

**Yoncalla School District
BOARD OF DIRECTORS
REGULAR MEETING
October 18, 2018
Yoncalla High School, Library
282 5th Street**

6:00 PM CALL TO ORDER

- I. AWARDS, RECOGNITION, CORRESPONDENCE** Students of the month, Wyatt Hoyt, Sally Elway, Malia Allen, Nichole Noffsinger, Makayla Cranford
- II. PUBLIC FORUM**
The public is invited to attend Board Meetings and will be given limited time of 3 (three) minutes per person to voice opinions or problems, except that all public or board criticism of personnel of the district shall be heard only in executive session. Such items shall be brought to the attention of the superintendent at least 5 (five) business days prior to the board meeting.
- III. ADJUSTMENTS TO THE AGENDA**
- IV. CONSENT AGENDA**
 - A. Minutes of School Board meeting, September 19, 2018
 - B. Accounts Payable/Funding Update
 - C. Policy IGBAG
 - D. Policy IGBAH
 - E. Policy IGBAJ
 - F. Policy IGBAJ-AR
 - G. Policy IKF
 - H. Policy JBN /GBN
 - I. Policy JBA/GBN AR
- V. INFORMATION ITEMS**
- VI. DISCUSSIONS ITEMS**
- VII. REPORTS**
 - A. Audit Report presented by Jeff Cooley, Neuner, Davidson & Cooley, LLC
 - B. High School Principal Report
 - C. Elementary Principal Report
 - D. Preschool/Early Works Report
 - Pre-school data presentation.
 - E. Financial Update
 - F. Superintendent Report
 - Maintenance Report
- VIII. ACTION ITEMS**
 - A. Consider for approval cooperative agreements with Elkton School District for Baseball and Softball. Students from Yoncalla would travel to Elkton for baseball, and students from Elkton would travel to Yoncalla for softball.

- B. Consider for approval cooperative agreements with North Douglas School District for Cross Country and Wrestling. Students from Yoncalla would travel to North Douglas for wrestling, and students from North Douglas would travel to Yoncalla for cross country and track.

IX. ANOUNCEMENTS

A. Future Dates of Importance

- Board Meeting November 28, 2018
- OSBA 72nd Annual Convention November 8-11, 2018

X. OTHER BUSINESS

XI. ADJOURN

**YONCALLA SCHOOL DISTRICT
BOARD OF DIRECTORS
REGULAR MEETING MINUTES
September 19, 2018
Yoncalla High School, Library
292 5th St.**

BOARD MEMBERS PRESENT

Carl Van Loon
Dave Anderson-Vice Chair
Eric Gustafson-Chair
Jen Bailey
Cathey Grimes

ADMINISTRATION

PRESENT

Brian Berry
Kelly Campbell
Angie Brownson
Danielle Littlefield
Laurie Simlness

CALLED TO ORDER: Chair Gustafson called the meeting to order at 5:00 PM. The regular meeting was recessed to Executive Session, to conduct deliberations with the persons designated to negotiate real property transactions, ORS 192.660(2)(e). The Executive Session was closed at 5:57 PM, and the Regular Meeting was reconvened at 6:00 PM. Also present: Jen Shilling, Marcy Gustafson, and Angela Keeran.

AWARDS, RECONGNITION, CORRESPONDENCE: None.

PUBLIC FORUM. None.

ADJUSTMENTS TO THE AGENDA: Added Consent Agenda H, UCC Service Provider Agreement, and Discussion Item B, Scotts Valley. Director Anderson made a motion to approve the agenda as adjusted, Director Van Loon seconded, passed unanimously.

CONSENT AGENDA.

- A. Minutes of School Board meeting, August 15, 2018Accounts
- B. Payable/Funding Update
- C. ECACB – Unmanned Aircraft Systems (UAS) a.k.a. Drone, Conditionally Required
- D. GBN/JBA – Sexual Harassment, Required
- E. GCDA/GDDA – Criminal Records Checks and Fingerprinting, Required
- F. GCDA/GDDA-AR – Criminal Records Checks and Fingerprinting, Required
- G. IGBA – Students with Disabilities - Child Identification Procedures**, Required
- H. UCC Service Provider Agreement

Director Bailey made a motion to approve, Director Grimes seconded, passed unanimously.

INFORMATION ITEMS. None.

DISCUSSION ITEMES.

- A. Ten Year Plan
- B. Scotts Valley. The board directed Superintendent Berry to move forward with a title report.

