

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

**Board Meeting Agenda**  
**January 26, 2021**  
**5:15 PM**

1. **5:15 PM - Work Session**
  - A. Bilingual Program 2020-21 Update 4  
Presenters: Dayle Spitzer / Arcema Tovar  
Time: 5:15 PM, 30 minutes
  - B. Support Services Report 5  
Presenter: Casey Waletich  
Time: 5:45 PM, 15 minutes
  - C. Vaccination Update and Return to School Information 12  
Presenter: Mike Scott / Travis Reiman / Dayle Spitzer  
Time: 6:00PM, 45 minutes
  - D. March 16 Half-Day Retreat 13  
Presenter: Erika Lopez  
Time: 6:45 PM, 5 minutes
  - E. Recess Board Meeting  
Presenter: Erika Lopez  
Time: 6:50 PM
2. **7:00 PM - Regular Session**
  - A. Call to Order and Flag Salute  
Presenter: Erika Lopez  
Time: 7:00 PM, 5 minutes
  - B. Land Acknowledgement 14  
Presenter: Erika Lopez  
Time: 7:05 PM, 5 minutes
  - C. Recognitions and Proclamations  
Presenter: Erika Lopez  
Time: 7:10 PM, 10 minutes
    1. Black History Month Proclamation 15  
Presenter: Lisa Allen
    2. National School Counseling Week Proclamation 16  
Presenter: Martin Granum
    3. School Bus Driver Recognition Week 17  
Presenter: Mark Watson
  - D. School Board Appreciation Month Proclamation 18  
Presenter: Mike Scott  
Time: 7:20 PM, 5 minutes
  - E. Approval of Agenda  
Presenter: Erika Lopez  
Time: 7:25 PM, 5 minutes
  - F. Audience Time  
Presenter: Erika Lopez  
Time: 7:30 PM, 5 minutes

## G. Consent Agenda

*Consent agenda items are distributed to Board members in advance for study, and enacted with a single motion.*

Presenter: Erika Lopez

Time: 7:35 PM, 5 minutes

1. Approve Minutes of December 8, 2020, Board Meeting 20
2. Approve Minutes of January 12, 2021 Board Meeting 28
3. Approve Routine Personnel Matters 30
4. Approve Policies
- a. G: Personnel
- 1) GBN/JBA - Sexual Harassment 32  
Presenter: Kona Lew-Williams
- 2) GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure 44  
Presenter: Kona Lew-Williams
- 3) GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment  
Complaint Procedure 54  
Presenter: Kona Lew-Williams

## H. Action Items

1. Approve Financing of School Buses 61  
Presenter: Michelle Morrison  
Time: 7:40 PM, 5 minutes
2. Student Activity Fee Suspension 62  
Presenter: Michelle Morrison / Casey Waletich  
Time: 7:45 PM, 5 minutes

## I. Reports and Discussion

1. Financial Report (*see written report*) 63  
Presenter: Michelle Morrison  
Time: 7:50 PM, 5 minutes
2. First Reading - High School Course Approval  
Presenter: Travis Reiman  
Time: 7:55 PM, 30 minutes
- a. Graphic Design 67
- b. Exploring Computer Science 73
3. Graduation Rates 80  
Presenter: Dayle Spitzer  
Time: 8:25 PM, 10 minutes

## J. 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: 8:35 PM, 5 minutes

1. First Reading - Policies
- a. G: Personnel

1) G: Federal Family and Medical Leave/State Family Medical Leave	81
Presenter: Kona Lew-Williams	
2) GCPC/GDPC: Retirement of Staff	95
Presenter: Kona Lew-Williams	
b. I - Instruction	
1) IGBBC: Talented and Gifted Services	97
Presenter: Travis Reiman	
2) IKFB: Graduation Exercises	99
Presenter: Dayle Spitzer	
c. J: Students	
1) JFCM: Threats of Violence	101
Presenter: Casey Waletich	
2) JHFE: Reporting of Suspected Abuse of a Child	104
Presenter: Kona Lew-Williams	
3) JHFE-AR(1): Reporting of Suspected Abuse of a Child	106
Presenter: Kona Lew-Williams	
d. K/L - District-Community Relations	
1) KL: Public Complaints	113
Presenter: Dayle Spitzer	
K. HCU / HEA Reports	
Time: 8:40 PM, 10 minutes	
L. Discussion Time	
Time: 8:50 PM, 10 minutes	
1. Student Representatives' Time	
2. Superintendent's Time	
3. Board of Directors' Time	
M. Adjourn Regular Session	
Presenter: Erika Lopez	
Time: 9:00 PM	
N. Next Meetings of the Board of Directors	
• February 9, 2021, Work Session	
• February 23, 2021, Work / Regular Session	

**HILLSBORO SCHOOL DISTRICT 1J**  
**January 26, 2021**  
**BILINGUAL PROGRAMS 2020-21 UPDATE**

**SITUATION**

Services for our Emerging Bilinguals continue to be a priority in the Hillsboro School District. Tonight's presentation will highlight the District's testing processes and instructional support for English Language Proficiency, the expansion of Dual Language programs, as well as the District's efforts to provide equity in education through bilingualism and biliteracy, grade level academic achievement, and social competency for our emergent bilinguals.

**RECOMMENDATION**

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

**HILLSBORO SCHOOL DISTRICT**  
**January 26, 2021**  
**ANNUAL SUPPORT SERVICES REPORT**

**SITUATION**

Each fall, Support Services provide an annual report of information for the past school year.

**FACILITIES AND MAINTENANCE**

- Facilities and Maintenance staff processed 5394 work orders during the 2019-20 school year.
- 317 work orders out of this total are still in process.
- Classroom wall project completed at McKinney elementary. This project was similar to the work completed at Eastwood and Minter Bridge where walls were installed to separate classrooms. This was a four and a half month carpentry project.
- Work orders are generated from buildings, fire inspection reports, safety inspections, safety meetings, staff and student accident reports, and general maintenance issues that arise.
- Staff develop a priority list of projects, taking into consideration building needs, long-term maintenance, health and safety, and immediate concerns.
- Using the priority listing of projects, District staff, architects, and other consultants develop cost estimates, specifications, and bid documents to start the identified projects.
- All annual testing has been completed for 20-21. Fire systems, Backflows, Stage Curtains, Fire Extinguishers, Fire Door Testing and all other required Environmental Testing.
- Due of Covid and remotely learning, HSD maintenance/custodial has been able to accomplish more projects on top of what is normally done throughout a typical year. These include painting both interior and exterior, stripping and waxing of floors and other custodial/maintenance projects that improve the overall atmosphere and learning environment of HSD buildings.
- Both maintenance and custodial have been working hard on making plans for making our schools ready for a safe return. HSD carpenters have been custom producing plexiglass barriers for office reception desks and other open workspaces, along with walking each site and coming up with a plan for moving furniture to allow for the safe distance required when students return to the classroom.
- Custodial Staff are currently cleaning and disinfecting to the current CDC standards along with supporting limited in person programs if one resides at their building.
- Facilities are now between two buildings. Building trades electrical, plumbing, HVAC and irrigation systems stayed at the Witch Hazel building while the carpenters, grounds, energy manager and facilities supervisor moved to the new Facilities and Support Services building

## **RESOURCE CONSERVATION**

- Energy conservation measures continue to manage overall energy consumption even during unprecedented circumstances. Standard energy conservation measures were effective during long break-periods. The 2019-2020 school year presented an opportunity to further manage energy consumption by responding with a plan of reduced schedules for our HVAC and lighting systems during the pandemic closure period.
- Since mid-March 2020, our management of building mechanical systems has resulted in a cost-avoided savings of **\$283,855** (Electric & Natural Gas). The implemented measures continue as the pandemic closure continues. Additional cost-avoided savings will be realized in the current 2020-2021 school year.
- These cost-avoidance savings represent a reduction of 3.3 million kWh of electricity and 90 thousand therms of natural gas.
- Bond construction projects, the Strategic Energy Management (SEM) program and efficient fixture purchases earned **\$276,000** in energy incentives.
- Portland, OR hosted the 10th annual Green Schools Conference & Expo March 2-4, 2020. HSD provided scholarships to six staff members to attend this conference. Funding for the scholarships earned by demonstrating incremental energy savings through the Energy Trust of Oregon.
- Management of waste disposal services during pandemic closure resulted in **\$5,000** cost-avoided savings. Additional cost-avoided savings will be realized in the current 2020-2021 school year.
- A pandemic signage program project began in June 2020. The district provided support to our student body by sourcing the 90% of all signage through the Century CTE lab and the district print shop.

## **NUTRITION SERVICES**

### Meal Participation

The information below shows student meal participation for 2019-20 at 2,045,307 a decrease of 612,402 student meals, or 23%, below the previous school year.

<b>Quick Facts</b>	<b>2019-20</b>	<b>2018-19</b>	<b>2017-18</b>
Student Meals Served	2,045,307	2,657,709	2,804,075
Adult Meals Served	26,988	42,504	46,531

### **Nutrition Fund (277) Financial Highlights**

<b>Quick Facts</b>	<b>2019-20</b>	<b>2018-19</b>	<b>2017-18</b>
Total Revenues	\$5,860,351	\$8,354,583	\$8,043,442
Total Expenditures	\$5,860,891	\$8,614,038	\$8,009,305
Increase / Decrease in Ending Fund Balance	<\$540>	<\$259,455>	\$34,137

Revenues and Expenses were greatly dysregulated by the COVID-19 pandemic that affected Nutrition Services operations beginning mid-March 2020. Revenue and Expenditures were adjusted based on the changes in program were uncharacteristically shifted to operate under the Summer Food Service Program (SFSP) in the Spring.

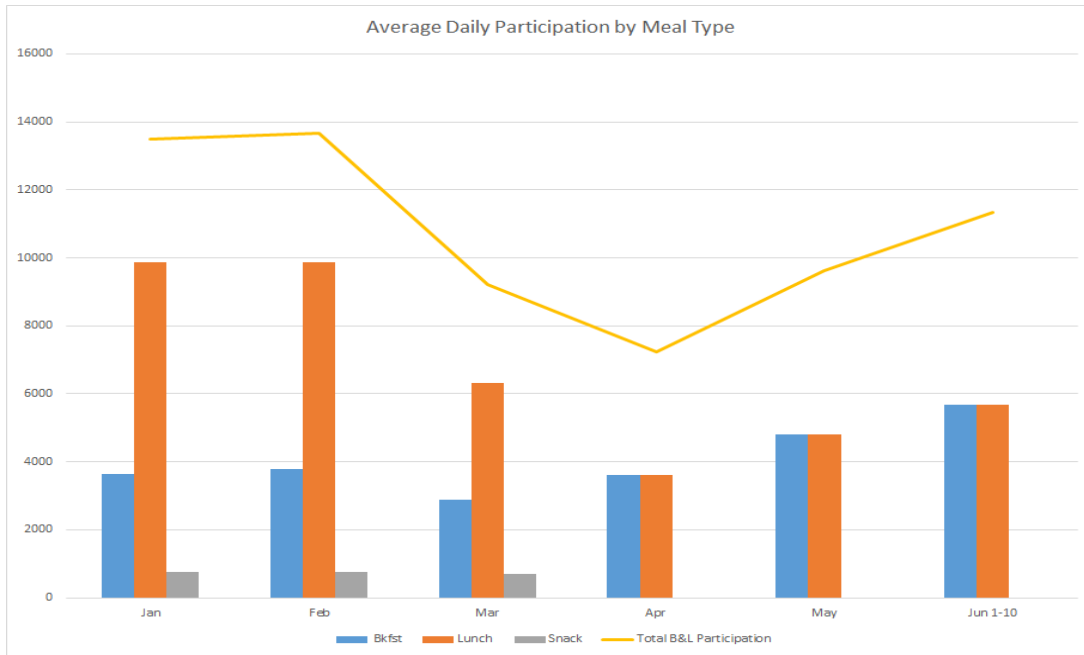
### **Summer Food Service Program (Fund 217) Financial Highlights**

<b>Quick Facts</b>	<b>2019-20</b>	<b>2018-19</b>	<b>2017-18</b>
Total Revenues	\$1,756,285	\$175,307	\$163,156
Total Expenditures	\$1,867,743	\$211,120	\$150,044
Increase / Decrease in Ending Fund Balance	<\$111,458>	<\$35,813>	\$13,112

### **Meal Participation**

Beginning March 16, Nutrition Service redistributed available staff to one of seven schools that offered drive up or walkup meals to students. Beginning April 1, in an attempt to reach more families, the district began delivering meals via 23 bus routes that canvassed the district delivering meals. This change in service model increased participation 56%. By the end of the school year, the average students served had changed from approximately 1900 students to over 4100 students per day.

The USDA and State of Oregon initiated numerable program flexibilities and rule waivers to enable HSD to offer meals to all students. The biggest flexibility was a waiver to area eligibility, which allowed HSD to deliver meals at no charge to students regardless of the economic status of the attendance area, enabling all students to receive meals at no cost.



The Liberty High School bakery continued to produce breakfast entrees and items already in inventory were prioritized that could be served in the new model.

Beginning in the 2017-18 school year, changes were instituted by the Oregon Legislature that restricted communication with students about meal balances, removed account charge limits, discontinued offering alternative meals, and requires the district to provide a meal for any student that asks; regardless of account balance or ability to pay for meals. These changes have continued to increase the negative accounts balance total each year since passage.

	2019-20	2018-19	2017-18	2016-17
<b>Total Negative Balances</b>	(\$159,312)	(\$108,228)	(\$28,453.45)	(\$1,120)
<b>GF Bad Debt* Write-off</b>	(\$65,140)	(\$21,608)	(\$9,792.75)	\$0
<b>Revenue Loss</b>	(\$94,172)	(\$86,620)	(\$18,660.70)	-\$1,120)

*\*bad debt is an unallowable cost per federal program rules*

Additionally, also included in the landmark Student Success Act (SSA) were provisions for the expansion of free meals offered to students. The two fundamental changes are:

- 1) Annual Income Eligibility Guidelines- The Confidential Free and Reduced-price meal program offers meals to households that earn up to 186% of the federal



poverty level by household size. The Oregon Expanded Eligibility Guidelines (OEIG) increased access for households up to 300% of the FPL.

- 2) Community Eligibility Provision (CEP) Supplement- CEP allows schools that are eligible to offer meals at no cost to all students enrolled regardless of eligibility based on assigned poverty factors of the student population. It was up to districts to determine participation in the program. This portion of the SSA specified a funding target of 90% of meals to be reimbursed at the free rate, enabling districts more confidence that the decision to offer CEP would not result in net losses. Due to this change and changes in student poverty data, HSD was able to extend free meals to eight (8) more schools, including South Meadows and Hillsboro High School.

HSD also utilized funding and programs to support the work including the Oregon Farm to School Grant, and allocating entitlement dollars to purchase fresh seasonal fruits and vegetables through the Department of Defense Fresh program.

The Nutrition Services Department is committed to making a difference in academic success for students by providing and encouraging healthy food choices and is dedicated to ensuring that all students are well-nourished to promote better student outcomes toward their future.

## **TRANSPORTATION SERVICES**

### **New Replacement Buses**

With the District's bus fleet aging, and updated state and federal emissions standards, new buses were purchased. We ordered and received seven (7) 84 passenger Thomas transit buses, four (4) 78 passenger Blue Bird conventions and four(4) BlueBird convention special accommodation buses. The district was awarded **\$569,157** in rebate funds from the Oregon DEQ VW Environmental Mitigation School Bus Grant. These funds were used to offset the cost of our new buses. Fifteen (15) older buses identified as "gross polluters" were destroyed and sold for scrap in accordance with the rebate funds received. We received **\$17,630** from the scrap metal that was also used towards the purchase price of the new buses.

### **New "North Terminal" Transportation Building**

Upon completion of the new Transportation and Support Services Building, the Transportation department moved approximately one-third of its operation to the "north terminal", with the remaining portions staying at the existing "main terminal" location on Walnut St. Currently the new north terminal is maintaining a bus fleet of 74 buses, which has that bus yard at capacity. This leaves the current main terminal bus fleet at 119 with room for additional fleet growth. Both terminals are fully operational with existing staff divided according to fleet numbers and routes. Our 53 current meal delivery routes are

running out of both terminals. Additionally, Limited In-Person Instruction (LIPI) and BLAST routes will be divided between the two terminals according to feeder groups.

Transportation Statistics

As you review the status for the transportation department below, please note several changes due to the Covid-19 pandemic. This leads to a much lower amount of miles driven in particular. Spring is traditionally our highest miles driven season, due to spring sports. Additionally, 23 meal delivery routes were added during the spring months of distance learning.

<b>Transportation Statistics</b>	<b>2018-2019</b>	<b>2019-2020</b>
Miles driven	2,287,021	1,670,689
Reimbursable miles	2,177,743	1,606,266
Pupils transported	12,580	13,178
Routes	98 General Education 53 Special Accommodation	98 General Education 52 Special Accommodation
Runs	<u>543 General Education</u> 490 Home to School 53 After School Activity  <u>427 Special Accommodation</u> 268 Home to School 3 After School Activity  156 Early Intervention	<u>543 Gen Education</u> 480 Home to School 40 After School Activity 23 Spring Meal Delivery  <u>444 Special Accommodation</u> 265 Home to School 3 After School Activity  156 Early Intervention 2 Portland Routes
Total buses in fleet	123 Large (6 more to be delivered) 68 Special Accommodation	123 Large 67 Special Accommodation
Total "utility" fleet	3 box trucks 2 secure cabs 3 Shop Trucks 3 Utility Vehicles (4WD)	3 box trucks 2 secure cabs 4 Shop Trucks 3 Utility Vehicles (4WD)
Total Accidents	33	31

<b>Transportation Staffing</b>	<b>2018-2019</b>	<b>2019-2020</b>
Drivers	160	155
Transportation Assistants	58	53
Technology Integration Specialist	1	1
Dispatchers	4	4
Routers	2	2
Trainers	3	3
Office Staff	3	2
Mechanics (including seat repair)	9	10
Supervisors	3	2
Executive Director	1	1

**RECOMMENDATION**

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

**HILLSBORO SCHOOL DISTRICT 1J**  
**January 26, 2021**  
**VACCINATION UPDATE AND RETURN TO SCHOOL INFORMATION**

**SITUATION**

The Board will receive an update concerning the Ready School Safe Learners guidance, as well as work to come to consensus regarding the role that the opportunity for staff vaccinations will play in students participating in hybrid learning.

**RECOMMENDATION**

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

**HILLSBORO SCHOOL DISTRICT 1J**  
**January 26, 2021**  
**MARCH 16 HALF-DAY RETREAT DISCUSSION**

**SITUATION**

Board Chair Erika Lopez will lead a discussion on the half-day retreat scheduled for March 16, 2021.

**RECOMMENDATION**

The Superintendent recommends that the Board of Directors discuss the half-day retreat.

**Hillsboro School District 1J  
Board of Directors 2020-2021  
Land Acknowledgement**

As we gather here today, even in this virtual setting, we would like to take a moment to acknowledge that our district service area is on the occupied traditional homelands of the Atfalati Indigenous people, lands we now call Washington County and the State of Oregon.

We thank them and their ancestors for being the original stewards of this land. We take this opportunity to offer gratitude for the opportunity to learn, work, and be a community on this land.

We also acknowledge the systemic policies of colonization that have led to genocide, relocation and assimilation that have impacted Indigenous and Native families, both past and present, and those who will be affected in the future.

According to Kalapuya tradition, people have lived here since time immemorial. Indigenous people still live here today, having persevered through US sponsored war displacement, genocide, and oppression.

We honor the Indigenous people whose traditional and ancestral homelands we stand on: the Tualatin Kalapuya, Kathlamet, Clackamas, Tumwater, Molalla, bands of the Chinook and many other indigenous nations of the Columbia River.

We believe it is important to acknowledge the ancestors of this place and to recognize that we are here because of the sacrifices forced upon them.

In remembering these communities, we honor their legacy, their lives, and their ancestors. We also recognize the urban Indigenous/Native/First Peoples community living in the metro area, which includes over 400 tribal nations.

