



Hillsboro School District 1J

May 14, 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 49th Place, Hillsboro, OR

Board Meeting Agenda
May 14, 2019
5:15 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. 5:15 PM - Work Session

A. Approve Policy Revisions (*presented for first reading on April 30, 2019*)

Presenter: Mike Scott

Time: 5:15 PM, 5 minutes

1. Policy KG and KG-AR(1): Community Use of District Facilities; KG-AR(2): Facility Use Fee Schedule; and KG-AR Attachments 5
 - KG: Community Use of District Facilities
 - KG-AR(1): Community Use of District Facilities
 - KG-AR(2): Facility Use Fee Schedule (proposed)
 - KG-AR Attachment A-1: Fee Schedule Worksheet - Day Care (delete)
 - KG-AR Attachment A-2: Fee Schedule Worksheet (delete)
 - KG-AR Attachment B: Application and Permit for Use of School Buildings and Facilities (delete)

B. Information - Administrative Regulation Updates

Presenter: Mike Scott

Time: 5:20 PM, 5 minutes

1. Administrative Regulations Included in Annual Notifications to Staff, Students, and Families (part 1) 19
 - GBC-AR: Staff Ethics
 - GBH/JECAC-AR: Audio and Video Recording of Parent Meetings and Conferences
 - GBNA-AR: Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying Complaint Procedures – Staff

C. Policies - First Reading

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.

Presenter: Mike Scott

Time: 5:25 PM, 5 minutes

1. First Reading - Policies Included in Annual Notifications to Staff, Students, and Families (part 2) 26
 - a. Policies in Section G 28
 - GBN/JBA: Sexual Harassment
 - GCAB: Personal Electronic Devices and Social Media – Staff
 - b. Policies in Section I 33

- IB: Freedom of Expression
- IBB: Freedom of Expression/Staff (delete)
- IGAEB: Drug, Alcohol, and Tobacco Prevention, Health Education
- IGBAG: Special Education – Procedural Safeguards
- IGBAG-AR: Special Education – Procedural Safeguards
- IGDA: Student Organizations
- IIBGA: Electronic Communications System
- IICB: Community Resources--Guest Speakers
- IKI: Academic Integrity
- ING: Animals in District Facilities

c. Policies in Section J 59

- JB: Equal Educational Opportunity
- JE/JED/JEDA: Student Attendance
- JEA: Compulsory Attendance
- JFC: Student Conduct
- JFCA: Student Dress and Appearance
- JFCB: Care of District Property by Students
- JFCC: Student Conduct on Buses (delete)
- JFCEA: Gangs
- JFCEB: Personal Electronic Devices and Social Media – Students
- JFCF: Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence, or Domestic Violence – Student
- JFCG/JFCH/JFCI: Use of Tobacco Products, Alcohol, Drugs, or Inhalant Delivery Systems
- JFG: Student Search and Seizure
- JFH: Student Complaints
- JG: Student Discipline
- JGA: Corporal Punishment
- JGAB: Use of Restraint and Seclusion
- JGD: Suspension
- JGDA: Discipline of Disabled Students
- JGE: Expulsion
- JHCCA: Students – HIV, HBV, and AIDS
- JHCD/JHCDA: Medications
- JHCD/JHCDA-AR: Medications
- JHFA: Supervision of Students
- JO/IGBAB: Education Records/Records of Students with Disabilities
- JO/IGBAB-AR(1): Education Records/Records of Students with Disabilities Management

d. Policies in Section K-L 125

- KBE: Political Campaigns

D. Discuss the Superintendent's Contract 126

Presenter: Lisa Allen

Time: 5:30 PM, 15 minutes

E. Discussion Time

Time: 5:45 PM, 15 minutes

F. Recess Board Meeting

Time: 6:00 PM

2. 6:10 PM - Executive Session

A. ORS 192.660(2)(i)—Evaluation of the Superintendent

Time: 6:10 PM, 2 hours

3. Adjourn

Time: 8:10 PM

4. Next Meetings of the Board of Directors:

- May 20, 2019 - Special Session
- May 28, 2019 - Regular Session
- June 11, 2019 - Regular Session

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



Code: KG
Adopted: 10/01/15
Orig. Code: KG

Community Use of District Facilities

Use of the District school buildings, and facilities, and grounds in the District shall be in conformity with State statutes. Other than the restrictions imposed by law, District school buildings and facilities shall be available for community use in accordance with the adopted policies of the Board, accompanying administrative regulations, and applicable school rules.

District school buildings and grounds may be used to provide before- and after-school programs, recreation, or other activities designed to serve students and their families in accordance with Board policies, administrative regulations, and school rules governing use of facilities.

Unauthorized use of District school buildings, property or grounds, and facilities, including unauthorized overnight stays, is prohibited.

District School buildings, facilities, and grounds shall be available without charge to District-sponsored, school-sponsored groups and activities, or contracted partners. School buildings may be available without charge to nonprofit groups when they are providing services to community youth provided there is no additional expense for heating, utilities, supervision, or custodial services to the District. Other groups will be assessed a rental fee to help cover a portion of the rental costs of their usage as designated in KG-AR(2) – Facility Use Fee Schedule.

The rental fee schedule is developed by the Superintendent or designee. Fees may be waived for groups providing activities to local underserved youth populations. A fee waiver may be requested by submitting a Fee Waiver Request form, which will be reviewed for approval by the Superintendent or designee, based on criteria established by the Superintendent or designee.

All other groups may be required to pay reasonable expenses for the use of facilities according to a schedule developed by the Superintendent or the Superintendent's designee.

The fee schedule will be submitted to the Board for approval. Cafeterias and auditoriums will have separate fee schedules. Cafeteria/kitchen use will be approved through nutrition services in addition to the normal approval process.

An approved District supervisor must be onsite during all District facility rentals. The site supervisor is assigned by the District Facilities Department. Custodial services may be required depending on the time and scope of the event. Renters will be responsible to pay the rate for custodial and/or site supervision, as determined by the Facilities Department. Additional fees for turf field lights may also apply.

~~The use of District buildings and other facilities by any organization operated for private gain, or any purpose involving private gain, shall be permitted only when a worthy educational, civic, or charitable purpose will be served.~~

~~District buildings may be used to provide before and afterschool programs, recreation, or other activities clearly designed to serve students and their families in accordance with policies governing community use of facilities and public bidding or requests for proposals.~~

~~Due to the needs of schools, some school facilities will have limited availability for community use. School facilities are generally closed to community users during the summer and holidays, due to cleaning and maintenance schedules.~~

~~Approval for use of a District building, or facility, or grounds does not constitute approval or endorsement by the District of the organization or group. The District is not responsible for words spoken or actions taken by organizations, groups, or individuals during their use of the buildings, or facilities, or grounds.~~

END OF POLICY

Legal Reference(s):

[ORS Chapter 244](#)

[ORS 260.432](#)

[ORS 332.107](#)

[ORS 332.172](#)

Corrected 4/22/19; Corrected 5/06/19



Code: KG-AR(1)
Revised/Reviewed: 12/11
Orig. Code: KG-AR(1)

Community Use of District Facilities

The following will ~~cover~~ govern the use of the District's schools buildings, and facilities, and grounds:

Paying and Non-Paying Groups

1. ~~Nonpaying groups: School-sponsored groups (e.g., school clubs, school athletic and activity teams/organizations, Hillsboro Parks & Recreation, employee associations, PTA, and other parent support groups). Nonschool sponsored groups or individuals that are non-profit and serve community youth (e.g., Boy Scouts, Camp Fire, youth athletic and activity teams/organizations, summer youth classes and activities).~~
2. ~~Paying Groups: Public agencies (e.g., Portland Community College, Washington County) and private groups or individuals who are operating for profit or private gain. The fee may be waived or discounted for school business alliances/partnerships.~~

Priority of Scheduling and Use

The Superintendent or designee shall determine group classifications, fees to be charged, and have final approval for the use of school buildings, facilities, and grounds in keeping with Board policy and these administrative regulations.

Scheduling and use of school buildings, facilities, and grounds shall be in the following order of priority:

Tier A

District-sponsored and school-sponsored activities will take priority over all other users. "District-sponsored and school-sponsored activities" are those that serve the youth of Hillsboro School District schools and are coordinated, funded, planned, and directed by the District or a District school and its staff.

Tier B

1. District School Affiliates. "District school affiliates" are organizations whose mission is to provide activities for District youth (K-8) in a particular District feeder school (e.g., Century,

Glencoe, Hilhi, Liberty). These activities will be aligned with programming at the feeder school.

2. Contracted Partners. “Contracted partners” are organizations that have a reciprocity or financial contract with the District.

Tier C

Organizations within the Hillsboro School District boundary area whose purpose is to provide educational or extracurricular activities for Hillsboro resident youth.

Tier D

Non-resident organizations whose purpose is to conduct educational or extracurricular activities for non-resident youth.

Tier E

For-profit or non-profit organizations whose purpose is to conduct activities for adults.

Prohibited Activities

Lack of regulations and supervision often results in misuse, damages, and safety hazards. As a result, it is necessary that the following activities be prohibited in all forms on all District-owned property:

1. The use of any form of tobacco or tobacco-related products and inhalant delivery systems is prohibited on school-District property or and in school or District buildings;
2. The use of alcoholic liquors in any form is prohibited in the schools or District buildings or on District grounds;
3. Operation and/or racing of automobiles, motorcycles, motor bikes, go-carts, or other such vehicles;
4. Operation of power-driven model airplanes or other mechanical, electrical, or remote controlled devices for practice, amusement, or exhibition (except as approved by administration, e.g., Lego Robotics, unmanned aircraft systems or drones, etc.);
5. Horseback riding;
6. Golf practice;
7. Archery practice;
8. Persons or groups using a gymnasium for recreational purposes shall wear appropriate recreational shoes or non-marking shoes and shall not wear street shoes or shoes suspected of marking the floors;
9. The use of all roller devices (e.g., roller shoes, skateboards, scooters, etc.) is prohibited.
10. No eating or drinking as per individual school policy or this administrative regulation.

11. All activities listed in Board policy KGB – Public Conduct on District Property are prohibited.

Limitations on Use/Misuse of Facilities

Unauthorized use of District property and facilities, including unauthorized overnight stays, is prohibited.

All vehicles on school or District property are subject to the traffic laws of the state of Oregon, and applicable county, city, and those rules adopted by the Board.

~~The Board reserves the right to refuse use of school facilities and grounds to persons and groups whose previous use of the facilities and grounds resulted in abuse of District property.~~

Persons or groups using school buildings or facilities shall be responsible for any damages caused to grounds or equipment and removal of litter caused by their use assessed fees for violating rental agreements or for misuse of, or damage to District property (e.g., excessive garbage, excessive water usage, surpassing rental time period, etc.). The Superintendent or designee shall be the sole judge of damage to the District's property.

The District reserves the right to refuse use of school or District facilities and grounds to persons and groups whose previous use of the facilities and grounds resulted in violation of the rental agreement or misuse of District property.

Priority of Use

~~Use of school buildings and facilities shall be in the following order of priority:~~

- ~~1. Public school programs and activities of the District will take priority over all community use activities;~~
- ~~2. School-affiliated organizations (e.g., school clubs, school athletic and activity teams/organizations, Hillsboro Parks & Recreation, employee associations, PTA, other parent support groups);~~
- ~~3. Nonschool-sponsored groups or individuals that are non-profit and serve community youth (e.g., Boy Scouts, Camp Fire, youth athletic and activity teams/organizations, and summer youth classes and activities);~~
- ~~4. Public agencies (e.g., Portland Community College, Washington County);~~
- ~~5. Private groups and organizations resident in the District (e.g., dance studios, business meetings, lecture series, etc.);~~
- ~~6. Private groups and organizations that are not resident.~~

~~If a fee or tuition is charged, District rental will be paid according to annual agreements. If there is no admission fee or tuition, the group will be charged for any additional supervisory or custodial personnel or special equipment needed to assure building security, cleanliness, and public safety.~~

Applications for Use~~Reservation Requests~~

~~Requests for the use of any school building or facility of the District for other than scheduled school programming shall be made on the “Application and Permit for Use of School Buildings and Facilities” form (KG-AR, Attachment B). All applications shall be completed and submitted to the Facilities Management office no later than five days prior to the date of use. The Superintendent/designee shall determine group classifications, fees to be charged, and have final approval for the use of buildings and facilities in keeping with policy and these regulations. Requests for cancellation should be made at the earliest possible date.~~

All classifications (i.e. designated tiers) of District facility or property usage will submit reservations through the District’s online rental platform, accessible via the District’s website.

District personnel are prohibited from circumventing the official District reservation process. District personnel are not permitted to rent out spaces without District approval.

No reservation requests submitted fewer than five business days in advance will be considered for approval.

Reservation requests made by non-District organizations will not be considered for approval more than two months in advance.

Typically, facility use approval will be completed within five business days following the submission of a reservation request. Reservation confirmation will be completed via the scheduling platform.

Cancellation notifications by renters will be made to the District, a minimum of 48 hours in advance of scheduled use or will be subject to late cancellation fees.

The District reserves the right to deny usage for prior misuse, or for violation of, or noncompliance with District facility or property use registration requirements and fees, and permitted groups as delineated in this administrative regulation.

Overnight reservation requests may be authorized if they fulfill all District requirements, including safety, supervision, and insurance.

Hours of Usage~~Community Use~~

~~Business hours are defined as Monday through Friday 7 a.m. to 4 p.m. Hours available for actual use of the elementary facilities are 6 p.m. to 9 p.m., and 4 p.m. to 11 p.m. for the high school facilities. The facilities are available at other times and on weekends depending on the availability of school staff and availability of the facility. District schools are not eligible for rental during the academic day (i.e., 7:00 a.m. to 4:00 p.m.) and are closed on District holidays. Elementary and middle schools may be available between the hours of 5:00 p.m. and 9:00 p.m. on weekdays during the school year. High schools are generally not available during evening hours throughout the week. Weekend usage varies by site, and availability can be reviewed via the District’s online scheduling platform. Overnight reservation requests may be authorized if they fulfill all District requirements, including safety, supervision, and insurance. Summer facility usage is restricted due to District maintenance and cleaning schedules.~~

Payment

Payment for use of buildings or facilities, when required, shall be made to the District prior to use in advance of the reservation through the District's online scheduling platform. The payment shall be in accordance with the schedule of fees approved by the Board (see KG-AR(2), Attachment A-1 or A-2 – Facilities Use Fee Schedule).

Supervision and Use of Buildings and Facilities

The applicant-renter will be responsible for the supervision of all minors attending the activity at all times. The maximum number of people permitted in the various buildings or facilities shall be restricted to their seating capacity or by fire codes. Groups must confine their activities to that part of the building or facility for which the application was made and a designated person shall be in charge.

Use of School Equipment

1. School equipment may not be removed from the school premises.
2. All school equipment and furniture, including pianos, shall be used only with the approval of the building principal and requested use must be included in the user's request for approval.

Fund Raisers and Donations

Non-profit organizations that are facilitating fund raisers where all raised money is donated to a school or District program can be granted facility usage free of charge. For-profit organizations that provide school programs with a donation for using District facilities are only allowed to use the school facility of the program to which they are donating.

Use of Food Service Facilities

All use of District kitchen and food service preparation areas are is to be approved through Nutrition Services in addition to the normal approval process.

Parking

Vehicles are prohibited from parking on playgrounds or athletic fields. The sponsoring organization-renter is responsible to keep vehicles in the designated parking areas.

Damage to District Property

Each organization or group using a school building or facility shall agree to restore it to its original condition or replace any property damaged as a result of such use. The Superintendent/designee shall be the sole judge of damage to the District's property. (Damage also includes that caused to the floor by street or dirty shoes.)

Guidelines for Long-Term Use of School Facilities by Nonprofits and Other Nonschool Organizations

1. ~~Long term use of a school will be discouraged because of the wear and tear on the facility and the impact on custodial staff. Approval will be confined to temporary use caused by remodeling, expansion work, or emergencies for the community use group. Requests for long term use of a school in lieu of the requesting group or organization constructing its own facility will be denied.~~
2. ~~Non school sponsored student groups, community service organizations, or nonprofits will be assessed fees on a case by case basis considering hours used, number of participants, number of set ups, utilities costs, or square footage requested.~~
3. ~~Continuation of facility use by said group will be evaluated on a yearly basis.~~

Liability Insurance

Organizations, businesses, and other groups requesting the use of District facilities ~~requiring extended use and/or accommodation of large groups~~ must provide proof of insurance that meets the District's minimal standard for liability coverage. The minimum insurance standard is outlined on the reservation system.

~~Short term users, small~~ All users except Tier A groups; or individuals will "assume all liability for damage to District facilities and agree to indemnify and hold harmless the District from all claims, losses, or damages arising out of the use of such facility or equipment" by signing the agreement on the "Application and Permit for Use of School Buildings and Facilities" form (KG-AR, Attachment B) through submission of the reservation via the online reservation system.

Schedule of Charges.

See Facilities Use Fee Schedule Worksheet, KG-AR(2), Attachment A-1 or A-2 for current fees.

Corrected 4/22/19; Corrected 5/06/19



Code: KG-AR(2)

Revised/Reviewed:

Facility Use Fee Schedule

Tiers are defined in administrative regulation KG-AR(1) – Community Use of District Facilities.

Users recognized as Tiers A and B will not be charged rental fees, but may be required to pay custodial and/or supervisory fees, depending on the time and scope of the event.

Users recognized as Tiers C, D, and E will pay cost-per-hour fees listed in the table below as follows:

Tier C

2019-20 School Year

Non-profits: 20 percent of cost per hour, for requested building, facility, or grounds.

For-profits: 60 percent of cost per hour, for requested building, facility, or grounds.

2020-21 School Year

Non-profits: 25 percent of cost per hour, for requested building, facility, or grounds.

For-profits: 60 percent of cost per hour, for requested building, facility, or grounds.

2021-22 School Year

Non-profits: 30 percent of cost per hour, for requested building, facility, or grounds.

For-profits: 60 percent of cost per hour, for requested building, facility, or grounds.

Tier D

Non-profits: 60 percent of cost per hour for requested school building, facility, or grounds.

For-profits: 75 percent of cost per hour for requested school building, facility, or grounds.

Tier E

Non-profits: 75 percent of cost per hour for requested school building, facility, or grounds.

For-profits: 100 percent of cost per hour for requested school building, facility, or grounds.

Facility	Cost Per Hour
Hare Field or Liberty Stadium (large events using all facilities)	\$299.84
Track	\$40.00
High school main gym	\$89.66
Middle school gym or elementary school large gym or High school small gym	\$62.84
Elementary school small gym or Middle school small gym	\$27.33
High school auditorium	\$101.61
Middle school theater/stage	\$75.00
High school cafeteria	\$66.08
Middle school cafeteria	\$45.01

Facility Use Fee Schedule– KG-AR(2)

1-2

Facility	Cost Per Hour
Elementary school cafeteria	\$27.33
High school library	\$39.18
Middle school library	\$27.69
Elementary school library	\$18.06
Standard classroom	\$13.91
Choir/Music/Band room	\$21.09
Tennis courts	\$17.13
Wrestling/Exercise room	\$23.09
High school grass field	\$32.40
Middle school grass field	\$20.65
Elementary school grass field	\$20.65
Turf field	\$126.03
High school parking lot	\$77.08
Middle school parking lot	\$25.02
Elementary school parking lot	\$21.18

- Custodial/Monitor fee is \$33 per hour with a 2-hour minimum regardless of Tier or requested building, facility, or grounds.
- Turf field lights cost an additional \$9 per hour, regardless of Tier.
- Rate increases of approximately two percent per year are anticipated.

Corrected 4/22/19

HILLSBORO SCHOOL DISTRICT 1J
4901 SE Witch Hazel Road
Hillsboro, OR 97123
FEE SCHEDULE WORKSHEET
DAY CARE 2007-2011



Complete the following worksheet for all facility use that is outside of the school day, all summer, weekend, and holiday closures.
 Outside school hours are defined as Monday through Friday 6:00 p.m. to 9:00 p.m. for elementary and 4:00 p.m. to 11:00 p.m. for secondary.

HEATING/VENTILATING/COOLING ■ HVAC fees are not required during school hours			
ELECTRICITY ■ Electricity and other fees required per use.	HOURS	Fees Per Hour	Total Cost
<i>Classrooms (All) DAY CARE</i>	<i>hours at</i>	<i>\$9.00</i>	<i>\$ -</i>
<i>Gymnasium - Elementary DAY CARE</i>	<i>hours at</i>	<i>\$13.00</i>	<i>\$ -</i>
<i>Cafeteria</i>	<i>hours at</i>	<i>\$8.00</i>	<i>\$ -</i>
TOTAL:			\$ -

CUSTODIAN: Custodian must be on duty when buildings are in use. For building use during non-school hours, there is a two-hour minimum requirement for custodians. Calculate additional time if custodian is asked to perform tasks beyond opening and closing facilities. After two-hour minimum, time must be in half hour increments.			
Custodial hours calculation:	Hours	Fee	Total
Minimum 2 hours (regular time) DAY CARE DAILY FLAT FEE		\$55.00	\$ 55.00
TOTAL CUSTODIAN CHARGES:			\$ 55.00
TOTAL CHARGES:			\$ 55.00

School:	Date:
Applicant:	Phone:

HILLSBORO SCHOOL DISTRICT 1J
4901 SE Witch Hazel Road
Hillsboro, OR 97123
FEE SCHEDULE WORKSHEET



Complete the following worksheet for all facility use that is outside of the school day, all summer, weekend, and holiday closures.
 Outside school hours are defined as Monday through Friday 6:00 p.m. to 9:00 p.m. for elementary and 4:00 p.m. to 11:00 p.m. for secondary.