REPORTS/DISCUSSIONS. The following reports were presented:

- A. High School Principal Report
- B. Elementary Principal Report
- C. Preschool/Early Works Report
- D. Financial Update
- E. Superintendent Report
 - Maintenance Report

ACTION ITEMS:

- A. Consider for approval Board-Superintendent Working Agreement. Director Anderson made a motion to approve, Director Grimes seconded, passed unanimously.

ANNOUNCEMENTS:

- A. Future Dates of Importance
 - Board Meeting October 18, 2018
 - 2018 Fall Regional Meetings, October 2nd, at UCC.
 - OSBA 72nd Annual Convention, November 8-11, 2018

OTHER BUSINESS: None.

ADJOURN: Director Anderson made a motion to adjourn, Director Van Loon seconded, passed unanimously. Chair Gustafson adjourned the meeting at 7:09 PM.

DATE OF BOARD APPROVAL:

DRAFT

Yoncalla School District #32

CASH FLOW EXP BY FUNCTION - ALL FUNDS

From Date: 9/1/2018 To Date: 9/30/2018

Fiscal Year: 2018-2019
 Subtotal by Collapse Mask
 Include pre encumbrance
 Print accounts with zero balance
 Filter Encumbrance Detail by Date Range
 Exclude Inactive Accounts with zero balance

Account Number	Description	GL Budget	Range To Date	YTD	Balance	Encumbrance	Budget Balance	% Bud
100.1000.0000.000.000.00.00	UNDESIGNATED	\$1,837,173.87	\$138,509.13	\$259,022.52	\$1,578,151.35	\$1,183,483.82	\$394,667.53	21.48%
100.2000.0000.000.000.00.00	UNDESIGNATED	\$1,606,035.40	\$102,041.79	\$279,093.32	\$1,326,942.08	\$1,054,437.55	\$272,504.53	16.97%
100.5000.0000.000.000.00.00	UNDESIGNATED	\$432,104.73	\$0.00	\$0.00	\$432,104.73	\$0.00	\$432,104.73	100.00%
100.6000.0000.000.000.00.00	UNDESIGNATED	\$500,000.00	\$0.00	\$0.00	\$500,000.00	\$0.00	\$500,000.00	100.00%
100.7000.0000.000.000.00.00	UNDESIGNATED	\$4,875,314.00	\$240,550.92	\$538,115.84	\$4,337,198.16	\$2,237,921.37	\$2,099,276.79	43.06%
	FUND: GENERAL FUND - 100							
200.1000.0000.000.000.00.00	UNDESIGNATED	\$763,268.80	\$66,857.67	\$104,422.33	\$688,846.47	\$385,272.00	\$273,574.47	35.84%
200.2000.0000.000.000.00.00	UNDESIGNATED	\$3,628,834.73	\$364,384.23	\$769,356.63	\$2,859,478.10	\$66,926.97	\$2,792,551.13	76.95%
200.3000.0000.000.000.00.00	UNDESIGNATED	\$150,365.00	\$7,724.87	\$12,973.03	\$137,391.97	\$98,666.62	\$38,725.35	25.75%
	FUND: Undesignated - 200	\$4,542,468.53	\$438,966.77	\$886,751.99	\$3,655,716.54	\$550,865.59	\$3,104,850.95	68.35%
700.1000.0000.000.000.00.00	UNDESIGNATED	\$7,000.00	\$1,000.00	\$1,000.00	\$6,000.00	\$0.00	\$6,000.00	85.71%
	FUND: SCHOLARSHIP - 700	\$7,000.00	\$1,000.00	\$1,000.00	\$6,000.00	\$0.00	\$6,000.00	85.71%
Grand Total:		\$9,424,782.53	\$680,517.69	\$1,425,867.83	\$7,988,914.70	\$2,788,786.96	\$5,210,127.74	55.28%

End of Report

Yoncalla School District #32

CASH FLOW REVENUE - ALL FUNDS

Fiscal Year: 2018-2019

From Date: 9/1/2018

To Date: 9/30/2018

Subtotal by Collapse Mask
 Include pre encumbrance
 Print accounts with zero balance
 Filter Encumbrance Detail by Date Range
 Exclude Inactive Accounts with zero balance