# PROCLAMATION

*The Hillsboro School District celebrates the 45<sup>th</sup> anniversary of President Ford declaring February "Black History Month" in a commemorative speech in which he urged Americans to "seize the opportunity to honor the too-often neglected accomplishments of Black Americans in every area of endeavor throughout our history."*

*The Hillsboro School District honors and acknowledges the central role of Black Americans in U.S. history.*

*The Hillsboro School District is committed to diversity, equity, and inclusion and rejects the long history of institutional racism towards Black Americans.*

*The Hillsboro School District pledges to stand against bigotry, intolerance, and hate, and follow the lead set by generations of Black Americans who have courageously lead us to the pursuit of equality.*

*The Hillsboro School District has been enriched by the diversity of perspective and experience of our Black community members, who have made valuable and long lasting contributions to our district.*

*The Board of Education of the Hillsboro School District do hereby proclaim the month of February 2021 to be:*

## BLACK HISTORY MONTH



*We urge all community members to join us in recognizing the many contributions and achievements of Black Americans to the development of prosperity of our community.*

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*Erika Lopez, Board Chair*

# PROCLAMATION

*The Hillsboro School District appreciates that school counselors are actively committed to helping students explore their abilities, strengths, interests, and talents as these traits relate to career awareness and development.*

*The Hillsboro School District knows that school counselors help parents focus on ways to further the educational, personal and social growth of their children.*

*The Hillsboro School District values school counselors work with teachers and other educators to help students explore their potential and set realistic goals for themselves.*

*The Hillsboro School District applauds that school counselors seek to identify and utilize community resources that can enhance and compliment comprehensive school counseling programs and help students become productive members of society.*

*The Hillsboro School District recognizes that comprehensive developmental school counseling programs are an integral part of the educational process that enables all students to achieve success in school.*

*The Board of Education of the Hillsboro School District do hereby extend our gratitude to the counselors of the Hillsboro School District and proclaim the week of February 1 thru 5, 2021 as:*

## SCHOOL COUNSELORS WEEK



*We urge all citizens to join us in recognizing the dedication and hard work of school counselors in preparing today's students for tomorrow's world.*

*Hillsboro School District Board of Directors*



# PROCLAMATION

*The Hillsboro School District appreciates that without school bus drivers, many students would not have safe, reliable transportation to and from school.*

*The Hillsboro School District believes that it is important to salute and appreciate school bus drivers and recognize the invaluable contributions they make to education and safety.*

*The Hillsboro School District recognizes that each year bus drivers transport more than 13,000 students between home, school, and events safely.*

*The Hillsboro School District each year 190 school buses driven by dedicated drivers travel more than 1,600,000 miles.*

*The Hillsboro School District applauds bus drivers, along with trainers, support staff, dispatchers, mechanics and all staff in the transportation program who are committed every day to an outstanding safety record.*

*The Board of Education of the Hillsboro School District do hereby proclaim the week of February 8 thru 12, 2021 to be:*

## **SCHOOL BUS DRIVER APPRECIATION WEEK**



*We urge all community members to join us in recognizing the many contributions and achievements of school bus drivers to the Hillsboro School District community.*

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*Erika Lopez, Board Chair*

**HILLSBORO SCHOOL DISTRICT 1J**  
**January 26, 2021**  
**BOARD RECOGNITION AND APPRECIATION**

**SITUATION**

Each January, thousands of communities across the country formally recognize the members of locally elected volunteer public school boards for their leadership, advocacy, and dedication to improving student achievement and enhancing the quality of education in their communities. Hillsboro is especially proud to join this effort by formally acknowledging and honoring the members of our Board of Directors for their outstanding, thoughtful, and dedicated volunteer service, which benefits our students and the entire community.

**RECOMMENDATION**

The Superintendent recommends that students, staff, parents, and the community recognize and honor the esteemed members of the Hillsboro School District Board of Directors during School Board Recognition Month for their commitment to public education through their service as volunteer school board members.

# PROCLAMATION

*The Hillsboro School District Board of Directors establishes clear standards for student performance.*

*The Hillsboro School District Board of Directors ensure that student assessments are tied to established standards.*

*The Hillsboro School District Board of Directors are accountable to the community for operating schools that support student achievement.*

*The Hillsboro School District Board of Directors align school district resources to ensure that students meet standards.*

*The Hillsboro School District Board of Directors build collaborative relationships based on trust, teamwork, and shared accountability.*

*The Hillsboro School District Board of Directors are committed to continuous education and training on issues related to student achievement.*

*The Hillsboro School District does hereby declare its appreciation to the Board of Directors and proclaim the month of January 2021 to be:*

## **SCHOOL BOARD RECOGNITION MONTH**



*I urge all community members to join me in recognizing the dedication and hard work of local school board members in preparing today's students for tomorrow's world.*

A handwritten signature in black ink that reads "Mike Scott". The signature is written in a cursive style with a large, prominent "M" and "S".

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*Mike Scott, Superintendent*

**DRAFT**

HILLSBORO SCHOOL DISTRICT BOARD OF DIRECTORS—MINUTES

December 8, 2020

District Administration Center, 3083 NE 49<sup>th</sup> Place, Hillsboro, Oregon

**1. WORK SESSION**

Board Present:

Erika Lopez, Chair  
Martin Granum, Vice Chair  
Lisa Allen  
See Eun Kim  
Jaci Spross  
Mark Watson

Staff Present:

Mike Scott, Superintendent  
Travis Reiman, Assistant Superintendent, Academic Services  
Dayle Spitzer, Assistant Superintendent, School Performance  
Beth Graser, Chief Communications Officer  
Kona Lew-Williams, Chief Human Resources Officer  
Michelle Morrison, Chief Financial Officer  
Casey Waletich, Chief Operations Officer  
Olga Acuña, Director of Federal Programs  
Saideh Haghighi, Director of Equity and Human Resources  
Audrea Neville, Executive Director of Schools  
Francesca Sinapi, Executive Director of Schools  
Arcema Tovar, Director of Elementary Teaching & Learning  
Brooke Nova, Director of CCP and Student Support Networks  
Daria Martin Bigham, Project Manager, Title VI  
Justin Arey, Web Specialist/Designer  
Rose Roman, Executive Assistant to the Board  
Kelli Waibel, Technology Support  
Jeff Jones, Manager of Business Services  
Jenny Sanchez, NA PAC, Special Education Assistant  
Catherine Jager, NA PAC, Secondary Resource Specialist  
Debbie Langworthy, HCU  
Melody Hansen, HCU

Student Representatives Present:

Devlin Knill  
Mya Smith  
Ilhaam Ikramullah

Others Present:

Linda Seeley, Applicant  
Michael Smith, Applicant  
Dawn Wallace, Applicant  
Caitlyn Mitchel-Markley, Applicant  
Patrick Sippel, Applicant  
Eric Muehter, Applicant  
Kristine Adams Wannaberg, Applicant  
Heather Gurko, NA PAC  
Larry Grant, Grove, Mueller, & Swank

Board Chair Erika Lopez called the meeting to order at 5:16 PM

A. Budget Committee Applications

Chief Communications Financial Officer Michelle Morrison introduced the candidates for the budget committee. Candidates introduced themselves to the Board and Board members asked questions and thanked the candidates for their applications. Board members voted and two candidates were identified to move forward to appointment in the regular session.

B. Native American PAC Report

Assistant Superintendent Travis Reiman, and Director of Federal Programs Olga Acuña introduced the PAC. Daria Martin Bigham gave an overview of the Native American PAC. Heather Gurko discussed SB13. Catherine Jager spoke on her experiences as a teacher within the HSD. Jenny Sanchez spoke about the naming of facilities and mascots in the HSD. Board members commented and thanked PAC members for their participation.

- C. Social, Emotional, and Behavioral Health Plan  
Director of CCP and Student Support Networks Brooke Nova gave an overview of the Social, Emotional, and Behavior Health Plan for the 2020-21 school year.
- D. Bilingual Program 2020-21 Update  
Agenda item tabled due to time constraints.
- E. Support Services Report  
Agenda item tabled due to time constraints.
- F. Recess Board Meeting  
Board Chair Erika Lopez recessed at 7:01 PM.

## 2. REGULAR SESSION

### Board Present:

Erika Lopez, Chair  
Martin Granum, Vice Chair  
Lisa Allen  
See Eun Kim  
Jaci Spross  
Mark Watson

### Student Representatives Present:

Devlin Knill  
Mya Smith  
Ilhaam Ikramullah

### Others Present:

Ryan Wells, City of Cornelius  
Larry Grant, Grove, Mueller, & Swank

### Staff Present:

Mike Scott, Superintendent  
Travis Reiman, Assistant Superintendent, Academic Services  
Dayle Spitzer, Assistant Superintendent, School Performance  
Beth Graser, Chief Communications Officer  
Kona Lew-Williams, Chief Human Resources Officer  
Michelle Morrison, Chief Financial Officer  
Casey Waletich, Chief Operations Officer  
Adam Stewart, Capital Projects Officer  
Olga Acuña, Director of Federal Programs  
Audrea Neville, Executive Director of Schools  
Francesca Sinapi, Executive Director of Schools  
Justin Arey, Web Specialist/Designer  
Rose Roman, Executive Assistant to the Board  
Kelli Waibel, Technology Support  
Jill Golay, HEA President  
Melody Hansen, HCU  
Debbie Langworthy, HCU

#### A. Call to Order and Flag Salute

Board Chair Erika Lopez reconvened the meeting at 7:05 PM, read a Land Acknowledge and led the Pledge of Allegiance.

#### B. Approval of Agenda

Director Mark Watson MOVED, SECONDED by Director Martin Granum, to approve the agenda as printed.

The MOTION CARRIED (6-0).

No further discussion took place.

#### C. Audience Time

No audience members requested to address the Board regarding the following non-agenda items.

#### D. Consent Agenda

*Consent agenda items are distributed to Board members in advance for study, and enacted with a single motion.*

Director Lisa Allen MOVED, SECONDED by Director Mark Watson, to approve the Consent Agenda as printed.

The MOTION CARRIED (6-0).

No further discussion took place.

Consent Agenda items were as follows:

1. Approve Minutes of November 17, 2020, Board meeting
2. Approve Routine Personnel Matters
3. Approve Policies A-B, G, I, J, K/L
  - a. A/B: Board Governance and Operations
    - 1) ACB: All Students Belong
    - 2) ACB-AR: Bias Incident Complaint Procedure
  - b. G: Personnel
    - 1) GBDA: Expression of Milk or Breast-feed in the Workplace
    - 2) GBEA: Workplace Harassment
    - 3) GBEA-AR: Workplace Harassment Reporting and Procedure
    - 4) GBEB: Communicable Diseases – Staff
    - 5) GBEB-AR: Communicable Diseases – Staff
    - 6) GBEDA: Drug and Alcohol Testing and Record Query - Transportation Personnel
    - 7) GBEDA-AR: Drug and Alcohol Testing and Record Query - Transportation Personnel
  - c. J: Students
    - 1) JHFF: Reporting Requirements Regarding Sexual Conduct with Students
    - 2) JHFF/GBNAA: Reporting Requirements for Suspected Sexual Misconduct with Students
    - 3) JHFF/GBNAA-AR: Suspected Sexual Conduct Report Procedures and Form

E. Action Items

1. Elect Members to OSBA Board of Directors and Legislative Policy Committee  
 Director Mark Watson MOVED, SECONDED by Director Martin Granum, that the Board of Directors cast its vote for LeeAnn Larsen for the OSBA Board of Directors, position 15.

The MOTION CARRIED (6-0).

Board Chair Erika Lopez thanked Beaverton counterparts, LeeAnn Larsen, and her fellow Board members for their work and service to students.

2. City of Cornelius Municipal Code Revision  
 Chief Financial Officer Michelle Morrison discussed the change to the Municipal Code.

Director Jaci Spross MOVED, SECONDED by Director Martin Granum, that the Board of Directors approve the change to Cornelius Municipal Code 3.35.030 that removes the "55 and over" residential requirement for affordable housing tax exemption applications.

The MOTION CARRIED (6-0).

Director Jaci Spross asked questions regarding the implications to the HSD. Michelle Morrison explained that this is unique to the City of Cornelius. Ryan Wells, Community Development Director for the City of Cornelius, explained that the change in code would align Cornelius with other cities around them, and would have no immediate financial impact to the HSD. Martin Granum asked if it

would impact our funding, Michelle Morrison confirmed that it wouldn't. Lisa Allen asked how many affordable housing units will be made available to families. Ryan Wells shared the plan to create more housing. Erika Lopez asked if there are plans in the future that would impact the HSD. Ryan Wells shared that there aren't at this time, but this is preemptive work.

3. Adopt Legislative Priorities

Chief Communications Officer Beth Graser discussed the draft of Legislative Priorities for the 2021-2023 session.

Director See Eun Kim MOVED, SECONDED by Director Lisa Allen, that the Board of Directors adopt the proposed 2021-2023 legislative priorities.

The MOTION CARRIED (6-0).

No further discussion took place.

4. Appoint Budget Committee Applicants

Director Jaci Spross MOVED, SECONDED by Director Mark Watson, that the Board of Directors appoint the slate of candidates identified during the work session to the two vacant positions on the Budget Committee as follows:

- o Appoint Dawn Wallace to position 1, which expires on June 30, 2023
- o Appoint Michael Smith to position 2, which expires on June 30, 2023

The MOTION CARRIED (6-0).

Chair Erika Lopez thanked all of the applicants to the Budget Committee.

5. Accept Comprehensive Annual Financial Report for 2019-2020

Chief Financial Officer Michelle Morrison

Director Mark Watson MOVED, SECONDED by Director Martin Granum, that the Board of Directors accept the Comprehensive Annual Financial Report for 2019-2020.

The MOTION CARRIED (6-0).

Director Jaci Spross pointed out that the HSD has received an excellent review for 25 consecutive years. Director Martin Granum pointed out that District is in compliance in all areas and that the District achieved the four percent goal that it set.

F. Reports and Discussions

1. Financial Report (see written report)

Chief Financial Officer Michelle Morrison presented the Financial Report.

2. Construction Timeline for ES #29 (South Hillsboro Elementary School)

Capital Projects Officer Adam Stewart discussed the pending demographers report and the possible need to delay construction of ES #29.



- G. Recess Board Meeting; Convene Meeting of the Local Contract Review Board (LCRB)  
Time: 7:59 PM
1. Local Contractors Review Board: Review Findings of Fact for Use of Design-Build for Construction of a New Building on an Existing Site  
Capital Projects Officer Adam Stewart discussed the Findings of Fact at the Pathways Center.
- Director Martin Granum MOVED, SECONDED by Director Mark Watson, that the Board of Directors, acting in the capacity of the Local Contract Review Board, review and approve the Findings of Fact supporting the use of the Design-Build method for the Pathways Center.
- The MOTION CARRIED (6-0).
- Chair Erika Lopez asked about the competitive bidding process. Adam Stewart expressed confidence in getting good bids. Mark Watson asked about the number of modular buildings. Adam Stewart discussed the modular buildings from the Bond.
- H. Adjourn Local Contract Review Board Meeting  
Time: 8:07 PM
- I. Policies First Read  
Assistant Superintendent Travis Reiman discussed the new All Students Belong policy and Administrative Regulation.
1. G: Personnel
    - a. GBN/JBA - Sexual Harassment
    - b. GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure
    - c. GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure
- J. HCU / HEA Reports  
HCU President Melody Hansen thanked classified for their work during the pandemic. HCU put together a bargaining team and have an upcoming meeting with the District, and expressed concerns about returning to school amid rising COVID-19 cases in the District. HEA President Jill Golay explained that HEA members have voted on MOU and that the results will be shared soon, and that bargaining has started and is ongoing.
- K. Discussion Time
- 1) Student Representatives' Time  
Mya Smith acknowledged topics from her ethnic studies class and appreciation for the discussion.  
Ilhaam Ikrahmullah thanked for Board for their open-mindedness and the conversation on Native Americans.
  - 2) Superintendent's Time  
Superintendent Mike Scott expressed appreciation for the Board recognition of the audit, and additionally thanked Jeff Jones for his work. He shared that OSAA has provided new guidance for three distinct, six-week long sports seasons. He also

stated that we will continue to follow the guidelines laid out by the State and thanked the Board and staff for their hard work.

3) Board of Directors' Time

Director See Eun Kim thanked outgoing budget committee members and new committee members and expressed her excitement to see that a land acknowledgement will happen from here on out.

Vice Chair Martin Granum recognized Jaci's earlier remarks and her courageousness. He also announced that he will seek another term on the Board and asked Erika Lopez to continue as Chair.

Director Mark Watson thanked Michelle Morrison for continuing the legacy of financial responsibility, and stated that he intends to run again.

Director Lisa Allen shared that she is not up for election, and looks forward to hearing from other Board colleagues on their decisions to continue or not.

Chair Erika Lopez acknowledged Jaci's comment and courageousness. She shared that she will seek another term and run again, will accept Chair position if that is what the Board wants. Thankful to staff for their collaboration.

L. Adjourn Meeting

Chair Erika Lopez adjourned the meeting at 8:32 PM.

**3. 7:30 PM - Joint Session with Hillsboro City Council**

<u>Board Present:</u>	<u>Staff Present:</u>
Erika Lopez, Chair	Mike Scott, Superintendent
Martin Granum, Vice Chair	Travis Reiman, Assistant Superintendent, Academic Services
Lisa Allen	Dayle Spitzer, Assistant Superintendent, School Performance
See Eun Kim	Beth Graser, Chief Communications Officer
Yadira Martinez	Kona Lew-Williams, Chief Human Resources Officer
Jaci Spross	Michelle Morrison, Chief Financial Officer
Mark Watson	Adam Stewart, Capital Projects Officer
	Casey Waletich, Chief Operations Officer
<u>Student Representatives Present:</u>	Jordan Beveridge, Chief Information Technology Officer
Devlin Knill	Morgan Quimby, TOSA
Mya Smith	Justin Arey, Web Specialist/Designer
	Rose Roman, Executive Assistant to the Board
<u>Others Present:</u>	
Chad Martin - WCSO	<u>City of Hillsboro Council Present:</u>
	Steve Callaway, Mayor
	Beach Pace, Councilor
	Rick Van Beveren, Councilor
	Kyle Allen, Councilor
	Anthony Martin, Councilor
	Olivia Alcaire, Councilor
	Fred Nachtigal, Councilor
	Robby Hammond, City Manager

b. Welcome and Introductions

Mayor Steve Callaway called the joint session to order at 7:48 PM.

Steve Callaway, Mayor and Erika Lopez, Board Chair introduced themselves and the Board and Council.

c. City of Hillsboro Efforts Regarding Police Review and Community Engagement

Robby Hammond, City Manager and Jim Coleman, Police Chief gave an update of the City of Hillsboro and Hillsboro Police Department efforts regarding police review and community engagement.

d. School Resource Officer Program Feedback

Superintendent Mike Scott and TOSA Morgan Quimby gave an update on the HSD SRO program and gave a preview of the draft MOU.

e. Combined Discussion School Resource Officer Program and Opportunities for Partnership

City Councilors, Board Members, Student Representatives and HSD staff discussed the SRO program in Hillsboro.

E. Adjourn Meeting

Mayor Steve Callaway adjourned the joint session at 9:45 PM.

**DRAFT**

HILLSBORO SCHOOL DISTRICT BOARD OF DIRECTORS—MINUTES

January 12, 2021

Virtual Meeting

1. **WORK SESSION**

Board Present:

Erika Lopez, Chair  
Martin Granum, Vice Chair  
Lisa Allen  
See Eun Kim  
Yadira Martinez  
Jaci Spross  
Mark Watson

Student Representatives Present:

Devlin Knill  
Mya Smith  
Ilhaam Ikramullah

Others:

Scott Hewetson, Commander HPD  
David Marzilli, Commander WCSO

Staff Present:

Mike Scott, Superintendent  
Travis Reiman, Assistant Superintendent, Academic Services  
Dayle Spitzer, Assistant Superintendent, School Performance  
Beth Graser, Chief Communications Officer  
Kona Lew-Williams, Chief Human Resources Officer  
Michelle Morrison, Chief Financial Officer  
Adam Stewart, Capital Projects Officer  
Casey Waletich, Chief Operations Officer  
Jordan Beveridge, Chief Information Technology Officer  
Olga Acuña, Director of Federal Programs  
Elaine Fox, Executive Director of Student Services  
Saideh Haghighi, Director of Equity and Human Resources  
Audrea Neville, Executive Director of Schools  
Francesca Sinapi, Executive Director of Schools  
Rose Roman, Executive Assistant to the Board of Directors  
Justin Arey, Web Specialist/Designer  
Alex Oh, Security Supervisor  
Corina Garcia Soriano, Tech Support  
Morgan Quimby, TOSA

A. Call to Order

Erika Lopez called the work session to order at 5:16 PM.

B. Award Contract Construction Management/General Contractor (CM/GC) Services for Construction of Interior Renovations and Site Improvements at Farmington View Elementary School

Capital Projects Officer Adam Stewart asked if the Board have any questions about the materials submitted.

Director Martin Granum MOVED, SECONDED by Director Mark Watson, award the contract for Construction Management/General Contractor services at Farmington View Elementary School to Emerick Construction.

The MOTION CARRIED (7-0).

Martin Granum noted that Emerick is a local company.

C. Governor's Announcement Update

Superintendent Mike Scott discussed the guidelines released recently by Governor Kate Brown. Potential updates to guidance are expected on January 19.

- D. School Resource Officer Discussion  
Morgan Quimby and Board members discussed the DRAFT MOU line by line.
  
- 2. Adjourn Meeting  
The meeting was recessed at 8:39 PM.