HEATING/VENTILATING/COOLING ■ HVAC fees are not required during school hours.				
List Hours of Use.	HOURS	Fees Per Hour	Total Cost	
High Schools	hours at	\$33.00	\$	-
Middle Schools	hours at	\$19.00	\$	-
Elementary Schools	hours at	\$9.00	\$	-
TOTAL:			\$	-

ELECTRICITY ■ Electricity and other fees required per use.	HOURS	Fees Per Hour	Total Cost	
Classrooms (All)	hours at	\$9.00	\$	-
Gymnasium - High/Middle	hours at	\$22.00	\$	-
Gymnasium - Elementary	hours at	\$13.00	\$	-
Specialty Areas -(Home Ec, Choir)	hours at	\$16.00	\$	-
Kitchen (lights/equip)	hours at	\$8.00	\$	-
Cafeteria	hours at	\$13.00	\$	-
Auditorium	hours at	\$55.00	\$	-
Field Lights (All)	hours at	\$50.00	\$	-
Administration Center Board Room hours	hours at	\$55.00	\$	-
Other Administration Center Conference Rooms	hours at	\$16.00	\$	-
TOTAL:			\$	-

OTHER UTILITIES:	Usage	Fees Per Use	Total Cost	
Garbage, Water, Sewer, Paper Products, Cleaning Supplies at	per use, per day	\$12.00	\$	-
SUBTOTAL UTILITY FEES:			\$	-

EQUIPMENT:				
List Equipment: (Includes Food Service Equipment: steamers, grills, ovens, and range. Auditorium Light or Sound Systems.)	Number of Items	List Hours	Fee	Total
			\$15.00	\$ -
			\$15.00	\$ -
			\$15.00	\$ -
			\$15.00	\$ -
TOTAL: (Items, Hours, Fees)			\$15.00	\$ -

FIELD AND PARKING LOT USE:	List Hours/Uses	Fee	Total
Fee Per Use: \$16.00 per hour		\$16.00	\$ -
Plus custodial charges of \$22.00 per hour (if required)		\$22.00	\$ -
Artificial turf <u>without</u> lights: Per 2-hour unit		\$500.00	\$ -
Plus custodial charges of \$100 per event.		\$100.00	\$ -
Artificial turf <u>with</u> lights: Per 2-hour unit		\$650.00	\$ -
Plus custodial charges of \$100 per event.		\$100.00	\$ -
TOTAL FIELD AND PARKING LOT FEES:			\$ -

OTHER LABOR:			
Other labor required by area of usage and equipment required. Auditorium usage requires equipment operator for a two-hour minimum.			
Other hours calculation:	Hours	Fee	Total
Minimum 2 hours (student labor rate)		\$10.00	\$ -
Minimum 2 hours (licensed staff--current extended contract rate)		\$24.50	\$ -
TOTAL OTHER LABOR CHARGES:			\$ -

CUSTODIAN:			
Custodian must be on duty when buildings are in use. For building use during non-school hours, there is a two-hour minimum requirement for custodians. Calculate additional time if custodian is asked to perform tasks beyond opening and closing facility. After two-hour minimum, time must be in half hour increments.			
Custodial hours calculation:	Hours	Fee	Total
Minimum 2 hours (regular time)		\$22.00	\$ -
Minimum 2 hours (overtime)		\$33.00	\$ -
Minimum 2 hours (Sunday/holiday)		\$44.00	\$ -
TOTAL CUSTODIAN CHARGES:			\$ -
SUBTOTAL OTHER FEES (Utility, Equipment, Other Labor):			\$ -
TOTAL CHARGES:			\$ -

School:	Date:
Applicant:	Phone:



Hillsboro School District Form

Application and Permit for Use of School Buildings and Facilities

Application to Use:	School/Facility:	Areas Needed:	
Capacities:	Parking Capacity:	Number of Participants:	Number of Spectators:
Dates: <input type="checkbox"/> One Time <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Other	Day(s) of the Week:	Start/End Times:	
	Date(s):	<input type="checkbox"/> Admission Will Be Charged <input type="checkbox"/> No Admission Will Be Charged	
Description of Activity:	Type of Activity:		Senior Project? <input type="checkbox"/> Yes <input type="checkbox"/> No
Sponsor of Activity/ Applicant:	Name:		Street Address:
	City:	Zip Code:	Phone:
Equipment:	<input type="checkbox"/> Microphones (how many _____) Cords: Y / N <input type="checkbox"/> Screen <input type="checkbox"/> Podium <input type="checkbox"/> Spotlight <input type="checkbox"/> Extension Cords <input type="checkbox"/> Video Camera <input type="checkbox"/> Sound system (which) <input type="checkbox"/> VCR / TV screen <input type="checkbox"/> Electric lift (Secondary Schools) <input type="checkbox"/> Risers: #Large _____ #Medium _____ #Small _____ <input type="checkbox"/> Carpets <input type="checkbox"/> Other : _____		
	Who will do clean-up? <input type="checkbox"/> Our Group <input type="checkbox"/> Custodian		
	Does responsible person need custodial assistance? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Tables (submit work order)		
	Does responsible person have keys to all needed areas? <input type="checkbox"/> Yes <input type="checkbox"/> No		
	Who will do set-up? <input type="checkbox"/> Our Group <input type="checkbox"/> Custodian		
	<div style="display: flex; justify-content: space-between;"> <div style="width: 70%;"> Agreement: "I (we) agree to assume responsibility for the observance of school regulations in the general conduct of the participants. I (we) also assume all responsibility and liability for damage to the facility or equipment covered by this application regardless of cause and further agree to indemnify and hold harmless the School District from any and all claims, losses, or damages arising out of the use of such facility or equipment. I (we) do not and will not discriminate against a qualified individual with a disability. Any qualified individual with a disability will be provided an opportunity to participate in, or benefit from, our aid, benefit, or service that is equal to that afforded others involved in our program or activity." </div> <div style="width: 25%;"> Signature of Applicant: Date: </div> </div>		

Permit and Conditions of Use

<input type="checkbox"/> Must provide proof of Liability Insurance naming the Hillsboro School District as an additional insured		<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved
Dates:		Times:	
Not Available/Restrictions:			
Comments:			
Fees: Rental:	CANCELLATION: The User shall notify the District of cancellation at least one day in advance. The District reserves the right to cancel this permit at any time. Possible "no show" fee could be charged with no cancellation notice. School office is to be notified at least one day prior to that date.		
Signatures:			
Principal	Date	Executive Director, Facilities, Planning, & Property	Date

Dear Patron:

To request the use of a School District building or facility please complete the application on the front and return it to the Facilities Management office.

Please thoroughly read the Board of Education's "REGULATIONS FOR USE OF FACILITIES" listed below.

Please remember that school activities will take priority over your activities. If there is a conflict, you may have to cancel or request to reschedule your activity.

REGULATIONS FOR USE OF FACILITIES

1. Use or possession of liquor or illegal drugs in any requested form is prohibited in school buildings and on school premises.
2. Effective September 1, 1992, the Hillsboro School District 1 J School Board put in place a policy that prohibits smoking, including the use of any tobacco or tobacco related products on all District property including buildings, vehicles, and outdoor areas.
3. Willful damage to property or equipment is prohibited.
4. Permission is required for the use of nails, tacks, tape, etc. for attaching objects to school property.
5. The following activities are prohibited on all District-owned property unless they are supervised by school officials or other approved individuals: racing of automobiles, motorcycles, and other vehicles; operation or racing of powered "go-carts" or other small powered vehicles; operation of power-driven model airplanes or other mechanical devices for practice, amusement or exhibitions; horseback riding; golf practice; or archery practice.
6. Any school equipment to be used must be requested when the facility application is submitted.
7. Persons or groups using a gymnasium for recreational purposes shall be required to wear gym shoes.
8. No eating or drinking as per individual school policy.
9. Use of other equipment, e.g., audio visual, must be requested according to building procedure.
10. School equipment may not be borrowed for use outside school facilities unless specific approval is obtained from the building administrator.
11. Individuals or groups may not use consumable materials of the school unless prior arrangements for reimbursement have been made.
12. Separate building regulations established by the building administrator must be observed. Failure to observe these regulations or those established by the building administrator could result in forfeiture of user privileges.
13. Any materials published related to this activity must state the activity is not sponsored by Hillsboro School District 1J.
14. District approval of this facility usage request does not constitute District endorsement.

OFFICIAL USE ONLY (TO BE COMPLETED AFTER ACTIVITY)

OFFICIAL USE ONLY (TO BE COMPLETED AFTER ACTIVITY)			
BUILDING REPORT:		DISTRICT OFFICE:	
Overtime Hours:		Rental Charge:	\$
Comments:		Service Charge:	\$
Signature	Date	Signature	Date

HILLSBORO SCHOOL DISTRICT 1J
May 14, 2019
INFORMATION – ADMINISTRATIVE REGULATION UPDATES FOR THE
ANNUAL NOTIFICATION OF STAFF, STUDENTS, AND FAMILIES (PART 1)

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

Updated administrative regulations (ARs) that do not require Board action are posted in Board meeting packets for the information of the Board, staff members, and the public.

During the months of April, May, and June, updates to policies and administrative regulations that are included in annual notifications to staff, students, and families are being prioritized. Please note that OSBA has provided final versions of the text of these ARs, but the revision dates will not be updated until after the Board meeting.

- GBC-AR: Staff Ethics
- GBH/JECAC-AR: Audio and Video Recording of Parent Meetings and Conferences
- GBNA-AR: Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying Complaint Procedures – Staff

RECOMMENDATION

The Superintendent recommends that the Board of Directors review these updated administrative regulations, which will be included in annual notifications to staff, students, and families.



Code: **GBC-AR**
Revised/Reviewed: 12/01/16; 5/14/19
Orig. Code(s): GBC-AR

Staff Ethics

District employees are allowed financial benefits, as identified in Oregon Revised Statute (ORS) 244.040(2), such as their official compensation package, reimbursed expenses, limited honoraria, and unsolicited awards for professional achievement. District employees are prohibited from using or attempting to use their District positions to obtain financial gain or to avoid financial detriment for the District employee, a relative or member of the household of the employee, or any business with which the employee or a relative or member of the household of the employee is associated, if the opportunity for financial gain or avoidance of financial detriment would not otherwise be available, but for the employee's position with the District. Specifically, this means that:

1. Employees will not use District equipment for personal use, unless it is available to a significant segment of the general public.

Further, the District's supplies, facilities, equipment, employees, records, or any other public resources are not to be used to engage in private business interests. For example, the District's computer cannot be used to sell products on an auction website during school hours.

Specific questions regarding appropriate use of District supplies, facilities, or equipment should be directed to the District's chief financial officer.

2. When employees are traveling on official District business, any gift given because of this travel must be either declined or passed on to the District for use for future District travel. For example, if the hotel where the employee is staying gives the employee a free night's stay on a future visit, this must be declined or given back to the District for future District travel. The frequent flyer miles earned when traveling on official District business can only be used for District travel. If the employee's spouse is traveling with the employee, the employee is responsible for all additional charges (e.g., additional room charge).
3. Employees may not use personal credit cards for District travel or other District business and receive incentives, such as cash reimbursements, frequent flyer miles, and other benefits that are based upon the dollar amount of purchases made.
4. Employees may not use discounts offered by private companies for the employee's personal benefit if the discount is only offered because of the employee's official position. For example, an office supplies store provides all teachers a 10 percent discount. Because the teachers are receiving this discount only because of their official position, they cannot use the discount to purchase personal items. The teachers may use the discount to purchase items for District use. Employees can also

accept the discount if it is also available to a substantial segment of the population who are not public officials.

5. Employees may accept free passes to District extracurricular events if they are attending these events in their official capacity (e.g., chaperoning, ticket sales, managing concession sales). In order to promote employee participation in extracurricular activities, the District may include free passes in employees' official compensation packages*.
6. The employee's District position is not to be used to take official action that could have a financial impact on a private business with which the employee, a relative, or a member of the employee's household are associated. For example, if the employee's brother owns a pest-control business that is seeking a contract with the District, and the employee is part of the decision-making process, the employee must declare an actual conflict of interest in writing, describing the nature of the conflict, and provide this to the employee's supervisor.
7. Confidential information gained as a District employee is not to be used to obtain a financial benefit for the employee, a relative, or a member of the public official's household or a business with which any are associated. For example, the employee should not use the information that a student in the employee's class is falling behind in math to provide the parents a referral to the employee's sister's tutoring business.
8. District employees who mentor student teachers may not receive direct payments from sponsoring colleges or universities. The payment may be provided by the college or university to the District, which can then distribute the compensation to the teachers as an element of their official compensation package.
9. District employees must follow Oregon Government Ethics Commission guidelines for outside employment if the employee acts as a chaperone for student group trips on personal time, and the District employee accepts compensation in the form of travel expenses from a private business or organization. Specifically, District employees must conduct all activities related to the trip on personal time and cannot use the classroom or school environment to plan the off-campus trip. Employees may use District facilities for this purpose only if they comply with the District's public use of facilities policy. It is not an ethics violation for the employee to accept reasonable expenses for accompanying students on an education trip.

These restrictions do not apply if the teacher is chaperoning students on a fact-finding mission that is officially sanctioned by the Board.



Code: **GBH/JECAC-AR**
Revised/Reviewed: 4/28/09; 5/14/19
Orig. Code: GBH/JECAC-AR

Audio and Video Recording of Parent Meetings and Conferences

Parents are encouraged to be involved in their student's educational activities and participate in parent conferences. Occasionally, a parent or the District may have need to audio or video record a conference. The following protocols pertain to recording conferences:

1. Oregon law prohibits recording of conversations without disclosure to all parties present. Once disclosure has occurred, it is legal to record a conference. All parties are requested to acknowledge notification at the beginning of the conference that a recording is being made of the proceedings.
2. It is requested that the parent and/or the District will provide at least two days advance notice to all parties of their intent to record the meeting.
3. If the District records a conference, a copy of the recording will be provided to the parent upon request.
4. A scheduled conference may be rescheduled by the District if a parent arrives with the intent to record the meeting and has failed to provide at least two days advance notice.



Code: **GBNA-AR**
Revised/Reviewed: 3/14/17; 5/14/19
Orig. Code: GBNA-AR

Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying Reporting Procedures – Staff

The following definitions and procedures shall be used for reporting, investigating, and resolving reports of hazing, harassment, intimidation, bullying, cyberbullying, and menacing of staff or third parties.

Definitions

1. “Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, or others engaged in District business, such as employees of businesses or organizations participating in cooperative work programs with the District, and others not directly subject to District control at inter-district and intra-district athletic competitions or other school events.
2. “District” includes District facilities, District premises, and non-District property if the student or employee is at any District-sponsored, District-approved, or District-related activity or function, such as field trips or athletic events where students are under the control of the District, or where the employee is engaged in District business.
3. “Hazing” includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health, or safety of a staff member for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any District-sponsored work activity, work group or work assignment, or other such activities intended to degrade or humiliate regardless of the person’s willingness to participate.
4. “Harassment” is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), sexual orientation¹, national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful when a) enduring the offensive conduct becomes a condition of continued employment, or b) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.
5. “Intimidation” includes, but is not limited to, any threat or act intended to tamper, substantially damage, or interfere with another’s property, cause substantial inconvenience, subject another to

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

offensive physical contact, or inflict serious physical injury on the perception of the other's race, religion, color, national origin, disability, or sexual orientation.

6. "Cyberbullying" is the use of any electronic device to convey a message in any form (e.g., text, image, audio, or video) that defames, intimidates, harasses, or otherwise harms, insults, or humiliates another in a deliberate, repeated, or hostile and unwanted manner under a person's true or false identity. Any communication of this form which substantially disrupts or prevents a safe and positive educational or working environment may also be considered cyberbullying.
7. "Bullying" is a pattern of repeated mistreatment that harms, intimidates, undermines, offends, degrades, or humiliates an employee.
8. "Menacing" includes, but is not limited to, any act intended to place a District employee, student, or third party in fear of imminent serious physical injury.

Reporting Procedures

The building principals, supervisors, and the assistant superintendent of human resources have responsibility for investigations concerning reports of hazing, harassment, intimidation, bullying, cyberbullying, or menacing of staff or third parties. The investigator(s) shall be a neutral party having had no involvement in the report presented.

Any employee or third party who has knowledge of conduct in violation of Board Policy JFCF - Hazing, Harassment, Intimidation, Menacing, Bullying, Cyberbullying, Teen Dating Violence, or Domestic Violence - Student shall immediately report concerns to the building principal or supervisor.

Any employee or third party who has knowledge of conduct in violation of Board policy or feels they have been hazed, harassed, intimidated, bullied, cyberbullied, or menaced in violation of Board or this administrative regulation policy shall immediately report concerns to the designated District official. All reports and information will be promptly investigated in accordance with the following procedures:

- Step 1 Any reports or information on acts of hazing, harassment, intimidation, bullying, cyberbullying, or menacing (e.g., complaints, rumors) shall be presented to the building principal or supervisor. Reports against the building principal shall be filed with the chief human resources officer. Reports against the Superintendent shall be filed with the Board chair. Information may be presented anonymously. All such information will be conveyed in writing and will include the specific nature of the offense and corresponding dates.
- Step 2 The District official receiving the report shall promptly investigate. Parents will be notified of the nature of any report involving their student. The District official will arrange such meetings as may be necessary with all concerned parties within 10 working days after receipt of the information or report. The parties will have an opportunity to submit evidence and a list of witnesses. All findings conveyed in the report will be communicated in writing. The District official(s) conducting the investigation shall notify the person making the report within 15 working days of receipt of the information or report, and parents as appropriate, in writing when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

- Step 3 If the person making the report is not satisfied with the decision at Step 2, the complainant may submit a written appeal to the Superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The Superintendent or designee will arrange such meetings with the person making the report and other affected parties as deemed necessary to discuss the appeal. The Superintendent or designee shall provide a written decision to the appeal within 15 working days.
- Step 4 If the person making the report is not satisfied with the decision at Step 3, a written appeal may be filed with the Board. Such appeal must be filed within 10 working days after receipt of the Step 3 decision. The Board may, within 30 working days, conduct a hearing at which time the person making the report shall be given an opportunity to present the information or report. The Board shall provide a written decision to the person making the report within 10 working days following completion of the hearing.

If the Board decides not to hear the report, the superintendent's decision is final.

Timelines may be extended upon written agreement between both parties. This applies to reports filed against the superintendent or any Board member.

Reports against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 30 days, in open session what action, if any, is warranted.

Reports against the Board as a whole or against an individual Board member should be made to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 30 days, in open session what action, if any, is warranted.

Reports against the Board chair may be made directly to the Board vice chair on behalf of the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 30 days, in open session what action, if any, is warranted.

Direct complaints of discriminatory harassment related to employment may be filed with the Oregon Bureau of Labor and Industries, Civil Rights Division or the U.S. Department of Labor, Equal Employment Opportunities Commission.

Documentation related to the incident may be maintained as a part of the employee's personnel file. Additionally, a copy of all reported acts of hazing, harassment, intimidation, bullying, menacing, or cyberbullying and documentation will be maintained as a confidential file in the District office.

HILLSBORO SCHOOL DISTRICT 1J
May 14, 2019
FIRST READING – POLICIES INCLUDED IN ANNUAL NOTIFICATIONS TO STAFF,
STUDENTS, AND FAMILIES (PART 2)

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

In April, May, and June, policies and administrative regulations that are included in annual notifications to staff, students, and families are being prioritized. Revisions to the first section of these policies were presented to the Board on April 9 for first reading, and on April 30 for approval. Revisions to the second section of the notification policies, listed below, have been reviewed by the Superintendent and Cabinet members, and are being presented to the Board for first reading this evening:

- Policies in Section G
 - GBN/JBA: Sexual Harassment
 - GCAB: Personal Electronic Devices and Social Media – Staff
- Policies in Section I
 - IB: Freedom of Expression
 - IBB: Freedom of Expression/Staff (delete)
 - IGAEB: Drug, Alcohol, and Tobacco Prevention, Health Education
 - IGBAG: Special Education – Procedural Safeguards
 - IGBAG-AR: Special Education – Procedural Safeguards
 - IGDA: Student Organizations
 - IIBGA: Electronic Communications System
 - IICB: Community Resources--Guest Speakers
 - IKI: Academic Integrity
 - ING: Animals in District Facilities
- Policies in Section J
 - JB: Equal Educational Opportunity
 - JE/JED/JEDA: Student Attendance
 - JEA: Compulsory Attendance
 - JFC: Student Conduct
 - JFCA: Student Dress and Appearance
 - JFCB: Care of District Property by Students

- JFCC: Student Conduct on Buses (delete)
- JFCEA: Gangs
- JFCEB: Personal Electronic Devices and Social Media – Students
- JFCF: Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence, or Domestic Violence – Student
- JFCG/JFCH/JFCI: Use of Tobacco Products, Alcohol, Drugs, or Inhalant Delivery Systems
- JFG: Student Search and Seizure
- JFH: Student Complaints
- JG: Student Discipline
- JGA: Corporal Punishment
- JGAB: Use of Restraint and Seclusion
- JGD: Suspension
- JGDA: Discipline of Disabled Students
- JGE: Expulsion
- JHCCA: Students – HIV, HBV, and AIDS
- JHCD/JHCDA: Medications
- JHCD/JHCDA-AR: Medications
- JHFA: Supervision of Students
- JO/IGBAB: Education Records/Records of Students with Disabilities
- JO/IGBAB-AR(1): Education Records/Records of Students with Disabilities Management
- Policies in Section K
 - KBE: Political Campaigns

RECOMMENDATION

The Superintendent recommends that the Board of Directors review the first reading of these policies, which will be included in annual notifications to staff, students, and families.



Code: **GBN/JBA**
Adopted: 12/16/14
Orig. Code: GBN/JBA

Sexual Harassment

The Board is committed to the elimination of sexual harassment in District facilities and activities. Sexual harassment is strictly prohibited and shall not be tolerated. This includes sexual harassment of students, staff members, or third parties who are on or immediately adjacent to school grounds, at any District-sponsored activity, on any District-provided transportation, or at any official District but stop, by other students, staff members, Board members, or third parties.

“Third parties” include, but are not limited to, school volunteers, parents, school visitors, service contractors, or others engaged in District business, such as employees of businesses or organizations participating in cooperative work programs with the District, and others not directly subject to District control at interdistrict and intradistrict athletic competitions or other school events.

“District” includes District facilities, District premises and nondistrict property if the student or employee staff member 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 jurisdiction of the District, or where the employee staff member is engaged in District business.

The prohibition also includes off-duty conduct that has the effect of interfering with a staff member’s or third party’s ability to perform District business.

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

1. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits;
2. Submission to or rejection of the conduct or communication is used as the basis for educational decisions affecting a student, or employment or assignment of staff members;
3. The conduct or communication is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with a student’s educational performance or with an employee’s staff member’s ability to perform his/her job responsibilities; or creates an intimidating, offensive, or hostile educational or working environment. Relevant factors to be considered will include, but not be limited to, did the individual view the environment as hostile, was it reasonable to view the environment as hostile, the nature of the conduct, how often the conduct occurred and how long it continued, age and sex of the complainant, whether the alleged harasser was in a position of power

over the student or staff member subjected to the harassment, number of individuals involved, age of the alleged harasser, where the harassment occurred, and other incidents of sexual harassment at the school involving the same or other students, ~~or staff~~ members, or third parties.

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

All complaints about behavior that may violate this policy shall be promptly investigated. Any students, ~~or employees~~ staff members, or third parties who ~~has~~ have knowledge of conduct in violation of this policy or feels ~~he/she is~~ they are a victim of sexual harassment must immediately report ~~his/her~~ their concerns to the building principal, compliance officer, or Superintendent ~~for~~ designee, who has overall responsibility for all investigations. ~~A s~~ Students may also report concerns to a teacher, counselor, or school nurse, who will promptly notify the appropriate District official.

Upon receipt of a complaint by a student, student's parents, a staff member, or a third party alleging behavior that may violate this policy, the District shall provide written notice as required by Oregon Revised Statute (ORS) 342.704(4) to the complainant.

~~In the event the person responsible for the investigation is the subject of the complaint, the assistant superintendent of Human Resources shall receive the report. If the assistant superintendent of Human Resources is the subject of the complaint, the complaint shall be referred to the assistant superintendent of the Office for School Performance.~~

The student and/or the student's parents, ~~or~~ staff member, or third party who initiated the complaint shall be notified of the findings of the investigation and, if appropriate, that remedial action has been taken that the investigation has been concluded and as to whether a violation of this policy was found to have occurred to the extent allowable under state and federal confidentiality laws.

