, and/or termination of employment. Disciplinary sanctions short of termination may include that the employee satisfactorily complete an appropriate substance abuse program of rehabilitation.<sup>1</sup>
- c. Through implementation of this policy, the administration will strive to maintain a drug-free workplace, and to fulfill the District's role in educating students and the community on the dangers of drug and alcohol abuse and modeling appropriate behavior.

4. Employee Assistance Program

An employee having a drug or alcohol problem is encouraged to seek assistance, on a confidential basis, under the Employee Assistance Program if such program is provided by the employer.

5. Leave for Participation in Abuse Assistance or Rehabilitation Program

The District may, upon employee request, grant leave with or without pay to permit an employee to participate in a drug abuse assistance or rehabilitation program.

END OF POLICY

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**Legal Reference(s):**

[ORS 243.650](#)  
[ORS 336.222](#)  
[ORS 342.721](#)  
[ORS 342.723](#)

[ORS 342.726](#)  
[ORS Chapter 475](#)  
[ORS 657.176](#)

[OAR 581-022-2045](#)  
[OAR 581-022-2210](#)  
[OAR 584-020-0040\(5\)\(e\)](#)

Drug-Free Workplace Act of 1988, 41 U.S.C. §§ 8101-8106 (2012); General Principles Relating to Suspension and Debarment Actions, 34 C.F.R. §§ 84.100-84.670 (2016).

Controlled Substances Act, 21 U.S.C. § 812; Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11-1308.15 (2016).

Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2012).

Corrected 3/20/19



Code: **GBEC**  
Adopted:

**R**

**Drug-Free Workplace**  
(Version 2)

The district shall provide a drug-free workplace.

The purpose of this policy is to promote safety, health and efficiency by prohibiting the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or alcohol in the workplace.

This policy applies to all District employees, including but not limited to, those exempt, unclassified, management service, classified and temporary employees who are paid directly or indirectly from funds received under a federal grant or contract.

The district shall provide to each employee a copy of this policy.

An employee shall not unlawfully manufacture, distribute, dispense, possess or use a controlled substance or alcohol in the workplace.

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

An employee shall, as a condition of employment, abide by the provisions of this policy.<sup>1</sup>

The District will take corrective disciplinary actions when necessary, and may recommend appropriate aftercare. Aftercare will not be incumbent upon the District. *(District language)*

**Definitions**

1. “Controlled substance” shall include any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or other drug as classified under the federal Controlled Substances Act (21 U.S.C. §§ 811-812 and as further defined by regulation in 21 C.F.R. §§ 1308.11-1308.15), as modified under Oregon Revised Statute (ORS) 475.035.
2. “Alcohol” shall include any form of alcohol for consumption, including beer, wine, wine coolers or liquor.

<sup>1</sup> Districts directly receiving grants or contracts from the federal government are required to meet this obligation.

3. “Conviction” means a finding of guilt (including a plea of no contest) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or state criminal drug statutes.
4. “Criminal drug statute” means a Federal or State criminal statute involving the manufacture, distribution, dispensation, possession or use of any controlled substance{ or alcohol}.
5. “Drug-free workplace” means a site for the performance of work at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance{ or alcohol}.

### **Basis for Reasonable Suspicion of Employee Use of Controlled Substance/Alcohol**

Reasonable suspicion of employee use of an unlawful controlled substance or alcohol shall be based upon any of the following on specific, contemporaneous, articulable observations made by a trained supervisor, as designated by the District. *(added district language here)*

The observations may include, but are not limited to, the following:

1. Observed abnormal behavior or impairment in mental or physical performance (e.g., dilated pupils, slurred speech, unsteady balance, difficulty walking, or peculiar odors); *(added district language here)*
2. Direct observation of use in the workplace;
3. Indications of chronic and withdrawal effects of drugs; *(added district language here)*
4. The opinion of a medical professional;
5. Noticeable decline in job performance that may be associated with the misuse of drugs; *(added district language here)*
6. Reliable information concerning use in the workplace, the reliability of any such information shall be determined by employer;
7. A work-related accident in conjunction with a basis for reasonable suspicion as listed above.