**HILLSBORO SCHOOL DISTRICT 1J**  
**January 26, 2021**  
**APPROVE ROUTINE PERSONNEL MATTERS**

The Superintendent recommends the Board of Directors:

- A. Ratify the acceptance of the retirement of the following licensed personnel:

**Linda Benson**

Assignment: 0.5 FTE Kindergarten Teacher/ 0.5 FTE Leave of  
Absence  
Location: West Union Elementary School  
Effective Date: June 18, 2021  
Years of Service: 14 years

**Cynthia Honma**

Assignment: 1.0 FTE 6<sup>th</sup> Grade Teacher  
Location: Eastwood Elementary School  
Effective Date: June 18, 2021  
Years of Service: 23 years

- B. Ratify the acceptance of the resignation of the following licensed personnel:

**Beth Cook**

Assignment: 1.0 FTE Language Arts, Social Studies, AVID Teacher  
Location: Liberty High School  
Effective Date: January 29, 2021

- C. Approve the employment of the following licensed personnel in the 2020-21 school year:

**Kimberly Jansen**

Education: MA – Pacific University, Forest Grove, OR  
Experience: 6 years  
Assignment: 1.0 FTE 6<sup>th</sup> Grade Teacher – McKinney Elementary  
School

**Melinda Lloyd**

Education: BA – Brigham Young University, Provo, UT  
Experience: 1 year  
Assignment: 1.0 FTE 2<sup>nd</sup> Grade Teacher – McKinney Elementary  
School

**Evelyn Salvatierra**

Education: MA – Pacific Oak College, San Jose, CA  
Experience: 7 years  
Assignment: 1.0 FTE Kindergarten Teacher – Reedville Elementary School

**Rebecca Tengs**

Education: MA – Pacific University, Forest Grove, OR  
Experience: 8 years  
Assignment: 1.0 FTE 5<sup>th</sup> Grade Teacher – Reedville Elementary School



Code: **GBN/JBA**  
Adopted: 12/16/14  
Revised/Readopted: 5/28/19  
Orig. Code: GBN/JBA

## **Sexual Harassment**

(Version 1)

*(Delete and replace with new proposed; see version 2)*

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 bus 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 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 jurisdiction of the District, or where the 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, 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 a staff member’s ability to perform 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, 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, staff members, or third parties who have knowledge of conduct in violation of this policy or feels they are a victim of sexual harassment must immediately report their concerns to the building principal, compliance officer, or Superintendent or designee, who has overall responsibility for all investigations. 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.

The student and/or the student's parents, staff member, or third party who initiated the complaint shall be notified 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 may not adversely affect the educational assignments or educational environment of a student complainant, any terms or conditions of employment or work environment of 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. 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 or 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, 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. Posted signs shall be at least 8-1/2 inches by 11 inches.

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

END OF POLICY

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**Legal Reference(s):**

[ORS 243.706](#)  
[ORS 332.107](#)  
[ORS 342.700](#)  
[ORS 342.704](#)  
[ORS 342.708](#)

[ORS 342.850](#)  
[ORS 342.865](#)  
[ORS 659.850](#)  
[ORS 659A.006](#)  
[ORS 659A.029](#)

[ORS 659A.030](#)  
[OAR 581-021-0038](#)  
[OAR 584-020-0040](#)  
[OAR 584-020-0041](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

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

Code: GBN/JBA

Adopted:

P

## Sexual Harassment

(Version 2)

*(New proposed)*

The district is committed to eliminating sexual harassment. Sexual harassment will not be tolerated in the district. All students, staff members and other persons are entitled to learn and work in an environment that is free of harassment. All staff members, students and third parties<sup>1</sup> are subject to this policy. Any person may report sexual harassment.

The district processes complaints or reports of sexual harassment under Oregon Revised Statute (ORS) 342.700 et. al. and federal Title IX laws found in Title 34 C.F.R. Part 106. Individual complaints may require both of these procedures, and may involve additional complaint procedures.

### General Procedures

When information, a report or complaint regarding sexual harassment is received by the district, the district will review such information, report or complaint to determine which law applies and will follow the appropriate procedures. When the alleged conduct could meet both of the definitions in ORS Chapter 342 and Title IX, both complaint procedures should be processed simultaneously (*see* GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure and GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure). The district may also need to use other complaint procedures when the alleged conduct could meet the definitions for other complaint procedures<sup>2</sup>.

### OREGON DEFINITION AND PROCEDURES

#### Oregon Definition

Sexual harassment of students, staff members or third parties shall include:

A demand or request for sexual favors in exchange for benefits;

Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:

- a. Interferes with a student’s educational activity or program;
- b. Interferes with a school or district staff member’s ability to perform their job; or
- c. Creates an intimidating, offensive or hostile environment.

<sup>1</sup> “Third party” means a person who is not a student or a school or district staff member and who is: 1) on or immediately adjacent to school grounds or district property; 2) At a school-sponsored activity or program; or 3) Off school grounds or district property if a student or a school or district staff member acts toward the person in a manner that creates a hostile environment for the person while on school or district property, or at a school- or district-sponsored activity.

<sup>2</sup> Common complaint procedures that may also be involved include: Nondiscrimination (Board policy AC), Workplace Harassment (Board policy GBEA), [Hazing, ]Harassment, Intimidation, Bullying, [Menacing, ]Cyberbullying, Teen Dating Violence and Domestic Violence – Student (Board policy JFCF), and Reporting Requirements for Suspected Sexual Conduct with Students (Board policy GBNA/JHFF)

Assault when sexual contact occurs without the student's, staff member's or third party's consent because the student, staff member or third party is under the influence of drugs or alcohol, is unconscious or is pressured through physical force, coercion or explicit or implied threats.<sup>3</sup>

Sexual harassment does not include conduct that is necessary because of a job duty of a school or district staff member or because of a service required to be provided by a contractor, agent, or volunteer, if the conduct is not the product of sexual intent or a person finding another person, or another person's action, offensive because of that other person's sexual orientation or gender identity.

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

## Oregon Procedures

Reports and complaints of sexual harassment should be made to the following individuals:

Position	Phone
Operations Officer (Athletics and Activities)	(503)844-1500
Executive Director of Schools (Student to Student)	(503)844-1500
Human Resources Officer (All other Complaints)	(503)844-1500

These individuals are responsible for accepting and managing complaints of sexual harassment. Persons wishing to report should contact them using the above information. These individuals are also designated as the Title IX Coordinator. *See GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure.*

## Response

Any staff member who becomes aware of behavior that may violate this policy shall [immediately] report to a district official. The district official (with coordination involving the reporting staff member when appropriate) will take any action necessary to ensure the:

1. Student is protected and to promote a nonhostile learning environment;
2. Staff member is protected and to promote a nonhostile work environment; or
3. Third party who is subjected to the behavior is protected and to promote a nonhostile environment.

This includes providing resources for support measures to the student, staff member or third party who was subjected to the behavior and taking any actions necessary to remove potential future impact on the student, staff member or third party, but are not retaliatory against the student, staff member or third party being harassed or the person who reported to the district official.

Any student or staff member who feels they are a victim of sexual harassment are encouraged to immediately report their concerns to district officials, this includes officials such as the principal, compliance officer or superintendent. Students may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate district official.

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<sup>3</sup> The statutory definition (ORS 342.704) for sexual harassment includes separate definitions with slightly different language for students, staff members and third parties. The language used in this policy comes from OAR 581-021-0038(1)(b). If the district would like to include the full statutory definition, it can do so.

## Investigation

All reports and complaints about behavior that may violate this policy shall be investigated. The district may use, but is not limited to, the following means for investigating incidents of possible harassment:

1. Interviews with those involved;
2. Interviews with witnesses;
3. Review of video surveillance;
4. Review of written communications, including electronic communications;
5. Review of any physical evidence; and
6. Use of third-party investigator.

The district will use a “reasonable person” standard when determining whether a hostile environment exists. A hostile environment exists if a reasonable person with similar characteristics and under similar circumstances would consider the conduct to be so severe as to create a hostile environment.

The district may take, but is not limited to, the following procedures and remedial action to address and stop sexual harassment:

1. Discipline of staff and students engaging in sexual harassment;
2. Removal of third parties engaged in sexual harassment;
3. Additional supervision in activities;
4. Additional controls for district electronic systems;
5. Trainings and education for staff and students; and
6. Increased notifications regarding district procedures and resources.

When a student or staff member is harassed by a third party, the district will consider the following:

1. Removing that third party’s ability to contract or volunteer with the district, or be present on district property;
2. If the third party works for an entity that contracts with the district, communicating with the third party’s employer;
3. If the third party is a student of another district or school, communicate information related to the incident to the other district or school;
4. Limiting attendance at district events; and/or
5. Providing for additional supervision, including law enforcement if necessary, at district events.

## No Retaliation

Retaliation against persons who initiate complaint or otherwise report sexual harassment or who participate in an investigation or other related activities is prohibited. The initiation of a complaint,

reporting of behavior, or participation in an investigation, in good faith about behavior that may violate this policy may not adversely affect the:

1. Educational assignments or educational environment of a student or other person initiating the complaint, reporting the behavior, or participating in the investigation; or
2. Any terms or conditions of employment or of work or educational environment of a school or district staff member or other person initiating the complaint, reporting the behavior, or participating in the investigation.

Students who initiate a complaint or otherwise report harassment covered by the policy or who participate in an investigation may not be disciplined for violations of the district's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered because of the report or investigation, unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct.

### Notice

When a person<sup>4</sup> who may have been affected by this policy files a complaint or otherwise reports behavior that may violate the policy, the district shall provide written notification to the following:

1. Each reporting person;
2. If appropriate, any impacted person who is not a reporting person;
3. Each reported person; and
4. Where applicable, a parent or legal guardian of a reporting person, impacted person, or reported person.

The written notification must include<sup>5</sup>:

1. Name and contact information for all person(s) designated by the district to receive complaints;
2. The rights of the person that the notification is going to;
3. Information about the internal complaint processes available through the school or district that the person or person's parent who filed the complaint may pursue, including the person designated for the school or district for receiving complaints and any timelines.
4. Notice that civil and criminal remedies that are not provided by the school or district may be available to the person through the legal system and that those remedies may be subject to statutes of limitation;
5. Information about services available to the student or staff member through the school or district, including any counseling services, nursing services or peer advising;
6. Information about the privacy rights of the person and legally recognized exceptions to those rights for internal complaint processes and services available through the school or district;

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<sup>4</sup> Student, staff member, or third party, or if applicable, the student or third party's parent. If the person is a minor, the district should consider when to contact the person's parent.

<sup>5</sup> Remember confidentiality laws when providing any information.

7. Information about, and contact information for, services and resources that are available to the person, including but not limited to:
  - a. For the reporting person, state and community-based resources for persons who have experienced sexual harassment; or
  - b. For the reported persons, information about and contact information for state and community-based mental health services.
8. Notice that students who report about possible prohibited conduct and students who participate in an investigation under this policy may not be disciplined for violations of the district’s drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered as a result of a prohibited conduct report or investigation unless the student gave another person alcohol or drugs without the person’s knowledge and/or with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct; and
9. Prohibition of retaliation.

Notification, to the extent allowable under state and federal student confidentiality laws, must be provided when the investigation is initiated and concluded. The notification at the conclusion must include whether a violation of the policy was found to have occurred.

The notice must:

1. Be written in plain language that is easy to understand;
2. Use print that is of a color, size and font that allows the notification to be easily read; and
3. Be made available to students, students’ parents, staff members and member of the public at each office, at the district office and on the website of the school or district.

**Oregon Department of Education (ODE) Support**

The ODE will provide technical assistance and training upon request.

## FEDERAL DEFINITION AND PROCEDURES

### Federal Definition

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity<sup>6</sup>;
3. "Sexual assault": an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
4. "Dating violence": violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship;
5. "Domestic Violence": felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or
6. "Stalking": engaging in a course of conduct directed at a specific person that would cause a reasonable person fear for the person's own safety or the safety of others, or suffer substantial emotional distress.

This definition only applies to sex discrimination occurring against a person who is a subject of this policy in the United States. A district's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX.

### Federal Procedures

The district will adopt and publish grievance procedures that provide for the prompt and equitable resolution of the student and employee complaints alleging any action that would be prohibited by this policy. *See* GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure.

### Reporting

Any person may report sexual harassment. This report may be made in person, by mail, by telephone, or by electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. The report can be made at any time.

The Operations Officer (Athletics and Activities), Executive Director of Schools (Student to Student), Human Resources Officer (All other Complaints) are designated as the Title IX Coordinators and can be contacted at (503) 844-1500. The Title IX Coordinators will coordinate the district's efforts to comply

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<sup>6</sup> "Education program or activity" includes locations, events, or circumstances over which the recipient exercised substantial control over both the respondent and the context in which the sexual harassment occurs." (Title 34 C.F.R. § 106.44(a))



with its responsibilities related to this AR. The district prominently will display the contact information for the Title IX Coordinators on the district website and in each handbook. {<sup>7</sup>}

## Response

The district will promptly respond to information, allegations or reports of sexual harassment when there is actual knowledge of such harassment, even if a formal complaint has not been filed.<sup>8</sup> The district shall treat complainants and respondents equitably by providing supportive measures<sup>9</sup> to the complainant and by following a grievance procedure<sup>10</sup> prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes, with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.<sup>11</sup>

If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place.<sup>12</sup> The district must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. A non-student employee may also be placed on non-disciplinary administrative leave pending the grievance process.

## Notice

The district shall provide notice to all applicants for admission and employment, students, parents or legal guardians, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district of the following:

1. The name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator(s);
2. That the district does not discriminate on the basis of sex in the education program or activity that it operates, as required by Title IX. This includes admissions and employment; and

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{<sup>7</sup> Note the difference in requirements for Title IX and Oregon law. It makes sense to align these requirements.}

<sup>8</sup> (Title 34 C.F.R. §106.44(a)) Response cannot be deliberately indifferent. A recipient is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

<sup>9</sup> (Title 34 C.F.R. § 106.44(a)) Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment.<sup>9</sup> The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures. (Title 34 C.F.R. § 99.30(a))

<sup>10</sup> This grievance procedure must meet the requirements of Title 34 C.F.R. § 106.45 (included in accompanying administrative regulation, *see* GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure).

<sup>11</sup> The Title IX Coordinator may also discuss that the Title IX Coordinator has the ability to file a formal complaint.

<sup>12</sup> The district may still have obligations under Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the American with Disabilities Act (ADA). (Title 34 C.F.R. § 106.44(c))

3. The grievance procedure and process, how to file a formal complaint of sex discrimination or sexual harassment, and how the district will respond.

[Inquiries about the application to Title IX and its requirements may be referred to the Title IX Coordinator or the Assistant Secretary<sup>13</sup>, or both.]

### **No Retaliation**

Neither the district or any person may retaliate<sup>14</sup> against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. The district must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act (FERPA), as required by law, or to carry out the proceedings herein. Complaints of retaliation may be filed using these procedures.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation.

### **Publication**

This policy shall be made available to students, parents of students and staff members. This policy and contact information for the Title IX Coordinators shall be prominently published in the district student handbook and on the district website. This policy shall also be made available at each school office and at the district office. The district shall post this policy on a sign in all grade 6 through 12 schools, on a sign that is at least 8.5 inches by 11 inches in size. A copy of the policy will be made available to any person upon request.

END OF POLICY

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### **Legal Reference(s):**

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<sup>13</sup> Of the United States Department of Education.

<sup>14</sup> Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

[ORS 243.706](#)  
[ORS 332.107](#)  
[ORS 342.700](#)  
[ORS 342.704](#)  
[ORS 342.708](#)

[ORS 342.850](#)  
[ORS 342.865](#)  
[ORS 659.850](#)  
[ORS 659A.006](#)  
[ORS 659A.029](#)

[ORS 659A.030](#)  
[OAR 581-021-0038](#)  
[OAR 584-020-0040](#)  
[OAR 584-020-0041](#)

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

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Code: **GBN/JBA-AR**  
Revised/Reviewed: 2/24/15; 6/11/19  
Orig. Code: GBN/JBA-AR

## **Sexual Harassment Complaint Procedure**

(Version 1)

*(Delete and replace with new proposed; see version 2)*

Building principals, the compliance officer, and the Superintendent are responsible for complaints and investigations concerning sexual harassment. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

Sexual harassment of students, 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 a staff member's ability to perform 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, 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.

Step 1 Any sexual harassment information (i.e., complaints, rumors, etc.) shall be presented to the building principal, compliance officer, or Superintendent. All such information shall be documented in writing and will include the specific nature of the sexual harassment and corresponding dates.

The District official receiving the complaint shall cause the District to provide written notice from the District to the complainant that includes:

1. Their rights;

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2. Information about the internal complaint processes available through the school or district that the complainant may pursue;
3. Notice that civil and criminal remedies that are not provided by the school or District may be available to the complainant through the legal system and that those remedies may be subject to statutes of limitation;
4. Information about services available to the student or staff member complainant through the school or District including any counseling services or nursing services;
5. Information about the privacy rights of the complainants and legally recognized exceptions to those rights for internal complaint processes and services available through the school or District; and
6. Information about, and contact information for, state and community-based services and resources that are available to persons who have experienced sexual harassment.

This written notification must:

1. Be written in plain language that is easy to understand;
2. Use print that is of the color, size, and font that allow the notification to be easily read; and
3. Include that this information is made available to students, students' parents, staff members, and members of the public on the school or District website.

Step 2 The District official receiving the information or complaint shall promptly initiate an investigation. The official will arrange meetings to discuss the issue with all concerned parties within 10 working days after receipt of the information or complaint. All findings of the investigation, including the response of the alleged harasser, shall be documented in writing. The official conducting the investigation shall notify the complainant, within 10 working days of the meeting, in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law. The parties will have an opportunity to submit evidence and a list of witnesses.

A copy of the notification letter provided in step 1 and the date and details of notification to the complainant of the results of the investigation, together with any other documentation related to the sexual harassment incident, including disciplinary action taken or recommended, shall be forwarded to the Superintendent.

Step 3 If a complainant 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 meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The Superintendent or designee shall provide a written decision to the complainant within 10 working days.

Step 4 If a complainant is not satisfied with the decision at Step 2, the complainant may submit a written appeal to the Board. Such appeal must be filed within 10 working days after receipt of the Step 3 decision. The Board shall, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the appeal. The Board shall provide a written decision to the complainant within 10 working days following completion of the hearing.

Complaints against a principal will be referred to the chief human resources officer. Complaints against the chief human resources officer shall be referred to an assistant superintendent of the office for school performance. Complaints against a principal or the chief human resources officer may start at step 2.

Complaints against an assistant superintendent of the office of school performance shall be referred to the Superintendent. Complaints against an assistant superintendent of the office of school performance may start at step 3.

The District designated investigator will cause the notice requirements identified in step 1 to be completed. The District designated investigator will investigate the complaint and will notify the complainant in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law. If the complaint remains unresolved within 10 working days of receipt by the investigator, the complainant may appeal to the Superintendent in step 3.

Complaints against the Superintendent may start at step 4 and should be referred to the Board chair on behalf of the Board. The Board chair will cause the notice requirements identified in step 1 to be completed. The Board chair shall present the complaint 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. The Board chair shall notify the complainant in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law. After receiving the results of the investigation, the Board shall decide, within 20 days, in open session what action, if any, is warranted.

Direct complaints related to employment may be filed with the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries.

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.

Additional information regarding filing of a complaint may be obtained through the building principal, compliance officer, or Superintendent.

All documentation related to sexual harassment complaints may become part of the student's education record or employee's personnel file, as appropriate. Additionally, a copy of all sexual harassment complaints and documentation will be maintained as a confidential file and stored in the District office.

The Superintendent shall report the name of any person holding a teaching license or registered with Teacher Standards and Practices Commission (TSPC) or participating in a practicum under Oregon Administrative Rule (OAR) Chapter 584, Division 17, when, after appropriate investigation, there is reasonable cause to believe the person may have committed an act of sexual harassment. Reports shall be made to TSPC within 30 days of such a finding. Reports of sexual contact with a student shall be given to a representative from law enforcement or Oregon Department of Human Services as possible child abuse.

E

**Hillsboro School District 1J  
Complaint Form**

<b>Complainant Information</b>	
Name of complainant:	
Position/Role of complainant:	
Phone:	Email:
<b>Complaint Information</b>	
Name of alleged offender:	
Date and place of incident(s):	
Description of incident(s):	

Name of witness(es) (if any):

**D**

Evidence to corroborate complaint, e.g., letters, photos, etc. (attach evidence if possible):

**E**

What steps have you taken to resolve the issue(s) (if applicable)?

**L**

What steps would you have the District take to resolve the complaint?

**E**

**T**

All of the information on this form is accurate and true to the best of my knowledge.

Signature:

Date:

**E**

Attach additional pages as needed.





Code: GBN/JBA-AR(1)  
Revised/Reviewed:

## **Sexual Harassment Complaint Procedure** (Version 2)

*(New proposed)*

Reports and complaints of sexual harassment should be made to the following individual(s):

Name	Phone
Operations Officer (Athletics and Activities)	(503)844-1500
Executive Director of Schools (Student to Student)	(503)844-1500
Human Resources Officer (All other Complaints)	(503)844-1500

The district official receiving the complaint shall issue the required written notice as outlined under Oregon Procedures in Board policy GBN/JBA - Sexual Harassment.

**Step 1** The district official receiving the report or complaint shall promptly initiate an investigation using procedures and standards, including but not limited to, those identified in Board policy GBN/JBA - Sexual Harassment and will notify the complainant or reporting person, any impacted person who is not a reporting person (if appropriate), each reported person, and where applicable, the parents of a reporting person, impacted person, or reported person, when such investigation is initiated. The official will arrange such meetings as may be necessary to discuss the issue with all concerned parties within five working days after receipt of the report or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings of the investigation shall be reduced to writing. The official conducting the investigation shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law within [30] days of receipt of the report or complaint.

A copy of the required written notice(s) and the date and details of notification of the notice of investigation and results of the investigation, together with any other documentation related to the sexual harassment incident, including disciplinary action taken or recommended, shall be forwarded to the superintendent.