The initiation of a complaint in good faith about behavior that may violate this policy ~~shall~~ may not adversely affect the educational assignments or ~~study~~ educational environment of a student complainant, ~~or any terms or conditions of employment or work environment of a~~ the staff member complainant or any terms or conditions of employment or of work or educational environment of a third-party complainant. There shall be no retaliation by the District against any person who, in good faith, reports, files a complaint, or otherwise participates in an investigation or inquiry of sexual harassment.

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

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

The Superintendent ~~for~~ designee shall ensure appropriate periodic sexual harassment awareness training or information is provided to all supervisors, staff ~~members~~, and students, and that annually, the name and position of District officials responsible for accepting and managing sexual harassment complaints, business phone numbers, addresses, or other necessary contact information is readily available. This policy as well as the complaint procedure will be made available upon request to all students, parents of students, ~~and staff members~~, and third parties, posted on the District's website, and ~~published~~ in student/parent and staff handbooks. The District's policy shall be posted on a sign in all schools. ~~Such posting~~ Posted signs shall be ~~by a sign of~~ at least 8-1/2" inches by 11" inches.

The Superintendent ~~for~~ designee will establish a process of reporting incidents of sexual harassment.

END OF POLICY

Legal Reference(s):

[ORS 243.706](#)
[ORS 342.700](#)
[ORS 342.704](#)
[ORS 342.708](#)
[ORS 342.850](#)

[ORS 342.865](#)
[ORS 659.850](#)
[ORS 659A.006](#)
[ORS 659A.029](#)
[ORS 659A.030](#)

[OAR 581-021-0038](#)
[OAR 584-020-0040](#)
[OAR 584-020-0041](#)
HB 4150 (2018)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2012).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2012).

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

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

Corrected 3/20/19; Corrected 5/01/19



Code: **GCAB**
Adopted: 8/26/14
Orig. Code: GCAB

Personal Electronic Devices and Social Media - Staff**

Staff member possession or use of personal electronic devices on District property, in District facilities during the work day, and while the staff member is on duty in attendance at District-sponsored activities may be permitted subject to the limitations set forth in this policy and consistent with any additional school rules as may be established by the Superintendent ~~or~~ designee. At no time, whether used on-duty or off-duty will a personal electronic device be used in a manner that interferes with staff duties and responsibilities, or in a manner that violates state and/or federal law.

A “personal electronic device” is a device not issued by the District that is capable of electronically communicating, sending, receiving, storing, recording, reproducing, and/or displaying information and data.

Social media tools may be used by staff in a manner that supports the instructional and learning environment.

The District will not be liable for loss or damage to personal electronic devices brought onto District property and to District-sponsored activities.

Staff members, while on duty and off duty, will utilize social media websites, public websites, and blogs judiciously by not posting confidential information about students, staff or District business.¹ Staff may not post images of District facilities, staff, students, volunteers, or parents without authorization from persons with authority to grant such a release. Staff members, while on duty and off duty, will treat fellow employees, students, and the public with respect while posting on social media websites, etc., in order to prevent substantial disruption in school. Communication with students using personal electronic devices will be appropriate, professional, and school-related. **Messaging students for nonschool-related activities or matters is prohibited.**

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

Staff members are subject to disciplinary action, up to and including dismissal, for using a personal electronic device in any manner that is illegal or violates the terms of this policy, administrative regulation, or other District acceptable use guidelines. Staff actions on social media websites, public websites, and blogs, while on or off duty, ~~which that~~ **disrupts** the school environment, are subject to disciplinary action,

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

up to and including dismissal. A “disruption” for purposes of this policy includes, but is not limited to, one or more parents threaten to remove their children from a particular class or particular school, actual withdrawal of a student or students from a particular class or particular school, and/or a threatened or actual negative impact on the learning environment. The taking, disseminating, transferring or sharing of obscene, pornographic, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) is prohibited and 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 as required by law or as deemed appropriate by the administration.

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

The Superintendent or designee shall ensure that this policy is available to all employees.

END OF POLICY

Legal Reference(s):

[ORS 167.057](#)
[ORS 163.432](#)
[ORS 163.433](#)
[ORS 163.684](#)
[ORS 163.686](#)
[ORS 163.687](#)

[ORS 163.688](#)
[ORS 163.689](#)
[ORS 163.693](#)
[ORS 163.700](#)
[ORS 326.011](#)
[ORS 326.051](#)

[ORS 332.072](#)
[ORS 332.107](#)
[ORS 336.840](#)
[OAR 584-020-0000 to -0035](#)

Copyrights, Title 17, as amended, United States Code; 19 C.F.R. Part 133 (2014).

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

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

Corrected 3/20/19; Corrected 4/17/19; 5/01/19



Code: **IB**
Adopted: 11/29/11
Orig. Code: IB

Freedom of Expression

Students have a general right to freedom of expression within the school system. The District requires, however, that students exercise their rights fairly, responsibly, and in a manner not disruptive to other individuals or to the educational process.

Freedom of Student Inquiry and Expression

1. Generally, students and student organizations are free to examine and discuss questions of interest to them and to express opinions publicly and privately within the school system, provided such examination and expression is fair and responsible and is not disruptive to other individuals or to the educational process. Students may support causes by orderly means which do not disrupt other individuals or the operation of the school.
2. In the classroom, students are free to examine views offered in any course of study, provided such examination is expressed in a responsible manner.

Freedom of Association

Students are free to organize associations to promote their common interests. Student organizations should be open to all students. Membership criteria may not exclude students on the basis of race, color, religion, sex, sexual orientation, parental status, national origin, marital status, disability, or age.

Each student organization must have a faculty advisor to counsel and, when necessary, supervise students in the organization. All student organizations must submit to the school a statement of purpose, criteria for membership, rules and procedures, and a current list of officers. School administrators may establish reasonable rules and regulations governing the activity of student organizations.

Publications

On occasion, materials such as leaflets, newsletters, cartoons, and other items are prepared and distributed by students as part of the educational process and free expression in an academic community. Such materials may be reviewed by the administrator or may be restricted or prohibited, however, pursuant to legitimate educational concerns. Such concerns include:

1. The material is or may be defamatory;
2. The material is inappropriate based on the age, grade level, and/or maturity of the reading audience;

3. The material is poorly written, inadequately researched, biased, or prejudiced;
4. Whether there is an opportunity for a named individual or named individuals to make a response;
5. Whether specific individuals may be identified even though the material does not use or give names;
6. The material is or may be otherwise generally disruptive to the school environment. Such disruption may occur, ~~for example, e.g.,~~ if the material uses, advocates, or condones the use of profane language, or advocates or condones the commission of unlawful acts; and
7. Students, parents, and members of the public might reasonably perceive the materials to bear the sanction or approval of the District.

High School Student Journalists

Generally, high school student journalists have the right to exercise freedom of speech and of the press in school-sponsored media. “School-sponsored media” means materials that are prepared, substantially written, published, or broadcast by student journalists, that are distributed or generally made available, either free of charge or for a fee, to members of the student body and that are prepared under the direction of a student-media adviser. School-sponsored media does not include media intended for distribution or transmission solely in the classrooms in which they are produced.

School-sponsored media prepared by student journalists are subject to reasonable time, place, and manner restrictions, pursuant to state and federal law. School-sponsored media cannot contain material that:

1. Is libelous or slanderous;
2. Is obscene, pervasively indecent, or vulgar;
3. Is factually inaccurate or does not meet journalistic standards established for school-sponsored media;
4. Constitutes an unwarranted invasion of privacy;
5. Violates federal or state law; or
6. So incites students as to create a clear and present danger of:
 - a. The commission of unlawful acts on or off school premises;
 - b. The violation of District policies; or
 - c. The material and substantial disruption of the orderly operation of the school. A school official will base a forecast of material and substantial disruption on specific facts, including past experience in the school and current events influencing student behavior, and not on undifferentiated fear or apprehension.

Modifications or removal of items may be appealed in writing to the Superintendent’s designee. The Superintendent’s designee shall schedule a meeting within three school days of receiving the written appeal. Those present at the meeting shall include the individual(s) making the appeal, the individual(s) who made the decision to modify or remove materials, and the Superintendent’s designee. At the

Superintendent’s designee’s discretion, the District’s legal counsel may also attend the meeting. The Superintendent’s designee shall make his/her decision within three school days of the meeting.

If the complainant is not satisfied with the decision of the Superintendent’s designee, he/she may appeal to the Board under established District procedures.

END OF POLICY

Legal Reference(s):

[ORS 332.072](#)

[ORS 332.107](#)

[ORS 336.477](#)

[ORS 339.880](#)

[ORS 339.885](#)

[OAR 581-021-0050](#)

[OAR 581-021-0055](#)

Equal Access Act, 20 U.S.C. §§ 4071-4074 (2012).

Westside Cmty. Bd. of Educ. v. Mergens, 496 U.S. 226 (1990).

Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988).

U.S. CONST. amend. I; U.S. CONST. amend. XIV.

OR. CONST., art. I, § 8.



Code: **IBB**
Adopted: 12/16/08
Orig. Code: IBB

Freedom of Expression/Staff

(See policy INB and GCAA)

The Board seeks to educate young people in the democratic tradition, to foster recognition of individual freedom and social responsibility, and to inspire meaningful awareness of and respect for the Constitution and the Bill of Rights.

Freedom of expression, as defined by federal and state law and by Board policy, will be guaranteed to teachers to create a classroom atmosphere that allows students to raise questions dealing with critical issues.

The teacher is responsible for exercising judgment in selecting issues of educational value for discussion.

END OF POLICY

Legal Reference(s):

[ORS 332.072](#)
[ORS 332.107](#)
[ORS 339.880](#)

[ORS 339.885](#)
[OAR 581-021-0050](#)

[OAR 581-021-0055](#)

Equal Access Act, 20 U.S.C. §§ 4071-4074 (2006).
Westside Cmty. Bd. of Educ. v. Mergens, 496 U.S. 226 (1990).
Hazelwood Sch. District v. Kuhlmeier, 484 U.S. 260 (1988).
U.S. CONST. amend. I; U.S. CONST. amend. XIV.
OR. CONST., art. I, § 8.



Code: **IGAEB**
Adopted: 10/01/16
Orig. Code: IGAEB

Drug, Alcohol, and Tobacco Prevention, Health Education**

Students have a right to attend school in an environment conducive to learning. Since student alcohol, drug, and tobacco use is illegal and harmful, and interferes with both effective learning and the healthy development of students, the school has a fundamental legal and ethical obligation to prevent unlawful drug, alcohol, and tobacco use, and to maintain drug-free educational environments.

After consulting with parents, teachers, school administrators, local community agencies, and persons from the drug, alcohol, or health service community who are knowledgeable of the latest research information, the Board will adopt a written plan for a drug, alcohol, and tobacco prevention and intervention program. The plan will be reviewed annually for revision and readoption.

The District's drug, alcohol, and tobacco curriculum will be age-appropriate, reviewed annually, and updated as necessary to reflect current research and Oregon's Health Education Academic Content Standards.

Drug, alcohol, and tobacco prevention instruction will be integrated in the District's health education courses for grades K-12. Students not enrolled in health education shall receive such instruction through other designated courses. At least annually, all high school students, grades 9-12, shall receive instruction about drug and alcohol prevention. Instruction shall minimally meet the requirements set forth in Oregon Administrative Rules.

The District will include information regarding the District's intervention and referral procedures, including those for drug-related medical emergencies, in student/parent and staff handbooks.

"Intervention" is defined as the identification and referral of students whose behavior is interfering with their potential success socially, emotionally, physiologically, and/or legally, as a result of prohibited drug, alcohol, and/or tobacco use.

Any staff member who has reason to suspect a student is in possession of, or under the influence of, unlawful drugs, alcohol, other intoxicants, or tobacco on District property, on a school bus, or while participating in any District-sponsored activity, whether on District property or at sites off District property, will escort the student to the office or designated area, and will report the information to the principal or his/her designated representative.

The building principal or designee will:

1. Call law enforcement, if deemed appropriate;

2. Call the parents ~~or~~ guardians for a meeting;
3. Discuss the incident with student, parents ~~or~~ guardians if available, and ~~police~~ law enforcement if contacted;
4. Impose the penalty for violations using due process procedures;
5. Tell the parents ~~or~~ guardians about resources that offer treatment or assistance for young people suffering from drug-, alcohol-, or tobacco-related problems.

Students possessing, using, and/or selling unlawful drugs, including drug paraphernalia, alcohol, or tobacco on District property, in District vehicles, at District-sponsored activities on or off District grounds, shall be subject to discipline up to and including expulsion, as outlined in the Standards of Student Conduct handbook (JF/JFA-AR). When considering disciplinary action for a student with disabilities, the District must follow the requirements of Board policy JGDA - Discipline of Students with Disabilities, including those involving functional behavioral assessment, change or placement, manifestation determination, and an interim alternative educational setting. Students may also be referred to law enforcement officials.

Each year the administration will meet with law enforcement officials to discuss the following:

1. Who the school should call for suspected violations of the law or other needs;
2. How school representatives should handle evidence of a suspected offense (e.g., school staff should not taste a substance to ascertain whether or not it is a drug).
3. What questioning procedures may take place on District property;
4. Other needs of the District and law enforcement to avoid conflicts or confusion before a substance-related incident occurs.

In general, drug-related medical emergencies will be handled like a serious accident or illness. Immediate notification of the community emergency care unit is required. Trained staff members will assist the student in any way possible. Parents ~~or~~ guardians shall be contacted immediately. A staff member shall be designated to accompany the student to the hospital or emergency medical facility. Procedures to be taken, including those for students participating in District-sponsored activities off District grounds, shall be included in the District's comprehensive first aid/emergency plan.

The District will actively seek funds from outside sources either independently or through coordinated efforts with other districts, community agencies, or the education service district for drug-free schools grants.

A planned staff development program that includes current drug, alcohol, and tobacco prevention education, and an explanation of the District's plan and staff responsibilities within that plan, will be developed by the Superintendent ~~or~~ designee. The input of staff, parents, and the community is encouraged to ensure a staff development program that best meets the needs of District students.

The District will develop a public information plan for students, staff, and parents.

The District’s drug, alcohol, and tobacco prevention policy; health education policy; and other related Board policies, rules, and procedures will be reviewed annually and updated as needed.

END OF POLICY

Legal Reference(s):

ORS 163.575	OAR 581-015-2060	OAR 581-015-2420
ORS 336.067	OAR 581-015-2070	OAR 581-015-2425
ORS 336.222	OAR 581-015-2075	OAR 581-015-2430
ORS 339.873	OAR 581-015-2205	OAR 581-015-2435
ORS Chapter 475	OAR 581-015-2220	OAR 581-015-2440
	OAR 581-015-2225	OAR 581-015-2600
OAR 581-011-0052	OAR 581-015-2230	OAR 581-015-2605
OAR 581-015-2000	OAR 581-015-2235	OAR 581-021-0050
OAR 581-015-2040	OAR 581-015-2240	OAR 581-021-0055
OAR 581-015-2045	OAR 581-015-2325	OAR 581-022-2030
OAR 581-015-2050	OAR 581-015-2410	OAR 581-022-2045
OAR 581-015-2055	OAR 581-015-2415	

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; 86.1-86.7 (2017).
Controlled Substances Act, 21 U.S.C. § 812 (2012); Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11-1308.15 (2017).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2012).



Code: **IGBAG**
Adopted: 11/29/11
Orig. Code: IGBAG

Special Education – Procedural Safeguards**

Procedural Safeguards – General

The District ensures that students with disabilities and their families are afforded their procedural safeguards related to:

1. Access to students' educational records;
2. Parent and adult student participation in special education decisions;
3. Transfer of rights to students who have reached the age of majority;
4. Prior written notice of proposed District actions;
5. Consent for evaluation and for initial placement in special education¹;
6. Independent educational evaluation;
7. Dispute resolution through mediation, state complaint investigation, resolution sessions, and due process hearings;
8. Discipline procedures and protections for students with disabilities, including placements related to discipline;
9. Placement of students during the pendency of due process hearings;
10. Placement of students by their parents in private schools;
11. Civil actions; and

¹ If, at any time subsequent to the initial provision of special and related services, the parent of a child revokes consent in writing for the continued provision of special education and related services, the district: 1) may not continue to provide special education and related services to the child, but must provide prior written notice before ceasing the provision of special education and related services; 2) may not use mediation or due process procedures to obtain an agreement or ruling that the services may be provided to the child; 3) the district will not be considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further special education and related services; and 4) the district is not required to convene an IEP team meeting or develop an IEP for the child for further provision of special education or related services.

12. Attorney's fees.

Procedural Safeguards Notice

1. The District provides to parents a copy of the *Notice of Procedural Safeguards*, published by the Oregon Department of Education, at least once per year and upon initial referral, or parent request for special education evaluation, and upon any other parent request. The District also gives a copy to the student at least a year before the student's 18th birthday or upon learning that the student is considered emancipated.
2. The District provides the *Notice of Procedural Safeguards* in the parent's native language or other mode of communication unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, the District takes steps to ensure that the notice is translated orally or by other means understandable to the parent and that the parent understands the content of the notice. The District maintains written evidence that it meets these requirements.

Parent or Adult Student Meeting Participation

1. The District provides parents or adult students an opportunity to participate in meetings with respect to the identification, evaluation, IEP, and educational placement of the student, and the provision of a free appropriate public education to the student.
2. The District provides parents or adult students written notice of any meeting sufficiently in advance to ensure an opportunity to attend. The written notice:
 - a. States the purpose, time, place of the meeting, and who is invited to attend;
 - b. Advises that parents or adult students may invite other individuals who they believe have knowledge or special expertise regarding the student;
 - c. Advises that the team may proceed with the meeting even if the parents are not in attendance;
 - d. Advises the parents or adult students who to contact before the meeting to provide information if they are unable to attend; and
 - e. Indicates if one of the meeting's purposes is to consider transition services or transition services needs. If so:
 - (1) Indicates that the student will be invited; and
 - (2) If considering transition services, identifies any agencies invited to send a representative (with parent or adult student consent).
3. The District takes steps to ensure that one or both parents of a child with a disability are present at each IEP or placement meeting or are afforded the opportunity to participate, including:
 - a. Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and
 - b. Scheduling the meeting at a mutually agreed upon time and place.
4. If neither parent can attend, the District will use other methods to ensure participation, including, but not limited to, individual or conference phone calls or home visits.

5. The District may conduct an evaluation planning or eligibility meeting without the parent or adult student if the District provided meeting notice to the parent or adult student sufficiently in advance to ensure an opportunity to attend.

END OF POLICY

Legal Reference(s):

[ORS 343.155](#)

[ORS 343.165](#)

[ORS 343.177](#)

[ORS 343.181](#)

[OAR 581-001-0005](#)

[OAR 581-015-2000](#)

[OAR 581-015-2030](#)

[OAR 581-015-2090](#)

[OAR 581-015-2095](#)

[OAR 581-015-2190](#)

[OAR 581-015-2195](#)

[OAR 581-015-2305](#)

[OAR 581-015-2310](#)

[OAR 581-015-2325](#)

[OAR 581-015-2330](#)

[OAR 581-015-2345](#)

[OAR 581-015-2360](#)

[OAR 581-015-2385](#)

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.300, 300.500 to -300.505, 300.515, 300.517 (2008).



Code: **IGBAG-AR**
Adopted: 6/26/18
Orig. Code: IGBAG-AR

Special Education – Procedural Safeguards**

(See page 4 for change in item 4.i.(2))

1. Procedural Safeguards

a. The ~~d~~District provides procedural safeguards to:

- (1) Parents, guardians (unless the guardian is a state agency), or persons in parental relationship to the student;
- (2) Surrogate parents; and
- (3) Students who have reached the age of 18, the age of majority, or are considered emancipated under Oregon law and to whom rights have transferred by statute, identified as adult students (called “eligible students”).

b. The ~~d~~District gives parents a copy of the *Procedural Safeguards Notice*, published by the Oregon Department of Education (ODE):

- (1) At least once a year; and
- (2) At the first referral or parental request for evaluation to determine eligibility for special education services;
- (3) When the parent (or adult student) requests a copy;
- (4) To the parent and the student one year before the student’s 18th birthday or upon learning that the student is emancipated.

c. The *Procedural Safeguards Notice* is:

- (1) Provided written in the native language or other communication of the parents (unless it is clearly not feasible to do so) and in language clearly understandable to the public.
- (2) If the native language or other mode of communication of the parent is not a written language, the ~~d~~District takes steps to ensure that:
 - (a) The notice is translated orally or by other means to the parent in his/her native language or other mode of communication;
 - (b) The parent understands the content of the notice; and
 - (c) There is written evidence that the ~~d~~District has met these requirements.

2. Content of *Procedural Safeguards Notice*

The procedural safeguards notice includes all of the content provided in the *Procedural Safeguards Notice* published by the ODE.

3. Parent or Adult Student Meeting Participation

- a. The eD District provides parents or adult students an opportunity to participate in meetings with respect to the identification, evaluation, individualized education program (IEP) and educational placement of the student, and the provision of a free appropriate public education (FAPE) to the student.
- b. The eD District provides parents or adult students written notice of any meeting sufficiently in advance to ensure an opportunity to attend. The written notice:
 - (1) States the purpose, time, and place of the meeting and who is invited to attend;
 - (2) Advises that parents or adult students may invite other individuals who they believe have knowledge or special expertise regarding the student;
 - (3) Advises the parents or adult student that the team may proceed with the meeting even if they are not in attendance;
 - (4) Advises the parents or adult student who to contact before the meeting to provide information if they are unable to attend; and
 - (5) Indicates if one of the meeting's purposes is to consider transition services or transition service needs. If so:
 - (a) Indicates that the student will be invited; and
 - (b) Identifies any agencies invited to send a representative.
- c. The eD District takes steps to ensure that one or both of the parents of a student with a disability are present at each IEP or placement meeting or are afforded the opportunity to participate, including:
 - (1) Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and
 - (2) Scheduling the meeting at a mutually agreed on time and place.
- d. If neither parent can participate, the eD District will use other methods to ensure participation, including, but not limited to, individual or conference phone calls or home visits.
- e. The eD District may conduct an evaluation planning or eligibility meeting without the parents or adult student if the eD District provided meeting notice to the parents or adult student sufficiently in advance to ensure an opportunity to attend.
- f. The eD District may conduct an IEP or placement meeting without the parents or adult student if the eD District is unable to convince the parents or adult student that they should participate. Attempts to convince the parents to participate will be considered sufficient if the eD District:
 - (1) Communicates directly with the parents or adult student and arranges a mutually agreeable time and place and sends written notice to confirm the arrangement; or
 - (2) Proposes a time and place in the written notice stating that a different time and place might be requested and confirms that the notice was received.
- g. If the eD District proceeds with an IEP meeting without a parent or adult student, the eD District must have a record of its attempts to arrange a mutually agreed upon time and place such as:
 - (1) Detailed records of telephone calls made or attempted and the results of those calls;
 - (2) Copies of correspondence sent to the parents and any responses received; and
 - (3) Detailed records of visits made to the parents' home or place of employment and the results of those visits.