Account Number	Description	GL Budget	Range To Date	YTD	Balance	Encumbrance	Budget Balance	% Bud
100.0000.1111.000.000.000.00	CURRENT YEAR TAXES	(\$835,000.00)	\$0.00	\$0.00	(\$835,000.00)	\$0.00	(\$835,000.00)	100.00%
100.0000.1112.000.000.000.00	PRIOR YEARS' TAXES	(\$50,000.00)	(\$5,985.42)	(\$19,045.57)	(\$30,954.43)	\$0.00	(\$30,954.43)	61.91%
100.0000.1510.000.000.000.00	EARNINGS ON INVESTMENTS	(\$15,000.00)	(\$3,095.22)	(\$10,226.38)	(\$4,773.62)	\$0.00	(\$4,773.62)	31.82%
100.0000.1740.000.000.000.00	CO-CURRICULAR FEES	(\$8,000.00)	(\$2,074.00)	(\$2,392.60)	(\$5,607.40)	\$0.00	(\$5,607.40)	70.09%
100.0000.1960.000.000.000.00	RECOVERY OF EXPENDITURE	(\$1,800.00)	\$0.00	\$0.00	(\$1,800.00)	\$0.00	(\$1,800.00)	100.00%
100.0000.1990.000.000.000.00	MISC. LOCAL SOURCES	(\$15,000.00)	(\$30,732.02)	(\$32,016.35)	\$17,016.35	\$0.00	\$17,016.35	-113.44%
100.0000.1990.000.000.003.00	ESD-MISC LOCAL GRANT REIMB	(\$20,000.00)	\$0.00	\$0.00	(\$20,000.00)	\$0.00	(\$20,000.00)	100.00%
100.0000.2101.000.000.000.00	COUNTY SCHOOL FUND	(\$3,500.00)	\$0.00	\$0.00	(\$3,500.00)	\$0.00	(\$3,500.00)	100.00%
100.0000.3101.000.000.000.00	SCHOOL SUPPORT FUND	(\$2,403,491.00)	(\$204,353.00)	(\$817,658.00)	(\$1,585,833.00)	\$0.00	(\$1,585,833.00)	65.98%
100.0000.3103.000.000.000.00	COMMON SCHOOL FUND	(\$23,523.00)	\$0.00	(\$11,808.93)	(\$11,714.07)	\$0.00	(\$11,714.07)	49.80%
100.0000.5400.000.000.000.00	BEGINNING FUND BALANCE-GENERAL	(\$1,500,000.00)	\$0.00	\$0.00	(\$1,500,000.00)	\$0.00	(\$1,500,000.00)	100.00%
	FUND: GENERAL FUND - 100	(\$4,875,314.00)	(\$246,239.66)	(\$893,147.83)	(\$3,982,166.17)	\$0.00	(\$3,982,166.17)	81.68%
200.0000.1610.000.000.000.00	DAILY SALES - LUNCH	(\$4,000.00)	\$0.00	\$0.00	(\$4,000.00)	\$0.00	(\$4,000.00)	100.00%
200.0000.1760.000.000.000.00	CLUB FUND RAISING	(\$125,000.00)	\$0.00	\$0.00	(\$125,000.00)	\$0.00	(\$125,000.00)	100.00%
200.0000.1920.000.000.000.50	CONTRIBUTIONS/PRIVATE	(\$20,000.00)	\$0.00	\$0.00	(\$20,000.00)	\$0.00	(\$20,000.00)	100.00%
200.0000.1920.000.000.000.51	CONTRIBUTIONS/PRIVATE	(\$25,000.00)	\$0.00	(\$25,327.07)	\$327.07	\$0.00	\$327.07	-1.31%
200.0000.1920.000.000.052.00	CONTRIBUTIONS/PRIVATE	(\$75,000.00)	\$0.00	(\$75,000.00)	\$0.00	\$0.00	\$0.00	0.00%
200.0000.3102.000.000.000.00	SCHOOL SUPPORT LUNCH MATCH	(\$1,200.00)	\$0.00	\$0.00	(\$1,200.00)	\$0.00	(\$1,200.00)	100.00%
200.0000.3299.000.000.000.00	OTHER RESTRICTED GRANTS-IN-AID	(\$190,000.00)	\$0.00	\$0.00	(\$190,000.00)	\$0.00	(\$190,000.00)	100.00%