**Step 2** If a complainant is not satisfied with the decision at Step 1, 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 1 decision. The Superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal within five working days of receipt of the appeal. The Superintendent or designee shall provide a written decision to the complainant within 10 working days.

**Step 3** If a complainant is not satisfied with the decision at Step 2, the complainant may submit a written appeal to the Board. Such appeal must be filed within 10 working days after receipt of

the Step 2 decision. The Board will review the decision of the Superintendent or designee in a public meeting to determine what action is appropriate. The Board may use executive session if the subject matter qualifies under Oregon law. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, and/or adopting the Superintendent's or designee's decision. All parties involved, including the school administration, may be asked to attend a hearing for the purposes of making further explanations and clarifying the issues. The Board shall provide a written decision to the complainant within 30 working days following receipt of the appeal.

If the Board chooses not to hear the complaint, the Superintendent's or designee's decision in Step 2 is final<sup>1</sup>.

The Superintendent is authorized to amend these procedures (including timelines) when the Superintendent feels it is necessary for the efficient handling of the complaint. Notice of any amendments will be promptly provided to the parties.

Complaints against the principal may start at Step 2 and may be filed with the Superintendent or designee. The Superintendent or designee will cause the required notices to be provided. The Superintendent or designee will investigate the complaint and will notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law. If the complaint remains unresolved within 10 working days of receipt by the Superintendent or designee, the complainant may appeal to the Board in Step 3.

Complaints against the Superintendent or a Board member (other than the Board chair) may start at Step 3 and should be referred to the Board chair on behalf of the Board. The Board chair will cause required notices to be provided. The Board chair shall present the complaint to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. 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 20 days, in open session, what action, if any, is warranted. The Board chair shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law.

Complaints against the Board chair may start at Step 3 and should be referred to the Board vice chair on behalf of the Board. The Board vice chair will cause required notices to be provided. The Board vice chair shall present the complaint to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. 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 20 days, in open session what action, if any, is warranted. The Board vice chair shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law.

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<sup>1</sup> If the Board chooses to accept the superintendent's decision as the district's final decision on the complaint, the superintendent's written decision must meet the requirements of OAR 581-022-2370(4)(b).

Direct complaints related to employment may be filed with the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries.

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.

Additional information regarding filing of a complaint or report may be obtained through the principal, compliance officer or superintendent.

All documentation related to sexual harassment complaints may become part of the student's education record or employee's personnel file, as appropriate. Additionally, a copy of all sexual harassment complaints or reports and documentation will be maintained as a confidential file and stored in the district office.

The superintendent shall report the name of any person holding a teaching license or registered with Teacher Standards and Practices Commission (TSPC) or participating in a practicum under Oregon Administrative Rule (OAR) Chapter 584, Division 17, when, after appropriate investigation, there is reasonable cause to believe the person may have committed an act of sexual harassment. Reports shall be made to TSPC within 30 days of such a finding. Reports of sexual contact with a student shall be given to a representative from law enforcement or Oregon Department of Human Services, as possible child abuse.



<b>Sexual Harassment Reporting or Complaint Form</b>	
<b>Name of person making report/complaint:</b>	
<b>Position / Role of person making report/complaint:</b>	
<b>Phone:</b>	<b>Email:</b>
<b>Date of report:</b>	<b>Name of alleged harasser:</b>
<b>Date and place of incident or incidents:</b>	
<b>Description of alleged misconduct:</b>	
<b>Name of witnesses (if any):</b>	
<b>Evidence of sexual harassment, i.e., letters, photos, etc. (attach evidence, if possible):</b>	
<b>Any other information:</b>	
I agree that all of the information on this form is accurate and true to the best of my knowledge.	
<b>Signature:</b>	<b>Date:</b>



## Witness Statement Form

<b>Name of Witness:</b>	<b>Position of Witness:</b>
<b>Date of Testimony/Interview:</b>	<b>Incident Location:</b>
<b>Other Witnesses:</b>	

<b>Description of instance witnessed: (Write only what was observed - include description of who, where, when)</b>
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<b>Any additional information:</b>
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I agree that all of the information on this form is accurate and true to the best of my knowledge.

<b>Signature:</b>	<b>Date:</b>
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Attach additional pages as needed



Code: GBN/JBA-AR(2)  
Adopted:

R

## Federal Law (Title IX) Sexual Harassment Complaint Procedure

*(New proposed)*

### Additional Definitions

“Actual knowledge” means notice of sexual harassment or allegations of sexual harassment to the district’s Title IX Coordinators or any official of the district who has authority to institute corrective measures on behalf of the district, or to any employee of an elementary or secondary school.<sup>1</sup>

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinators alleging sexual harassment against a respondent<sup>2</sup> and requesting that the district investigate the allegation of sexual harassment.<sup>3</sup>

“Supportive measures” means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district’s educational environment, or deter sexual harassment.<sup>4</sup> The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures.

### Formal Complaint Procedures

Upon receipt of a formal complaint, the district will provide the parties<sup>5</sup> written notice of the following:

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<sup>1</sup> This standard is not met when the only official with knowledge is the respondent.

<sup>2</sup> “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

<sup>3</sup> A complainant must be participating in or attempting to participate in the education program or activity of the district with which the formal complaint is filed.

<sup>4</sup> Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

<sup>5</sup> Parties include the complainant and the respondent, if known.

1. Notice of the district’s grievance process, including any informal resolution process.
2. Notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details<sup>6</sup> known at the time and with sufficient time to prepare a response before any initial interview.
3. That the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility be made at the conclusion of the grievance process.
4. That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
5. The parties may inspect and review evidence.
6. A reference to any provision in the district’s code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

The Title IX Coordinators will contact the complainant and the respondent to discuss supportive measures. If necessary, the Title IX Coordinators will arrange for an individualized safety and risk analysis. If necessary, a student or non-student employee may be removed or placed on leave.

### **Investigation**

The Title IX Coordinators will coordinate the district’s investigation. The investigation must:

1. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence.
2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the district and not on the parties.<sup>7</sup>
3. Provide an equal opportunity for the parties to present witnesses, and other inculpatory and exculpatory evidence.
4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
5. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice.<sup>8</sup> The district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.

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<sup>6</sup> Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.

<sup>7</sup> The district cannot access, consider, disclose, or otherwise use a party’s records that are made of maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional’s capacity, and which are maintained in connection with the provision of treatment to the party, unless the district obtains the party’s (or eligible student’s parent’s) voluntary, written consent to do so.

<sup>8</sup> In addition to an advisor, complainants and respondents may also be entitled to other accompaniment as required by law or as necessary for conducting of grievance procedures, including but not limited to translators, services for students with disabilities and parents of minor students.

6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint.<sup>9</sup> Prior to completion of the investigative report, the district must send to each party and party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report;
8. Create an investigative report that fairly summarizes relevant evidence and is sent to each party and party's advisor in electronic format or hard copy at least 10 days prior to any hearing (if required or provided) or other time of determination of responsibility. The party and advisor will be allowed to review and provide a written response.

After the district has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision maker(s) must afford each party the opportunity to submit written, relevant questions<sup>10</sup> that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Credibility determinations are not based on the person's status as a complainant, respondent or witness.

No person designated as a Title IX Coordinators, investigator, decision-maker, or any person designated by the district to facilitate an informal resolution process may have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

If, in the course of an investigation, the district decides to investigate allegations about the complainant or respondent that are not included in the notice previously provided, the district must provide notice of the additional allegations to the parties whose identities are known.

At no point in the process will the district, or anyone participating on behalf of the district, require, allow, rely upon, or otherwise use questions or evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

### **Determination of Responsibility**

The respondent must be deemed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

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<sup>9</sup> This includes the evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the investigation. The district must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

<sup>10</sup> Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the question and evidence concern specific incidents of the complainants prior sexual behavior with respect to the respondent and are offered to prove consent.



The standard to be used for formal complaints in determining whether a violation has occurred is the [preponderance of the evidence<sup>11</sup>] [clear and convincing evidence<sup>12</sup>] standard.

The person deciding the question of responsibility (the “decision-maker”) must be someone other than the Title IX Coordinators or the investigator(s). The decision-maker must issue a written determination which must include:

1. Identification of the allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the district’s code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including:
  - a. A determination regarding responsibility;
  - b. Any disciplinary sanctions the district imposes on the respondent; and
  - c. Whether remedies designed to restore or preserve equal access to the district’s education program or activity will be provided by the district to the complainant; and
6. The district’s procedures and permissible bases for the complainant and respondent to appeal.

The district must provide the written determination to the parties simultaneously.

The determination regarding responsibility becomes final either on the date that the recipient provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

## Remedies

The Title IX Coordinators is responsible for effective implementation of any remedies.

The disciplinary sanctions<sup>13</sup> may include:

1. Discipline up to and including suspension and expulsion;
2. Removal from various activities, committees, extra-curricular, positions, etc.
3. Disqualification for awards and honors;

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<sup>11</sup> A preponderance of the evidence standard is understood to mean concluding that a fact is more likely than not to be true. U.S. Department of Education, Title IX Regulations commentary, p. 1268, FN 1409.

<sup>12</sup> A clear and convincing evidence standard of evidence is understood to mean concluding that a fact is highly probable to be true. U.S. Department of Education, Title IX Regulations commentary, p. 1268, FN 1409.

<sup>13</sup> Districts should review any other disciplinary procedures and requirements prior to imposing any discipline, and should contact legal counsel with questions.

4. Discipline up to and including termination, in accordance with laws, agreements, contracts, handbooks, etc.<sup>14</sup>

Other remedies may be explored, including educational programming.

### **Dismissal of a Formal Complaint**

The district must dismiss a formal complaint with regard to Title IX sexual harassment if the alleged conduct:

1. Would not constitute sexual harassment, even if proved;
2. Did not occur in the district's education program or activity<sup>15</sup>; or
3. Did not occur against a person in the United States.

The district may dismiss a formal complaint with regard to Title IX sexual harassment if at any time during the investigation or hearing, if provided:

1. A complainant notifies the Title IX Coordinators in writing that the complaint would like to withdraw the formal complaint or any allegations therein;
2. The respondent is no longer enrolled or employed by the district; or
3. Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal of a formal complaint, the district must promptly send written notice of the dismissal and the reason(s) therefor simultaneously to the parties.

**The dismissal of a formal complaint under Title IX does not preclude the district from continuing any investigation and taking action under a different process. The district may have an obligation to continue an investigation and process under a different process.**

### **Consolidation of Complaints**

The district may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by one or more complainant against one or more respondents, or by one party against another party, where the allegations of sexual harassment arise out of the same facts or circumstances.

### **Informal Resolution**

If the district receives a formal complaint, at any time prior to reaching a determination regarding responsibility, the district may offer an optional informal resolution process, provided that the district:

1. Provides written notice to the parties disclosing:

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<sup>14</sup> It is important to keep supportive measures separate from disciplinary sanctions. Supportive measures must be “non-disciplinary” and “non-punitive.”

<sup>15</sup> Includes locations, events, or circumstances over which the district exercised substantial control over both the respondent the respondent and the context in which the sexual harassment occurs[, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution]. (Title 34 C.F.R. §106.44(a))

- a. The allegations;
  - b. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
  - c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary written consent to the informal resolution process; and
  3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

### Appeals

Either party may file an appeal from a determination regarding responsibility or from a dismissal of a formal complaint, within 15 days of the decision, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
3. The Title IX Coordinators, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
4. Additional bases may be allowed, if made available equally to both parties.

When an appeal is filed, the district must:

1. Notify the other party in writing;
2. Implement appeal procedures equally for both parties;
3. Ensure the decision-maker(s) for the appeal is not the same person as the decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinators;
4. Ensure the decision-maker for the appeal is free from conflicts of interest and bias;
5. Give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging the outcome;
6. Issue a written decision describing the result of the appeal and the rationale for the result; and
7. Provide the written decision simultaneously to both parties.

### Timelines

The district will complete the following portions of the grievance process within the specified timelines:

1. General grievance process (from receipt of formal complaint to determination of responsibility): 90 days;

2. Appeals (from receipt of appeal): 60 days;

3. Informal resolution process: 60 days.

Temporary delays of the grievance process, or limited extensions of time will be allowed for good cause<sup>16</sup> with written notice to the parties.

## Records

Records will be created and maintained in accordance with the requirements in Title 34 C.F.R. §106.45(a)(10).<sup>17</sup>

## Training

Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process must receive training on the definition of sexual harassment, the scope of the district's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and information resolution processes. The training must also include avoiding prejudgment of the facts at issue, conflicts of interest and bias.

Decision-makers must receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions about evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

Investigators must receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes, must promote impartial investigations and adjudications of formal complaints of sexual harassment and must be made publicly available on the district's website.

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<sup>16</sup> Good cause may include considerations such as the absence of a party, a party's advisor or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. (Title 34 C.F.R. § 106.45(b)(1)(v))

<sup>17</sup> This includes creating a record for each investigation. This record must include:

- Supportive measures, or reasons why the response was not clearly unreasonable under the circumstances;
- Basis for the conclusion that the district's response was not deliberately indifferent; and
- What measures were taken to restore or preserve equal access to the district's educational program or activity. (Title 34 C.F.R. § 106.45(a)(10)(ii))

Most records (including training) must be retained for at least seven years.

**HILLSBORO SCHOOL DISTRICT 1J**  
**January 26, 2021**  
**APPROVE FINANCING OF SCHOOL BUSES**

**SITUATION**

Each month, as part of the State School Fund (SSF) formula, the Hillsboro School District receives funds designated for the replacement of its school buses. These funds are accounted for in a separate Transportation Equipment Fund (Fund 299) in the District budget, not in the General Fund. Historically, these funds have been used to purchase new buses, both full sized and smaller special needs buses. It is the District's intent to enter into a new 3-year lease for (10) conventional buses.

The cost for these ten (10) vehicles is anticipated to be approximately \$1,382,411. The District has received a rebate award of \$345,931 from Volkswagen as part of a settlement, reducing the equipment lease amount required to \$1,036,480. Principal and interest payments of approximately \$358,971 will be made annually and the lease interest rate not to exceed 2.5 percent. Below is the estimated debt service schedule for the lease.

Payment #	Due Date	Total Payment
1	7/1/2021	\$358,970.86
2	7/1/2022	\$358,970.86
3	7/1/2023	\$358,970.87
TOTALS		\$1,076,912.59

Buses to be purchased will be two (2) Blue Bird Type C (sped)Vision conventional propane buses (\$141,995 each), three (3) Blue Bird Type C Vision conventional clean diesel buses(\$114,657 each) and five (5) Blue Bird Type D Transit clean diesel(\$150,890 each). For the conventional Type C buses, the District published a Request for Proposal in the Daily Journal of Commerce and Hillsboro Tribune on January 24, 2018 and January 26, 2018 respectively. Following the proposal evaluation process of the three bus vendors, Western Bus Sales was selected and a letter of intent to award bid, pending Board approval, was issued. The Transit type D buses are being purchased from an open purchase agreement with Western Bus Sales from Lane County School District 4J (Eugene) RFP-18-442.

Later this Spring, a lender-specific resolution may be required to complete the financing transaction.

**RECOMMENDATION**

The Superintendent recommends that the Board of Directors approve the purchase of ten (10) vehicles on a three-year lease, with an annual payment of \$358,971.

*I move that the Board of Directors approve the purchase of ten (10) vehicles on a three-year lease, with an annual payment of \$358,971.*

**HILLSBORO SCHOOL DISTRICT 1J**  
**January 26, 2021**  
**STUDENT ACTIVITY FEE SUSPENSION**

**SITUATION**

The Board will receive an update on the student body fee collection process for the 2020-21 school year.

Due to the unique circumstances for student athletics and activities, District administration is recommending that the student fee schedule be suspended for the 2020-21 school year.

Although the District is continuing to offer limited access to athletics (as abbreviated seasons) and other activities, participation is greatly restricted due to adherence to the Ready Schools Safe Learners safety guidelines and OSAA rules to protect students and staff from COVID 19.

Program modifications include but are not limited to:

- Limited participation numbers due to safety protocols
- Abbreviated seasons, fewer contests
- Lack of audience access to live events
- Restricted access to facilities
- Transportation limitations

Due to the extent of program changes and anticipated COVID financial impacts to some students and families, fees will be suspended for the year. In the event students have already paid participation fees, a communication will be issued with credit and refund options.

There is an anticipated revenue decline due to fee suspension and a loss of event gate receipts. The budgetary impact will be largely offset by the reduced costs associated with the limitations on play models, reduced supervision required, and operational savings.

This is a one-year fee suspension associated with the systemic program changes due to COVID 19.

**RECOMMENDATION**

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

**HILLSBORO SCHOOL DISTRICT 1J**  
**January 26, 2021**  
**FINANCIAL REPORT**

Business Office – General Update. The Business Office collaborates with all departments in the District Office to provide a system of support for schools, so that principals can focus their attention on instructional leadership. Financial reports in upcoming months will feature examples of this collaboration, which promotes a culture of continuous improvement, learning, and responding to the changing needs of schools.

*Example 44: Exploring Voucher Options to Support Students*

The central office has a culture of continuous improvement and can learn, adapt and respond to the changing needs of schools. Business Office staff are empowered to innovate service to better support principal leaders. Currently some leaders in the business office are exploring some voucher options with local retailers that would satisfy both best practices in internal controls and meet some basic needs for students. By working collaboratively with local partners, Principals will be able to offer quick and efficient solutions to enable students in need to better access instruction.

Finance Team – Accounts Payable, Banking, and Student Body Accounting. Finance Manager Jennifer Zavatsky conducted audit review meetings with each high school bookkeeper and their administrator to develop areas of training and support for student body accounting. Student body accounts are school bank accounts maintained outside of the district accounting and control systems and requires an additional layer of oversight and support. The student body account annual transaction testing, is conducted by Grove, Mueller, Swank, the District's independent auditor and an internal report is generated for training purposes.

Finance Team – Financial Reporting, Contracts and Grants. Manager of Business Services Jeff Jones coordinated the second serial testing of the Bond Program conducted by Moss Adams LLC. The independent review will be part of a larger report on the Bond Program and results presented to both the Bond Oversight Committee and board (may be included in a board update, not necessarily a meeting presentation). Special thank you to Sharon McCarty, Tiffany McGowen, and Adam Stewart for their support and extra efforts to prepare and assist with the review.

Payroll Team and Employee Benefits. Payroll Supervisor Kim Grannis continues to lead her team as they close out the calendar year. In payroll, this is a time to prepare quarterly federal and state tax reports, staff W-2s, and other requirements. Mrs. Grannis has also continued to collaborate with Jennifer Zavatsky on a project to streamline the ACH payment process. The project requires retooling of some of the financial software utilities and testing prior to implementation. The payroll team also continues to collaborate with Human Resources to coordinate Work Share participant pay changes and wages reporting to the Oregon Employment Department.

Benefits Supervisor Lynette Coffman is welcoming two new team members to benefits and will be focusing heavily on training. Brandy Pate and Claudia Garcia Avilez are joining the Business Office and will be supporting staff with employee benefit programs and leave tracking. Brandy is filling a formerly vacant position and Claudia is replacing Diane (Mary) Mendoza who retired in December. Welcome!

General Functions

The Business Office Recovery Team is working to track all COVID-19 related expenses and potential funding sources to recovery outlay wherever possible. Although the economic impact of the Coronavirus is yet to be determined, the Recovery Team is an ad-hoc work group aligned with the Business Office imperative to 1) minimize waste, and 2) maximize opportunities. If you would like more information or to discuss these or other Business Office items, please contact Michelle Morrison at 503-844-1527 or [morrisom@hsd.k12.or.us](mailto:morrisom@hsd.k12.or.us).

Workers' Compensation Report. In order to ensure accurate reports to the Board, and allow adequate time for the claims submitted each month to be fully processed, there is a one-month delay in reporting workers' compensation claims to the Board. The table below includes workers' compensation claims reported in November 2020.

The District received 2 workers' compensation claims in November. As of November 30, 2020, there were 14 open claims; 8 were for medical costs only, and 6 included time loss. There were no employees on modified work plans during November.

<b>Workers' Compensation Reports</b>			
	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>
July	1	3	0
August	2	2	3
September	11	15	6
October	14	15	5
November	5	10	2
December	13	18	
January	7	14	
February	8	17	
March	13	3	
April	11	0	
May	15	2	
June	11	0	
<b>Yearly Total:</b>	<b>111</b>	<b>99</b>	<b>16</b>



Student Incident Report. There is a one-month delay in reporting student incidents to the Board, in order to allow adequate time to ensure that these reports are complete and accurate. There were no student incidents reported in November.

<b>Student Incident Reports</b>						
	<b>2019-20 Total Incidents</b>	<b>Average Incidents Per School Day</b>	<b>Serious Injuries With 911 Transport</b>	<b>2020-21 Total Incidents</b>	<b>Average Incidents Per School Day</b>	<b>Serious Injuries With 911 Transport</b>
July	2	N/A	0	0	N/A	0
August	6	N/A	0	0	N/A	0
September	149	7.5	1	0	N/A	0
October	131	6.2	3	0	N/A	0
November	77	4.8	1	0	N/A	0
December	91	6.1	4			
January	95	5.4	0			
February	74	4.1	3			
March	43	4.3	0			
April	0	N/A	0			
May	0	N/A	0			
June	0	N/A	0			
<b>Yearly Total:</b>	<b>668</b>		<b>12</b>	<b>0</b>		<b>0</b>

Vehicle Accidents. There is a one-month delay in reporting vehicle accidents to the Board, in order to allow adequate time to ensure that monthly reports are accurate and complete. There were no bus accidents in November.