- h. The eDistrict takes whatever action is necessary to ensure that the parents or adult student understands the proceedings at a meeting, including arranging for an interpreter for parents or adult students who are deaf or whose native language is other than English.
- i. After the transfer of rights to an adult student at the age of majority, the eDistrict provides written notice of meetings to the adult student and parents, if the parents can be reasonably located. After the transfer of rights to an adult student at the age of majority, a parent receiving notice of an IEP meeting is not entitled to attend the meeting unless invited by the adult student or the eDistrict.
- j. An IEP meeting does not include:
 - (1) Informal or unscheduled conversations involving eDistrict personnel;
 - (2) Conversations on issues such as teaching methodology, lesson plans, or coordination of service provision if those issues are not addressed in the student's IEP; or
 - (3) Preparatory activities that eDistrict or public personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.

4. Surrogate Parents

- a. The eDistrict protects the rights of a student with a disability, or suspected of having a disability, by appointing a surrogate parent when:
 - (1) The parent cannot be identified or located after reasonable efforts;
 - (2) The student is a ward of the state or an unaccompanied homeless youth and there is reasonable cause to believe that the student has a disability, and there is no foster parent or other person available who can act as the parent of the student; or
 - (3) The parent or adult student requests the appointment of a surrogate parent.
- b. The eDistrict secures nominations of persons to serve as surrogates. The eDistrict appoints surrogates within 30 days of a determination that the student needs a surrogate, unless a surrogate has already been appointed by juvenile court.
- c. The eDistrict will only appoint a surrogate who:
 - (1) Is not an employee of the eDistrict or the ODE;
 - (2) Is not an employee of any other agency involved in the education or care of the student;
 - (3) Is free of any personal or professional interest that would interfere with representing the student's special education interests; and
 - (4) Has the necessary knowledge and skills that ensure adequate representation of the student in special education decisions. The eDistrict will provide training, as necessary, to ensure that surrogate parents have the requisite knowledge.
- d. The eDistrict provides all special education rights and procedural safeguards to appointed surrogate parents.
- e. A surrogate will not be considered an employee of the eDistrict solely on the basis that the surrogate is compensated from public funds.
- f. The duties of the surrogate parent are to:
 - (1) Protect the special education rights of the student;
 - (2) Be acquainted with the student's disability and the student's special education needs;
 - (3) Represent the student in all matters relating to the identification, evaluation, IEP and educational placement of the student; and
 - (4) Represent the student in all matters relating to the provision of a FAPE to the student.

- g. A parent may give written consent for a surrogate to be appointed.
 - (1) When a parent requests that a surrogate be appointed, the parent shall retain all parental rights to receive notice and all of the information provided to the surrogate. When the ~~e~~District appoints a surrogate at parent request, the ~~e~~District will continue to provide to the parent a copy of all notices and other information provided to the surrogate.
 - (2) The surrogate, alone, shall be responsible for all matters relating to the special education of the student. The ~~e~~District will treat the surrogate as the parent unless and until the parent revokes consent for the surrogate's appointment.
 - (3) If a parent gives written consent for a surrogate to be appointed, the parent may revoke consent at any time by providing a written request to revoke the surrogate's appointment;
- h. An adult student to whom rights have transferred at the age of majority may give written consent for a surrogate to be appointed. When an adult student requests that a surrogate be appointed, the student shall retain all rights to receive notice and all of the information provided to the surrogate. The surrogate, alone, shall be responsible for all matters relating to the special education of the student. The ~~e~~District will treat the surrogate as the parent unless and until the adult student revokes consent for the surrogate's appointment. If an adult student gives written consent for a surrogate to be appointed, the adult student may revoke consent at any time by providing a written request to revoke the surrogate's appointment.
- i. The ~~e~~District may change or terminate the appointment of a surrogate when:
 - (1) The person appointed as surrogate is no longer willing to serve;
 - (2) Rights transfer to the adult student or the student graduates with a regular ~~or modified~~ diploma;
 - (3) The student is no longer eligible for special education services;
 - (4) The legal guardianship of the student is transferred to a person who is able to carry out the role of the parent;
 - (5) A foster parent or other person is identified who can carry out the role of parent;
 - (6) The parent, who previously could not be identified or located, is now identified or located;
 - (7) The appointed surrogate is no longer eligible;
 - (8) The student moves to another school district; or
 - (9) The student is no longer a ward of the state or unaccompanied homeless youth.
- j. The ~~e~~District will not appoint a surrogate solely because the parent or student to whom rights have transferred is uncooperative or unresponsive to the special education needs of the student.

5. Transfer of Rights at Age of Majority

- a. When a student with a disability reaches the age of majority, marries, or is emancipated, rights previously accorded to the student's parents under the special education laws, transfer to the student. A student for whom rights have transferred is considered an "adult student" under Oregon Administrative Rule (OAR) 581-015-2000(1).
- b. The ~~e~~District provides notice to the student and the parent that rights (accorded by statute) will transfer at the age of majority. This notice is provided at an IEP meeting and documented on the IEP:
 - (1) At least one year before the student's 18th birthday;
 - (2) More than one year before the student's 18th birthday, if the student's IEP team determines that earlier notice will aid transition; or

- (3) Upon actual knowledge that within a year the student will likely marry or become emancipated before age 18.
- c. The eDistrict provides written notice to the student and to the parent at the time of the transfer.
- d. These requirements apply to all students, including students who are incarcerated in a state or local adult or juvenile correctional facility or jail.
- e. After transfer of rights to the student, the eDistrict provides any written prior notices and written notices of meetings required by the special education laws to the adult student and to the parent if the parent can be reasonably located.
- f. After rights have transferred to the student, receipt of notice of an IEP meeting does not entitle the parent to attend the meeting unless invited by the student or the eDistrict.

6. Prior Written Notice

- a. The eDistrict provides prior written notice to the parent of a student, or student, within a reasonable period of time, before the eDistrict:
 - (1) Proposes to initiate or change the identification, evaluation, or educational placement of the student, or the provision of a FAPE to the child; or
 - (2) Refuses to initiate or change the identification, evaluation, or educational placement of the student, or the provision of a FAPE to the child.
- b. The content of the prior written notice will include:
 - (1) A description of the action proposed or refused by the eDistrict;
 - (2) An explanation of why the eDistrict proposed or refused to take the action;
 - (3) A description of each evaluation procedure, test, assessment, record, or report used as a basis for the proposal or refusal;
 - (4) A statement that the parents of a student with a disability have procedural safeguards and, if this notice is not an initial referral for evaluation, how a copy of the *Procedural Safeguards Notice* may be obtained;
 - (5) Sources for parents to contact to obtain assistance in understanding their procedural safeguards;
 - (6) A description of other options the IEP team considered and the reasons why those options were rejected; and
 - (7) A description of other factors that are relevant to the agency's proposal or refusal.
- c. The prior written notice is:
 - (1) Written in language understandable to the general public; and
 - (2) Provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so;
 - (3) If the native language or other mode of communication of the parent is not a written language, the eDistrict shall take steps to ensure that:
 - (a) The notice is translated orally or by other means to the parent in the parent's native language or other mode of communication;
 - (b) The parent understands the content of the notice; and
 - (c) There is written evidence that the requirements of this rule have been met.

7. Consent – Initial Evaluation

- a. The eDistrict provides notice and obtains informed written consent from the parent or adult student before conducting an initial evaluation to determine whether a student has a disability (as defined by Oregon law) and needs special education. Consent for initial evaluation is not consent for the eDistrict to provide special education and related services.
- b. The eDistrict makes reasonable efforts to obtain informed consent from a parent for an initial evaluation to determine a child's eligibility for special education services. If a parent does not provide consent for an initial evaluation or does not respond to a request for consent for an initial evaluation, the eDistrict may, but is not required to, pursue the initial evaluation of the child through mediation or due process hearing procedures. The eDistrict does not violate its child find obligations if it declines to pursue the evaluation using these procedures.

8. Consent – Initial Provision of Special Education Services

- a. The eDistrict provides notice and obtains informed written consent from the parent or adult student before the initial provision of special education and related services to the student.
- b. The eDistrict makes reasonable efforts to obtain informed consent, but if a parent or adult student does not respond or refuses consent for initial provision of special education and related services, the eDistrict does not convene an IEP meeting, develop an IEP, or seek to provide special education and related services through mediation or due process hearing procedures. The eDistrict will not be considered to be in violation of the requirement to make FAPE available to the student under these circumstances. The eDistrict stands ready to serve the student if the parent or adult student later consents.

9. Consent – Reevaluation

- a. The eDistrict obtains informed parent consent before conducting any re-evaluation of a child with a disability, except:
 - (1) The eDistrict does not need written consent for a reevaluation, if, after reasonable efforts to obtain informed consent, the parent does not respond. However, the eDistrict does not conduct individual intelligence tests or tests of personality without consent.
 - (2) If a parent refuses to consent to the reevaluation, the eDistrict may, but is not required to, pursue the re-evaluation by using mediation or due process hearing procedures.
- b. A parent or adult student may revoke consent at any time before the completion of the activity for which they have given consent. If a parent or adult student revokes consent, that revocation is not retroactive.

10. Consent – Other Requirements

- a. The eDistrict documents its reasonable efforts to obtain parent consent, such as phone calls, letters and meeting notes.
- b. If a parent of a student who is home schooled or enrolled by the parents in a private school does not provide consent for the initial evaluation or the re-evaluation, or if the parent does not respond to a request for consent, the eDistrict:
 - (1) Does not use mediation or due process hearing procedures to seek consent; and
 - (2) Does not consider the child as eligible for special education services.

- c. If a parent or adult student refuses consent for one service or activity, the eDistrict does not use this refusal to deny the parent or child any other service, benefit or activity, except as specified by these rules and procedures.
- d. If, at any time subsequent to the initial provision of special and related services, the parent of a child revokes consent in writing for the continued provision of special education and related services, the eDistrict:
 - (1) May not continue to provide special education and related services to the child, but must provide prior written notice before ceasing the provision of special education and related services;
 - (2) May not use mediation or due process procedures to obtain an agreement or ruling that the services may be provided to the child;
 - (3) The eDistrict will not be considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further special education and related services; and
 - (4) The eDistrict is not required to convene an IEP team meeting or develop an IEP for the child for further provision of special education or related services.

11. Exceptions to Consent

- a. The eDistrict does not need written parent or adult student consent before:
 - (1) Reviewing existing data as part of an evaluation or re-evaluation;
 - (2) Administering a test or other evaluation administered to all students without consent unless, before administration of that test or evaluation, consent is required of parents of all students;
 - (3) Conducting evaluations, tests, procedures, or instruments that are identified on the student's IEP as a measure for determining progress; or
 - (4) Conducting a screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation.
- b. The eDistrict does not need written parent consent to conduct an initial special education evaluation of a student who is a ward of the state and not living with the parent if:
 - (1) Despite reasonable efforts to do so, the eDistrict has not been able to find the parent;
 - (2) The parent's rights have been terminated in accordance with state law; or
 - (3) The rights of the parent to make educational decisions have been subrogated by a judge in accordance with state law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.
- c. The eDistrict does not need written parental consent if an administrative law judge determines that the evaluation or reevaluation is necessary to ensure that the student is provided with a FAPE.

12. Independent Educational Evaluations

- a. A parent of a student with a disability has a right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the eDistrict.
- b. If a parent requests an independent educational evaluation at public expense, the eDistrict provides information to parents about where an independent educational evaluation may be obtained, and the eDistrict criteria applicable for independent educational evaluations.

- c. If a parent requests an independent educational evaluation at public expense, the eDistrict, without unnecessary delay, either:
 - (1) Initiates a due process hearing to show that its evaluation is appropriate; or
 - (2) Ensures that an independent educational evaluation is provided at public expense unless the eDistrict demonstrates in a hearing that the evaluation obtained by the parent did not meet eDistrict criteria.
- d. The eDistrict criteria for independent educational evaluations are the same as for eDistrict evaluations including, but not limited to, location, examiner qualifications and cost.
 - (1) Criteria established by the eDistrict do not preclude the parent's access to an independent educational evaluation.
 - (2) The eDistrict provides the parents the opportunity to demonstrate the unique circumstances justifying an independent educational evaluation that does not meet the eDistrict's criteria.
 - (3) A parent may be limited to one independent educational evaluation at public expense each time the eDistrict conducts an evaluation with which the parent disagrees.
- e. If a parent requests an independent educational evaluation, the eDistrict may ask why the parent disagrees with the public evaluation. The parent may, but is not required to, provide an explanation. The eDistrict may not:
 - (1) Unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the public evaluation;
 - (2) Except for the criteria listed above in c., impose conditions or timelines related to obtaining an independent educational evaluation at public expense.
- f. The eDistrict considers an independent educational evaluation submitted by the parent, in any decision made with respect to the provision of a FAPE to the student, if the submitted independent evaluation meets eDistrict criteria.

13. Dispute Resolution – Mediation

- a. The eDistrict or parent may request mediation from ODE for any special education matter, including before the filing of a complaint or due process hearing request.
- b. The eDistrict acknowledges that:
 - (1) Mediation must be voluntary on the part of the parties, must be conducted by a qualified and impartial mediator who is trained in effective mediation techniques, and may not be used to deny or delay a parent's right to a due process hearing or filing a complaint.
 - (2) Each mediation session must be scheduled in a timely manner and must be held in a location that is convenient to the parties to the dispute.
 - (3) An agreement reached by the parties to the dispute in the mediation process must be set forth in a legally binding written mediation agreement that:
 - (a) States the terms of the agreement;
 - (b) States that all discussions that occurred during the mediation process remain confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding; and
 - (c) Is signed by the parent and a representative of the eDistrict who has the authority to bind the eDistrict to the mediation agreement.

- (4) Mediation communication is not confidential if it relates to child or elder abuse and is made to a person who is required to report abuse, or threats of physical harm, or professional conduct affecting licensure.
- (5) The mediation agreement is enforceable in any state court of competent jurisdiction or in a district court of the United States.

14. Dispute Resolution – Complaint Investigation

- a. Any organization or person may file a signed, written complaint with the State Superintendent of Public Instruction alleging that a district or education service district (ESD) is violating or has violated the Individuals with Disabilities Education Act (IDEA) or associated regulations within one year before the date of the complaint. Upon receiving a parent complaint, the ODE forwards the complaint to the eDistrict or ESD along with a request for a eDistrict response to the allegations in the complaint.
- b. Upon receiving a request for response from ODE, the eDistrict responds to the allegations and furnishes any requested information or documents within 10 business days.
- c. The eDistrict sends a copy of the response to the complainant. If ODE decides to conduct an on-site investigation, eDistrict personnel participate in interviews and provide additional documents as needed.
- d. The eDistrict and the complainant may attempt to resolve a disagreement that led to a complaint through mediation. If they decide against mediation, or if mediation fails to produce an agreement, ODE will pursue the complaint investigation.
- e. If ODE substantiates some or all of the allegations in a complaint, it will order corrective action. The eDistrict satisfies its corrective action obligations in a timely manner.
- f. If the eDistrict disagrees with the findings and conclusions in a complaint final order, it may seek reconsideration by ODE or judicial review in county circuit court.

15. Due Process Hearing Requests

- a. The eDistrict acknowledges that parents may request a due process hearing if they disagree with a eDistrict proposal or refusal relating to the identification, evaluation, educational placement, or provision of a FAPE to a student who may have a disability and be eligible for special education.
- b. The eDistrict may request a due process hearing regarding the identification, evaluation, educational placement, or provision of a FAPE to a student who may have a disability and be eligible for special education.
- c. When requesting a due process hearing, the eDistrict or the attorney representing the eDistrict provides notice to the parent and to ODE.
- d. The party, including the eDistrict, that did not file the hearing request must, within 10 days of receiving the request for a hearing, send to the other party a response that specifically addresses the issues raised in the hearing request.
- e. If the parent had not yet received prior written notice of the eDistrict's proposal or refusal, the eDistrict, within 10 days of receiving the hearing request for a due process hearing, sends to the parent a response that includes:
 - (1) An explanation of why the eDistrict proposed or refused to take the action raised in the hearing request;
 - (2) A description of other options that the eDistrict considered and the reasons why those options were rejected;
 - (3) A description of each evaluation procedure, assessment, record, or report the eDistrict used as the basis for the proposed or refused action; and

- (4) A description of the factors relevant to the eDistrict's proposal or refusal.

16. Resolution Session

- a. Within 15 days of receiving a due process hearing request, the eDistrict will hold a resolution session with the parents and the relevant members of the IEP team who have specific knowledge of the facts identified in the due process hearing request.
- b. This meeting will include a representative of the eDistrict who has decision-making authority for the eDistrict.
 - (1) The eDistrict will not include an attorney unless the parent brings an attorney.
 - (2) The eDistrict will provide the parent with an opportunity for the parent to discuss the hearing request and related facts so that the eDistrict has an opportunity to resolve the dispute.
 - (3) The eDistrict and parent may agree in writing to waive the resolution meeting. If so, the 45-day hearing timeline will begin the next business day, unless the eDistrict and parent agree to try mediation in lieu of the resolution session.

17. Time Limitations and Exception

- a. A parent must request a due process hearing within two years after the date of the eDistrict act or omission that gives rise to the parent's hearing request.
- b. This timeline does not apply to a parent if the eDistrict withheld relevant information from the parent or incorrectly informed the parent that it had resolved the problem that led the parent's hearing request.

18. Hearing Costs

- a. The eDistrict reimburses the ODE for costs related to conducting the hearing, including pre-hearing conferences, scheduling arrangement, and other related matters.
- b. The eDistrict provides the parent with a written or, at the option of the parent, an electronic verbatim recording of the hearing, within a reasonable time of the close of the hearing.
- c. The eDistrict does not use IDEA funds to pay attorney's fees or other hearing costs.

19. Discipline and Placement in Interim Alternative Setting

See Board policy JGDA – Discipline of ~~Disabled~~ Students with Disabilities.



Code: **IGDA**
Adopted: 2/24/09
Orig. Code: IGDA

Student Organizations

The District encourages curriculum-related student organizations. District staff will facilitate such organizations and District resources may be used to support them. The District may also support student organizations which are not directly curriculum-related.

The principal will develop general guidelines for student organizations. Among other provisions, such guidelines will require the assignment of at least one faculty advisor to each student organization.

Voluntary student-organized clubs which are not curriculum-related may meet on school premises during non-instructional time. If the content of such a club's meetings is religious in nature, school staff may attend only in a non-participatory manner. Staff may be assigned to attend such meetings for custodial purposes only, but will not be compelled to attend a meeting if the content of the speech at the meeting is contrary to that person's beliefs.

END OF POLICY

Legal Reference(s):

[ORS 339.880](#)

[ORS 339.885](#)

[OAR 581-021-0050](#)

[OAR 581-021-0055](#)

Equal Access Act, 20 U.S.C. §§ 4071-4074 (2012).

Lamb's Chapel v. Center Moriches Unified Sch. Dist., 508 U.S. 384 (1993).

Westside Cmty. Bd. of Educ. v. Mergens, 496 U.S. 226 (1990).



Code: **IIBGA**
Adopted: 5/23/17
Orig. Code: IIABB

Electronic Communications System

The Board is committed to the development and establishment of a quality, equitable, and cost-effective electronic communications system. The system's sole purpose shall be for the advancement and promotion of learning and teaching.

The District's system will be used to provide statewide, national, and global communications opportunities for staff and students.

The Superintendent will establish administrative regulations for the use of the District's system, including compliance with the following provisions of the Children's Internet Protection Act (CIPA):

1. Technology protection measures, installed and in continuous operation, that protect against Internet access by both adults and minors to visual depictions that are obscene, child pornography or, with respect to the use of the computers by minors, harmful to minors;
2. Educating minors about appropriate online behavior, including cyberbullying awareness and response, and how to interact with other individuals on social networking sites and in chat rooms;
3. Monitoring the online activities of minors;
4. Denying access by minors to inappropriate matter on the Internet and World Wide Web;
5. Ensuring the safety and security of minors when using electronic mail, social media, chat rooms, and other forms of direct electronic communications;
6. Prohibiting unauthorized access, including so-called "hacking" and other unlawful activities, by minors online;
7. Prohibiting unauthorized disclosure, use, and dissemination of personal information regarding minors;
8. Installing measures designed to restrict minors' access to materials harmful to minors.

The Superintendent will establish administrative regulations for use of the District's system by staff using their own personal electronic devices to download and store District proprietary information, including personally recognizable information about District students or staff. Regulations shall insure compliance with privacy rights under applicable federal and state laws and regulations, including but not limited to the Age Discrimination in Employment Act of 1967 (ADEA), the Americans with Disabilities Act (ADA), the

Genetic Information Nondiscrimination Act of 2008 (GINA) and the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

The administrative regulations will be consistent with sound guidelines as may be provided by the education service district, the Oregon Department of Education and/or the Oregon Government Ethics Commission, and will include a complaint procedure for reporting violations.

The Superintendent will also establish administrative regulations for use of the District's electronic communications system to comply with copyright law.

Failure to abide by District policy and administrative regulations governing use of the District's system may result in the suspension and/or revocation of system access. Additionally, student violations will result in discipline, up to and including expulsion. Staff violations will also result in discipline, up to and including dismissal. Violations of law will be reported to law enforcement officials and may result in criminal or civil sanctions. Fees, fines, or other charges may also be imposed.

END OF POLICY

Legal Reference(s):

[ORS 30.765](#)
[ORS 133.739](#)
[ORS 163.435](#)
[ORS 164.345](#)
[ORS 164.365](#)

[ORS 167.060 to -167.100](#)
[ORS Chapter 192](#)
[ORS 332.107](#)
[ORS 339.250](#)
[ORS 339.270](#)

[OAR 581-021-0050](#)
[OAR 581-021-0055](#)
[OAR 584-020-0040](#)
[OAR 584-020-0041](#)

Children's Internet Protection Act, 47 U.S.C. §§ 254(h) and (l) (2012); 47 C.F.R. Section 54.520 (2017).

Copyrights, 17, U.S.C. §§ 101-1332 (2012); 19 C.F.R. Part 133 (2017).

Oregon Attorney General's Public Records and Meetings Manual, Appendix H, (2014).

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

Drug-Free Workplace Act of 1988, 41 U.S.C. §§ 8101-8107 (2012); 34 C.F.R. Part 84, Subpart F (2017).

Controlled Substances Act, 21 U.S.C. § 812, Schedules I through V (2012); 21 C.F.R. §§ 1308.11-1308.15 (2017).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2012); 29 C.F.R. Part 1630 (2017); 28 C.F.R. Part 35 (2017).

Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2012); 34 C.F.R. Part 99 (2017).

Oregon Government Standards and Practices Commission, Advisory Opinion No. 98A-1003 (July 9, 1998).

Every Student Succeeds Act, 20 U.S.C. § 7131 (2012).

Americans with Disabilities Act Amendments Act of 2008.