An individual is considered to be “under the influence of alcohol, intoxicants, and/or a controlled substance” when, in the District’s determination, based upon the supervisor’s observations and testing conducted by and interpreted by trained medical personnel, the controlled substance, alcohol, or intoxicant is deemed to be at a level that may impair the individual’s ability to safely and/or efficiently perform assigned work, or prevent the employee from presenting a positive role model to students. *(added district language here)*

If the District has reasonable suspicion that an employee is under the influence of intoxicants, including alcohol or any controlled substance, the District will require the employee to submit to immediate testing by trained medical personnel. Refusal to submit immediately to such tests may result in disciplinary action, up to and including dismissal. *(added district language here)*

A written record shall be made of the observations leading to a reasonable suspicion drug test and signed by the supervisor authorized to make such observations within 24 hours of the observed behavior or before the results of the drug test are released, whichever is earlier. *(added district language here)*

The District reserves the right, with prior notice and reasonable suspicion, to conduct searches on District property of employees and/or their personal property that is on the District's premises. The District also reserves the right, with or without prior notice and reasonable suspicion, to conduct searches of District property, vehicles, or equipment at any time. A refusal to submit to a search may result in disciplinary action, up to and including dismissal. *(added district language here)*

## **Sanctions and Remedies<sup>2</sup>**

If the District, upon investigation determines that an employee has engaged in the unlawful manufacture, distribution, dispensation or possession of a controlled substance or alcohol, or upon having reasonable suspicion (under the section below) of an employee's unlawful use of a controlled substance or alcohol in the workplace violated this policy and/or implementing administrative rules, the District shall, pending any criminal drug statute conviction for a violation occurring in the workplace, take appropriate action, which may include reprimand, transfer, granting of leave with or without pay or suspension with or without pay, and/or termination of employment. *(Revised with district language here)*

Within 30 calendar days of learning of an employee's criminal drug statute conviction for a violation occurring in the workplace, the District shall:

1. Take appropriate action, which may include discipline up to and including termination; and/or
2. Require satisfactory participation by the employee in a drug abuse assistance or rehabilitation program approved for such purpose by a federal, state or local health, law enforcement or other appropriate agency.

## **Employee Assistance Program**

An employee having a drug or alcohol problem is encouraged to seek assistance, on a confidential basis, under the Employee Assistance Program if such program is provided by the employer (The District provides an employee assistance program as specified through the employee agreements) *(added district language here)*.

The district shall, upon employee request, grant leave with or without pay to permit an employee to participate in a drug abuse assistance or rehabilitation program.

## **Notice to Employees**

The district shall establish a drug free awareness program to annually inform employees of the following:

1. Dangers of drug and alcohol abuse in the workplace;
2. Existence of and content of this policy for maintaining a drug-free workplace;

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<sup>2</sup> Ibid. p. 1

3. Availability of drug-counseling, rehabilitation, and employee assistance programs<sup>3</sup>; and
4. Penalties that may be imposed for drug abuse violations occurring in the workplace of this policy.

**Notification by Employee of Conviction<sup>4</sup>**

An employee shall, as a condition of employment, notify the district in writing of any criminal drug statute conviction for a violation occurring in the workplace no later than five calendar days after such conviction.

**Notification by the District of an Employee Conviction**

The district shall notify the appropriate federal granting or contracting agency, in writing, of an employee’s criminal drug statute conviction, for a violation occurring in the workplace, no later than 10 calendar days after learning of such conviction.

END OF POLICY

**Legal Reference(s):**

[ORS 243.650](#)  
[ORS 336.222](#)  
[ORS 342.721](#)  
[ORS 342.723](#)

[ORS 342.726](#)  
[ORS Chapter 475](#)  
[ORS 657.176](#)

[OAR 581-022-2045](#)  
[OAR 581-022-2210](#)  
[OAR 584-020-0040\(5\)\(e\)](#)

Drug-Free Workplace Act of 1988, 41 U.S.C. §§ 8101-8106 (2012); General Principles Relating to Suspension and Debarment Actions, 34 C.F.R. §§ 84.100-84.670 (2016).  
 Controlled Substances Act, 21 U.S.C. § 812; Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11-1308.15 (2016).  
 Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2012).

Corrected 3/20/19

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<sup>3</sup> The District provides an employee assistance program as specific through the employee agreements. *(added district language here)*

<sup>4</sup> Ibid. p. 1



Code: **GBG**  
 Adopted: 11/25/08  
 Orig. Code: GBG

### Staff Participation in Political Activities

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

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

On all political issues, employees must designate that the viewpoints they represent on the issues are personal and are not to be interpreted as the District’s official viewpoint.

~~No employee will use District facilities, equipment or supplies in connection with his/her campaigning, nor will he/she use any time during the working day for campaign purposes.~~

No employee will use district facilities, equipment or supplies in connection with his/her political activities, nor will he/she use any time during the work day for such political activities.

END OF POLICY

**Legal Reference(s):**

[ORS Chapter 244](#)

[ORS 260.432](#)

OR. CONST., art. XV, § 8.



Code: **GBH/JECAC**  
 Adopted: 5/22/18  
 Orig. Code: GBH/JECAC

### Staff/Student/Parent Relations\*\*

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

1. Receiving and inspecting their student’s education records and consulting with school staff concerning the student’s welfare and education, to the same extent as provided to the parent having sole custody;
2. Authorizing emergency medical, dental, psychological, psychiatric, or other health care for the student if the custodial parent is, for practical reasons, unavailable.