**Hillsboro School District 1J**  
**MONTHLY FINANCIAL REPORT - as of December 31, 2020**

	July	August	September	1st Quarter	October	November	December	2nd Quarter	Fiscal YTD	Budget		Fiscal YTD	
Revenues	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	2020-21	2020-21	% of Budget	2019-20	% of Budget
Taxes	\$0.00	\$0.00	\$140,003.08	\$140,003.08	\$64,475.95	\$61,398,176.36	\$14,621,071.15	\$76,083,723.46	\$76,223,726.54	\$82,507,072.02	92.38%	\$73,558,222.70	97.03%
Interest	\$22,078.38	\$25,122.96	\$23,986.95	\$71,188.29	\$17,308.43	\$19,647.35	\$51,880.93	\$88,836.71	\$160,025.00	\$1,200,000.00	13.34%	\$392,535.96	30.01%
Local Sources	\$9,273.63	\$7,837.83	\$20,096.29	\$37,207.75	\$41,584.08	\$173,162.50	\$9,288.74	\$224,035.32	\$261,243.07	\$2,765,323.98	9.45%	\$481,283.82	24.73%
<b>Total Local</b>	<b>\$31,352.01</b>	<b>\$32,960.79</b>	<b>\$184,086.32</b>	<b>\$248,399.12</b>	<b>\$123,368.46</b>	<b>\$61,590,986.21</b>	<b>\$14,682,240.82</b>	<b>\$76,396,595.49</b>	<b>\$76,644,994.61</b>	<b>\$86,472,396.00</b>	<b>88.64%</b>	<b>\$74,432,042.48</b>	<b>94.15%</b>
County/ESD	\$0.00	\$898,202.00	\$299,401.00	\$1,197,603.00	\$299,401.00	\$435,800.55	\$299,401.00	\$1,034,602.55	\$2,232,205.55	\$3,790,112.00	58.90%	\$1,878,433.14	51.05%
State Sources	\$23,243,752.14	\$11,614,828.57	\$11,614,828.57	\$46,473,409.28	\$11,614,828.57	\$11,852,920.36	\$11,630,822.80	\$35,098,571.73	\$81,571,981.01	\$143,160,594.00	56.98%	\$80,057,562.70	57.12%
Federal Sources	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0.00%
Other Sources	\$0.00	\$44,025.66	\$0.00	\$44,025.66	\$0.00	\$0.00	\$0.00	\$0.00	\$44,025.66	\$42,833.00	0.00%	-\$134.20	0.00%
Beginning Balance*	\$11,973,234.59	\$0.00	\$0.00	\$11,973,234.59	\$0.00	\$0.00	\$0.00	\$0.00	\$11,973,234.59	\$9,409,091.00	127.25%	\$10,090,542.29	112.13%
<b>Total Revenue</b>	<b>\$35,248,338.74</b>	<b>\$12,590,017.02</b>	<b>\$12,098,315.89</b>	<b>\$59,936,671.65</b>	<b>\$12,037,598.03</b>	<b>\$73,879,707.12</b>	<b>\$26,612,464.62</b>	<b>\$112,529,769.77</b>	<b>\$172,466,441.42</b>	<b>\$242,875,026.00</b>	<b>71.01%</b>	<b>\$166,458,446.41</b>	<b>71.78%</b>
<b>Expenditures</b>													
<b>Instruction</b>													
Salaries	\$37,712.04	\$109,106.80	\$6,768,739.36	\$6,915,558.20	\$6,820,063.87	\$6,825,086.21	\$7,038,824.71	\$20,683,974.79	\$27,599,532.99	\$79,447,168.00	34.74%	\$28,155,929.17	36.14%
Benefits	\$60,165.43	\$74,840.38	\$3,747,045.06	\$3,882,050.87	\$3,823,831.44	\$3,830,516.59	\$3,880,005.66	\$11,534,353.69	\$15,416,404.56	\$45,544,715.00	33.85%	\$15,943,424.51	36.09%
Purchased Service	\$279,999.92	\$151,525.80	\$260,438.61	\$691,964.33	\$527,016.63	\$317,070.54	\$366,624.78	\$1,210,711.95	\$1,902,676.28	\$14,371,079.00	13.24%	\$3,126,279.07	26.85%
Supplies/Materials	\$164,125.10	\$110,452.98	\$253,275.62	\$527,853.70	\$133,643.82	\$251,301.81	\$78,786.41	\$463,732.04	\$991,585.74	\$4,720,747.00	21.00%	\$938,833.83	30.66%
Capital Purchases	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$11,359.00	0.00%
Other	\$141,839.74	\$0.00	\$6,465.00	\$148,304.74	\$3,589.20	\$500.00	\$0.00	\$4,089.20	\$152,393.94	\$975,637.00	15.62%	\$301,049.52	29.31%
<b>Total Instruction</b>	<b>\$683,842.23</b>	<b>\$445,925.96</b>	<b>\$11,035,963.65</b>	<b>\$12,165,731.84</b>	<b>\$11,308,144.96</b>	<b>\$11,224,475.15</b>	<b>\$11,364,241.56</b>	<b>\$33,896,861.67</b>	<b>\$46,062,593.51</b>	<b>\$145,059,346.00</b>	<b>31.75%</b>	<b>\$48,476,875.10</b>	<b>35.18%</b>
<b>Support Services</b>													
Salaries	\$1,684,722.41	\$1,591,262.70	\$3,424,771.22	\$6,700,756.33	\$3,173,017.05	\$3,103,774.88	\$3,223,853.77	\$9,500,645.70	\$16,201,402.03	\$47,237,641.00	34.30%	\$17,269,166.99	36.32%
Benefits	\$1,060,354.98	\$1,036,010.55	\$2,218,246.43	\$4,314,611.96	\$2,016,334.85	\$1,982,581.43	\$2,030,400.62	\$6,029,316.90	\$10,343,928.86	\$27,079,944.00	38.20%	\$10,632,870.04	39.43%
Purchased Service	\$1,551,887.04	\$977,368.80	\$690,636.33	\$3,219,892.17	\$799,244.17	\$717,670.99	\$810,531.61	\$2,327,446.77	\$5,547,338.94	\$8,544,746.00	64.92%	\$7,041,572.00	99.06%
Supplies/Materials	\$395,667.45	\$488,909.61	\$630,698.67	\$1,515,275.73	\$929,865.65	\$251,013.67	\$161,235.69	\$1,342,115.01	\$2,857,390.74	\$2,806,858.00	101.80%	\$3,007,338.62	160.92%
Capital Purchases	\$0.00	\$0.00	\$5,772.50	\$5,772.50	\$34,999.65	\$422.50	\$4,981.99	\$40,404.14	\$46,176.64	\$0.00	NA	\$49,951.63	0.00%
Other	\$1,271,992.90	\$49,768.20	\$90,619.44	\$1,412,380.54	\$24,764.62	\$31,481.39	\$2,494.40	\$58,740.41	\$1,471,120.95	\$580,094.00	253.60%	\$1,493,310.07	238.21%
<b>Total Support</b>	<b>\$5,964,624.78</b>	<b>\$4,143,319.86</b>	<b>\$7,060,744.59</b>	<b>\$17,168,689.23</b>	<b>\$6,978,225.99</b>	<b>\$6,086,944.86</b>	<b>\$6,233,498.08</b>	<b>\$19,298,668.93</b>	<b>\$36,467,358.16</b>	<b>\$86,249,283.00</b>	<b>42.28%</b>	<b>\$39,494,209.35</b>	<b>46.95%</b>
<b>Community Services</b>													
Salaries	\$15,613.00	\$12,765.72	\$27,324.15	\$55,702.87	\$31,926.31	\$27,493.58	\$33,173.59	\$92,593.48	\$148,296.35	\$313,488.00	47.31%	\$144,141.15	37.00%
Benefits	\$8,304.81	\$7,240.02	\$17,128.20	\$32,673.03	\$17,809.73	\$14,029.43	\$19,291.09	\$51,130.25	\$83,803.28	\$179,714.00	46.63%	\$89,182.29	40.37%
Purchased Service	\$0.00	\$0.00	\$745.00	\$745.00	\$0.00	\$0.00	\$0.00	\$0.00	\$745.00	\$56,706.00	1.31%	\$23,884.43	41.02%
Supplies/Materials	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$18,627.00	0.00%	\$2,566.48	16.76%
Capital Purchases	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0.00%
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,850.00	0.00%	\$0.00	0.00%
<b>Total Community Services</b>	<b>\$23,917.81</b>	<b>\$20,005.74</b>	<b>\$45,197.35</b>	<b>\$89,120.90</b>	<b>\$49,736.04</b>	<b>\$41,523.01</b>	<b>\$52,464.68</b>	<b>\$143,723.73</b>	<b>\$232,844.63</b>	<b>\$572,385.00</b>	<b>40.68%</b>	<b>\$259,774.35</b>	<b>37.69%</b>
<b>Capital Projects</b>													
Purchased Service	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0.00%
Capital Purchases	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0.00%
<b>Total Capital Projects</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>0.00%</b>	<b>\$0.00</b>	<b>0.00%</b>
Debt Service Payment	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-\$45.81	\$0.00	-\$45.81	-\$45.81	\$0.00	0.00%	-\$2,673.85	0.00%
Transfers	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0.00%
Contingency/Ending Balance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,994,012.00	0.00%	\$0.00	0.00%
<b>Total Expenditures</b>	<b>\$6,672,384.82</b>	<b>\$4,609,251.56</b>	<b>\$18,141,905.59</b>	<b>\$29,423,541.97</b>	<b>\$18,336,106.99</b>	<b>\$17,352,897.21</b>	<b>\$17,650,204.32</b>	<b>\$53,339,208.52</b>	<b>\$82,762,750.49</b>	<b>\$242,875,026.00</b>	<b>34.08%</b>	<b>\$88,228,184.95</b>	<b>38.04%</b>
<b>Interest Earnings</b>	<b>1st Quarter</b>	<b>2nd Quarter</b>	<b>3rd Quarter</b>	<b>4th Quarter</b>	<b>2020-21 YTD</b>	<b>2020-21 Budget</b>	<b>2019-20 Actual</b>						
General Fund	\$71,188.29	\$88,836.71			\$160,025.00	\$393,695.18	\$786,231.14						
Debt Service Fund	\$2,541.89	\$23,435.84			\$25,977.73	\$146,411.38	\$214,778.04						
Capital Projects Fund	\$354,179.50	\$437,285.59			\$791,465.09	\$1,204,126.48	\$3,568,101.63						
<b>Total Earnings</b>	<b>\$427,909.68</b>	<b>\$549,558.14</b>			<b>\$977,467.82</b>	<b>\$1,744,233.04</b>	<b>\$4,569,110.81</b>						

**HILLSBORO SCHOOL DISTRICT 1J**  
**January 26, 2021**  
**FIRST READ HIGH SCHOOL COURSE PROPOSAL:**  
**GRAPHIC DESIGN**

**SITUATION**

Board approval is required for all proposed new courses. Once a course has been approved, it may be offered at the school bringing forth the proposal, as well as any other District school of the same level.

A new course proposal, "Graphic Design 3" as well as updates to the course Advanced Graphic Design, has been submitted by Andrea Brock from Hillsboro High School, Meghan McCaffrey from Liberty High School, and Ian Reynoso from Glencoe High School. The course proposal was presented to the CCAC at its regular meeting on December 7, 2020. The Board will be asked to approve the course proposal during the February 23 Board meeting.

If the course is available during the 2021-2022 school year, the Board will assess its success based on the evaluation presented by teachers to the CCAC in June 2022. This evaluation will include the number of students who signed up for the course, pre- and post-assessments, and the number of students forecasting for the course for the following year. If the course is not available in the 2021-2022 school year (due to staffing or enrollment constraints), the Board will evaluate the success of the new course in the year of enactment.

**RECOMMENDATION**

The Superintendent recommends that the Board of Directors review the proposed new high school course, Graphic Design 3.

# Course Addition/Modification Proposal

**School:** Liberty, Hillsboro, Glencoe, Century, & Century High School

**Academic Program Areas:** Graphic Design

**Grade Levels:** 11th & 12th

**Sponsors of Change/Contact Person:** Meghan McCaffrey, Andrea Brock, Ian Reynoso, New hire at Century

**Title of Proposed Course:** Graphic Design 3 (addition) & Advanced Graphics (modification)

**Is the proposed course required or elective:** elective

**Credit:** 1.0 credit each

**Is the proposed course part of a focused program of study?** yes

**If so, which one?** Graphic Design

## Course Descriptions

### **Graphic Design 3**

This course is designed as the 3rd step in the graphic design pathway program. This course will focus on elevating skills from graphic design 1- 2 while students collaborate on projects with building and District clients. Students will integrate the various Adobe Programs while creating authentic projects for building and district needs. Students will begin building relationships with industry professionals.

### **Advanced Graphics**

This course is designed as the Capstone step in the graphic design pathway program. This course will focus on advancing skills from graphic design 1- 3 while students collaborate on projects with real life clients. Students will build a portfolio of work and a resume that will allow them to apply to jobs directly post graduation. Students will establish mentorships with industry professionals. Students will work with groups in the community to connect with real life clients who have projects they want to create. Students will use the design process while meeting with their clients, determining their client needs and then creating designs for them. They will receive feedback about their designs and make revisions to satisfy the clients needs.

## Rationale for proposed course

**Currently HSD catalog offers:**

- Graphic Design 1
- Graphic Design 2
- Advanced Graphics

This course will round out the program, allowing it to become a pathway option for students. Graphic design is a field with a tremendous amount of potential for the students to leave high school and find work in this field. This course will help students prepare a portfolio to submit to colleges if they choose to go to college for Graphic Design, marketing or advertising. As well, it will provide skills to students who decide to move straight into the workforce to have skills that will allow them to earn an entry level graphic design position. In addition, the skills of collaboration, critical thinking and creative process can be applied in a multitude of other career fields.

We proposed the Scope and Sequence of the Graphic Design pathway be:

Graphic Design 1 → Graphic Design 2 → Graphic Design 3 → Advanced Graphics

## **Academic Content Standards**

Course content will meet the academic standards for the Oregon skill set; Arts/AV Tech/Communication Cluster with a Design Focus area.

Examples of Standards we will focus on are the following:

### **AV Cluster:**

#### **Students will be able to:**

Analyze the careers offered to graphic designers. Understand health and safety practices, lifestyle implications, as well legal and ethical responses for this field.

### **Design Focus:**

#### **Students will be able to:**

Collect data and analyze information for projects

Understand the role of the client, how to plan and implement design phases, and use appropriate software for the purpose of design

## **Content Standards References**

For a complete list of standards mapped out unit by unit, please refer to the links below.

- Oregon Department of Education Academic Standards for Oregon skill set Arts/AV Tech/ Communications reference link: <https://www.oregon.gov/ode/learning-options/CTE/resources/Pages/CTE-Oregon-Skill-Sets.aspx#:~:text=The%20Oregon%20Skill%20Sets%20are,Technical%20Education%20Programs%20of%20Study.>
- Choose Arts/AV Tech/Communication cluster and design focus.

## **Draft Course Outline:**

### **Graphic Design 3:**

**Materials needed:** Adobe Creative Cloud

**Prerequisites:** Successful completion of Graphic Design 1 & 2

Students will take concepts from graphic design 2 and begin to work collaboratively with peers in the classroom setting. Content will be determined to promote student inquiry. Students could explore concepts of branding, package design, apparel design, advertising, layout and composition, and typography based on the needs of the program.

Students will collaborate with the HSD community to create designs for authentic clients in need of design work. Students will work interdisciplinary within their school to bridge content between programs. This will allow students to prepare soft skills in practice for Advanced Graphics Design content. Students will begin to engage with the professional design community.

### **Advanced Graphics:**

**Materials needed:** Adobe Creative Cloud

**Prerequisites:** Successful completion of Graphic Design 1 ,2, & 3

This course is designed to be the capstone course for the Graphic design Pathway.

Course will include the completion of the Senior capstone project. Students will develop a professional portfolio and resume. Students will participate in an internship with community partners. Students will complete 7-10 hours of the community design projects outside of HSD. Students will have the opportunity to continue creating projects within the HSD community. Students will continue to engage with the professional design community.

## **Impact on the content program**

This course will impact the program by allowing graphic design to become a full CTE pathway program. Currently students only have the opportunity to take graphic design as elective credit. With this course, graphic design will have the required number of credits needed for a CTE pathway program.

Current teachers impact:

Liberty- McCaffrey: FTE would need to be reallocated to graphic design classes instead of Art classes.

Hillihi- Brock: Reduced number of sections offered.

Glencoe- Reynoso: Reduced number of sections offered.

Century: No graphic teacher for 2020-2021 school year

## **Projected additional costs**

No additional material/ equipment costs are foreseen.

### **Additional cost of staffing:**

Liberty- Shift in FTE for Graphic Design

Century- Replace vacant Graphic Design position

## **Action Research Plan**

**Names:** Meghan McCaffrey, Andrea Brock, Ian Reynoso, New hire at Century

**Schools:** Liberty, Hillsboro, Glencoe, Century, & Century High School

- Identify the goals of the proposed course:
  - Intermediate inquiry of the Adobe Creative Suite.
  - Practicing essential skills necessary for career based graphic arts.
  - Student led peer collaboration
  - Collaboration with school community
  - Beginning integration of programs in the Adobe Creative Suite.
  - Client based authentic projects.
  - Building relationships with industry professionals.
  - Building portfolio ready projects
  - Establishing soft skills and resume ready abilities.
  - Preparation for student led Advanced Graphics Capstone.
- What data will be collected?
  - Student demographics
  - Continuation program
  - Skills assessment
  - Student reflections on program
  - Collaborative feedback from professionals and mentorships.
  - Completion of Adobe Certification
- When, how and why will data be collected?

- Data will be collected at the end of course once it is offered. We will survey students to get input about the course. Get feedback from industry and community partners, about students' portfolio of work, soft skills and resume ready abilities. We will evaluate the number of students who receive an adobe certification and assess capstone projects to help inform our practices and equity evaluation.



**HILLSBORO SCHOOL DISTRICT 1J**  
**January 26, 2021**  
**FIRST READ HIGH SCHOOL PROGRAM PROPOSAL:**  
**EXPLORING COMPUTER SCIENCE**

**SITUATION**

Board approval is required for all proposed new courses. Once a course has been approved, it may be offered at the school bringing forth the proposal, as well as any other District school of the same level.

A new program proposal, "Exploring Computer Science" has been submitted by Chris Winikka from Century High School, Scott Jackson from Glencoe High School, Terry Alexander and Wayne Clift from Hillsboro High School, and Perry Beeler from Liberty High School. The proposal includes the proposal of two new courses: "Creative Computing" and "Applied Computing." The proposal was presented to the CCAC at its regular meeting on December 7, 2020. The Board will be asked to approve the course proposal during the February 23 Board meeting.

If the courses are available during the 2021-2022 school year, the Board will assess its success based on the evaluation presented by teachers to the CCAC in June 2022. This evaluation will include the number of students who signed up for the course, pre- and post-assessments, and the number of students forecasting for the course for the following year. If the course is not available in the 2021-2022 school year (due to staffing or enrollment constraints), the Board will evaluate the success of the new course in the year of enactment.

**RECOMMENDATION**

The Superintendent recommends that the Board of Directors review the proposed new high school program, Exploring Computer Science.

# Course Modification Proposal

**School:** Century, Glencoe, Hillsboro, & Liberty High School

**Academic Program Areas:** Computer Science

**Grade Levels:** 9th & 10th

**Sponsors of Change/Contact Person:** Chris Winikka, Terry Alexander, Wayne Clift, Scott Jackson, Perry Beeler

**Title of Proposed Course:** Creative Computing & Applied Computing

**Is the proposed course required or elective:** elective

**Credit:** .5 credit each

**Is the proposed course part of a focused program of study?** yes

**If so, which one?** Industrial & Engineering Systems

## Course Descriptions

### Creative Computing

Creative Computing (based on the Exploring Computer Science (ECS) curriculum) is designed to introduce students to the breadth of the field of computer science through an exploration of engaging and accessible topics. The course is designed to focus on the conceptual ideas of computing and help students understand why certain tools or languages might be utilized to solve particular problems.

The goal of Creative Computing is to develop in students the computational practices of algorithm development, problem solving and programming within the context of problems that are relevant to the lives of today's students. Students will be introduced to topics such as human and computer interaction, web design, programming, and artificial intelligence.

### Applied Computing

Applied Computing (based on the Exploring Computer Science (ECS) curriculum) is designed to introduce students to the breadth of the field of computer science through an exploration of engaging and accessible topics by expanding upon the topics of Creative Computing within the context of problems that are relevant to the lives of today's students. Students will be introduced to such topics as robotics, problem solving, and computing and data analysis.

## Rationale for proposed course

There are two primary purposes for adding this course sequence: one, to broaden participation and exposure to computer science among non-traditional students; and two, to provide a foundation for other courses in the Industrial & Engineering Systems Program of Study.