Code: **IICB**
Adopted: 2/24/09
Orig. Code: IICB

Community Resources – Guest Speakers

In order to maintain an accurate accounting of guest speakers appearing at our schools, teachers are to provide the following information to the building principal at least one week before an invitation is extended:

1. Name of speaker(s);
2. Whom they represent;
3. Issues or topics to be covered in the presentation and how they relate to academic content standards;
4. Class(es) and period(s) to whom they will be speaking;
5. Teacher who wishes to extend the invitation; and
6. Dates the speaker will be on campus.

Prior arrangements shall be made with the administrator for guest speaker presentation. In cases where speakers may be controversial, it shall be the responsibility of the Superintendent, principal, department coordinator and teacher to see that differing viewpoints of an issue are presented. When opinions differ as to the advisability of using a particular speaker, the Superintendent shall have the final determination.

Principals will make arrangements to maintain a permanent record of the above information and will be certain all staff members in their building are informed of this policy.

The teacher/sponsor responsible for inviting the resource person, or any member of the school administration, has the right and duty to interrupt or suspend any proceedings if the conduct of the resource person is judged to be in poor taste or endangering the health and safety of students and staff.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Equal Access Act, 20 U.S.C. §§ 4071-4074 (2012).

Westside Cmty. Bd. of Educ. v. Mergens, 496 U.S. 226 (1990).



Code: **IKI**
Adopted: 3/14/17
Orig. Code: IKI

Academic Integrity

The Board believes that students should strive to achieve their academic goals. This objective is accomplished through honest and diligent efforts by students to understand the subject matter, themselves, and the world in which they live. The Board desires to encourage the development of critical thinking skills in students, to show them the benefits of setting and accomplishing goals, and to help students realize the satisfaction and reward of learning.

Students are expected to put forth their best efforts on tests and assignments, and not deliberately underperform. Students are expected to demonstrate respect toward their instructors and peers by encouraging and facilitating learning. Engaging in various forms of cheating or academic dishonesty does not permit students to realize the full extent of the educational experience or their full academic potential.

Students are encouraged to converse with others and assist other students, except when doing so is inconsistent with testing or assignment instructions. This dialogue or exchange of ideas both inside and outside the classroom helps facilitate learning by everyone. Assisting others is prohibited, however, when it would constitute academic dishonesty. Prohibited events include, but are not limited to, using or sharing prohibited study aids or other written materials on tests or assignments. Academic dishonesty also includes sharing, collaborating, or communicating with others on tests or assignments, before or during tests or assignments, in violation of directions by the class instructor. Academic dishonesty may also include knowingly sharing false information or knowingly misleading another to reach a false answer or conclusion.

Students who engage in academic dishonesty must either complete the invalidated summative assessment or an alternative assessment chosen by staff. Violation of this policy may result in discipline as deemed appropriate by the instructor or administration, based on the nature and seriousness of the offense. Discipline may include detention; prohibiting the student from participating in school-sponsored activities or events; denial or revocation of school-conferred titles, distinctions, honors, or privileges; or suspension or expulsion¹.

END OF POLICY

Legal Reference(s):

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

[ORS 339.250](#)

[OAR 581-021-0050 to -0075](#)

Corrected 5/01/19

¹ Use of suspension or expulsion as discipline for a student in violation of this policy is limited to criteria found in Oregon Revised Statute (ORS) 339.250.



Code: **ING**
Adopted: 5/23/17
Orig. Code: ING

Animals in District Facilities

Only service animals¹ serving persons with a disability and animals approved by the superintendent or designee that are part of an approved district curriculum or cocurricular activity are allowed in district facilities.

Animals, except those service animals serving persons with a disability, may not be transported on a school bus.

Approved animals must be adequately cared for and appropriately secured. Only the teacher or students designated by the teacher are to handle the animals.

If animals are to be kept in the classroom on days when classes are not in session, arrangements must be made for their care.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)
[ORS 659A.400](#)

[OAR 581-053-0010](#)
[OAR 581-053-0230\(9\)\(j\)](#)
[OAR 581-053-0330\(1\)\(q\)](#)

[OAR 581-053-0430\(16\)](#)
[OAR 581-053-0531\(15\)](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2012); 28 CFR §§ 35.104, 35.136 (2017).
Americans with Disabilities Act Amendments Act of 2008.

¹ The American with Disabilities Act definition of “service animal” means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. Companion and comfort animals are not considered service animals. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual’s disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort or companionship do not constitute work or tasks for the purposes of this definition. The law and its regulations also make an allowance for miniature horses.



Code: JB
Adopted: 4/28/09
Orig. Code(s): JB

Equal Educational Opportunity

~~It is the policy of the Board that equal educational opportunity and treatment be provided to all students. No student legally enrolled in the District shall, on the basis of race, color, religion, sex, sexual orientation, parental status, national origin, marital status, disability, or age be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity administered or authorized by the Board.~~ Every student of the district will be given equal educational opportunities regardless of age, sex, sexual orientation¹, race, religion, color, national origin, disability, marital status, familial status, or parental status, linguistic background, culture, capability or geographic location.

The District staff shall acknowledge the dignity and worth of individuals and groups and their participative roles in society.

The District shall implement, in each school, programs which assure equity, opportunity, and access for all students, and will treat its students without discrimination on the basis of sex as this pertains to course offerings, athletics, counseling, employment assistance, and extracurricular activities.

The Superintendent will designate an employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX. The Title IX coordinator will investigate complaints communicated to the District alleging noncompliance with Title IX through the District's complaint process. The Title IX coordinator's name, address, and telephone number 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 student and employee complaints under Title IX.

The Superintendent and District staff are directed to make continuous efforts to provide equal educational opportunities and to eliminate those conditions which may cause discrimination.

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)

[ORS 192.630](#)

[ORS 326.051](#)

¹ "Sexual orientation" means an individual's actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual's gender identity, appearance, expression or behaviors differs from that traditionally associated with the individual's sex at birth.

[ORS 329.025](#)
[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 581-022-2310](#)
[OAR 839-003-0000](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2012).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2012).

Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2012).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705 (2012); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2017).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2012); 29 C.F.R. Part 1630 (2017); 28 C.F.R. Part 35 (2017).

Americans with Disabilities Act Amendments Act of 2008.

Corrected 4/17/19



Code: **JE/JED/JEDA**
Adopted: 5/01/16
Orig. Code: JE/JED/JEDA

Student Attendance

Regular and consistent attendance at school is fundamental to student success and personal responsibility. A pattern of regular attendance reflects a positive work ethic and attitude that is desirable in the workplace. It is, therefore, a responsibility of the school to promote good attendance and enforce the compulsory attendance laws of the State of Oregon.

~~It is the policy of this~~ The District ~~to will~~ meet these objectives:

1. Promote individual responsibility for each student's own learning and to understand the positive correlation between regular attendance at school and academic success.
2. Communicate clear expectations for student attendance, and inform parents/guardians about their student's attendance pattern.
3. Enforce this policy consistently with respect to consequences for unexcused and/or irregular attendance.

Excused Absences

Except when exempt by Oregon law (ORS 339.030), all students between ages 6 and 18, who have not completed grade 12, are required to attend school full-time on a regular basis at the designated school within the attendance area.

All students five years of age who have been enrolled in a public school are required to attend regularly.

It is the student's responsibility to maintain regular attendance in all assigned classes. Criteria for excusing students for absences upon parent/guardian request may include:

1. Student illness/injury/quarantine;
2. Bereavement;
3. Serious illness in the family;
4. Religious instruction as permitted by policy JEFB – Release Time for Religious Instruction;
5. ~~In~~element weather;
- 6.5. Family emergencies situations;

7.6. Legal or court appointments requiring the student's attendance.

8.7. Approved district-sponsored activities.

The building administrator has the ultimate responsibility for deciding whether an absence is excused or unexcused, and may choose to excuse student absences for necessary family travel. Medical professionals may request that a student be granted an excused absence; however, parents/guardians are encouraged to schedule medical appointments outside the school day when possible. Students are encouraged to pre-arrange absences for reasons other than illness or family emergency. See school handbooks for specific procedures.

Unexcused Absence/Truancy

"Truancy" is defined as absence from school without permission. Regular and punctual attendance is a major contributing factor to a student's progress in school, and also helps the student develop habits of responsibility which are essential for success later in life.

An absence is considered unexcused and a student shall be considered truant if the student:

1. Is absent without an excuse ~~by~~ ~~from~~ the parent/guardian; or
2. Leaves school or a class without permission from the teacher or administrator in charge.

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.

Irregular/Excessive Excused Absences

Excessive absences negatively affect a student's academic progress. Eight unexcused one-half day absences in any four-week period during which the school is in session shall be considered irregular attendance. A student may be excused by the District for a period not to exceed ~~five~~ ~~5~~ days in a term of three months, or not to exceed ~~ten~~ ~~10~~ days in any term of at least ~~six~~ ~~6~~ months. Any such excuse shall be in writing directed to the building administrator, and include documentation (e.g., healthcare provider) (ORS 339.065).

According to Oregon state law, any student absent from school for ~~ten~~ ~~10~~ consecutive days must be dropped from school rolls (ORS 339.250, OAR 581-~~023~~-~~0006~~). Persons having legal control of a student ~~between the ages of 7 to and 18~~ who have not completed Grade 12 are required to ~~have the student attend school as~~ send the child to, and maintain the child in, regular attendance at a public full-time school during the entire school term pursuant to ORS 339.020. ~~Violation of this requirement is a Class C violation.~~ If the school determines that a parent/guardian has failed to enroll the child and to maintain the child in regular attendance, written notification shall be given to the parent/guardian, requiring the parent/guardian to attend a conference with a designated school official. If the parent/guardian does not attend or fails to send the child to school after the conference, state law and District policy allow the Superintendent ~~or~~ designee to issue a citation to appear in ~~Circuit Court~~.

Response and Intervention

Administrative procedures implementing this policy are published in the *Hillsboro School District Attendance Manual*, and reinforced annually in the student handbook. School attendance teams will respond to students who have unexcused or excessive absences using Attendance Manual procedures, which include intervention, the allocation of resources, and/or the application of disciplinary consequences. Per ORS 339.250(2)(b)(B), expulsion may not be used to address truancy.

END OF POLICY

Legal Reference(s):

[ORS 336.010](#)
[ORS 339.020](#)
[ORS 339.030](#)

[ORS 339.055](#)
[ORS 339.065](#)
[ORS 339.071](#)

[OAR 581-021-0050](#)
[OAR 581-022-2000](#)

(Annotation: verify legal references at finalization; this policy is triple coded. Policy on attendance (JE) is not required; JED and JEDA are both required policies.)

Corrected 4/17/19



Code: JEA
Adopted: 1/23/18
Orig. Code: JEA

Compulsory Attendance**

Except when exempt by Oregon law, all students between ages 6 and 18, who have not completed the 12th grade, are required to regularly attend a public, full-time school during the entire school term.

All students five years of age who have been enrolled in a public school are required to attend regularly while enrolled in the public school.

Persons having legal control of a student between ages 6 and 18, who has not completed the 12th grade, are required to have the student attend school, and maintain the child in regular attendance during the entire school term. Persons having legal control of a student who is five years of age and who has been enrolled in a public school are required to have the student attend, and maintain the student in regular attendance during the school term.

Attendance supervisors shall monitor and report any violation of the compulsory attendance law to the superintendent or designee. Failure to send a student to school and to maintain a student in regular attendance is a Class C violation.

A parent or other person lawfully charged with care or custody of a child, who is not supervising his/her student by requiring school attendance, may also be in violation of Oregon Revised Statute (ORS) 163.577(1)(c). Failing to supervise a child is a Class A violation.

The district will develop procedures for issuing a citation.

Exemptions from Compulsory School Attendance

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

1. Students being taught in a private or parochial school in courses of study usually taught in kindergarten through grade 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 equivalent knowledge to that acquired in the courses of study taught in kindergarten through grade 12 in the public schools;
3. Students who have received a high school diploma or a modified diploma.

4. Students being taught, by a private teacher, the courses of study usually taught in kindergarten through grade 12 in the public school, for a period equivalent to that required of students attending public schools;
5. Students being educated in the home by a parent or guardian;
 - 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 Northwest Regional 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. 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 Oregon Administrative Rule (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.
6. Children whose sixth birthday occurred on or before September 1 immediately preceding the beginning of the current school year, if the parent or guardian notified the child's resident district in writing that the parent or guardian is delaying the enrollment of their child for one school year to better meet the child's needs for cognitive, social or physical development, as determined by the parent or guardian.
7. Children who are present in the United States on a nonimmigrant visa and who are attending a private, accredited English language learner program in preparation for attending a private high school or college.
8. Students excluded from attendance as provided by law;

9. An exemption may be granted to the parent or guardian of any student 16 or 17 years of age who is lawfully employed full-time, or who is lawfully employed part-time and enrolled in school, a community college, or an alternative education program as defined in ORS 336.615.
10. An exemption may be granted to any child who is an emancipated minor or who has initiated the procedure for emancipation under ORS 419B.550 to 419B.588.

END OF POLICY

Legal Reference(s):

[ORS 153.018](#)
[ORS 163.577](#)
[ORS 336.615](#) to -336.665
[ORS 339.010](#) to -339.090
[ORS 339.095](#)

[ORS 339.257](#)
[ORS 339.990](#)
[ORS 419B.550](#) to -419B.558
[ORS 807.065](#)
[ORS 807.066](#)

[OAR 581-021-0026](#)
[OAR 581-021-0029](#)
[OAR 581-021-0071](#)
[OAR 581-021-0077](#)



Code: JFC
Adopted: 5/18
Orig. Code: JFC

Student Conduct and Discipline

The Board expects student conduct to contribute to a productive learning climate. Students shall comply with the District's policies, administrative regulations, school and classroom written rules, pursue the prescribed course of study, submit to the lawful authority of teachers and school officials, and conduct themselves in an orderly manner during the school day and during District-sponsored activities.

Careful attention shall be given to procedures and methods whereby fairness and consistency without bias in discipline shall be assured each student. The objectives of disciplining any student must be to help the student develop a positive attitude toward self-discipline, realize the responsibility of one's actions, and maintain a productive learning environment.

~~When considering s~~ 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); for a student with disabilities must be in accordance with federal law and Board policy JGDA – Discipline of Students with Disabilities and accompanying administrative regulation.

- ~~1. If the student is receiving IEP services;~~
- ~~2. For the student not yet identified as a student with a disability, the District had knowledge that the student had a disability and needed special education.~~

~~Disciplinary procedures that are age appropriate and, to the extent practicable, use approaches that are shown through research to be effective, shall be used by District personnel to correct behavioral problems, while supporting students' attendance at school and classes. Examples include, but are not limited to, reprimands, conferences, detention, loss of privileges, including bus riding, and denial of participation in cocurricular and extracurricular activities. Titles and/or privileges available to or granted to students may be denied and/or revoked (e.g. commencement ceremonies, valedictorian, salutatorian, student body, class or club office positions, field trips, senior trip, prom, parking privileges, etc.). Additionally, a student's driving privileges, or the right to apply for driving privileges, may be suspended for violations of ORS 339.254 and 339.257, as provided by Board policy JHFD – Suspension of Driving Privileges. The District shall consider the age of the student and the student's past pattern of behavior prior to a suspension or expulsion of the student.~~

~~Students may be suspended in cases of serious infractions or repeated failure to comply with Board policy, administrative regulation, or school or classroom rules. Students may be expelled for any of the following circumstances: (a) when a student's conduct poses a threat to the health or safety of students or employees;~~

~~(b) when other strategies to change the student's behavior have been ineffective, except that expulsion may not be used to address truancy; or (c) when required by law.~~

~~The use of out-of-school suspension or expulsion for discipline of a student in the fifth grade or below, is limited to:~~

- ~~1. Non-accidental conduct causing serious physical harm to a student or employee;~~
- ~~2. When a school administrator determines, based on the administrator's observation or upon a report from an employee, the student's conduct poses a threat to the health or safety of students or employees; or~~
- ~~3. When the suspension or expulsion is required by law.~~

~~When an out-of-school suspension is imposed on a student, the district shall take steps to prevent the recurrence of the behavior that led to the out-of-school suspension, and return the student to a classroom setting to minimize the disruption of the student's academic instruction.~~

Restitution may be sought for willful damage to District property. Additionally, a student's driving privileges, or the right to apply for driving privileges, may be suspended for violations of ORS 339.254 and 339.257, as provided by Board policy JHFDA - Suspension of Driving Privileges. A referral to law enforcement may also be made for violations of the law. Parental assistance shall be requested when persistent violations occur. *(move to JG?)*

In accordance with Oregon Revised Statute (ORS) 339.250, ~~students shall be liable to discipline, the following forms or displays of student misconduct, including but not limited to, shall be subject to discipline, suspension, or expulsion for misconduct including, but not limited to:~~

1. Assault;
2. Hazing, ~~/Harassment, /Intimidation/ or Bullying, /Menacing, /Cyberbullying, / or Teen Dating V~~violence;
3. Coercion;
4. Threats of violence or harm;
5. Disorderly conduct;
6. Bringing, possessing, concealing, or using a weapon;
7. Vandalism, ~~/Malicious Mischief, / Theft or willful damage or destruction of private or District property on District premises or at District-sponsored activities;~~
8. Sexual harassment;
9. Possession, distribution, or ~~Use of tobacco products, alcohol, drugs, or inhalant delivery systems, or other controlled substances as prohibited by Board policy(ies) or law;~~

10. Use or display of profane or obscene language;
11. Disruption of the school environment;
12. Open defiance of a teacher's authority, including persistent failure to comply with the lawful directions of teachers or school officials;
13. Violation of law, Board policy, administrative regulation, or school or classroom rules.

The District recognizes that under the Unsafe School Choice Option of the Every Student Succeeds Act of 2015 (ESSA), a school can be deemed unsafe as a whole entity or for an individual student, based on expulsions for weapons violations, violent behavior, or expulsions for students arrested for the following criminal offenses occurring on District grounds, on District-sponsored transportation, and/or at District-sponsored activities:

1. Assault;
2. Manufacture or delivery of a controlled substance;
3. Sexual crimes using force, threatened use of force, or against incapacitated persons;
4. Arson;
5. Robbery;
6. Hate/Bias crimes;
7. Coercion; or
8. Kidnapping.

The District will record and report these infractions to the Oregon Department of Education, as required.

The District will provide the opportunity for all students in any District school identified as persistently dangerous, or for any victim of a violent criminal offense occurring in or on the grounds of the school the student attends, to the extent feasible, the opportunity to transfer to a safe school within the District.

Parents, students, and employees shall be notified by handbook, code of conduct, or other document of acceptable behavior, behavior subject to discipline, and the procedures to address behavior and the consequences of that behavior. These procedures will include a system of consequences designed to correct student misconduct and promote acceptable behavior.

END OF POLICY

Legal Reference(s):

[ORS 339.240](#)
[ORS 339.250](#)

[ORS 659.850](#)

[OAR 581-021-0050 to -0075](#)

Tinker v. Des Moines Sch. Dist., 393 U.S. 503 (1969).
Hazelwood Sch. District v. Kuhlmeier, 484 U.S. 260 (1988).
Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986).
Shorb v. Grotting and Powers Sch. Dist., Case No. 00CV-0255 (Coos County Circuit Ct.) (2000).
Ferguson v. Phoenix Talent Sch. Dist. #4, 172 Or. App. 389 (2001).
Morse v. Frederick, 551 U.S. 393, 127 S. Ct. 2618 (2007).
C.R. v. Eugene S.D. 4J, No. 12-1042, U.S. District Court of OR (2013).



Code: JFCA
Adopted: 4/28/09
Orig. Code: JFCA

Student Dress and Appearance**

Responsibility for dress and appearance rests primarily with students and their parents. However, the District expects student dress and appearance to meet standards which ensure that the following conditions do not exist:

1. Disruption or interference with the classroom learning environment;
2. Threat to the health and/or safety of the student or other students.

All students will abide by the dress and grooming standards identified in the Standards of Student Conduct. Violations, as determined by the district, may result in serious disciplinary action, including expulsion.

Students who represent the school in a voluntary activity may be required to conform to dress and appearance standards approved by the Superintendent or designee, and may be denied the opportunity to participate if those standards are not met.

END OF POLICY

Legal Reference(s):

[ORS 339.240](#)

[ORS 339.250](#)

[OAR 581-021-0050 to -0075](#)

Corrected 4/19/19 (via email)



Code: JFCB
Adopted: 4/28/09
Orig. Code: JFCB

Care of District Property by Students**

It is each student's responsibility to show respect for all school-District property. Any student who willfully damages or defaces District property ~~will~~ may be disciplined and charged restitution for costs related to ~~his/her~~ their acts.

The Board declares its intent to hold students and their parents responsible for the full costs of restitution, including prosecution to the full extent of the law if such costs are not paid. Notice of the District's intent will be provided annually in the student/parent handbook ~~as required by law~~.

It is the responsibility of each employee to see that students do not damage or injure any school-District property. Upon ~~detecting~~ determining the name of the student and property damaged, this information shall be passed on in writing to the school's building administrator. The District ~~will~~ may take disciplinary action, as well as action to recover the costs of the damage when students injure District property.

END OF POLICY

Legal Reference(s):

[ORS 30.765](#)
[ORS 339.250](#)

[ORS 339.270](#)

[OAR 581-021-0050 to -0075](#)

Corrected 4/17/19



Code: JFCC
Adopted: 4/28/09
Orig. Code: JFCC

Student Conduct on Buses

(Can this be in the student handbook and on buses, or in bus conduct acknowledgement from parents/students? Also see EEACC for discipline procedures.)

Students shall conform with all rules and regulations relating to conduct on school buses.

The bus driver shall be responsible for maintaining discipline at all times; however, this authority does not extend to taking disciplinary action.

The bus driver shall immediately report all cases of serious misconduct, using the bus conduct report form, to the building administrator or his/her designee, and the latter shall inform the driver of disciplinary action taken.

Permission to ride a school bus is a privilege granted by the District. It may be suspended by the building administrator if the student's conduct poses a threat to the safety or well-being of others or causes damage to District property.

Students who ride buses to and from school or school-sponsored activities will be notified of the rules set forth in Oregon Administrative Rules governing their conduct on buses, as well as of the consequences for violation of those rules.

END OF POLICY

Legal Reference(s):

[ORS 332.405](#)

[OAR 581-021](#)-0050 to -0075
[OAR 581-053](#)-0010



Code: JFCEA
Adopted: 4/28/09
Orig. Code: JFCEA

Gangs and Secret Societies

(Kept secret societies in the policy title here since policy covers such topic.)

The Board believes that the presence of gangs, and gang activities, and secret societies can cause a substantial disruption of, or material interferences with, school and school activities.

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.

Secret societies of every kind and character are unlawful in any public school in Oregon. A student may be subject to discipline up to and including expulsion.

~~By this policy, the Board acts to prohibit the existence of gangs, and gang activities as follows, and secret societies in District schools, on District property, and at district-sponsored activities or events.~~

No student on or about school-District property or at any school activity shall:

1. 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. Commit any act or omission, or use any speech, either verbal or nonverbal (e.g., gestures, handshakes, etc.) showing membership or affiliation in a gang;
3. 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 for protection or otherwise intimidating or threatening any person;
 - c. Committing any other illegal act or other violation of District policies;
 - d. Inciting other students to act with physical violence upon any other person.