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

~~If the district is provided with a court order or parenting plan that curtails the rights of the noncustodial parent, the student shall not be released to the noncustodial parent nor shall the noncustodial parent be granted visitation or phone access during the day.~~

~~In the case of joint custody, the district will adhere to all conditions specified and ordered by the court. The district may request in writing any special requests or clarifications in areas concerning the student and the district’s relationship and responsibilities.~~

The district will use reasonable methods to identify and authenticate the identity of both parents.

END OF POLICY

#### Legal Reference(s):

[ORS 107.101](#)  
[ORS 107.102](#)

[ORS 107.106](#)  
[ORS 107.154](#)

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

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).  
 Protection of Pupil Rights, 20 U.S.C. § 1232h (2012); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2017).





Code: **GBMA**  
Adopted: 3/13/18  
Orig. Code(s): GBMA

## **Whistleblower \***

When an employee has good faith and reasonable belief that the employer has violated any federal, state, or local, law, rule or regulation; has engaged in mismanagement, gross waste of funds, or abuse of authority; or created a substantial and specific danger to public health and safety by its actions; and an employee then discloses or plans to disclose such information, it is an unlawful employment practice for an employer to:

1. Discharge, demote, transfer, reassign, or take disciplinary action against an employee or threaten any of the previous actions.
2. Withhold work or suspend an employee.
3. Discriminate or retaliate against an employee with regard to promotion, compensation, or other terms, conditions, or privileges of employment.
4. Direct an employee to not disclose or to give notice to the employer prior to making any disclosure, or discourage an employee from making a disclosure.
5. Prohibit an employee from discussing, either specifically or generally, the activities of the state or any agency of or political subdivision in the state, or any person authorized to act on behalf of the state, or any agency of or political subdivision in the state, with:
  - a. Any member of the Legislative assembly;
  - b. Any Legislative committee staff acting under the direction of any member of the Legislative assembly; or
  - c. Any member of the elected governing body of a political subdivision in the state or any elected auditor of a city, county, or metropolitan service district.

An employee's good faith and reasonable belief shall serve as an affirmative defense to civil or criminal charges related to the employee's disclosure of lawfully accessed information related to the violation, including information that is exempt from disclosure by public records law.

The District will use the complaint process in administrative regulation GBM-AR ÷ Staff Complaint Procedure to address any alleged violations of this policy.

The District shall deliver a written or electronic copy of this policy to each staff member.

END OF POLICY

**Legal Reference(s):**

[ORS 192.501 to -192.505](#)

[ORS 659A.199 to -659A.224](#)

[OAR 581-022-2405](#)

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

Connick v. Myers, 461 U.S. 138 (1983).



Code: GBNA  
Adopted: 12/16/14  
Orig. Code: GBNA

## **Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying – Staff**

The Board is committed to providing a positive and productive learning and working environment.

*(added line space)*

Hazing, harassment, intimidation, menacing, or bullying, including cyberbullying, of staff, ~~students~~, or third parties by students, staff members, or third parties is strictly prohibited and will not be tolerated in the District.

*(added line space)*

Retaliation against the victim, any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry is ~~also~~ strictly prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a report or complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Students and staff members will refrain from using personal ~~communication~~ electronic devices or District property, equipment, or devices in violation of Board policy.

Staff members whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial action which may include discipline, up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the Superintendent or designee or the Board. Students whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial action which may include discipline, up to and including expulsion.

Individuals may also be referred to law enforcement officials. Licensed staff ~~will~~ may be reported to Teacher Standards and Practices Commission, ~~as provided~~ if required by Oregon Administrative Rule (OAR) 584-020-0041.

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

END OF POLICY

**Legal Reference(s):**

[ORS 163.190](#)  
[ORS 163.197](#)  
[ORS 166.065](#)  
[ORS 166.155 - 166.165](#)  
[ORS 174.100](#)  
[ORS 332.072](#)

[ORS 332.107](#)  
[ORS 339.250](#)  
[ORS 659A.006](#)  
[ORS 659A.029](#)  
[ORS 659A.030](#)  
[ORS 659A.103 - 659A.143](#)

[ORS 659A.199 - 659A.224](#)  
[OAR 839-003-0000](#)  
[OAR 839-005-0021](#)  
[OAR 839-005-0030](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2012).  
Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et. Seq. (2012).  
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 (2012); 29 C.F.R. Part 1626 (2018)  
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2012); 29 C.F.R. Part 1630 (2018); 28 C.F.R. Part 35 (2018).  
Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2012).  
Bartsch v. Elkton School District, FDA-13-011 (March 27, 2014).  
OREGON BUREAU OF LABOR AND INDUSTRIES, *Workplace Bullying* (visited Feb. 26, 2019), <<https://www.oregon.gov/boli/docs/WorkplaceBullyingPoster-2018.pdf>>.

Updated 3/08/19