This course was originally developed for students in the Los Angeles Unified School District in an effort to broaden participation in computing district-wide, particularly for girls and students of color. After initial success in Los Angeles, Exploring Computer Science has grown to national prominence, with districts across many areas of the country through a variety of different partnership models adopting ECS. Reaching historically underrepresented students continues to be a major emphasis of the ECS program.

## Academic Content Standards

Both courses are aligned with the K-12 Computer Science Framework and the CSTA Computer Science Standards.

### Creative Computing

Here are the units of study.

#### Unit 1: Human Computer Interaction

Students are introduced to the concepts of computer and computing while investigating the major components of computers and the suitability of these components for particular applications.

#### Unit 2: Web Design

Students expand their knowledge of algorithms, abstraction, and web page design and apply it to the creation of web pages and documentation for users and equipment.

#### Unit 3: Programming

Students design algorithms and create programming solutions to a variety of computational problems using an iterative development process in a programming environment such as Scratch.

#### Possible Alternative Unit: Artificial Intelligence

NOTE: teachers have the option to include this unit or parts of it at teacher's discretion.

Students gain an understanding of AI terminology while considering AI's social, moral, and ethical impacts. Students design smart cities, homes, and schools and learn to build, train, and test an AI system through a NVIDIA platform.

## Applied Computing

### Unit 1: Problem Solving

Students will have opportunities to become “computational thinkers” by applying problem-solving techniques, thinking abstractly and applying and creating algorithms.

### Unit 2: Computing & Data Analysis

Students explore how computing has facilitated new methods of managing and interpreting data, finding patterns using their own, local data and a variety of large data sets.

### Unit 3: Robotics

This unit introduces how robotics enables innovation by automating processes that may be problematic for humans. Students explore how to integrate hardware and software.

### Possible Alternative Unit: E-Textiles

NOTE: teachers have the option to include this unit or parts of it at teacher’s discretion.

Students design circuits and use conductive thread to stitch them to an Arduino-based microcontroller, creating electronic textiles (e-textiles) that sparkle and interact.

## Sampling of standards addressed

### CSTA Standards

- CD.L2-07 Describe what distinguishes humans from machines focusing on human intelligence versus machine intelligence and ways we can communicate
- CI.L2-02 Demonstrate knowledge of changes in information technologies over time and the effects those changes have on education, the workplace, and society.
- CI.L2-04 Evaluate the accuracy, relevance, appropriateness, comprehensiveness, and bias of electronic information sources concerning real-world problems.
- CI.L2-05 Describe ethical issues that relate to computers and networks (e.g., security, privacy, ownership, and information sharing).
- CL.L2-02 Collaboratively design, develop, publish, and present products (e.g., videos, podcasts, websites) using technology resources that demonstrate and communicate curriculum concepts.

### Common Core Literacy Standards

- CCSS.ELA-Literacy.CCRA.W.4 Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.
- CCSS.ELA-Literacy.CCRA.W.6 Use technology, including the Internet, to produce and publish writing and to interact and collaborate with others.

- CCSS.ELA-Literacy.CCRA.W.8 Gather relevant information from multiple print and digital sources, assess the credibility and accuracy of each source, and integrate the information while avoiding plagiarism.
- CCSS.ELA-Literacy.CCRA.W.10 Write routinely over extended time frames (time for research, reflection, and revision) and shorter time frames (a single sitting or a day or two) for a range of tasks, purposes, and audiences.
- CCSS.ELA-Literacy.CCRA.SL.1 Prepare for and participate effectively in a range of conversations and collaborations with diverse partners, building on others' ideas and expressing their own clearly and persuasively.
- CCSS.ELA-Literacy.CCRA.SL.2 Integrate and evaluate information presented in diverse media and formats, including visually, quantitatively, and orally.

### Common Core Mathematics standards

- CCSS.Math.Practice.MP1 Make sense of problems and persevere in solving them.
- CCSS.Math.Practice.MP4 Model with mathematics.
- CCSS.Math.Practice.MP5 Use appropriate tools strategically.
- CCSS.Math.Content.HSF-BF.A.1a Building Functions - Write a function that describes a relationship between two quantities: Determine an explicit expression, a recursive process, or steps for calculation from a context.
- CCSS.Math.Content.HSA-CED.A.3 Creating Equations - Create Equations that describe numbers or relationships: Represent constraints by equations or inequalities, and by systems of equations and/or inequalities, and interpret solutions as viable or nonviable options in a modeling context.
- CCSS.Math.Content.HSS-ID.A.1 Interpreting Categorical and Quantitative Data - Summarize, represent, and interpret data on a single count or measurement variable: Represent data with plots on the real number line (dot plots, histograms, and box plots).
- CCSS.Math.Content.HSS-ID.A.3 Interpreting Categorical and Quantitative Data - Summarize, represent, and interpret data on a single count or measurement variable: Interpret differences in shape, center, and spread in the context of data sets, accounting for possible effects of extreme data points (outliers).
- CCSS.Math.Content.HSS-ID.A.13 Interpreting Categorical and Quantitative Data - Summarize, represent, and interpret data on a single count or measurement variable: Represent data with plots on the real number line (dot plots, histograms, and box plots).
- CCSS.Math.Content.HSS-CP.A.1 Conditional Probability and the Rules of Probability - Understand independence and conditional probability and use them to interpret data: Describe events as subsets of a sample space (the set of outcomes) using characteristics (or categories) of the outcomes, or as unions, intersections, or complements of other events ("or" and "not").
- CCSS.Math.Content.HSS-IC.B.4 Making inferences and Justifying Conclusions - Make inferences and justify conclusions from sample surveys, experiments, and observational studies: Use data from a sample survey to estimate a population mean or proportion; develop a margin of error through the use of simulation models for random sampling

## Content Standards References

For a complete list of standards mapped out unit by unit, please refer to the links below.

- CSTA K12 CS Standards reference link: <https://pact.sri.com/downloads/ECS-Curriculum-Mapping-CSTA-Standards-Edition-v-0-2.pdf>
- Common Core Standards Alignment see <https://pact.sri.com/downloads/ECS-Alignment-Common-Core-v-0-1.pdf>

## Impact on the content program

Explain the potential impact on other curricular areas, staffing, and budget;

The course will offer a good preparation for the AP Computer Science Principles course. It will likely affect numbers of students enrolled in Intro to Digital Technology.

There should be no change in FTE at Century High School because we are planning on removing Robotics 1 and Electronic Technology 1 and putting these options in their place. We will encourage counselors to place freshmen in one or both of the courses. At Century, students will be required to take at least one of the courses as a requisite for the pathway program. The sequence of classes is not crucial (a student could take Applied Computing before Creative Computing or vice versa), and a student does not necessarily need to take both courses.

There should be no impact in FTE at Hillsboro High school. We will replace the existing Introduction to Digital Technologies class with this class. It will be taught by both technology teachers as need arises in order to load balance.

## Projected additional costs

Include startup and ongoing costs (e.g., equipment, supplies, anticipated travel, or field trip expense, etc.);

The curriculum is free, but professional development could cost. That said, in previous years, grants have paid for the training.

The cost for the program depends on two main factors: existing robotics supplies and whether a teacher wishes to implement the e-textiles unit (which is optional).

Robotics: any teacher with existing robotics equipment would not need to purchase robotics kits. If a teacher did not have robotics supplies, then the cost would be \$33 per robot when purchased in bulk (minimum 30 robots) and \$18 per expansion pack (minimum purchase of 15 units). You may refer to the Edison website (<https://meetiedison.com/teacher-purchasing-guide/>)

E-textiles: the projected cost for supplies for the e-textiles unit would be \$300 to set up the classroom and \$40-45/student after that (see Materials Overview <http://www.exploringcs.org/wp-content/uploads/2018/12/Materials-Overview.pdf>)

# Action Research Plan

**Names:** Chris Winikka, Terry Alexander, Scott Jackson, Wayne Clift, and Perry Beeler

**Schools:** Century, HillHi, Glencoe, Liberty

1. Identify the goals of the proposed course:
  - a. broaden participation and exposure to computer science among non-traditional students;
  - b. provide a foundation for other courses in the Industrial & Engineering Systems Program of Study.
2. What data will be collected?
  - a. We will survey current 8th grade students (next year's freshmen) and present to them a list of course titles for Career Pathways Introductory courses (including all pathways at the school they would attend). We will include not only Creative Computing and Applied Computing, but we would add Exploring Computer Science and Introduction to Digital Technology (as it has been traditionally offered at Century and Hillhi).
    - i. We would show them the course titles and ask them which courses they would be interested in taking based on the title alone.
    - ii. We would compare demographic data to identify whether any of our titles creates a larger draw among non-traditional students in CS programs
  - b. We will also conduct an introductory survey and try and obtain data such as
    - i. how they heard about the class
    - ii. who was instrumental in steering them towards the class
    - iii. how interested they were in taking the class
    - iv. their confidence in their ability to program
  - c. Finally, we would give them an exit survey and pull some of the same questions from the introductory survey but also include the following questions
    - i. how likely they are to take future CS or tech class
    - ii. which course titles from our program they would like to take
    - iii. could they see themselves in a career in CS
3. When and how will data be collected?
  - a. We would like to survey all 8th grade students either just before or during forecasting about the course titles
  - b. Each of the teachers would survey all students during the first day or two of each class using a form
  - c. We would complete an exit survey at the end of each class

**HILLSBORO SCHOOL DISTRICT 1J**  
**January 26, 2021**  
**GRADUATION RATES**

**SITUATION**

The Board will receive an update on the graduation rates for 2019. Data by school as well as district trends over the years will be shared and celebrated.

**RECOMMENDATION**

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





Code: **GCBDA/GDBDA-AR(1)**  
Revised/Reviewed: 4/28/20

## **Federal Family and Medical Leave/State Family Medical Leave**

### **Coverage**

The federal Family and Medical Leave Act (FMLA) applies to districts with 50 or more employees within 75 miles of the employee's work site, based on employment during each working day during any of the 20 or more workweeks in the calendar year in which the leave is to be taken, or in the calendar year preceding the year in which the leave is to be taken. The 50 employee test does not apply to educational institutions for determining employee eligibility.

The Oregon Family Leave Act (OFLA) and the Oregon Military Family Leave Act (OMFLA) applies to districts that employ 25 or more part-time or full-time employees in Oregon, based on employment during each working day during any of the 20 or more workweeks in the calendar year in which the leave is to be taken, or in the calendar year immediately preceding the year in which the leave is to be taken.

### **Employee Eligibility**

FMLA applies to employees who have worked for the District for at least 12 months (not necessarily consecutive) and worked for at least 1,250 hours during the 12-month period immediately preceding the start of the leave.

An employee who has previously qualified for and has taken some portion of FMLA leave may request additional FMLA leave within the same leave year. In such instances, the employee need not requalify as an eligible employee, if the additional leave applied for is in the same leave year and for the same condition.

OFLA applies to employees who work an average of 25 hours or more per week during the 180 calendar days or more immediately prior to the first day of the start of the requested leave.<sup>1</sup> For parental leave purposes, an employee becomes eligible upon completing at least 180 days immediately preceding the date on which the parental leave begins. There is no minimum average number of hours worked per week when determining employee eligibility for parental leave.

An employee who has previously qualified for and has taken some portion of OFLA leave, may request additional OFLA leave within the same leave year. In such instances, the employee must requalify as an eligible employee for each additional leave requested unless one of the following exceptions apply:

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<sup>1</sup> The requirements of OFLA do not apply to any employer offering eligible employees a nondiscriminatory cafeteria plan, as defined by section 125 of the Internal Revenue Code of 1986, which provides as one of its options employee leave at least as generous as the leave required by OFLA.

1. A female employee who has taken 12 weeks of pregnancy disability leave need not requalify leave in the same leave year for any other purpose;
2. An employee who has taken 12 weeks of parental leave need not requalify to take an additional 12 weeks in the same leave year for sick child leave; and
3. An employee granted leave for a serious health condition for the employee or a family member need not requalify if additional leave is taken in this leave year for the same reason.

OMFLA applies to employees who work an average of at least 20 hours per week. There is no minimum number of days worked when determining employee eligibility for OMFLA.

In determining if an employee has been employed for the preceding 180 calendar days, when applicable, the employer must consider days, e.g., paid or unpaid, an employee is maintained on payroll for any part of a work week. Full-time public school teachers who have been maintained on payroll by a district for 180 consecutive calendar days are thereafter deemed to have been employed for an average of at least 25 hours per week during the 180 days immediately preceding the start date of the OFLA leave. This provision is eligible for rebuttal if for example, the employee was on a nonpaid sabbatical.

In determining average workweek, the employer must count the actual hours worked using the Fair Labor Standards Act (FLSA) guidelines.

### **Qualifying Reason**

Eligible employees may access FMLA leave for the following reasons:

1. Serious health condition of the employee or the employee's covered family member:
  - a. Inpatient care;
  - b. Continuing treatment;
  - c. Chronic conditions;
  - d. Permanent, long-term or terminal conditions;
  - e. Multiple treatments;
  - f. Pregnancy and prenatal care.
2. Parental leave<sup>2</sup> (separate from eligible leave as a result of a child's serious health condition):
  - a. Bonding with and the care for the employee's newborn (within 12 months following birth);
  - b. Bonding with and the care for a newly adopted or newly placed foster child under the age of 18 (within 12 months of placement);
  - c. Care for a newly adopted or newly placed foster child over 18 years of age who is incapable of self-care because of a physical or mental impairment (within 12 months of placement);
  - d. Time to effectuate the legal process required for placement of a foster child or the adoption of a child.

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<sup>2</sup> Parental leave must be taken in one continuous block of time within 12 months of the triggering event.

3. Military Caregiver Leave: leave for the care for spouse, son, daughter or next-of-kin who is a covered servicemember/veteran with a serious injury or illness;
4. Qualifying Exigency Leave: leave arising out of the foreign deployment of the employee's spouse, son, daughter or parent.

Eligible employees may access OFLA for the following reasons:

1. Serious health condition of the employee or the employee's covered family member:
  - a. Inpatient care;
  - b. Continuing treatment;
  - c. Chronic conditions;
  - d. Permanent, long-term or terminal conditions;
  - e. Multiple treatments;
  - f. Pregnancy and prenatal care.
2. Parental leave (separate from eligible leave as a result of the child's serious health condition):
  - a. Bonding with and the care for the employee's newborn (within 12 months following birth);
  - b. Bonding with and the care for a newly adopted or newly placed foster child under the age of 18 (within 12 months of placement);
  - c. Care for a newly adopted or newly placed foster child over 18 years of age who is incapable of self-care because of a physical or mental impairment (within 12 months of placement);
  - d. Time to effectuate the legal process required for placement of a foster child or the adoption of a child.
3. Sick Child Leave: leave for non-serious health conditions of the employee's child. For OFLA, sick child leave includes absence to care for an employee's child whose school or child care provider has been closed<sup>3</sup> in conjunction with a statewide public health emergency declared by a public health official.<sup>4</sup>
4. Bereavement Leave: leave related to the death of a covered family member.<sup>5</sup>

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<sup>3</sup> "Closure" for the purpose of sick child leave during a statewide public health emergency declared by a public health official means a closure that is ongoing, intermittent, or recurring and restricts physical access to the child's school or child care provider. OAR 839-009-0210(4).

<sup>4</sup> The district may request verification of the need for sick child leave due to a closure during a statewide emergency. Verification may include:

1. The name of the child being cared for;
2. The name of the school or child care provider that has closed or become unavailable; and
3. A statement from the employee that no other family member of the child is willing and able to care for the child. With the care of a child older than 14, a statement that special circumstances exist requiring the employee to provide care to the child during daylight hours.

<sup>5</sup> Bereavement leave under OFLA must be completed within 60 days of when the employee received notice of the death.

5. Eligible employees may access OMFLA for the purpose of spending time with a spouse or same-gender domestic partner who is in the military and has been notified of an impending call or order to active duty, or who has been deployed during a period of military conflict.
6. The eligibility of an employee who takes multiple leaves for different qualified reasons during the same District designated leave period may be reconfirmed at the start of each qualified leave requested.

## Definitions

### 1. Family member:

#### a. For the purposes of FMLA, “family member” means:

- (1) Spouse<sup>6</sup>;
- (2) Parent;
- (3) Child; or
- (4) Persons who are “in loco parentis”.

#### b. For the purposes of OFLA, “family member” means:

- (1) Spouse;
- (2) Registered, same-gender domestic partner;
- (3) Parent;
- (4) Parent-in-law;
- (5) Parent of employee’s registered, same-gender domestic partner;
- (6) Child;
- (7) Child of employee’s registered, same-gender domestic partner;
- (8) Grandchild;
- (9) Grandparent; or
- (10) Persons who are “in loco parentis”.

### 2. Child:

- a. For the purposes of FMLA, “child” means a biological, adopted or foster child, a stepchild, a legal ward or a child of a person standing “in loco parentis”, who is either under the age of 18, or who is 18 years of age or older and who is incapable of self-care because of a physical or mental impairment.
- b. For the purposes of Military Caregiver Leave and Qualifying Exigency Leave under FMLA, “child” means the employee’s son or daughter on covered active duty regardless of that child’s age.
- c. For the purposes of OFLA, “child” means a biological, adopted, foster child or stepchild of the employee, the child of the employee’s same-gender domestic partner, or a child with whom the employee is or was in a relationship of “in loco parentis”.

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<sup>6</sup> “Spouse” means individuals in a marriage, including “common law” marriage and same-sex marriage. For OFLA, spouse also includes same-sex individuals with a Certificate of Registered Domestic Partnership.

- d. For the purposes of parental and sick child leave under OFLA, the child must be under the age of 18 or an adult dependent child substantially limited by a physical or mental impairment.
3. In loco parentis:
- a. For the purposes of FMLA, “in loco parentis” means persons with day-to-day responsibility to care for and financially support a child, or, in the case of an employee, who had such responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.
  - b. For the purposes of OFLA, “in loco parentis” means person in the place of the parent having financial or day-to-day responsibility for the care of a child. A legal or biological relationship is not required.

4. Next of kin:

For the purposes of FMLA and Military Caregiver Leave under FMLA, “next of kin” means the nearest blood relative other than the servicemember’s spouse, parent, son or daughter in the following order of priority (unless otherwise designated in writing by the servicemember):

- a. Blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions;
- b. Brothers or sisters;
- c. Grandparents;
- d. Aunts and uncles; and
- e. First cousins.

5. Covered servicemembers:

For the purposes of Military Caregiver Leave under FMLA, “covered servicemember” means a current member of the Armed Forces, including a member of the National Guard or Reserves, who is receiving medical treatment, recuperation or therapy, or is in outpatient status, or is on the temporary disability retire list for a serious injury or illness.

6. Covered veteran:

For the purposes of Military Caregiver Leave under FMLA, “covered veteran” means a veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness provided ~~they were~~ ~~he or she was~~:

- a. A member of the Armed Forces (including a member of the National Guard or Reserves);
- b. Discharged or released under conditions other than dishonorable; and
- c. Discharged within the five-year period before the eligible employee first takes FMLA, Military Caregiver Leave.

**Leave Period**

The District will use a fiscal year (July 1 through June 30) for calculating the 12-month period in which the 12 workweek FMLA and OFLA leave entitlement occurs for all employees. However, in all instances, the leave period for the purposes of OMFLA and Military Caregiver Leave under FMLA shall be

dependent on the start day of any such leave regardless of the District's designated 12-month leave period described above.

## **Leave Duration**

For the purposes of FMLA, an eligible employee is generally entitled to a total of 12 weeks of qualified leave during the District's designated leave period<sup>7</sup>. Spouses who work for the District may be limited to a combined 12 weeks of FMLA leave during the District's designated leave period when the purpose of the leave is for the birth of a child or to care for a child after birth, placement of an adopted or foster child or the care for an adopted or foster child after placement, or to care for the employee's parent's serious medical condition. Except in specific and unique instances, all qualified leave under FMLA counts toward an employee's leave entitlement within the District's designated leave period.

For the purposes of OFLA, an eligible employee is generally entitled to a total of 12 weeks of qualified leave during the District's designated leave period. However, a woman is entitled to an additional, full 12 weeks of parental leave during the District's designated leave period following the birth of a child regardless of how much OFLA qualified leave she has taken prior to the birth of such child during the District's designated leave period. Likewise, an employee who uses the full 12 weeks of parental leave during the District designated leave period, will be entitled to an additional 12 weeks of sick child leave under OFLA during the District's designated leave period for the purpose of caring for a child(ren) with a non-serious health condition requiring home care.<sup>8</sup> Unlike FMLA, OFLA does not combine the leave entitlement for spouses working for the District. However, under OFLA, family members who work for the District may be restricted from taking concurrent OFLA qualified leave.<sup>9</sup>

For the purposes of OMFLA, an eligible employee is entitled to 14 days of leave per call or order to active duty or notification of a leave from deployment. When an employee also meets the eligibility requirements of OFLA, the duration of the OMFLA leave counts toward that employee's leave entitlement during the District's designated leave period.

Except as otherwise noted above, qualified leave under FMLA and OFLA for an eligible employee will run concurrently during the District's designated leave period.

For the purpose of tracking the number of leave hours an eligible employee is entitled and/or has used during each week of the employee's leave, leave entitlement is calculated by multiplying the number of

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<sup>7</sup> An eligible employee taking Military Caregiver Leave under FMLA is entitled to up to 26 weeks of leave in the 12-month period beginning with the first day of such leave and regardless of any FMLA leave taken previously during the District's leave period. However, once the 12-month period begins for the purposes of Military Caregiver Leave under FMLA, any subsequent FMLA qualified leave, regardless of reason for such leave, will count toward the employee's 26-week entitlement under Military Caregiver Leave under FMLA.