200.0000.3299.000.000.047.00	OTHER RESTRICTED GRANTS-IN-AID	(\$2,848,440.00)	\$0.00	(\$295,645.00)	(\$2,552,795.00)	\$0.00	(\$2,552,795.00)	89.62%
200.0000.3299.000.000.098.00	OTHER RESTRICTED GRANTS-IN-AID	(\$85,276.57)	\$0.00	\$0.00	(\$85,276.57)	\$0.00	(\$85,276.57)	100.00%
200.0000.4300.000.000.000.00	RESTRICTED REVENUE DIRECT/FED	(\$15,506.00)	\$0.00	\$0.00	(\$15,506.00)	\$0.00	(\$15,506.00)	100.00%
200.0000.4504.000.000.000.00	NAT'L SCHOOL BREAKFAST REIMB	(\$35,000.00)	(\$134.70)	(\$1,721.96)	(\$33,278.04)	\$0.00	(\$33,278.04)	95.08%
200.0000.4505.000.000.000.00	NAT'L SCHOOL LUNCH REIMB.	(\$60,000.00)	(\$168.40)	(\$3,418.97)	(\$56,581.03)	\$0.00	(\$56,581.03)	94.30%
200.0000.4506.000.000.000.00	FED REV - PERKINS VOC GRANT	(\$3,750.00)	\$0.00	\$0.00	(\$3,750.00)	\$0.00	(\$3,750.00)	100.00%
200.0000.4590.000.000.000.00	FED - IDEA PART B FLOW-THROUGH	(\$310.00)	\$0.00	\$0.00	(\$310.00)	\$0.00	(\$310.00)	100.00%
200.0000.4590.000.000.000.95	RESTRICTED FED REV VIA STATE	(\$202,931.00)	\$0.00	\$0.00	(\$202,931.00)	\$0.00	(\$202,931.00)	100.00%
200.0000.4590.000.000.001.00	RESTRICTED FED REV VIA STATE	(\$1,190.00)	\$0.00	\$0.00	(\$1,190.00)	\$0.00	(\$1,190.00)	100.00%
200.0000.4910.000.000.000.00	RESTRICTED FED REV VIA STATE	(\$55,323.00)	\$0.00	\$0.00	(\$55,323.00)	\$0.00	(\$55,323.00)	100.00%
200.0000.5200.000.000.000.00	USDA COMMODITIES	(\$5,000.00)	\$0.00	\$0.00	(\$5,000.00)	\$0.00	(\$5,000.00)	100.00%
200.0000.5200.000.000.000.00	INTERFUND TRANSFER	(\$432,104.73)	\$0.00	\$0.00	(\$432,104.73)	\$0.00	(\$432,104.73)	100.00%
200.0000.5400.000.000.000.00	BEGINNING FUND BALANCE	(\$352,000.00)	\$0.00	\$0.00	(\$352,000.00)	\$0.00	(\$352,000.00)	100.00%
200.0000.5400.000.000.000.50	BEGINNING FUND BALANCE	(\$15,000.00)	\$0.00	\$0.00	(\$15,000.00)	\$0.00	(\$15,000.00)	100.00%
200.0000.5400.000.000.098.00	BEGINNING FUND BALANCE	(\$20,000.00)	\$0.00	\$0.00	(\$20,000.00)	\$0.00	(\$20,000.00)	100.00%
	FUND: Undesignated - 200	(\$4,552,031.30)	(\$303.10)	(\$401,113.00)	(\$4,150,918.30)	\$0.00	(\$4,150,918.30)	91.19%
700.0000.1920.000.000.001.00	DONATIONS-BOARD SCHOLARS	\$0.00	\$0.00	(\$100.00)	\$100.00	\$0.00	\$100.00	0.00%
700.0000.5400.000.000.000.00	BEGINNING FUND BALANCE-SCHOLAR	(\$7,000.00)	\$0.00	\$0.00	(\$7,000.00)	\$0.00	(\$7,000.00)	100.00%
	FUND: SCHOLARSHIP - 700	(\$7,000.00)	\$0.00	(\$100.00)	(\$6,900.00)	\$0.00	(\$6,900.00)	98.57%
	Grand Total:	(\$9,434,345.30)	(\$246,542.76)	(\$1,294,360.83)	(\$8,139,984.47)	\$0.00	(\$8,139,984.47)	86.28%