All students will abide by the Standards of Student Conduct, this policy, and its administrative regulation. Violations, as determined by the district, may result in serious disciplinary action, up to and including expulsion.

The Superintendent or designee will develop an administrative regulation to implement this policy.

END OF POLICY

Legal Reference(s):

[ORS 336](#).109

[ORS 339](#).240 to -339.280

[ORS 339](#).885

[ORS 659](#).850

[OAR 581-021](#)-0050 to -0075

Olesen v. Board of Educ. of Sch. Dist., 676 F. Supp. 820 (N.D. Ill. 1987).

Neuhaus v. Federico, 12 Or. App. 314 (1973).

Burkitt v. Sch. Dist. No. 1, 195 Or. 471 (1952).

Tinker v. Des Moines Community Sch. District, 393 U.S. 503 (1969).

Corrected 4/19/19 (via email)



Code: JFCEB
Adopted: 7/14
Orig. Code: JFCEB

Personal Electronic Devices and Social Media – Students**

Students may be allowed to use and possess personal electronic devices on District property and at District-sponsored activities, provided such devices are not used in any manner that may disrupt the learning environment or District-sponsored activities, or violate Board policies, administrative regulations, acceptable use guidelines, school or classroom rules, or state and federal law.¹

As used in this policy, a “personal electronic device (PED)” is a device not issued by the District, that is capable of electronically communicating, sending, receiving, storing, recording, reproducing and/or displaying information and data.

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.

The District will not be liable for personal electronic devices brought on District property or to District-sponsored activities. The District will not be liable for information or comments posted by students on social media websites when the student is not engaged in District activities and not using District equipment.

Social media tools (as defined in administrative regulation JFCEB-AR) may be used by students in a manner that supports the instructional and learning environment. The District will not be responsible for information/comments posted by students on social media websites when the student is not using social media tools directly related to District activities.

The Superintendent is directed to develop administrative regulations and/or approve school rules as necessary to ensure that student use of such devices is consistent with this policy. Administrative regulations may include grade- or age-level possession and/or use restrictions by students on District property and at District-sponsored activities; consequences for violations; a process for responding to a student’s request to use a personal electronic device, including an appeal process if the request is denied; and such other provisions as the Superintendent may deem necessary. The Superintendent is responsible for ensuring that pertinent provisions of Board policies, administrative regulations, and school rules

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.

governing personal electronic devices are included in staff handbooks and student/parent handbooks, reviewed annually, and updated as necessary.

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 (2017).

Corrected 4/17/19



Code: JFCF
Adopted: 6/01/16
Revised/Readopted:
Orig. Code: JFCF

Hazing~~/~~, Harassment~~/~~, Intimidation~~/~~, Bullying~~/~~, Menacing~~/~~Bullying~~/~~, Cyberbullying~~/~~, Teen Dating Violence~~/~~, or Domestic Violence - Student**

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

Hazing, harassment, intimidation, or bullying, menacing, bullying, and cyberbullying by students, staff, and third parties toward students are is strictly prohibited. Teen dating violence is unacceptable behavior and prohibited.

Retaliation against any person who is a victim of, who reports, is thought to have reported, or files a complaint about an act of hazing, harassment, intimidation or bullying, menacing, an act of cyberbullying, or teen dating violence, or otherwise participates in an investigation or inquiry is also strictly prohibited. A person who engages in retaliatory behavior will be subject to consequences and appropriate remedial action. False charges shall also be regarded as a serious offense, and will result in disciplinary action or other consequences and appropriate sanctions remedial action.

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. 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 the use of threats, intimidation, harassment, or coercion. *ORS 339.254 repealed*

Staff 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 the Board.

Students, staff, or third parties may also be referred to law enforcement officials.

The building principals/supervisors and the Superintendent or designee are responsible for ensuring that this policy is implemented.

R2/28/19 | PH

Hazing~~/~~, Harassment~~/~~, Intimidation~~/~~, Bullying~~/~~, Menacing~~/~~Bullying~~/~~,
Cyberbullying~~/~~, Teen Dating Violence~~/~~, or Domestic Violence - Student** – JFCF

Definitions

“District” includes District facilities, District premises, and nondistrict 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~~-jurisdiction of the District.

“Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, or others engaged in District business, such as employees of businesses or organizations participating in cooperative work programs with the District and others not directly subject to District control at interdistrict and intradistrict athletic competitions or other school events.

“Hazing” includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health, or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any District-sponsored activity or grade-level attainment (e.g., personal servitude, sexual stimulation/sexual assault, forced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation, or any other forced activity that could adversely affect the mental or physical health or safety of a student); that requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article; or the assignment of pranks to be performed or other such activities intended to degrade or humiliate. It is not a defense against hazing that the student subjected to hazing consented to or appeared to consent to the hazing.

“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; ~~or~~
3. Creating a hostile educational environment including interfering with the psychological well-being of the student ~~and may be based on, but not limited to, the protected class of the person.~~

“Protected class” means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation¹, national origin, marital status, familial status, source of income, or disability.

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

“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.

“Domestic violence” means abuse as defined by Oregon Revised Statute (ORS) 107.705 between family and/or household members, as those terms are described in ORS 107.705.

“Cyberbullying” is the use of any electronic communication device to harass, intimidate, or bully. Refer to District policy JFCEB and JFCEB-AR: - Personal Electronic Devices and Social Media - Students for District requirements regarding the use of personal electronic devices.

“Retaliation” means any acts of, including but not limited to, hazing, harassment, intimidation, or bullying, menacing, bullying, or cyberbullying, or teen dating violence toward the victim, a person in response to an student for actually or apparently reporting of, or participating in the investigation of, hazing, harassment, intimidation, or bullying, menacing, bullying, cyberbullying, teen dating violence, or retaliation.

“Menacing” includes, but is not limited to, any act intended to place a District employee, student, or third party in fear of imminent serious physical injury.

Reporting

The building principal/supervisor will take reports and conduct a prompt investigation of any reported of an acts of hazing, harassment, intimidation, or bullying, menacing, bullying, or cyberbullying, or teen dating violence. Any employee who has knowledge of conduct in violation of this policy shall immediately report his/her concerns to the building principal/supervisor 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 district-provided transportation shall immediately report the incident to the building principal/supervisor. Failure of an employee to report an act of hazing, harassment, intimidation, or bullying, menacing, bullying, or cyberbullying, or teen dating violence to the building principal/supervisor 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 they have been subjected to act of hazing, harassment, intimidation, or bullying, menacing, bullied, cyberbullied, or feels they have been a victim of teen dating violence in violation of this policy is encouraged to immediately report his/her concerns to the building principal/supervisor 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 building principal/supervisor who has overall responsibility for all investigations.

This report made by a student or volunteer 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 Reports against the principal/supervisor shall be filed with the Superintendent / designee chief human resources officer. Reports against the chief human resources officer shall be filed with an assistant superintendent of the office for school performance. Reports against an assistant superintendent of the office for school performance shall be filed with the Superintendent. Complaints Reports 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.

The District shall incorporate into existing training programs for students, information related to the prevention of, and the appropriate response to, acts of hazing, harassment, intimidation, or bullying, menacing, bullying, and cyberbullying and this policy.

The District shall incorporate age-appropriate education about teen dating violence and domestic violence into new or existing training programs for students in grades 7 through 12 in accordance with adopted standards.

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

The Superintendent / or designee shall be responsible for ensuring annual notice of this policy is provided in a student and/or employee handbook, and available on school and District's websites, and in school and District offices, and the development of administrative regulations, including reporting and investigative procedures. Complaint procedures, as established by the District, shall be followed.

Domestic violence posters provided by the Oregon Department of Education (ODE) shall be posted in clearly visible locations on school campuses in accordance with rules adopted by the ODE.

END OF POLICY

Legal Reference(s):

[ORS 107.705](#)
[ORS 166.065](#)
[ORS 166.155 - 166.165](#)
[ORS 174.100\(7\)](#)
[ORS 332.072](#)

[ORS 332.107](#)
[ORS 339.240](#)
[ORS 339.250](#)
~~[ORS 339.254](#)~~
[ORS 339.351 - 339.368](#)

[OAR 581-021-0045](#)
[OAR 581-021-0046](#)
[OAR 581-021-0055](#)
[OAR 581-022-2310](#)
[OAR 581-022-2370](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2012).

Corrected 4/17/19; Corrected 5/01/19

R2/28/19 | PH

Hazing, Harassment, Intimidation, Bullying, Menacing, Bullying,
Cyberbullying, Teen Dating Violence, or Domestic Violence - Student** – JFCF

4-4



Code: **JFCG/JFCH/JFCI**
Adopted: 5/22/18
Orig. Code: JFCG/JFCH/JFCI

Use of Tobacco Products, Alcohol, Drugs or Inhalant Delivery Systems**

Student possession, use, distribution, or sale of tobacco products, inhalant delivery systems, alcohol or unlawful drugs, including drug paraphernalia or any substance purported to be an unlawful drug, on or near any district property or grounds, including parking lots, or while participating in district-sponsored activities, is prohibited and will result in disciplinary action. If possession, use, distribution or sale occurred near district grounds, disciplinary action may include removal from any or all extracurricular activities and/or denial or forfeiture of any school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). If possession, use, distribution, or sale occurred on district grounds, at school-sponsored activities or otherwise while the student was under the jurisdiction of the school, students will be subject to discipline up to and including expulsion. Denial and/or removal from any or all extracurricular activities and/or forfeiture of any school honors or privileges may also be imposed. A student may be referred to law enforcement officials. Parents will be notified of all violations involving their student and subsequent action taken by the school.

The student may also be subject to further requirements before re-admission, which may include drug/alcohol rehabilitation and/or family counseling services. A referral to community resources and/or cessation programs designed to help the student overcome tobacco product, inhalant delivery system, alcohol or unlawful drug use may also be made. The cost of such programs is the individual responsibility of the parent and the private health care system.

Clothing, bags, hats, and other personal items used to display, promote, or advertise tobacco products, inhalant delivery systems, alcohol, or unlawful drugs are prohibited on all district grounds, including parking lots, at school-sponsored activities and in district vehicles.

Any person under age 21 possessing a tobacco product or inhalant delivery system on district property, in a district facility or while attending a district-sponsored activity is in violation of state law and is subject to a court-imposed fine.

Any person who distributes, sells or allows to be sold, tobacco products or any substance sold for the purpose of being smoked, vaporized or aerosolized, in any form, a tobacco-burning or inhalant delivery system device, to a person under 21 years of age is in violation of state law and is subject to a court-imposed fine.

An “unlawful drug” is any drug as defined by the Controlled Substance 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 and any accompanying administrative regulations.

Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of District property is a Class A felony as provided by ORS 475.904.

Penalties for student possession, use, or sale of tobacco products, inhalant delivery systems, alcohol, and other controlled substances are contained in the Standards of Student Conduct handbook.

END OF POLICY

Legal Reference(s):

[ORS 153.018](#)
[ORS 161.605](#)
[ORS 161.625](#)
[ORS 163.575](#)
[ORS 332.107](#)
[ORS 336.067](#)
[ORS 336.222](#)
[ORS 336.227](#)
[ORS 339.240](#)
[ORS 339.250](#)

[ORS 339.883](#)
[ORS 431.840](#)
[ORS 431.845](#)
[ORS 431A.175](#)
[ORS 433.835 to -433.990](#)
[ORS Chapter 475](#)

[OAR 581-021-0050 to -0075](#)
[OAR 581-021-0110](#)
[OAR 581-022-2045](#)

[OAR 581-053-0230\(9\)\(s\)](#)
[OAR 581-053-0330\(1\)\(m\)-\(o\)](#)
[OAR 581-053-0430\(12\)-\(14\)](#)
[OAR 581-053-0531\(11\)-\(13\)](#)
[OAR 581-053-0630](#)
[OAR 584-020-0040](#)

SB 754 (2017)

Controlled Substances Act, 21 U.S.C. § 812 (2012); Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11-1308.15 (2017).
Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2012).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2012).

Corrected 5/01/19



Code: JFG
Adopted: 7/14
Orig. Code: JFG

Student Searches and Seizure**

The Board seeks to assure a climate in the schools that is appropriate for institutions of learning and environment which assures ensures the health, safety, and welfare of personnel and students. To assist the Board in attaining these goals, the Superintendent will develop procedures administrative regulations for to implementing this policy in a manner which assures individual rights are balanced with the responsibility of the school to maintain a safe, orderly environment. Provisions for staff, student, and parent notice of the Board's policy and accompanying regulation shall be included.

If District officials have reasonable suspicion to believe an illegal act or a violation of school rules and regulations has been committed, is being committed, or is about to be committed, District officials may question and search the person student and the personal property of the student. District officials may seize any property deemed to be in violation of school rules and regulations, or potentially injurious or detrimental to the safety and welfare of the school, students, or school personnel. District officials will attempt to notify parents of students involved in a search of the person student or their personal property.

1. A search of a student's person or property, including personal communication devices, may be conducted when there is reasonable suspicion to believe the search is likely to produce evidence of a violation of law, Board policy, administrative regulation or school rule. The district official shall have individualized, "reasonable suspicion" based upon specific and articulated facts to believe that the student personally possesses or is in possession of some item that poses an immediate risk or serious harm to the student, school officials and/or others at the school.

The search shall be "reasonable in scope." That is, the measures used shall be appropriate for the objectives of the search, the unique features of the official's responsibilities, the area(s) which could contain the item(s) sought, and not excessively intrusive in light of the age, sex, maturity of the student, and nature of the suspected infraction, illegal act, or violation of school rules and regulations.

2. District officials may seize any item that is evidence of a violation of law, Board policy, administrative regulation, or school rule, or which the possession or use of is prohibited by such law, policy, regulation, or rule.
3. Items that may be used to disrupt or interfere with the educational process may be temporarily removed from the student's possession.
4. General search of school or district properties including, but not limited to, lockers or desks may occur at any time without individualized suspicion. Items belonging to the school, and items which are unlawful or are in violation of District policy, may be seized. Students will be notified of any

items seized or confiscated. District-owned electronic devices provided to students shall be considered property of the school and district which may be searched without reasonable suspicion being required.

5. At the time school equipment is assigned to students for their use, students will be informed of conditions for the use of such equipment and of the right of school personnel to conduct routine searches.
6. Use of drug-detection dogs and metal detectors, or similar detection devices, may be used only on express authorization of the superintendent or designee.

When law enforcement officials find it necessary to question students during the school day or during periods of extra-curricular activity, the building administrator or designee will be present, when possible. District officials will attempt to notify the student's parents or guardian in advance. However, in suspected child abuse cases, child welfare, the Oregon Department of Human Services and law enforcement officials may exclude school personnel from investigation procedures, and may prohibit school personnel from contacting the parents.

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).
State ex. rel. Juv. Dept. v. M.A.D., 233 P3d. 437, 348 Or. 381 (2010).
State v. B.A.H., 263 P3d. 1046, 245 Or. App. 203 (2011).
State v. A.J.C., 326 P3d. 1195, 355 Or. 552 (2014).

Corrected 5/01/19



Code: JFH
Adopted: 4/24/18
Orig. Code: JFH

Student Complaints

The Board recognizes the necessity for each school to develop and maintain an orderly procedure for resolving student complaints. The building principal ~~for~~ designee¹ shall involve staff and students in establishing procedures which fairly and quickly resolve student complaints. Procedures established should allow for:

1. Informal conferences between the parties concerned;
2. Written appeal to the building principal ~~for~~ designee¹ when step one does not resolve the complaint;
3. Written appeal to the ~~s~~Superintendent or designee when step two does not resolve the complaint;
4. Written appeal to the Board when step three does not solve the complaint.

It is the purpose of appeals and hearings to provide access to appropriate school officials when an informal conference cannot resolve the complaint. It is not the purpose of appeals and hearings to provide a forum through which nonrelated issues are conveyed. It is recommended that as many student complaints as possible be handled through informal conferences.

END OF POLICY

Legal Reference(s):

[ORS 192.610 to -192.690](#)

[ORS 332.107](#)

[OAR 581-022-2370](#)

¹ Or site administrator for non-school locations / departments



Code: JG
Adopted: 5/01/16
Orig. Code: JG

Student Discipline

Discipline in the District is based upon a philosophy designed to produce behavioral changes that will enable students to develop the self-discipline necessary to remain in school and to function successfully in their educational and social environments.

The major objectives of the District discipline program are to teach the following fundamental concepts for living:

1. Understanding and respect for individual rights, dignity, and safety;
2. Understanding and respect for the law, Board policies, administrative regulations, and school and classroom rules;
3. Understanding of and respect for public and private property rights.

The Board seeks to ensure a school climate which is appropriate for learning, and which assures the safety and welfare of personnel and students. The Superintendent will develop ~~administrative regulations~~ ~~procedures~~ whereby those students who disrupt the educational setting or who endanger the safety of others will be ~~offered corrective counseling~~ and be subject to disciplinary sanctions that are age appropriate and, to the extent practicable, that use approaches that are shown through research to be effective. The Superintendent may propose alternative programs of instruction or instruction combined with counseling prior to a student's expulsion or a student leaving school in accordance with law.

The District shall enforce consistently, fairly, and without bias all student conduct policies, administrative regulations, and school and classroom rules.

A student whose conduct or condition is seriously detrimental to the school's best interests may be suspended. Students may be expelled for any of the following circumstances: (a) when a student's conduct poses a threat to the health or safety of students or employees; (b) when other strategies to change the student's behavior have been ineffective, except that expulsion may not be used to address truancy; or (c) when required by law. The District shall consider the age of the student and the student's past pattern of behavior prior to imposing the suspension or expulsion. The District will ensure careful consideration of the rights and needs of the individual concerned, as well as the best interests of other students and the school program as a whole.

The use of out-of-school suspension or expulsion for discipline of a student in the fifth grade or below, is limited to:

1. Non-accidental conduct causing serious physical harm to a student or employee;
2. When a school administrator determines, based on the administrator's observation or upon a report from an employee, the student's conduct poses a direct threat to the health or safety of students or employees; or
3. When the suspension or expulsion is required by law.

When an out-of-school suspension is imposed on a student, the district shall take steps to prevent the recurrence of the behavior that led to the out-of-school suspension, and return the student to a classroom setting to minimize the disruption of the student's academic instruction.

Special education students shall be disciplined in accordance with federal law and Board policy JGDA - Discipline of Students with Disabilities and accompanying administrative regulation.

Parents, students, and employees shall be notified by handbook, code of conduct, or other document of acceptable behavior, behavior subject to discipline, and the procedures to address behavior and the consequences of that behavior. These procedures will include a system of consequences designed to correct student misconduct and promote acceptable behavior.

END OF POLICY

Legal Reference(s):

[ORS 243.650](#)
[ORS 332.061](#)
[ORS 332.072](#)
[ORS 332.107](#)

[ORS 339.115](#)
[ORS 339.240 to -339.280](#)
[ORS 659.850](#)

[OAR 581-021-0045](#)
[OAR 581-021-0050 to -0075](#)

Tinker v. Des Moines Sch. Dist., 393 U.S. 503 (1969).
Shorb v. Grotting and Powers Sch. Dist., Case No. 00CV-0255 (Coos County Circuit Ct.) (2000).
Ferguson v. Phoenix Talent Sch. Dist. #4, 172 Or. App. 389 (2001).

Corrected 5/01/19



Code: JGA
Adopted: 6/09/09
Orig. Code: JGA

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/their supervision or control. Permission to administer corporal punishment will not be sought or accepted from any parent/guardian, person in parental relationship, or school official.

A staff member is authorized to employ physical force when, in his/her/their 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](#)



Code: **JGAB**
Adopted: 3/13/18
Orig. Code: JGAB

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 as necessary 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 fulfill all legal requirements of Oregon Administrative Rule (OAR) 581-021-0568.

The district shall utilize the Oregon Intervention System (OIS) training program of physical restraints 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 shall be completed and submitted to the Deputy 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 students placed in seclusion;
6. 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;
7. The total number of students placed in physical restraint or seclusion more than ten 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;
9. The demographic characteristics of all students upon whom physical restraint 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/~~KLD~~ - Public Complaints and KL/~~KLD~~-AR - Public Complaint Procedure. The complaint procedure is available at the district's administrative office and on the home page of the district's website.

~~A~~The complainant, who is a student, is a parent or guardian of a student attending school in the district or is a person who resides in the district, may appeal a final decision by the Board/District to the Deputy Superintendent of Public Instruction/Oregon Department of Education (ODE) as provided in/pursuant to OAR 581-002-0040/~~0005~~.

The superintendent or designee 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](#)
[ORS 339.285](#)
[ORS 339.288](#)
[ORS 339.291](#)

[OAR 581-021-0061](#)
[OAR 581-021-0550](#)
[OAR 581-021-0553](#)
[OAR 581-021-0556](#)
[OAR 581-021-0559](#)
[OAR 581-021-0563](#)

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

Corrected 5/01/19



Code: JGD
Adopted: 5/01/16
Orig. Code: JGD

Suspension**

The Board authorizes the administration to suspend a student suspension for one or more of the following reasons:

1. Willful disobedience and violation of Board policies, administrative regulations, or school rules;
2. Willful conduct that materially and substantially disrupts the rights of others to an education;
3. Willful conduct that endangers the student, other students, or staff members;
4. Willful conduct that damages or injures school property.

A student whose conduct or condition is seriously detrimental to the school's best interests may be suspended. The district shall consider the age of the student and the student's past pattern of behavior prior to imposing the suspension. The district will ensure careful consideration of the rights and needs of the individual concerned, as well as the best interests of other students and the school program as a whole.

The use of out-of-school suspension or expulsion for discipline of a student in the fifth grade or below, is limited to:

1. Non-accidental conduct causing serious physical harm to a student or employee;
2. When a school administrator determines, based on the administrator's observation or upon a report from an employee, the student's conduct poses a threat to the health or safety of students or employees; or
3. When the suspension or expulsion is required by law.

When an out-of-school suspension is imposed on a student in the fifth grade or lower, the district shall take steps to prevent the recurrence of the behavior that led to the out-of-school suspension, and return the student to a classroom setting to minimize the disruption of the student's academic instruction.

Students and parents are given notice of possible discipline actions resulting from student misconduct that may result in suspension in the Standards of Student Conduct Handbook, made available by the District.

The District's suspension procedure shall include the elements of prior notice, specification of charges, and an opportunity for the student to present his or her view of the alleged misconduct. The suspending official shall notify the student's parent or guardian of the suspension, the conditions for reinstatement, and appeal procedures, where applicable.

These procedures may be postponed in emergency situations relating to health and safety, where there is a serious risk that substantial harm will occur if suspension does not take place immediately.

Each notice of suspension will include a statement of the reasons for suspension, the length of the suspension, and a readmission plan, and may include a plan for the student to make up school work. No suspension shall extend beyond ~~ten~~ 10 school days, except in special circumstances when a suspension may be continued until some specific, pending action occurs, such as a physical or mental examination, or incarceration by court action. Every reasonable and prompt effort must be made to notify the parents of suspended students. The District may require a student to attend school during non-school hours as an alternative to suspension.