<sup>8</sup> Sick child leave under OFLA need not be provided if another family member, including a noncustodial biological parent, is willing and able to care for the child.

<sup>9</sup> Exceptions to the ability to require family members from taking OFLA qualified leave at different times are when 1) employee is caring for the other employee who has a serious medical condition; 2) one employee is caring for a child with a serious medical condition when the other employee is suffering a serious medical condition; 3) each family member is suffering a serious medical condition; 4) each family member wants to take Bereavement Leave under OFLA; and 5) the employer allows the family members to take concurrent leave.

hours the eligible employee normally works per week by 12<sup>10</sup>. If an employee's schedule varies from week-to-week, a weekly average of the hours worked over the 12 weeks worked prior to the beginning of the leave period shall be used for calculating the employee's normal workweek<sup>11</sup>. If an employee takes intermittent or reduced work schedule leave, only the actual number of hours of leave taken may be counted toward the 12 weeks of leave to which the employee is entitled.

### **Intermittent Leave**

With the exception of parental leave which must be taken in one continuous block of time, an eligible employee is permitted under FMLA and OFLA to take intermittent leave for any qualifying reason.

Intermittent leave is taken in multiple blocks of time (i.e., hours, days, weeks, etc.) rather than in one continuous block of time and/or requires a modified or reduced work schedule. For OFLA this includes but not limited to sick child leave taken requiring an altered or reduced work schedule because the intermittent or recurring closure of a child's school or child care provider due to a statewide public health emergency declared by a public health official.

When an employee is eligible for OFLA leave, but not FMLA leave, the employer:

1. May allow an exempt employee, as defined by state and federal law, with accrued paid time off to take OFLA leave in blocks of less than a full day; but
2. May not reduce the salary of an employee who is taking intermittent leave when they do not have accrued paid leave available. To do so would result in the loss of exemption under state law.

An employee's FMLA and/or OFLA intermittent leave time is determined by calculating the difference between the employee's normal work schedule and the number of hours the employee actually works during the leave period. The result of such calculation is credited against the eligible employee's leave entitlement.

Holidays or days in which the District is not in operation, are not counted against the eligible employee's intermittent OFLA leave period unless the employee was scheduled and expected to work on any such day.

### **Alternate Work Assignment**

The District may transfer an employee recovering from a serious health condition to an alternate position which accommodates the serious health condition provided:

1. The employee accepts the position voluntarily and without coercion;
2. The transfer is temporary, lasts no longer than necessary and has equivalent pay and benefits;

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<sup>10</sup> For example, an employee normally employed to work 30 hours per week is entitled to 12 times 30 hours, or a total of 360 hours of leave.

<sup>11</sup> For example, an employee working an average of 25 hours per week is entitled to 12 times 25 hours, or a total of 300 hours of leave.

3. The transfer is compliant with any applicable collective bargaining agreement;
4. The transfer is compliant with state and federal law, including but not limited to the protections provided for in FMLA and/or OFLA; and
5. The transfer is not used to discourage the employee from taking FMLA and/or OFLA leave for a serious health condition or to create a hardship for the employee.

The District may transfer an eligible employee who is on a foreseeable intermittent FMLA and/or OFLA leave to another position with the same or different duties to accommodate the leave, provided:

1. The employee accepts the transfer position voluntarily and without coercion;
2. The transfer is temporary, lasts no longer than necessary and has equivalent pay and benefits;
3. The transfer is compliant with any applicable collective bargaining agreements;
4. The transfer is compliant with state and federal law, including but not limited to the protections provided for in FMLA and/or OFLA;
5. The transfer to an alternate position is used only when there is no other reasonable option available that would allow the employee to use intermittent leave or reduced work schedule; and
6. The transfer is not used to discourage the employee from taking intermittent or reduced work schedule leave, or to create a hardship for the employee.

If an eligible employee is transferred to an alternative position, and as a result the employee works fewer hours than the employee was working in the original position, the employee's FMLA and/or OFLA leave time is determined by calculating the difference between the employee's normal work schedule and the number of hours the employee actually works during the leave period. The result of such calculation is credited against the eligible employee's leave entitlement.

When an employee is transferred to alternate position as described above but such transfer does not result in a reduced schedule, time worked in any such alternate position shall not be considered for the purpose of FMLA and/or OFLA leave. An employee working in an alternate position retains the right to return to the employee's original position unless all FMLA and/or OFLA leave taken in that leave year plus the period of time worked in the alternate position exceeds 12 weeks.

### **Special Rules for School Employees**

For the purposes of FMLA, "school employee" means those whose principal function is to teach and instruct students in a class, a small group or an individual settlement. Athletic coaches, driving instructors and special education assistants, such as interpreters for the hearing impaired, are included in this definition. This definition does not apply to teacher assistants or aides, counselors, psychologist, curriculum specialists, cafeteria workers, maintenance workers or bus drivers.

For the purposes of OFLA, "school employee" means employees employed principally as instructors in public kindergartens, elementary schools, secondary schools or education service districts.



FMLA and/or OFLA leave that is taken for a period that ends with the school year and begins with the next semester is considered consecutive rather than intermittent. In any such situation, the eligible school employee will receive any benefits during the break period that employees would normally receive if they had been working at the end of the school year.

1. Foreseeable Intermittent Leave Exceeding 20 Percent of Working Days

When the qualified leave is foreseeable, will encompass more than 20 percent of the eligible school employee's regular work schedule during the leave period, and the purpose of such leave is to care for a family member with a serious medical condition, for a servicemember with a serious medical condition or because of the employee's own serious medical condition, the District may require the eligible school employee to:

- a. Take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
- b. Temporarily transfer the eligible school employee to an alternate position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave than the employee's original position.

2. Limitation on Leave Near the End of the School Year

When an eligible school employee requests leave near the end of the school year, the District may require the following:

- a. When the qualified leave begins more than five weeks before the end of the school year:
  - (1) For the purposes of FMLA leave, the eligible school employee may be required to continue taking leave until the end of the school year provided:
    - (a) The leave will last at least three weeks; and
    - (b) The employee would return to work during the three-week period before the end of the term.
  - (2) For the purposes of OFLA leave, if the reason for the leave is because of the eligible school employee's own serious health condition, the eligible school employee may be required to remain in leave until the end of the school year, provided:
    - (a) The leave will last at least three weeks; and
    - (b) The employee's return to work would occur within three weeks of the end of the school year.
- b. For the purposes of FMLA and/or OFLA leave, when the qualified leave begins within five weeks of the end of the school year and the purpose of such leave is parental leave, for the serious health condition of a family member or for the serious health condition of a servicemember, the eligible school employee may be required to remain on leave until the end of the school year provided:
  - (1) The leave will last more than two weeks; and

- (2) The employee would return to work during the two-week period before the end of the school year.
- c. For the purposes of FMLA and/or OFLA leave, when the qualified leave begins within three weeks of the end of the school year and the purpose of such leave is parental leave, for the serious health condition of a family member or for the serious health condition of a servicemember, the eligible school employee may be required to remain on leave until the end of the school year provided the length of the leave will last more than five working days.

If the District requires an eligible school employee to remain on leave until the end of the school year as described above, additional leave required by the employer until the end of the school year shall not count against the eligible school employee's leave entitlement.

### **Paid/Unpaid Leave**

FMLA and OFLA do not require the District to pay an eligible employee who is on a qualified leave. The use of accrued paid leave, including personal and sick leave, or accrued vacation leave for the leave period, is determined by the employment agreement, such as a collective bargaining agreement or memorandum agreement, regulating each employee group.

The District will notify the eligible employee that the requested leave has been designated as FMLA and/or OFLA leave and, if required by the District, that available accrued paid leave shall be used during the leave period. In the event the District is aware of an OFLA or FMLA qualifying exigency, the District shall notify the eligible employee of its intent to designate the leave as such regardless of whether a request has been made by the eligible employee. Such notification will be given to the eligible employee prior to the commencement of the leave or within two working days of the employee's notice of an unanticipated or emergency leave, whichever is sooner.

When the District does not have sufficient information to make a determination of whether the leave qualifies as FMLA or OFLA leave, the District will provide the required notice promptly when the information is available but no later than two working days after the District has received the information. Oral notices will be confirmed in writing no later than the following payday. If the payday is less than one week after the oral notice is given, written notice will be provided no later than the subsequent payday.

Eligible employees who request OMFLA leave shall not be required to use any available accrued paid time off during the OMFLA leave period.

### **Benefits and Insurance**

When an eligible employee returns to work following a FMLA or OFLA qualified leave, the employee must be reinstated to the same position the employee held when the leave commenced, or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

During an OFLA qualified leave an eligible employee does not accrue seniority or other benefits that would have accrued while the employee was working. The eligible employee is also subject to layoff to the same extent similarly situated employees not taking OFLA leave are subject unless the terms of an applicable collective bargaining agreement, other agreement or the District's policies provide otherwise.

For the purposes of FMLA and OFLA, the District will continue to pay the employer portion of the eligible employee's group health insurance contribution (if applicable) during the qualified leave period. The eligible employee is required to pay the employee portion of any such group health insurance contribution as a condition of continued coverage.

For the purposes of FMLA qualified leave, the District's obligation to maintain the employee's group health insurance coverage will cease if the employee's contribution is remitted more than 30 calendar days late. The District will provide written notice that the premium payment is more than 30 calendar days late. Such notice will be provided within 15 calendar days before coverage is to cease.

For the purposes of OMFLA, the eligible employee is entitled to a continuation of benefits.

### **Fitness-for-Duty Certification**

Prior to the reinstatement of an employee following a leave which was the result of the employee's own serious health condition, the District may require the employee to obtain and present a Fitness-for-Duty Certification. The certification will specifically address the employee's ability to perform the essential functions of the employee's job as they relate to the health condition that was the reason for the leave. If the District is going to require a fitness-for-duty certification upon return to work, the District must notify the employee of such requirement when the leave is designated as FMLA and/or OFLA leave. Failure to provide the certification may result in a delay or denial of reinstatement.

For the purposes of FMLA qualified leave, any costs associated with obtaining the fitness-for-duty certification shall be borne by the employee.

For the purposes of OFLA qualified leave, any out-of-pocket costs associated with obtaining the fitness-for-duty certification shall be borne by the District.

If the leave is qualified under both FMLA and OFLA, any out-of-pocket costs associated with obtaining the fitness-for-duty certification shall be borne by the District.

### **Application**

Under federal and state law, an eligible employee requesting FMLA and/or OFLA leave shall provide at least 30 days' notice prior to the leave date if the leave is foreseeable. The notice shall be written and include the anticipated start date, duration and reasons for the requested leave. When appropriate, the eligible employee must make a reasonable effort to schedule treatment, including intermittent leave and reduced leave, so as not to unduly disrupt the operation of the District.

The District may request additional information to determine that the requested leave qualifies as FMLA and/or OFLA leave. The District may designate the employee as provisionally on FMLA and/or OFLA leave until sufficient information is received to properly make a determination. An eligible employee able to give advance notice of the need to take FMLA and/or OFLA leave must follow the employer's known, reasonable and customary procedures for requesting any kind of leave.

For the purposes of FMLA, if advance notice is not possible, an employee eligible for FMLA leave must provide notice as soon as practicable. "As soon as practicable," for the purpose of FMLA leave, means the employee must comply with the employer's normal call-in procedures except in limited and under unique

circumstances. Failure of an employee to provide the required notice for FMLA leave may result in the District delaying the employee's leave up to 30 days after the notice is ultimately given.

For the purposes of OFLA, an eligible employee is required to provide oral or written notice within 24 hours of commencement of the leave in unanticipated or emergency leave situations. The employee may designate a family member or friend to notify the District during that period of time. Failure of an employee to provide the required notice for leave covered by OFLA may result in the District deducting up to three weeks from the employee's unused OFLA leave in that one-year leave period. The employee may be subject to disciplinary action for not following the District's notice procedures.

When an employee fails to give advance notice for both the FMLA and OFLA above, the District must choose the remedy that is most advantageous to the employee.

In all cases, proper documentation must be submitted no later than three working days following the employee's return to work.

### **Medical Certification**

The District may require an eligible employee to provide medical documentation, when appropriate, to support the stated reason for such leave. The District will provide written notification to an employee of this requirement within five working days of the employee's request for leave. If the employee provides less than 30 days' notice, the employee is required to submit such medical certification no later than 15 calendar days after receipt of the District's notification that medical certification is required.

The District may request re-certification of a condition when the minimum duration of a certification expires if continued leave is requested. If the certification does not indicate a duration or indicates that it is ongoing, the District may request re-certification at least every six months in connection with an absence.

Under federal law, a second medical opinion may be required whenever the District has reason to doubt the validity of the initial medical opinion. The health care provider may be selected by the District. The provider shall not be employed by the District on a regular basis. Should the first and second medical certifications differ, a third opinion may be required. The District and the employee will mutually agree on the selection of the health care provider for a third medical certification. The third opinion will be final. Second and third opinions and the actual travel expenses for an employee to obtain such opinions will be paid for by the District.

### **Second and Third Opinions**

1. For the purposes of FMLA, the District may designate a second health care provider, but that person cannot be utilized by the District on a regular basis except in rural areas where health care is extremely limited. If the opinions of the employee's and the District's designated health care provider(s) differ, the District may require a third opinion at the District's expense. The third health care provider must be designated or approved jointly by the employee and the District. This third opinion shall be final and binding.
2. For the purposes of OFLA, and except for leave related to sick child leave under OFLA, the District may require the employee to obtain a second opinion from a health care provider designated by the District. If the first and second verifications conflict, the employer may require the two health care

providers to jointly designate a third health care provider for the purpose of providing a verification. This third verification shall be final and binding.

### **Notification**

Any notice required by federal and state laws explaining employee rights and responsibilities will be posted in all staff rooms and the District office. Additional information may be obtained by contacting the chief human resources officer.

### **Record Keeping/Posted Notice**

The District will maintain all records as required by federal and state laws including dates leave is taken by employees, identified separately from other leave; hours/days of leave; copies of general and specific notices to employees, including Board policy(ies) and regulations; premium payments of employee health benefits while on leave and records of any disputes with employees regarding granting of leave.

Medical documentation will be maintained separately from personnel files as confidential medical records.

The District will post notice of FMLA and OFLA leave requirements.

### **Federal vs. State Law**

Both federal and state law contain provisions regarding leave for family illness. Federal regulations state an employer must comply with both laws; that the federal law does not supersede any provision of state law that provides greater family leave rights than those established pursuant to federal law; and that OFLA and FMLA leave entitlements run concurrently. State law requires that FMLA and OFLA leave entitlements run concurrently when possible.

For example, due to differences in regulations, an eligible employee who takes OFLA leave after 180 days of employment, but before he/she is eligible for FMLA leave, is still eligible to take a full 12 workweeks of FMLA leave after meeting FMLA's eligibility requirements. Thereafter, any eligible leave period will run concurrently, when appropriate.

## EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

### Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

### Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness\*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness\*.

**\*The FMLA definition of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".**

### Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

### Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

### Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a

chronic condition. Other conditions may meet the definition of continuing treatment.

### Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

### Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

### Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

### Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility. Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

### Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

### Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

**FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.**

### For additional information:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627

[WWW.WAGEHOUR.DOL.GOV](http://WWW.WAGEHOUR.DOL.GOV)

U.S. Department of Labor | Wage and Hour Division



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Adopted: 11/25/08  
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## Retirement of Staff

*{Senate Bill (SB) 1049 (2019) makes it possible for employees to retire under PERS and work for a PERS-covered employer, without hour restrictions in most situations. The law does not require districts to allow PERS-retired employees to work in the district, rather, leaves the decision up to the district. OSBA encourages districts to evaluate the situation (including financial impacts) prior to making a decision regarding these employees. If districts do allow retired employees to return to work, OSBA recommends working with legal counsel to develop criteria and procedures that can be consistently implemented. Also consider the bargaining impacts of the selected practice.}*

To assist the District in its planning efforts, staff members ~~who are~~ considering retirement are encouraged to notify the District as early as possible, preferably at the beginning of the school year in which the retirement will take place.

~~The Superintendent will develop administrative regulations as may be necessary for District employees who retire and begin receiving benefits from the Public Employees Retirement System to request continued employment.~~

Retiring employees are encouraged to coordinate with PERS and the Human Resources Department to ensure that all requirements are met. The Superintendent, or designee, will develop requirements, limitations and procedures for employment as a PERS-retiree. <sup>{1}</sup>

District employees will be allowed to retire under PERS and return to their position in the district only for the remainder of the school year, at the District's discretion. <sup>{2}</sup>.<sup>3</sup>

END OF POLICY

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### Legal Reference(s):

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<sup>1</sup> {The law that allows PERS-retired employees to continue to work for PERS-employers without hour restrictions is set to expire in 2024.}

<sup>2</sup> {Districts can limit workback, but must consider equity pay laws when developing any criteria.}

<sup>3</sup> There must be a break in service for retired employees returning to work.

[ORS Chapter 237](#)  
[ORS Chapter 238](#)

[ORS Chapter 238A](#)  
[ORS 243.303](#)

[ORS 342.120](#)

Consolidated Omnibus Budget Reconciliation Act of 1985, 29 U.S.C. §§ 1161-1169 (2018).  
Employee Retirement Income Security Act of 1974, 29 U.S.C. §§ 1001-1461 (2018).  
Or. Const., art. IX, §§ 10-13.



Code: IGBBC  
Adopted: 11/18/14  
Revised/Readopted: 6/11/19  
Orig. Code: IGBBC

## **Talented and Gifted –~~Programs and Services~~\*\***

It is the mission of the Hillsboro School District to engage and challenge all learners to ensure academic excellence. As a traditionally underserved population of students, the District invests in meeting the unique academic and social-emotional needs of talented and gifted students. The District provides appropriately challenging curriculum and individualized instructional pacing to ensure academic excellence. It is our goal to support each student in reaching his or her potential as a learner.

A written plan will be developed for talented and gifted ~~programs and services~~. All required written course statements shall identify the academic instructional ~~programs and services~~ to be provided which address the assessed levels and accelerated rates of learning in identified talented and gifted students. The Superintendent or designee may remove any administrative barriers that exist which restrict student access to appropriate services, and will develop ~~program and service~~ options. These options may include, but are not limited to, the following:

- Early entrance;
- Whole grade acceleration;
- Cluster grouping in regular classes;
- Continuous progress;
- Cross grade grouping;
- Compacted/Accelerated curriculum;
- Advanced Placement classes;
- Honors classes/options;
- Independent study/projects;
- Credit by Proficiency;
- Concurrent enrollment;
- Mentorship/Internship;
- Academic competitions;
- Flexible pacing; or
- Flexible grouping with interest-area and/or learning-style emphasis.

A parent or guardian may utilize the appeal procedure found in administrative regulation IGBBA-AR – Appeal Procedure for Talented and Gifted Identification and Placement when they are dissatisfied with the identification or placement process of their student, and wish to request reconsideration.

A complaint procedure for a complaint regarding the appropriateness of ~~programs and~~ services provided for a student identified as talented and gifted is found in administrative regulation IGBBC-AR – Complaints Regarding the Talented and Gifted Program, and is available at the District’s administrative office and on the home page of the District’s website. The complainant may file an appeal to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023. The district shall provide a copy of these OARs upon request.

END OF POLICY

**Legal Reference(s):**

[OAR 581-022-2325](#)

[OAR 581-022-2330](#)

[OAR 581-022-2370](#)

[OAR 581-022-2500](#)



Code: **IKFB**  
Adopted: 2/28/12  
Revised/Readopted: 2/25/20  
Orig. Code: IKFB

## Graduation Exercises

Students shall be eligible to participate in commencement exercises provided they satisfy the following requirements for participation.

The student must have been in attendance at a District high school for at least one term (semester or trimester) of the senior year, except for students who attend a foreign school during their senior year as part of a foreign exchange program.

The student must have successfully completed the requirements for a Chancellor's diploma, a Standard diploma, a Modified diploma, an Extended diploma, or an Alternative Certificate.

Exceptions are subject to approval by the Superintendent.

The District's valedictorian(s), salutatorian(s), or others at the discretion of the principal or designee, may be permitted to speak as part of the District's planned graduation program. All such speeches will be reviewed and approved in advance by the principal or designee.

A student shall be allowed to wear a dress uniform issued to the student by a branch of the U.S. Armed Forces if the student:

1. Qualifies to receive a high school diploma, a modified diploma, an extended diploma or an alternative certificate; and
2. Has completed basic training for, and is an active member of, a branch of the U.S. Armed Forces.

Graduating students will be allowed to wear items of cultural significance, in accordance with consistently-enforced rules established by the principal or designee.

END OF POLICY

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### Legal Reference(s):

[ORS 329.451](#)  
[ORS 332.107](#)  
[ORS 339.505](#)  
[ORS 343.295](#)

[OAR 581-021-0050](#)  
[OAR 581-021-0055](#)  
[OAR 581-021-0060](#)  
[OAR 581-022-2000](#)  
[OAR 581-022-2010](#)

[OAR 581-022-2015](#)  
[OAR 581-022-2020](#)  
[OAR 581-022-2505](#)

31 OR. ATTY. GEN. OP. 428 (1964)

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Kay v. David Douglas Sch. Dist. No. 40, 1987); cert. den., 484 U.S. 1032 (1988).