End of Report

OSBA Model Sample Policy

Code: ECACB
Adopted:

Unmanned Aircraft System (UAS) a.k.a. Drone

Any employee or representative of the district operating a district unmanned aircraft system shall do so in accordance with this policy and all applicable Federal Aviation Administration (FAA) regulations.

An “unmanned aircraft system” (UAS) means an unmanned flying machine, commonly known as a drone, and its associated elements, including communication links and the components that control the machine.

The district recognizes the academic value of student operation of a UAS as one component of curricula pertaining to principles of flight, aerodynamics and airplane design and construction, which can also serve as an academic tool in other areas such as television, film production or the arts in general. Therefore, in compliance with the Federal Aviation Administration Modernization and Reform Act of 2012, Section 336, students may operate a UAS as part of a course requirement, as long as that student does not receive compensation directly or incidentally from such operation. District staff teaching a class that allows use of a UAS may assist a student in their operation of the UAS, provided the assistance is needed as part of the curriculum and assistance is to a student enrolled in the course. The staff member’s participation must be limited to the student’s operation of the UAS.

District employees shall work with administrators to ensure that proper insurance, registration and authorization are in place prior to adoption of curriculum that allows operation of a UAS as part of the curriculum.

A UAS shall be operated in accordance with the policies of the Oregon School Activities Association (OSAA)¹ at OSAA sanctioned events. Use of a UAS at other district-sponsored athletics or activities is prohibited.

A student in violation of this policy may be subject to disciplinary action, up to and including suspension and/or expulsion.

A staff member in violation of this policy may be subject to disciplinary action, up to and including dismissal.

All data gathered by the district as part of a UAS operation will belong to the district. The data gathering by the district will follow appropriate state and federal laws. Retention of such data will follow state and federal laws.

The superintendent shall develop procedures for the implementation of this policy.

The district shall post a copy of this policy, associated procedures and a copy of Oregon Revised Statute (ORS) 192.501~~345~~ on the district’s website.

¹ [#85](http://www.osaa.org/governance/handbooks/osaa)

[Third Party Use

Third party use of a UAS on district property or at district-sponsored events for any purpose is prohibited, unless granted permission from the [superintendent or designee].

If permission is granted by the [superintendent or designee], the third party operating a UAS will comply with all FAA regulations and shall provide the following to the district:

1. Proof of insurance that meets the liability limits established by the district;
2. Appropriate registration and authorization issued by the FAA and the Oregon Department of Aviation when required; and
3. A signed agreement holding the district harmless from any claims of harm to individuals or damage to property.]

END OF POLICY

Legal Reference(s):

[ORS 164.885](#)

[ORS 174.109](#)

[ORS 192.501~~345~~](#)

[ORS 837.300 - 837.390](#)

[ORS 837.995](#)

[OAR 738-080-0015 - 0045](#)

Federal Aviation Administration Modernization and Reform Act of 2012, P.L. 112-95 § 336 (2012).

Federal Aviation Administration, Educational Use of Unmanned Aircraft Systems (UAS) Memorandum, May 4, 2016.

Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2012)

OREGON SCHOOL ACTIVITIES ASSOCIATION HANDBOOK #85-(2015-2016).

OSBA Model Sample Policy

Code: GBN/JBA
Adopted:

Sexual Harassment

The Board is committed to the elimination of sexual harassment in district schools and activities. Sexual harassment is strictly prohibited and shall not be tolerated. This includes sexual harassment of students, 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 employee-staff member is at any district-sponsored, district-approved or district-related activity or function, such as field trips or athletic events, where students are under the control-jurisdiction of the district; or where the employee-staff member is engaged in district business. The prohibition also includes off duty conduct which is incompatible with district job responsibilities.

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 an employee-staff member's ability to perform his/her job responsibilities; or creates an intimidating, offensive or hostile educational or working environment. Relevant factors to be considered will include, but not be limited to, did the individual view the environment as hostile; was it reasonable to view the environment as hostile; the nature of the conduct; how often the conduct occurred and how long it continued; age and sex of the complainant; whether the alleged harasser was in a position of power over the student or staff member subjected to the harassment; number of individuals involved; age of the alleged harasser; where the harassment occurred; and other incidents of sexual harassment at the school involving the same or other students, or staff members or third parties.

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

All complaints about behavior that may violate this policy shall be promptly investigated. Any students, employee-staff members or third parties who has knowledge of conduct in violation of this policy or feels

he/she is/they are a victim of sexual harassment must immediately report his/her/their concerns to the principal, compliance officer or superintendent, who has overall responsibility for all investigations. A student may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate district official.