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.

Suspensions may be appealed to the Board.

END OF POLICY

Legal Reference(s):

[ORS 339.240](#)
[ORS 339.250](#)

[OAR 581-021-0050](#)
[OAR 581-021-0055](#)
[OAR 581-021-0060](#)

[OAR 581-021-0065](#)
[OAR 581-021-0071](#)
[OAR 581-021-0075](#)



Code: JGDA
Adopted: 12/14
Orig. Code: JGDA

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 Improvement Act (IDEA) if:

1. The student is receiving individualized education program (IEP) services;
2. The student not yet been identified as a student with a disability, but 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 ~~ten~~ 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 ~~ten~~ 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 ~~ten~~ 10 consecutive school days, or the removal is for more than ~~ten~~ 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 ~~ten~~ **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) (2012).

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.507, § 300.508(a)-(c); §§ 300.510-300.514; §§ 300.530-300.536 (2017).



Code: JGE
Adopted: 5/01/16
Orig. Code: JGE

Expulsion**

A building administrator, 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.

A student may be expelled for any of the following circumstances:

1. When a student's conduct poses a threat to the health or safety of students or employees;
2. When other strategies to change the student's behavior have been ineffective, except that expulsion may not be used to address truancy; or
3. When required by law.

The use of expulsion for discipline of a student in fifth grade or lower is limited to:

1. Nonaccidental conduct causing serious physical harm to a student or employee;
2. When a school administrator determines, based on the administrator's observations or upon a report from an employee, the student's conduct poses a threat to the health or safety of students or employees; or
3. When the expulsion is required by law.

The age of the student and the past pattern of behavior will be considered prior to imposing the expulsion.

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 or guardian 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. The notice shall include:
 - a. The specific charge or charges;
 - b. The conduct constituting the alleged violation, including the nature of the evidence of the violation and reason for expulsion;
 - 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 Board may expel, or may delegate the authority to decide on an expulsion to the Superintendent or Superintendent's designee, who may also act as the hearings officer. The hearings officer designated by the Board will conduct the hearing and will not be associated with the initial actions of the building administrators.
 3. Expulsion hearings will be conducted in private, and will not be open to the general public unless the student or the students' parents request an open session.
 4. If the parent or student has difficulty understanding the English language or has other serious communication needs, the District will provide a translator.
 5. The student shall be permitted to have representation present at the hearing to advise and to present arguments. The representation may be an attorney and/or parent. The District's attorney may be present.
 6. The student shall be afforded the right to present ~~his/her~~ **their** version of the events underlying the expulsion recommendation, and to introduce evidence by testimony, writings, or other exhibits.
 7. The student shall be permitted to be present and to hear the evidence presented by the District.
 8. The hearings officer or the student may record the hearing.
 9. Strict rules of evidence shall not apply to the proceedings. However, this shall not limit the hearings officer's control of the hearing.
 10. If the Board is conducting the expulsion hearing, the Board may designate the Board chair or a third party as the hearings officer. 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 records. The hearings officer will provide to the Board findings as to the facts, the recommended decision, and whether or not the student has committed the alleged conduct. This will include the hearings officer's recommended decision on disciplinary action, if any, including the duration of any expulsion. This material will be available in identical form to the Board, the student if age 18 or over, and the students' parents at the same time. Following the review by the Board of the hearings officer's recommendation, the Board will make the final decision regarding the expulsion.
 11. If the Board has delegated authority to the Superintendent or designee to act as the hearings officer, the Superintendent may designate ~~him or herself~~ **themselves**, or a third party, as the hearings officer. The hearings officer's decision is final. However, a decision of the hearings officer may be appealed by the parent or the student, if age 18 or over, to the Board for review. If the hearings officer's decision is appealed to the Board for review, the findings as to the facts and the hearings officer's decision will be submitted to the Board, and will be available in identical form to the Board, the student, and the students' parents at the same time. The Board, at its next regular meeting, will review the hearings officer's decision and will affirm, modify, or reverse the decision.

12. A 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 held by the hearings officer, the following will not be made public:
- a. The name of the minor student;
 - b. The issues involved, including a student’s confidential medical record and that student’s educational program;
 - c. The discussion;
 - d. The vote of Board members, which may be taken in executive session when considering an expulsion.

Prior to expulsion, the District must propose alternative programs of instruction or instruction combined with counseling to a student expelled for reasons other than a weapons policy violation. The District must document to the parent or guardian 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 to -336.665](#)

[ORS 339.115](#)

[ORS 339.240](#)

[ORS 339.250](#)

[OAR 581-021-0050 to -0075](#)



Code: JHCCA
Adopted: 12/13
Orig. Code: JHCCA

Students – HIV, and HBV, and AIDS**

This 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.¹

The District recognizes a parent (student) has no obligation to inform the District of an HIV, 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. The district will make reasonable accommodations to allow students living with HIV infection to participate in school-sponsored physical activities.

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

~~The District shall also develop 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 336.615 to -336.665](#)

[ORS 339.030](#)
[ORS 339.250](#)
[ORS 433.008](#)
[ORS 433.045](#)
[OAR 333-018-0000](#)

[OAR 333-018-0005](#)
[OAR 581-022-2060](#)
[OAR 581-022-2220](#)

OREGON DEPARTMENT OF EDUCATION and OREGON HEALTH AUTHORITY, *Communicable Disease Guidance* (2017).
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2017); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).

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



Code: JHCD/JHCDA
Adopted: 5/22/18
Orig. Code(s): JHCD; JHCDA

Medications**

The ~~district~~District recognizes that administering a medication to a student and/or permitting a student to administer a medication to themselves, may be necessary when the failure to take such medication during school hours would prevent the student from attending school, and recognizes a need to ensure the health and well-being of a student who requires regular doses or injections of a medication as a result of experiencing a life-threatening allergic reaction or adrenal crisis¹, or a need to manage hypoglycemia, asthma or diabetes. Accordingly, the ~~district~~District may administer to a student or a student may be permitted to administer to themselves prescription (injectable and noninjectable) and/or nonprescription (noninjectable) medication at school.

The ~~district~~District shall designate personnel authorized to administer medications to students. Training shall be provided to designated personnel as required by law in accordance with guidelines approved by the Oregon Department of Education (ODE).

Current first-aid and CPR cards are required for designated personnel. Other personnel may be strongly encouraged to have current first aid and CPR cards, depending on their duties and / or positions.

When a licensed health care professional is not immediately available, personnel designated by the ~~district~~District may administer to a student, epinephrine, glucagon or another medication to a student as prescribed and/or allowed by Oregon law.

The ~~district~~District reserves the right to reject a request for ~~district~~District personnel to administer, or to permit a student to administer to themselves, a medication when such medication is not necessary for the student to remain in school.

The ~~S~~Superintendent and/or designee will require that an individualized health care plan and allergy plan is developed for every student with a known life-threatening allergy, and an individualized health care plan for every student for whom the ~~district~~District has been given proper notice of a diagnosis of adrenal insufficiency. Such a plan will include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity.

A student may be allowed to self-administer a medication for asthma, diabetes, hypoglycemia or severe allergies as prescribed by an Oregon licensed health care professional, upon written and signed request of the parent or guardian and subject to age-appropriate guidelines. This self-administration provision also

¹Under proper notice given to the ~~district~~District by a student or student's parent or guardian.

requires a written and signed confirmation the student has been instructed by the Oregon licensed health care professional on the proper use of and responsibilities for the prescribed medication.

A request to the ~~district~~District to administer or allow a student to self-administer prescription medication or a nonprescription medication that is not approved by the Food and Drug Administration (FDA) shall include a signed prescription and treatment plan from a prescriber² or an Oregon licensed health care professional.

A written request and permission form signed by a student's parent or guardian, unless the student is allowed to access medical care without parental consent under state law³, is required and will be kept on file.

If the student is deemed to have violated Board policy or medical protocol by the ~~district~~District, the ~~district~~District may revoke the permission given to a student to self-administer medication.

Prescription and nonprescription medication will be handled, stored, monitored, disposed of and records maintained in accordance with established ~~district~~District administrative regulations governing the administration of prescription or nonprescription medications to students, including procedures for the disposal of sharps and glass.

A process shall be established by which, upon parent or guardian written request, a back-up prescribed autoinjectable epinephrine is kept at a reasonably, secure location in the student's classroom as provided by state law.

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

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

A school administrator, teacher or other ~~district~~District employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration of prescription and/or nonprescription medication, subject to state law.

A school administrator, school nurse, teacher or other ~~district~~District employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of a student's self-administration of medication, when that person in good faith assisted the student in self-administration of the medication, subject to state law.

²A registered nurse who is employed by a public or private school, ESD or local public health authority to provide nursing services at a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

³Subject to ORS 109.610, 109.640 and 109.675.

A school administrator, school nurse, teacher or other district employee designated by the school administration is not liable in a criminal action or for civil damages, when that person in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy, who is unable to self administer the medication, subject to state law.

The district and the members of the Board are not liable in a criminal action or for civil damages when a student or individual is unable to self-administer medication, when any person in good faith administers autoinjectable epinephrine to a student or individual, subject to state law.

The superintendent shall develop administrative regulations as needed to meet the requirements of law, Oregon Administrative Rules and the implementation of this policy.

END OF POLICY

Legal Reference(s):

[ORS 109.610](#)
[ORS 109.640](#)
[ORS 109.675](#)
[ORS 332.107](#)
[ORS 339.866](#) to -339.871

[ORS 433.800](#) to -433.830
[ORS 475.005](#) to -475.285
[OAR 166-400-0010](#)(17)
[OAR 166-400-0060](#)(29)

[OAR 333-055-0000](#) to -0035
[OAR 581-021-0037](#)
[OAR 581-022-2220](#)
[OAR 851-047-0030](#)
[OAR 851-047-0040](#)

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).

OREGON HEALTH AUTHORITY AND OREGON DEPARTMENT OF EDUCATION, *Medication Administration in Oregon Schools: A Manual for School Personnel* (2016).



Code: JHCD/JHCDA-AR
Adopted: 5/22/18
Orig. Code: JHCD/JHCDA-AR

Medications**

Students may, subject to the provisions of this administrative regulation, have prescription or nonprescription medication administered by designated, personnel or may be permitted to administer prescription or nonprescription medication to himself.

1. Definitions

- a. “Medication” means any drug, chemical compound, suspension or preparation in suitable form for use as a curative or remedial substance taken internally or externally but not injected except for premeasured doses of epinephrine, medication to treat adrenal insufficiency and glucagon to treat severe hypoglycemia. Medication includes any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student’s Oregon licensed health care professional for asthma or severe allergies.
- b. “Prescription medication” means any medication that under federal or state law requires a prescription by a prescriber.
- c. “Nonprescription medication” means medication that under federal law does not require a prescription from a prescriber.
- d. “Adrenal crisis” means adrenal crisis as defined in Oregon Revised Statute (ORS) 433.800.
- e. “Adrenal insufficiency” means adrenal insufficiency as defined in ORS 433.800.
- f. “Notice of a diagnosis of adrenal insufficiency” means written notice to the district from a student or the parent or guardian of a student who has been diagnosed as adrenal insufficient, with a copy of an order from the student’s primary care provider that includes the student’s diagnosis, description of symptoms indicating the student is in crisis, prescription for medication to treat adrenal insufficiency crisis, and instructions for follow-up care after medication to treat adrenal insufficiency crisis has been administered.
- g. “Prescriber”¹ means a doctor of medicine or osteopathy, a physician assistant licensed to practice by the Board of Medical Examiners for the State of Oregon, an Oregon-licensed, advance practice registered nurse with prescriptive authority, a dentist licensed by the Board of Dentistry for the State of Oregon, an optometrist licensed by the Board of Optometry for the State of Oregon, a naturopathic physician licensed by the Board of Naturopathy for the State of Oregon or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.
- h. “Qualified trainer” means a person who is familiar with the delivery of health services in a school setting, and who is a registered nurse licensed by the Oregon State Board of Nursing, a doctor of medicine or osteopathy or a physician assistant licensed by the Board of Medical

¹A registered nurse who is employed by a public or private school, ESD or local public health authority to provide nursing services at a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

Examiners for the state of Oregon or a pharmacist licensed by the Board of Pharmacy for the State of Oregon.

- i. “Severe allergy” means a life-threatening hypersensitivity to a specific substance such as food, pollen, dust or insect sting.
- j. “Asthma” means a chronic inflammatory disorder of the airways that requires ongoing medical intervention.
- k. “Designated personnel” means the school personnel designated to administer medication pursuant to district policy and procedure.

2. Designated Personnel/Training

- a. The principal will designate personnel authorized to administer prescription or nonprescription medication to a student while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care programs on school-owned property, and in transit to or from school or a school-sponsored activity, as required by Oregon law. The principal will supervise and ensure that building and activity practices and procedures are consistent with the requirements of law, rules and this administrative regulation.
- b. The principal will ensure that the training required by Oregon law is provided to designated personnel. Training must be conducted by a qualified trainer. Training will be provided annually to designated personnel authorized to administer medication to students. The first year and every third year of training requires in-person instruction; during the intervening years, designated personnel may complete an online training that has been approved by the Oregon Department of Education (ODE) so long as a trainer is available within a reasonable amount of time following the training to answer questions and provide clarification.
- c. Training will provide an overview of applicable provisions of Oregon law, administrative rules, district policy and administrative regulations, and include, but not be limited to, the following: safe storage, handling, monitoring medication supplies, disposing of medications, record keeping and reporting of medication administration and errors in administration, emergency medical response for life-threatening side effects, allergic reactions or adrenal insufficiency, and student confidentiality. Materials as recommended and/or approved by ODE will be used.
- d. A copy of the district’s policy and administrative regulation will be provided to all staff authorized to administer medication to students and others, as appropriate.
- e. Designated personnel who complete the required training will have their names entered into a database, and the sign-in sheet will be retained.

3. Administering Premeasured Doses of Epinephrine to a Student or Other Individual

A premeasured dose of epinephrine may be administered by trained, designated personnel 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.

4. Administering of Medication to a Student Experiencing Symptoms of Adrenal Crisis

A student experiencing symptoms of adrenal crisis, while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from a school or a school-sponsored activity, may be treated by designated personnel and shall be subject to the following:

- a. Upon notice of a diagnosis of adrenal insufficiency, as defined in Oregon Administrative Rule (OAR) 581-021-0037, the building principal will designate one or more school personnel to be responsible for administering the medication to treat adrenal insufficiency;
- b. The designated personnel will successfully complete training to administer medication to treat a student who has adrenal insufficiency and is experiencing symptoms of adrenal crisis, in accordance with the rules adopted by the Oregon Health authority;
- c. The student or the student's parent or guardian must provide an adequate supply of the student's prescribed medication to the district;
- d. The District will require the development of an individualized health care plan for the student that includes protocols for preventing exposures to allergens, and establishes if or when a student may self-carry prescription medication when the student has not been approved to self-administer medication;
- e. In the event that a student experiences symptoms of adrenal crisis and the designated personnel determines the medication to treat adrenal insufficiency should be administered, any available staff member will immediately call 911 and the student's parent or guardian.

5. Administering Medication to a Student

- a. A request to permit designated personnel to administer medication to a student may be approved by the district and is subject to the following:
 - (1) A written request for designated personnel to administer prescription medication to a student if, because of the prescribed frequency or schedule, the medication must be given while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, and in transit to or from school or a school-sponsored activity, must be submitted to the school office, and shall include:
 - (a) The written, permission of the student's parent or guardian or the student, if the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
 - (b) The written instruction from the prescriber for the administration of the medication to the student that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instructions from the prescriber, if any; and
 - (vii) Signature of the prescriber.

The prescription label, prepared by a pharmacist at the direction of the prescriber will be considered to meet this requirement if it contains the information listed in (i) - (vii) above.

- (2) A written request for designated personnel to administer nonprescription medication to a student must be submitted to the school office and is subject to the following:
 - (a) The nonprescription medication is necessary for the student to remain in school;
 - (b) The nonprescription medication is provided in the original manufacturer's container by the parent or guardian of the student;

- (c) The written instruction from the student's parent or guardian for the administration of the nonprescription medication that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instructions, if any; and
 - (vii) Signature of the student's parent or guardian.

If the written instruction is not consistent with the manufacturer's guidelines for the nonprescription medication, the written instruction must also include a written order allowing the inconsistent administration signed by a prescriber.

- (d) If the nonprescription medication is not approved by the Food and Drug Administration (FDA), a written order from the student's prescriber is required and will include:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school;
 - (vii) Other special instructions, if any; and
 - (viii) Signature of the prescriber.

- b. An individualized health care and allergy plan will be developed for a student with a known life-threatening allergy and will include protocols for preventing exposures to allergens and procedures for responding to life-threatening allergic reactions while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, and will include a determination on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;
- c. It is the student's parent's or guardian's or the student's, if the student is allowed to seek medical care without parental consent, responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication.
- d. It is the student's parent's or guardian's or the student's, if the student is allowed to seek medical care without parental consent, responsibility to ensure that the school is informed in writing of any changes in medication instructions.
- e. In the event a student refuses medication, the parent or guardian will be notified immediately, except where a student is allowed to seek medical care without parental consent. No attempt will be made to administer medication to a student who refuses a medication.
- f. Any error in administration of a medication will be reported to the parent or guardian immediately, except where a student is allowed to seek medical care without parental consent, and documented on the district's Medication Incident Report form. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dose, frequency of administration or method of administration.

- g. Medication shall not be administered until the necessary permission form and written instructions have been submitted, as required by the district.

6. Administration of Medication by a Student to Themselves

- a. A student, including a student in kindergarten through grade 12 with asthma or severe allergies, may be permitted to administer medication to themselves without assistance from designated personnel and is subject to the following:
 - (1) A student must demonstrate the ability, developmentally and behaviorally, to self-administer prescription medication and must have:
 - (a) A permission form from a parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675, and other documentation requested by the district, must be submitted for self-medication of all prescription medications;
 - (b) If the student has asthma, diabetes and/or a severe allergy, a medication that is prescribed by a prescriber and a written treatment plan developed by a prescriber or other Oregon licensed health care professional for managing the student's asthma, diabetes and/or severe allergy, and directs use by the student while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care programs on school-owned property or in transit to or from school or a school-sponsored activity. The prescriber will include acknowledgment that the student has been instructed in the correct and responsible use of the prescribed medication;
 - (c) The permission to self-administer the medication from a principal / designee² and a prescriber or registered nurse practicing in a school setting.
 - (2) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication and must have:
 - (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675;
 - (b) The student's name affixed to the manufacturer's original container; and
 - (c) The permission to self-administer medication from a building principal / designee².
 - (3) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication that is not approved by the FDA and must have:
 - (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
 - (b) A written order from the student's prescriber that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;

² Or site administrator for non-school locations / departments

- (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school;
 - (vii) Other special instructions, if any; and
 - (viii) Signature of the prescriber.
 - b. The student may have in their possession only the amount of medication needed for that school day, except that, for manufacturer's packaging that contains multiple dosages, the student may carry one package, such as, but not limited to, autoinjectable epinephrine or bronchodilators/inhalers.
 - c. Sharing and/or borrowing of medication with another student is strictly prohibited.
 - d. For a students who has been prescribed bronchodilators or epinephrine, the designated personnel will request that the parent or guardian provide backup medication for emergency use by that student. Backup medication, if provided, will be kept at the student's school in a location to which the student has immediate access, in the event the student has an asthma and/or severe allergy emergency.
 - e. Upon written request from a parent or guardian and with a prescriber's written statement that the lack of immediate access to backup autoinjectable epinephrine may be life-threatening to a student, and the location where the school stores backup medication is not located in the student's classroom, a process shall be established to allow the backup autoinjectable epinephrine to be kept in a reasonably secure location in the student's classroom.
 - f. A student shall not administer medication to themselves until the necessary permission form and written instructions have been submitted as required by the district;
 - g. Permission for a student to administer medication to themselves may be revoked if the student violates the Board's policy and/or this administrative regulation.
 - h. A students may be subject to discipline, up to and including expulsion, as appropriate;
 - i. A student permitted to administer medication to themselves may be monitored by designated personnel to monitor the student's response to the medication.
7. Handling, Monitoring and Safe Storage of Medication Supplies for Administering Medication to Students
- a. Medication administered by designated personnel to a student or self-administered by a student must be delivered to the school, in its original container, accompanied by the permission form and written instructions, as required above.
 - b. Medication in capsule or tablet form and categorized as a sedative, stimulant, anticonvulsant, narcotic analgesic, or psychotropic medication will be counted by designated personnel in the presence of another district employee upon receipt, documented in the student's medication log, and routinely monitored during storage and administration. Discrepancies will be reported to the principal immediately and documented in the student's medication log. For such medication not in capsule or tablet form, standard measuring and monitoring procedures will apply.
 - c. Designated personnel will follow the written instructions of the prescriber and the student or the student's parent or guardian; and training guidelines as may be recommended by the ODE for administering all forms of prescription and/or nonprescription medications.
 - d. Medication will be secured as follows:
 - (1) Non-refrigerated medications will be stored in a locked cabinet, drawer, or box.
 - (2) Medications requiring refrigeration will be stored in a locked box in a refrigerator.

- (3) Access to medication storage keys will be limited to the principal and designated personnel.
- e. Designated personnel will be responsible for monitoring all medication supplies, and for ensuring that medication is secure at all times, not left unattended after administering, and that the medication container is properly sealed and returned to storage.
- f. In the event medication is running low or an inadequate dosage is on hand to administer the medication, the designated personnel will notify the student's parent or guardian or the student (in situations involving ORS 109.610, 109.640 and 109.675) immediately.

8. Emergency Response

- a. Designated personnel will notify 911 or other appropriate emergency medical response systems and administer first aid, as necessary, in the event of life-threatening side effects that result from district-administered medication or from student self-medication or allergic reactions. The parent or guardian, school nurse, and principal will be notified immediately.
- b. Minor adverse reactions that result from district-administered medication or from student self-medication will be reported to the parent or guardian immediately, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675.
- c. Any available district staff will immediately call 911 and the student's parent or guardian if the designated personnel believes the student is experiencing symptoms of adrenal crisis and plans to administer medication.

9. Disposal of Medication

- a. Medication not picked up by the student's parent or guardian or the student, when allowed pursuant to ORS 109.610, 109.640 and 109.675, at the end of the school year or within five school days of the end of the medication period, whichever is earlier, will be disposed of by designated personnel in a nonrecoverable fashion, as follows:
 - (1) Medication will be removed from its original container and personal information will be destroyed;
 - (2) Solid medications will be crushed, mixed or dissolved in water; liquid medications will be mixed or dissolved in water; and
 - (3) Mixed with an undesirable substance, e.g., coffee grounds, kitty litter, flour; and
 - (4) Placed in impermeable, non-descript containers such as empty cans or sealable bags; and
 - (5) Placed in the trash.

Other medication will be disposed of in accordance with established training procedures including sharps and glass.

- b. All medication will be disposed of by designated personnel in the presence of another school employee and documented as described in Section 10 (below).