Doe v. Madison Sch. Dist. No. 321, 177 F.3d 789 (9th Cir. 1999).

Lee v. Weisman, 505 U.S. 577 (1992).

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



Code: **JFCM**  
Adopted: 4/28/09  
Revised/Readopted: 11/13/18  
Orig. Code: JFCM

## Threats of Violence\*\*

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

Students shall be instructed that they are responsible and expected to inform a teacher, counselor, or administrator of any information or knowledge relevant to conduct prohibited by this policy. Parents and others will be encouraged to report such information to the District. Staff shall immediately notify an administrator of any threat, threatening behavior, or act of violence the staff member has knowledge of, has witnessed, or received. All reports will be promptly investigated.

Students found in violation of this policy shall be subject to discipline, up to and including expulsion. The Superintendent or designee shall notify the parent or guardian of any student in violation of this policy and the disciplinary action imposed. A referral to law enforcement shall be made for any infraction involving a student bringing, possessing, concealing, or using a dangerous weapon, deadly weapon, firearm, or destructive device as prohibited by state and federal law and Board policy.

The District shall enforce this policy consistently, fairly and without bias against any student, including a student from a protected class as defined in Oregon Revised Statute 659.850.

The building administrator shall, in determining appropriate disciplinary action, consider:

1. Immediately removing from the classroom setting any student who has threatened to injure another person or to severely damage District property;
2. Placing the student in a setting where the behavior will receive immediate attention including, but not limited to, the office of the school principal, vice principal, counselor or school psychologist licensed by Teacher Standards and Practices Commission (TSPC), or the office of any licensed mental health professional ~~from a school administrator, counselor, licensed mental health professional, or others;~~

3. Requiring the student to be evaluated by a licensed mental health professional before allowing the student to return to the classroom setting<sup>[1]</sup>.

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

{<sup>2</sup>} The building administrator shall ~~ensure notification is provided to~~ attempt to notify:

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

1. The parent or ~~legal~~ guardian of a student ~~when the student's~~ whose name appears on a targeted list ~~at school~~ that threatens violence or harm to the students on the list, or when threats of violence or harm to the student are made by another student ~~at school~~;

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

The building administrator shall attempt to notify the ~~Notification to the~~ above persons ~~shall be attempted~~ by telephone or in person promptly and within ~~but not later than~~ 12 hours following discovery of a targeted list or learning of a threat. ~~Regardless, the building administrator shall issue a written follow-up notification~~ ~~Written notification shall be sent~~ within 24 hours of discovery of a targeted list or learning of a threat.

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

The District or person participating in good faith in making the notification required by ORS 339.327 is immune from any liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making or content of the notification.

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

As a part of the District's proactive safety efforts, the Superintendent will plan staff development activities designed to alert staff to early warning signs of possible violent behavior. Students so identified, shall be

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<sup>1</sup> [A student removed from the classroom setting for an evaluation may not be removed for more than 10 school days unless the principal is able to show good cause that an evaluation could not be completed in that time period.]

<sup>2</sup> {Statute says "superintendent or superintendent's designee" so allows designation of principal depending on practice in the district.}

referred to a counselor, licensed mental health professional, and/or multidisciplinary team for evaluation and follow-up as appropriate.

END OF POLICY

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**Legal Reference(s):**

<a href="#">ORS 161.015</a>	<a href="#">ORS 339.250</a>	<a href="#">OAR 581-053-0230(9)(k)</a>
<a href="#">ORS 166.210 - 166.370</a>	<a href="#">ORS 339.327</a>	<a href="#">OAR 581-053-0330(1)(r)</a>
<a href="#">ORS 332.107</a>		<a href="#">OAR 581-053-0430(17)</a>
<a href="#">ORS 339.115</a>	<a href="#">OAR 581-021-0050 - 021-0075</a>	<a href="#">OAR 581-053-0531(16)</a>
<a href="#">ORS 339.240</a>	<a href="#">OAR 581-053-0010(5)</a>	<a href="#">OAR 581-053-0630</a>

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2018).  
Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2018).  
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).

**Cross Reference(s):**

GBNA - Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying – Staff  
JFCF - Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying,  
Teen Dating Violence, or Domestic Violence - Student  
JFCJ - Weapons in the Schools – Students



Code: **JHFE**  
Adopted: 10/12  
Revised/Readopted: 11/13/18  
Orig. Code: JHFE

## **Reporting of Suspected Abuse of a Child**

Any District employee who has reasonable cause to believe that any child with whom the employee has come in contact has suffered abuse or neglect, as defined in state law, or that any adult or student with whom the employee is in contact has abused a child, will immediately notify the Oregon Department of Human Services (DHS) or the local law enforcement agency. The District employee shall also immediately inform their supervisor, the building principal, or the Superintendent.

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

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

Upon request, the District shall provide records of investigations of suspected abuse of a child by a District employee or former District employee to law enforcement, DHS, or the Teacher Standards and Practices Commission.

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

The District shall establish written procedures to provide annual training:



1. For District staff in the prevention and identification of the abuse of a child, and on the obligations of District employees under Oregon Revised Statute (ORS) 419B.005, as directed by Board policy, to report suspected abuse of a child;
2. For parents and legal guardians of students attending District schools on the prevention and identification of abuse of a child, and the obligation of District employees to report suspected abuse of a child, separate from District staff training; and
3. For students attending District-operated schools designed to prevent abuse of a child.

The Superintendent shall develop administrative regulations as are necessary to implement this policy and to comply with state law.

END OF POLICY

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**Legal Reference(s):**

[ORS 339.370 - 339.400](#)  
[ORS 418.257 - 418.259](#)

[ORS 419B.005 - 419B.050](#)

[OAR 581-022-2205](#)  
[Senate Bill 155 \(2019\)](#)

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

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Code: **JHFE-AR(1)**  
Adopted: 6/18/18  
Revised/Readopted: 11/13/18  
Orig. Code: JHFE-AR

# E Reporting of Suspected Abuse of a Child

## Reporting

Any District employee having reasonable cause to believe that any child with whom the employee comes in contact has suffered abuse, or that any person with whom the employee comes in contact has abused a child, shall orally report or cause an oral report to be immediately made by telephone or otherwise to the local office of the Oregon Department of Human Services (DHS) or to a law enforcement agency within the county where the person making the report is at the time of contact. The District employee should also immediately inform a supervisor, building administrator, or Superintendent.

If known, such report shall contain the names and addresses of the child, the child's parents or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, the explanation given for the suspected abuse, any other information which the person making the report believes might be helpful in establishing the possible cause of the suspected abuse, and the identity of a possible perpetrator.

A written record of the abuse report shall be made by the employee suspecting the abuse of a child using the District's Child Abuse/Neglect Report Form.

The written record of the abuse report shall not be placed in the student's educational record. A copy of the written report shall be retained by the employee making the report and a copy shall be provided to the employee's supervisor and the executive director of the office for school performance.

When the District receives a report of suspected abuse of a child by one of its employees, and the executive director of the office for school performance and assistant superintendent of human resources determine that there is reasonable cause to support the report, the District shall place the school employee on paid administrative leave until the DHS or a law enforcement agency either determines that the report is unfounded and the report will not be pursued, or determines that the report is founded and the education provider takes the appropriate disciplinary action against the school employee. If the DHS or a law enforcement agency is unable to determine whether the abuse of a child occurred, the District may either reinstate the employee or take disciplinary action at the District's discretion.

The written record of each reported incident of abuse of a child, action taken by the District, and any findings as a result of the report shall be maintained by the District.

## Definitions

1. Oregon law recognizes these types of abuse:
  - a. Physical
  - b. Neglect
  - c. Mental injury
  - d. Threat of harm
  - e. Sexual abuse and sexual exploitation
  
2. “Child” means an unmarried person who is under 18 years of age.

## Confidentiality of Records

The name, address, and other identifying information about the employee who made the report are confidential and are not accessible for public inspection.

The disciplinary records of a District employee or former District employee convicted of a crime listed in Oregon Revised Statute (ORS) 342.143 are not exempt from disclosure under ORS 192.345 or 192.355. Therefore, if a District employee or former employee is convicted of a crime listed in ORS 342.143, the District that is or was the employer of that employee when the crime was committed shall disclose the disciplinary records of the employee to any person upon request. However, prior to the disclosure of a disciplinary record, the District shall remove any personally identifiable information from the record that would disclose the identity of a child, crime victim, or District employee who is not the subject of the disciplinary record.

## Failure to Comply

Any District employee who fails to report suspected abuse of a child as provided by this policy and the prescribed Oregon law commits a violation punishable by law. A District employee who fails to comply with the confidentiality of records requirements commits a violation punishable by the prescribed law. If an employee fails to report suspected abuse of a child or fails to maintain confidentiality of records as required by this policy, the employee will be disciplined.

## Cooperation with Investigator

District staff shall make every effort in suspected abuse of a child cases to cooperate with investigating officials as follows:

1. Any investigation of abuse of a child will be directed by the DHS or law enforcement officials as required by law. DHS or law enforcement officials wishing to interview a student shall present themselves at the school office and contact the school administrator, unless the school administrator is the subject of the investigation. When the school administrator or designee is notified that the DHS or law enforcement officer would like to interview a student at school, the school administrator or designee must request that the investigating official fill out the appropriate form (see JHFE-AR(2) – Abuse of a Child Investigations Conducted on District Premises. The school administrator or designee should not deny the interview based on the investigator’s refusal to sign the form. If the student is to be interviewed at the school, the school administrator or designee shall make a private space available. The school administrator or designee of the school may, at the discretion of the

investigator, be present to facilitate the interview. If the investigating official does not have adequate identification the school administrator or designee shall refuse access to the student.

Law enforcement officers wishing to remove a student from the premises shall present themselves at the office and contact the school administrator or designee. The officer shall sign the student out on a form to be provided by the school and after having provide adequate identification.

2. When the subject matter of the interview or investigation is identified to be related to suspected abuse of a child, District employees shall not notify parents.
3. The school administrator or designee shall advise the investigator of any conditions of disability prior to any interview with the affected child.
4. District employees are not authorized to reveal anything that transpires during an investigation in which the employee participates, nor shall the information become part of the student's education records, except that the employee may testify at any subsequent trial resulting from the investigation and may be interviewed by the respective litigants prior to any such trial.

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Code: JHFE-AR(1)  
Adopted:  
Orig. Code(s): JHFE-AR(1)

## **Reporting of Suspected Abuse of a Child** (Version 2)

### **Reporting**

Any district employee having reasonable cause to believe that **any child** with whom the employee comes in contact has suffered abuse<sup>1</sup> shall orally report or cause an oral report immediately by telephone or otherwise to the local office of the Oregon Department of Human Services (DHS) or to a law enforcement agency within the county where the person making the report is at the time of their contact. Any district employee who has reasonable cause to believe that **any adult or student** with whom the employee is in contact has abused a child shall immediately report or cause a report to be made in the same manner to DHS or its designee or to the law enforcement agency within the county where the person making the report is located at the time of the contact pursuant to ORS 419.010.

Any district employee who has reasonable cause to believe that another district employee, contractor, agent, volunteer or student has engaged in abuse, or that a student has been subjected to abuse by another district employee, contractor, agent, volunteer or student shall immediately report such to the DHS or its designee or the local law enforcement agency pursuant to ORS 419B.015, and to the designated licensed administrator or alternate licensed administrator for their school building.

If known, the report shall contain the names and addresses of the child and the parents of the child or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, including any evidence of previous abuse, the explanation given for the suspected abuse, any other information that the person making the report believes might be helpful in establishing the possible cause of the suspected abuse and the identity of a possible perpetrator.

If the superintendent is the alleged abuser the report shall be submitted to the ~~licensed administrator position title~~ Human Resources Officer who shall refer the report to the Board chair.

A written record of the abuse report shall be made by the employee reporting the suspected abuse of a child and will include: name and position of the person making the report; name of the student; name and position of any witness; description of the nature and extent of the abuse, including any information which could be helpful in establishing cause of abuse and identity of the abuser; description of how the report was made (i.e., phone or other method); name of the agency and individual who took the report; date and time that the report was made; and name of person who received a copy of the written report.

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<sup>1</sup> Includes the neglect of a child; abuse is defined in ORS 419B.005.

The written record of the abuse report shall not be placed in the student's educational record. A copy of the written report shall be retained by the employee making the report and a copy shall be provided to the designee that received the report.

When the designee receives a report of suspected abuse of a child by a district employee, and there is reasonable cause to support the report, the district shall place the district employee on paid administrative leave<sup>2</sup> and take necessary actions to ensure the student's safety. The employee shall remain on leave until DHS or law enforcement determines that the report is substantiated and the district takes the appropriate employment action, or cannot be substantiated or is not a report of abuse and the district determines that either 1) an employment policy was violated and the district will take appropriate employment action against the employee, or 2) an employment policy has not be violated and no action is required by the district against the employee.

When the designee receives a report of suspected abuse by a contractor<sup>[3]</sup>, agent or volunteer, the district ~~may~~ shall prohibit the contractor, agent or volunteer from providing services to the district. If the district determines there is reasonable cause to support the report of suspected abuse, the district shall prohibit the contractor agent or volunteer from providing services. ~~The district may reinstate the contractor, agent or volunteer, and such reinstatement may not occur until such time as a report of suspected abuse has been investigated<sup>4</sup> and a determination has been made by law enforcement or DHS that the report is unsubstantiated.~~

The written record of each reported incident of abuse of a child, action taken by the district and any findings as a result of the report shall be maintained by the district.

If, following the investigation, the district decides to take an employment action, the district will inform the district employee of the employment action to be taken and provide information about the appropriate appeal process. ~~The employee may appeal the employment action taken through the appeal process provided by the applicable collective bargaining agreement.~~ ~~The employee may appeal the employment action taken through an appeal process administered by a neutral third party.~~

If the district is notified that the employee decided not to appeal the employment action or if the determination of an appeal sustained the employment action, a record of the findings of the substantiated report and the employment action taken by the district will be placed in the records on the school employee maintained by the district. Such records created are confidential and not public records as defined in Oregon Revised Statute (ORS) 192.311, however the district may use the record as a basis for providing information required to be disclosed about a district employee under ORS 339.378(1). The district will notify the employee that information about substantiated reports may be disclosed to a potential employer.

## Definitions

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<sup>2</sup> The district employee cannot be required to use any accrued leave during the imposed paid administrative leave.

~~<sup>3</sup> The district is encouraged to duplicate this language in the contract. If the contract is with a company and the person assigned to do the work is the alleged perpetrator, the district shall notify the company and request another company employee be assigned to complete the work.~~

<sup>4</sup> The district will investigate all reports of suspected abuse, unless otherwise requested by DHS or its designee or law enforcement pursuant to law.

1. Oregon law recognizes these types of abuse:
  - a. Physical;
  - b. Neglect;
  - c. Mental injury;
  - d. Threat of harm;
  - e. Sexual abuse and sexual exploitation.
2. "Child" means an unmarried person who is under 18 years of age.
3. A "substantiated report" means a report of abuse that a law enforcement agency or DHS determines is founded.

### **Confidentiality of Records**

The name, address and other identifying information about the employee who made the report are confidential and are not accessible for public inspection.

Upon request from law enforcement or DHS the district shall immediately provide requested documents or materials to the extent allowed by state and federal law.

### **Failure to Comply**

Any district employee who fails to report a suspected abuse of a child as provided by this policy and the prescribed Oregon law commits a violation punishable by law. A district employee who fails to comply with the confidentiality of records requirements commits a violation punishable by the prescribed law. If an employee fails to report suspected abuse of a child or fails to maintain confidentiality of records as required by this policy, the employee will be disciplined up to and including dismissal.

### **Cooperation with Investigator**

The district staff shall make every effort in suspected abuse of a child cases to cooperate with investigating officials as follows:

1. Any investigation of abuse of a child will be directed by the DHS or law enforcement officials as required by law. DHS or law enforcement officials wishing to interview a student shall present themselves at the school office and contact the school administrator, unless the school administrator is the subject of the investigation. When an administrator is notified that the DHS or law enforcement would like to interview a student at school, the administrator must request that the investigating official fill out the appropriate form (See JHFE-AR(2) – Abuse of a Child Investigations Conducted on District Premises). The administrator or designee should not deny the interview based on the investigator's refusal to sign the form. If the student is to be interviewed at the school, the administrator or designee shall make a private space available. The administrator or designee of the school may, at the discretion of the investigator, be present to facilitate the interview. If the investigating official does not have adequate identification the administrator shall refuse access to the student.

Law enforcement officers wishing to remove a student from the premises shall present themselves at the office and contact the administrator or designee. The officer shall sign the student out on a form to be provided by the school;

2. When the subject matter of the interview or investigation is identified to be related to suspected abuse of a child, district employees shall not notify parents;
3. The administrator or designee shall advise the investigator of any conditions of disability prior to any interview with the affected child;
4. District employees are not authorized to reveal anything that transpires during an investigation in which the employee participates, nor shall the information become part of the student's education records, except that the employee may testify at any subsequent trial resulting from the investigation and may be interviewed by the respective litigants prior to any such trial.

Nothing prevents the district from conducting its own investigation, unless another agency requests to lead the investigation or requests the district to suspend the investigation, or taking an employment action based on information available to the district before an investigation conducted by another agency is completed. The district will cooperate with agencies assigned to conduct such investigations.





Code: KL  
Adopted: 3/13/18  
Revised/Readopted: 4/28/20  
Orig. Code: KL

### **Public Complaints\*\***

A parent or guardian of a student attending a school in the district, person who resides in the district, student, or staff member may petition the district with a complaint. A complainant will be referred through the proper administrative process for resolution of a complaint before investigation or action by the Board. An exception will be a complaint against the superintendent or one that involves Board actions or Board operations.

The complaint procedure is available at the district's administrative office and on the home page of the district's website.

The Board advises that there is a process available for resolving complaints, including but not limited to a complaint in one or more of the following areas:

- Instruction;
- Discipline;
- Learning materials;
- Compliance with State Standards;
- Restraint and/or seclusion;
- With a staff member; or
- Retaliation against a student who in good faith reported information that the student believes is evidence of a violation of state or federal law, rule or regulation.

The complainant must follow the complaint procedure as outlined in administrative regulation KL-AR(1) - Public Complaint Procedure. The district may offer mediation or another alternative dispute resolution process as an option if all parties to the complaint agree in writing to participate in such mediation or resolution.

Any complaint about school personnel other than the superintendent will be investigated by the administration before consideration and action by the Board. Whenever a complaint about personnel is made directly to the Board as a whole or to a Board member as an individual, it will be referred to administration for study and possible solution.

The Board will not hear complaints against employees in a session open to the public unless an employee requests an open session. While audience members speaking during Board meeting open sessions may offer objective criticism of district operations and programs, the Board will not in public session hear comments regarding any individual district staff member or group of employees. The Board chair will direct these audience members to the procedures in Board policy KL - Public Complaints and administrative regulation KL-AR(1) - Public Complaint Procedure for Board consideration of a legitimate complaint involving a staff member, and will connect the visitor with an administrator, as appropriate.

A hearing conducted before the Board regarding personnel shall take place in an executive session.

Due process rights of all concerned parties will be protected throughout the complaint process.

Complaints against the supervisor should be filed with the superintendent.

Complaints against the superintendent should be referred to the Board chair on behalf of the Board.

Complaints against the Board as a whole or against an individual Board member should be referred to the Board chair on behalf of the Board.

Complaints against the Board chair should be referred directly to the Board vice chair on behalf of the Board.

A complainant must file a complaint within the later of either time limit set below, in accordance with state law:

- Within two years after the alleged violation or unlawful incident occurred or the complainant discovered the alleged violation or unlawful incident. For incidents that are continuing in nature, the time limitation must run from the date of the most recent incident; or
- Within one year after the affected student has graduated from, moved away from or otherwise left the district.

The superintendent will develop and administer the complaint process, as appropriate.

If any complaint alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Division 22 Standards), Oregon Revised Statute (ORS) 339.285 to 339.303 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion) or ORS 659.852 (Retaliation), and the

complaint is not resolved through the complaint process, the complainant, if a student, a parent or guardian of a student attending a school in the district or a person who resides in the district, may appeal to the [Oregon Department of Education](#) as outlined in Oregon Administrative Rule (OAR) 581-002-0001 - 581-002-0023. (See KL-AR(2) - Appeal to the Deputy Superintendent of Public Instruction).

### **Charter Schools of which the District Board is a Sponsor**

The District Board, through this policy, will not review an appeal of a decision reached by the Board of the City View Charter School on a complaint alleging a violation of ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint or Seclusion), ORS 659.852 (Retaliation), or applicable OAR Chapter 581, Division 22 (Division 22 Standards), for which the District Board has jurisdiction, and recognizes a decision reached by the Board of City View Charter School as the district Board's final decision. A final decision reached by this district Board may be appealed to the Oregon Department of Education under OAR 581-002-0001 - 581-002-0023.

END OF POLICY

#### **Legal Reference(s):**

[ORS 192.660](#)

[ORS 332.107](#)

[ORS 659.852](#)

[OAR 581-002-0001 - 002-0005](#)

[OAR 581-022-2370](#)

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

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

Corrected 5/20/20