10. Transcribing, Recording and Record Keeping

- a. A medication log will be maintained for each student who is administered medication by the district. The medication log will include, but not be limited to:

- (1) The name of the student, name of the medication, dosage, method of administration, date and time of administration, frequency of administration and the name of the person administering the medication;
 - (2) Student refusals of medication;
 - (3) Errors in administration of medication;
 - (4) Incidents of emergency and minor adverse reaction by a student to medication;
 - (5) Discrepancies in medication supply;
 - (6) Disposal of medication, including date, quantity, manner in which the medication was destroyed, and the signature of the staff involved.
- b. All records relating to administration of medications, including permissions and written instructions, will be maintained in a separate medical file apart from the student's education records file, unless otherwise related to the student's educational placement and/or individualized education program. Records will be retained in accordance with applicable provisions of OAR 166-400-0010(17) and OAR 166-400-0060(29).
- c. Student health information will be kept confidential. Access shall be limited to those designated personnel authorized to administer medication to students, the student, and their parent or guardian. Information may be shared with other staff with a legitimate educational interest in the student or others, as may be authorized by the parent or guardian in writing or others as allowed under state and federal law.



Code: JHFA
Adopted: 6/09/09
Orig. Code: JHFA

Supervision of Students**

~~The Board expects a~~ All students ~~to~~ will be under assigned adult supervision when they are in school, traveling under school auspices, or engaging in school-sponsored activities. School personnel assigned this supervision are expected to act as prudent adults in providing for the safety of students in their charge.

~~In keeping with this expected prudence, a~~ No teacher or other staff member will leave ~~his/her~~ their assigned group unsupervised except in an emergency situation when other arrangements have been made.

During school hours or while engaging in school-sponsored activities, students will be released only into the custody of parents or other authorized persons.

END OF POLICY

Legal Reference(s):

[ORS 332.072](#)

[ORS 332.107](#)



Code: JO/IGBAB
Adopted: 12/17/13
Orig. Code(s): JO/IGBAB

Education Records/Records of Students with Disabilities**

“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/their educational development by providing pertinent information for the student, his/her/their teachers, and his/her/their parents. These records also serve as an important source of information to assist students in seeking productive employment and/or post-high school education.

The District shall maintain confidential education records of students in a manner that conforms with state and federal laws and regulations.

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

The District annually notifies parents or adult students that it forwards educational records requested by an educational agency or institution in which the student seeks to enroll or receive services, including special education evaluation services.

The District may impose certain restrictions and/or penalties until fees, fines, or damages are paid. Records requested by another district to determine a student’s appropriate placement may not be withheld. Students or parents will receive written notice at least ~~ten~~ 10 days in advance of any restrictions and/or penalties to be imposed until the debt is paid. The notice will include the reason the student owes money to the District, an itemization of the fees, fines, or damages owed, and the right of parents to request a hearing. District may pursue fees, fines, or damages through a private collection agency or other method available to the District. The District may waive fees, fines, and charges if the student or parents cannot pay, the payment of the debt could impact the health and safety of the student, or if the cost of collection would be more than the total collected, or there are mitigating circumstances, as determined by the Superintendent.

The District shall comply with a request from parents or an adult student to inspect and review records without unnecessary delay. The District provides to parents of a student with a disability or to an adult student with a disability the opportunity at any reasonable time to examine all of the records of the District pertaining to the student’s identification, evaluation, educational placement, and free appropriate public education. The District provides parents or an adult student, on request, a list of the types and locations of education records collected, maintained, and used by the District.

The District annually notifies parents of all students, including adult students, currently in attendance that they have to right to:

1. Inspect and review the student's records;
2. Request the amendment of the student's educational records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the student educational record rules authorize disclosure without consent. (See Board policy JOB – Personally Identifiable Information);
4. File with the U.S. Department of Education a complaint concerning alleged failures by the District to comply with the requirements of the Family Educational Rights and Privacy Act; and
5. Obtain a copy of the District's education records policy.

Regarding records to be released to District officials within the agency, the District's notice includes criteria for determining legitimate educational interest and the criteria for determining which school officials have legitimate educational interests. School officials may also include a volunteer or contractor who performs an institutional service on behalf of the school.

The District annually notifies parents and adult students of what it considers to be directory information and the disclosure of such. (See Board policy JOA – Directory Information).

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. 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 to parents, students 18 years of age or older or emancipated, and the general public.

END OF POLICY

Legal Reference(s):

[ORS 30.864](#)
[ORS 107.154](#)
[ORS 326.565](#)
[ORS 326.575](#)

[ORS 326.580](#)
[ORS 339.270](#)
[ORS 343.177\(3\)](#)

[OAR 166-400-0010 to -166-400-0065](#)
[OAR 581-021-0220 to -0430](#)
[OAR 581-022-2260](#)
[OAR 581-022-2270](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2012).

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).

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.501 (2017).



Code: JO/IGBAB-AR(1)
Adopted: 12/13
Orig. Code: JO/IGBAB-AR(1)

Education Records/Records of Students with Disabilities Management

1. Student Education Record

Student education records are those records that are directly related to a student and maintained by the District, or by a party acting for the District; however, this does not include the following:

- a. Records of instructional, supervisory, and administrative personnel and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record, used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- b. Records of the law enforcement unit of the District subject to the provisions of Oregon Administrative Rule (OAR) 581-021-0225;
- c. Records relating to an individual who is employed by the District that are made and maintained in the normal course of business, that relate exclusively to the individual in that individual's capacity as an employee, and that are not available for use for any other purpose. Records relating to an individual in attendance at the District who is employed as a result of his/her/their status as a student are education records and are not excepted under this section;
- d. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:
 - (1) Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his/her/their professional capacity or assisting in a paraprofessional capacity;
 - (2) Made, maintained, or used only in connection with treatment of the student; and
 - (3) Disclosed only to individuals providing the treatment. For purposes of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the District.
- e. Records that only contain information relating to activities in which an individual engaged after he/she/they are no longer a student at the District;
- f. Medical or nursing records which are made or maintained separately and solely by a licensed health-care professional who is not employed by the District, and which are not used for education purposes or planning.

The District shall keep and maintain a permanent record on each student which includes the:

- a. Name and address of the educational agency or institution;
- b. Full legal name of the student;
- c. Student birth date and place of birth;
- d. Name of parents;
- e. Date of entry in school;
- f. Name of school previously attended;
- g. Courses of study and marks received;
- h. Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;
- i. Credits earned;
- j. Attendance;
- k. Date of withdrawal from school; and
- l. Such additional information as the District may prescribe.

The District may also request the social security number of the student and will include the social security number on the permanent record only if the eligible student or parent complies with the request. The request shall include notification to the eligible student or the student's parent(s) that the provision of the social security number is voluntary and notification of the purpose for which the social security number will be used.

The District shall retain permanent records in a minimum one-hour fire-safe place in the District, or keep a duplicate copy of the permanent records in a safe depository in another District location.

2. Confidentiality of Student Records

- a. The District shall keep confidential any record maintained on a student in accordance with OAR 581-021-0220 through 581-021-0430.
- b. The District shall protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.
- c. The District shall identify one official to assume responsibility for ensuring the confidentiality of any personally identifiable information.
- d. All persons collecting or using personally identifiable information shall receive training or instruction on state policies and procedures.

3. Rights of Parents and Eligible Students

The District shall annually notify parents and eligible students through the District student/parent handbook or any other means that are reasonably likely to inform the parents or eligible students of their rights. This notification shall state that the parent(s) or eligible student has a right to:

- a. Inspect and review the student's education records;
- b. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
- c. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the applicable state or federal law authorizes disclosure without consent;

- d. Pursuant to OAR 581-021-0410, file with the Family Policy Compliance Office, United States Department of Education a complaint under 34 C.F.R. § 99.64 concerning alleged failures by the District to comply with the requirements of federal law; and
- e. Obtain a copy of the District policy with regard to student education records.

The notification shall also inform parents or eligible students that the District forwards education records requested under OAR 581-021-0255. The notification shall also indicate where copies of the District policy are located and how copies may be obtained.

If the eligible student or the student's parent(s) has a primary or home language other than English, or has a disability, the District shall provide effective notice.

These rights shall be given to either parent unless the District has been provided with specific written evidence that there is a court order, state statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes these rights.

When a student becomes an eligible student, which is defined as a student who has reached 18 years of age or is attending only an institution of postsecondary education and is not enrolled in a secondary school, the rights accorded to, and the consent required of, the parents transfer from the parents to the student. Nothing prevents the District from giving students rights in addition to those given to parents.

4. Parent's or Eligible Student's Right to Inspect and Review

The District shall permit an eligible student or student's parent(s) or a representative of a parent or eligible student, if authorized in writing by the eligible student or student's parent(s), to inspect and review the education records of the student, unless the education records of a student contain information on more than one student. In that case, the eligible student or student's parent(s) may inspect, review, or be informed of only the specific information about the student.

The District shall comply with a request for access to records:

- a. Within a reasonable period of time and without unnecessary delay;
- b. For children with disabilities before any meeting regarding an IEP, or any due process hearing, or any resolution session related to a due process hearing;
- c. In no case more than 45 days after it has received the request.

The District shall respond to reasonable requests for explanations and interpretations of the student's education record.

The parent(s) or eligible student shall comply with the following procedure to inspect and review a student's education record:

- a. Provide a written, dated, request to inspect a student's education record; and
- b. State the specific reason for requesting the inspection.

The written request will be permanently added to the student's education record.

The District shall not destroy any education record if there is an outstanding request to inspect and review the education record.

While the District is not required to give an eligible student or student's parent(s) access to treatment records under the definition of "education records" in OAR 581-021-0220(6)(b)(D), the eligible student or student's parent(s) may, at his/her/their expense, have those records reviewed by a physician or other appropriate professional of his/her/their choice.

If an eligible student or student's parent(s) so request, the District shall give the eligible student or student's parent(s) a copy of the student's education record. The District may recover a fee for providing a copy of the record, but only for the actual costs of reproducing the record unless the imposition of a fee effectively prevents a parent or eligible student from exercising the right to inspect and review the student's educational records. The District may not charge a fee to search for or to retrieve the education records of a student.

The District shall not provide the eligible student or student's parent(s) with a copy of test protocols, test questions and answers, and other documents described in Oregon Revised Statutes (ORS) 192.501-345(4) unless authorized by federal law.

The District will maintain a list of the types and locations of education records maintained by the District and the titles and addresses of officials responsible for the records.

Student's education records will be maintained at the school building at which the student is in attendance except for special education records which may be located at another designated location within the District. The administrator/principal or his/her designee shall be the person responsible for maintaining and releasing the education records.

5. Release of Personally Identifiable Information

Personally identifiable information shall not be released without prior written consent of the eligible student or student's parent(s) except in the following cases:

- a. The disclosure is to other school officials, including teachers, within the District who have a legitimate educational interest.

As used in this section, "legitimate educational interest" means a District official employed by the District as an administrator, supervisor, instructor, or staff support member; or a person serving on a school board who needs to review an educational record in order to fulfill his or her/their professional responsibilities, as delineated by their job description, contract, or conditions of employment. Contractors, consultants, volunteers, or other parties to whom an agency or institution has outsourced institutional services or functions may be considered a school official provided that party performs an institutional service or function for which the District would otherwise use employees, is under the direct control of the District with respect to the use and maintenance of education records, and is subject to District policies concerning the redisclosure of personally identifiable information.

The District shall maintain, for public inspection, a list of the names and positions of individuals within the District who have access to personally identifiable information with respect to students with disabilities.

- b. The disclosure is to officials of another school within the District;
- c. The disclosure is to authorized representatives of:

The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division in connection with an audit or evaluation of federal or state supported education programs, or the enforcement of or compliance with federal or state supported education programs, or the enforcement of or compliance with federal or state regulations.

- d. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:
 - (1) Determine eligibility for the aid;
 - (2) Determine the amount of the aid;
 - (3) Determine the conditions for the aid; or
 - (4) Enforce the terms and condition of the aid.

As used in this section, “financial aid” means any payment of funds provided to an individual that is conditioned on the individual’s attendance at an educational agency or institution.

- e. The disclosure is to organizations conducting studies for, or on behalf of, the District to:
 - (1) Develop, validate, or administer predictive tests;
 - (2) Administer student aid programs; or
 - (3) Improve instruction.

The District may disclose information under this section only if disclosure is to an official listed in paragraph (c) above and who enters into a written agreement with the District that:

- (1) Specifies the purpose, scope and duration of the study and the information to be disclosed;
- (2) Limits the organization to using the personally identifiable information only for the purpose of the study;
- (3) The study is conducted in a manner that does not permit personal identification of parents or students by individuals other than representatives of the organization; and
- (4) The information is destroyed when no longer needed for the purposes for which the study was conducted.

For purposes of this section, the term “organization” includes, but is not limited to, federal, state, and local agencies, and independent organizations.

- f. The District may disclose information under this section only if the disclosure is to an official listed in paragraph (c) above who is conducting an audit related to the enforcement of or compliance with federal or state legal requirements and who enters into a written agreement with the District that:
 - (1) Designates the individual or entity as an authorized representative;

- (2) Specifies the personally identifiable information being disclosed;
 - (3) Specifies the personally identifiable information being disclosed in the furtherance of an audit, evaluation or enforcement or compliance activity of the federal or state supported education programs;
 - (4) Describes the activity with sufficient specificity to make clear it falls within the audit or evaluation exception; this must include a description of how the personally identifiable information will be used;
 - (5) Requires information to be destroyed when no longer needed for the purpose for which the study was conducted;
 - (6) Identifies the time period in which the personally identifiable information must be destroyed; and
 - (7) Establishes policies and procedures which are consistent with FERPA and other federal and state confidentiality and privacy provisions to insure the protection of the personally identifiable information from further disclosure and unauthorized use.
- g. The disclosure is to accrediting organizations to carry out their accrediting functions;
 - h. The disclosure is to comply with a judicial order or lawfully issued subpoena. The District may disclose information under this section only if the District makes a reasonable effort to notify the eligible student or student's parent(s) of the order or subpoena in advance of compliance, unless an order or subpoena of a federal court or agency prohibits notification to the parent(s) or student;
 - i. The disclosure is to comply with a judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependency matters;
 - j. The disclosure is to the parent(s) of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;
 - k. The disclosure is in connection with a health or safety emergency. The District shall disclose personally identifiable information from an education record to law enforcement, child protective services and health-care professionals, and other appropriate parties 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. If the District determines that there is an articulable and significant threat, the District will document the information available at that time of determination and the rationale basis for the determination for the disclosure of the information from the educational records.

In making a determination whether a disclosure may be made under the health or safety emergency, the District may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. As used in this section, a "health or safety emergency" includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnap, abduction, or custodial interference, and law enforcement or child protective services efforts to respond to a report of child abuse or neglect pursuant to applicable state law or other such reasons that the District may in good faith determine a health or safety emergency.

- l. The disclosure is information the District has designated as "directory information" (See Board policy JOA - Directory Information);
- m. The disclosure is to the parent(s) of a student who is not an eligible student or to an eligible student;

- n. The disclosure is to officials of another school, school system, institution of postsecondary education, education service district (ESD), state regional program, or other educational agency that has requested the records, and in which the student seeks or intends to enroll or is enrolled or in which the student receives services. The term “receives services” includes, but is not limited to, an evaluation or reevaluation for purposes of determining whether a student has a disability;
- o. The disclosure is to the Board during an executive session pursuant to ORS 332.061.
- p. The disclosure is to a caseworker or other representative, who has the right to access the student’s case plan, of a state or local child welfare agency or tribal organization that are legally responsible for the care and protection of the student, provided the personally identifiable information will not be disclosed unless allowed by law.

The District will use reasonable methods to identify and authenticate the identity of the parents, students, school officials, and any other parties to whom the District discloses personally identifiable information from educational records.

6. Record-Keeping Requirements

The District shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student. Exceptions to the record-keeping requirements shall include the parent, eligible student, school official or his/her/their assistant responsible for custody of the records, and parties authorized by state and federal law for auditing purposes. The District shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure the record must include:

- a. The party or parties who have requested or received personally identifiable information from the education records; and
- b. The legitimate interests the parties had in requesting or obtaining the information.

The following parties may inspect the record of request for access and disclosure to a student’s personally identifiable information:

- a. The parent(s) or eligible student;
- b. The school official or his/her/their assistants who are responsible for the custody of the records;
- c. Those parties authorized by state or federal law for purposes of auditing the record-keeping procedures of the District.

7. Request for Amendment of Student’s Education Record

If an eligible student or student’s parent(s) believes the education records relating to the student contain information that is inaccurate, misleading, or in violation of the student’s rights of privacy or other rights, he/she/they may ask the building level principal where the record is maintained to amend the record.

The principal shall decide, after consulting with the necessary staff, whether to amend the record as requested within a reasonable time after the request to amend has been made.

The request to amend the student's education record shall become a permanent part of the student's education record.

If the principal decides not to amend the record as requested, the eligible student or the student's parent(s) shall be informed of the decision and of his/her/their right to appeal the decision by requesting a hearing.

8. Hearing Rights of Parents or Eligible Students

If the building level principal decides not to amend the education record of a student as requested by the eligible student or the student's parent(s), the eligible student or student's parent(s) may request a formal hearing for the purpose of challenging information in the education record as inaccurate, misleading, or in violation of the privacy or other rights of the student. The District shall appoint a hearings officer to conduct the formal hearing requested by the eligible student or student's parent(s). The hearing may be conducted by any individual, including an official of the District, who does not have a direct interest in the outcome of the hearing. The hearings officer will establish a date, time, and location for the hearing, and give the student's parent(s) or eligible student notice of date, time, and location reasonably in advance of the hearing. The hearing will be held within 10 working days of receiving the written or verbal request for the hearing.

The hearings officer will convene and preside over a hearing panel consisting of:

- a. The principal or his/her designee;
- b. A member chosen by the eligible student or student's parent(s); and
- c. A disinterested, qualified third party appointed by the Superintendent/designee.

The parent(s) or eligible student may, at his/her/their own expense, be assisted or represented by one or more individuals of his/her/their own choice, including an attorney. The hearing shall be private. Persons other than the student, parent, witnesses, and counsel shall not be admitted. The hearings officer shall preside over the panel. The panel will hear evidence from the school staff and the eligible student or student's parent(s) to determine the point(s) of disagreement concerning the records. Confidential conversations between a licensed employee or District counselor and a student shall not be part of the records hearing procedure. The eligible student or student's parent(s) has the right to insert written comments or explanations into the record regarding the disputed material. Such inserts shall remain in the education record as long as the education record or contested portion is maintained and exists. The panel shall make a determination after hearing the evidence and make its recommendation in writing within 10 working days following the close of the hearing. The panel will make a determination based solely on the evidence presented at the hearing and will include a summary of the evidence and the reason for the decision. The findings of the panel shall be rendered in writing not more than 10 working days following the close of the hearing and submitted to all parties.

If, as a result of the hearing, the panel decides that the information in the education record is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the eligible student or the student's parent(s) of the right to place a statement in the record commenting on the contested information in the record or stating why he/she/they disagrees with the decision of the panel. If a statement is placed in an education record, the District will ensure that the statement:

- a. Is maintained as part of the student's records as long as the record or contested portion is maintained by the District; and
- b. Is disclosed by the District to any party to whom the student's records or the contested portion are disclosed.

If, as a result of the hearing, the panel decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall:

- a. Amend the record accordingly; and
- b. Inform the eligible student or the student's parent(s) of the amendment in writing.

9. Duties and Responsibilities When Requesting Education Records

The District shall, within 10 days of a student seeking initial enrollment in or services from the District, notify the public or private school, ESD, institution, agency, or detention facility or youth care center in which the student was formerly enrolled, and shall request the student's education records.

10. Duties and Responsibilities When Transferring Education Records

The District shall transfer originals of all requested student education records, including any ESD records relating to the particular student, to the new educational agency when a request to transfer the education records is made to the District. The transfer shall be made no later than 10 days after receipt of the request. For students in substitute care programs, the transfer must take place within five days of a request. Readable copies of the following documents shall be retained:

- a. The student's permanent records for one year;
- b. Such special education records as are necessary to document compliance with state and federal audits for five years after the end of the school year in which the original was created. In the case of records documenting speech pathology and physical therapy services, until the student reaches age 21 or five years after last seen, whichever is longer.

Note: 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.

Disclosure Statement

Required for use in collecting personally identifiable information related to social security numbers.

On any form that requests the social security number (SSN), the following statement shall appear just above the space for the SSN:

“Providing your social security number (SSN) is voluntary. If you provide it, the school district will use your SSN for record-keeping, research, and reporting purposes only. The school district will not use your SSN to make any decision directly affecting you or any other person. Your SSN will not be given to the general public. If you choose not to provide your SSN, you will not be denied any rights as a student. Please read the statement on the back of this form that describes how your SSN will be used. Providing your SSN means that you consent to the use of your SSN in the manner described.”

On the back of the same form, or attached to it, the following statement shall appear:

“OAR 581-021-0250 (1)(j) authorizes school districts to ask you to provide your social security number (SSN). The SSN will be used by the district for reporting, research, and record keeping. Your SSN will also be provided to the Oregon Department of Education. The Oregon Department of Education gathers information about students and programs to meet state and federal statistical reporting requirements. It also helps school districts and the state research, plan, and develop educational programs. This information supports the evaluation of educational programs and student success in the workplace.”

The District and Oregon Department of Education may also match your SSN with records from other agencies as follows:

The Oregon Department of Education uses information gathered from the Oregon Employment Division to learn about education, training, and job market trends. The information is also used for planning, research, and program improvement.

State and private universities, colleges, community colleges, and vocational schools use the information to find out how many students go on with their education and their level of success.

Other state agencies use the information to help state and local agencies plan educational and training services to help Oregon citizens get the best jobs available.

Your SSN will be used only for statistical purposes as listed above. State and federal law protects the privacy of your records.



Code: KBE
Adopted: 1/22/08
Orig. Code: KBE

Political Campaigns

~~The use of District funds, facilities, and equipment is limited but allowed by established state law with respect to advocacy for or against bond issues, district elections, or political campaigns. The funds, facilities, and equipment of the District shall not be used to advocate “yes” or “no” or to influence the outcome of votes on bond issues, district elections, or political campaigns except as allowed by state law.~~

District facilities and equipment may be used by such persons and groups as contemplated by Board policy KG - Community Use of District Facilities and for such political, educational, and religious purposes as may be determined by the Board.

END OF POLICY

Legal Reference(s):

[ORS 260.432](#)
[ORS 294.100](#)

[ORS 332.107](#)
[ORS 332.172](#)

SECRETARY OF STATE, ELECTIONS DIVISION, RESTRICTIONS ON POLITICAL CAMPAIGNING BY PUBLIC EMPLOYEES (1/2016).

HILLSBORO SCHOOL DISTRICT 1J
May 14, 2019
DISCUSS THE SUPERINTENDENT'S CONTRACT

SITUATION

The Board will discuss the Superintendent's contract. The Superintendent's compensation must be discussed in a public session, per state public meeting laws (42 Op Atty Gen 362 [1982]).