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

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

It is the intent of the Board that appropriate corrective action will be taken by the district to stop the sexual harassment, prevent its recurrence and address negative consequences. Students in violation of this policy shall be subject to discipline up to and including expulsion and/or counseling or sexual harassment awareness training, as appropriate. The age and maturity of the student(s) involved and other relevant factors will be considered in determining appropriate action. Employees-Staff members in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional sexual harassment awareness training, as appropriate. Other individuals whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or 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 shall ensure appropriate periodic sexual harassment awareness training or information is provided to all supervisors, staff members and students and that annually, the name and position of district officials responsible for accepting and managing sexual harassment complaints, business phone numbers, addresses or other necessary contact information is readily available. This policy as well as the complaint procedure will be made available upon request to all students, parents of students, and staff members and third parties, posted on the district's website and published in student/parent and staff handbooks. The district's policy shall be posted on a sign in ¹[all] [grade 6 through 12] schools [all schools]. Posted signs shall be at least 8-1/2 inches by 11 inches in size.

¹ [Posting in "in grade 6 through 12 schools" is the minimum requirement per ORS 342.700.]

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

END OF POLICY

Legal Reference(s):

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

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

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

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

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

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

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

OSBA Model Sample Policy

Code: GCDA/GDDA
Adopted:

Criminal Records Checks and Fingerprinting *

In a continuing effort to further ensure the safety and welfare of students and staff, the district shall require all newly hired full-time and part-time employees not requiring licensure to undergo a criminal records check and/or fingerprinting. Other individuals, as determined by the district, that will have direct, unsupervised contact with students shall have submit to criminal records checks and/or fingerprinting as required by law.

“Direct, unsupervised contact with students” means contact with students that provides the person opportunity and probability for personal communication or touch when not under direct supervision.

As required by state law, a criminal records check and/or fingerprinting shall be required of the following individual or individuals¹ ~~(subject individuals and requirements are further outlined in GCDA/GDDA-AR – Criminal Records Checks and Fingerprinting):~~

1. All district contractors and/or their employees, whether employed part-time or full-time, considered by the district to have direct, unsupervised ~~access to~~ contact with students;
2. All district contractors and/or their employees who provide early childhood special education or early intervention services in accordance with rules established by the Oregon Department of Education, Child Care Division;
3. Any community college faculty member providing instruction at the site of an early childhood education program² ~~or at a school site as part of an early childhood program;~~ or at a grade K through 12 school site during the regular school day;
4. Any individual who is an employee of a public charter school and not requiring licensure~~;~~ and~~[-]~~;
5. ^[2] Any individual considered for volunteer service with the district who is allowed to have direct, unsupervised contact with students~~].~~

[The district shall require a nationwide criminal records check based on fingerprinting for a volunteer with direct, unsupervised contact with students in the following positions³:

¹ Subject individuals and requirements are further outlined in GCDA/GDDA-AR – Criminal Records Checks and Fingerprinting.

² [If the district allows volunteer service and the volunteers have direct, unsupervised contact with students, this policy language is required, and districts are required to conduct background checks on these volunteers.]

³ [If the district requires fingerprinting for certain volunteer positions, the district is required to list those volunteer positions in board policy. The bracketed language is only possible examples; modify to identify the needs of the district.]

1. [Head coach;]
2. [Assistant coach;]
3. [Overnight chaperone;]
4. [Volunteers transporting students, other than their own, in a private vehicle off district property for a district-sponsored activity.]
5. [List of other positions subject to this fingerprinting, if any.]

The identity of an subject individual requiring fingerprinting will be provided by the district to the authorized fingerprinter for verification.

An subject individual shall be subject to fingerprinting only after acceptance of an offer of employment or contract.

The district [shall] [shall not] begin the employment of a subject individual or terms of a district contractor [on a probationary basis pending] [before] the return and disposition of the required criminal records checks and/or fingerprinting.

A subject individual who has been convicted of any crimes prohibiting employment or contract will be terminated and/or will not be employed or contracted. A subject individual who ~~has failed~~ fails to disclose the presence of convictions that would not otherwise prohibit his/her employment or contract with the district as provided by law; [may] [will not] be employed or contracted with by the district. A subject individual who knowingly made a false statement as to the conviction of any crime [may] [will not] be employed or contracted with by the district.

The district's use of criminal history must be relevant to the specific requirements of the position, services or employment.

[The service of a volunteer ~~with~~ allowed to have direct, unsupervised access to contact with students [may] [will not] begin [on a probationary basis pending] [before] the return and disposition of a criminal records check.]

[The service of a volunteer in a position identified by the district as requiring a nationwide criminal records check including fingerprinting [may] [will not] begin [on a probationary basis pending] [before] the return and disposition of the nationwide criminal records check including fingerprinting.]

[An subject individual who knowingly made a false statement as to the conviction of any crime on district volunteer forms, as determined by the district, or has been convicted of a crime listed in ORS 342.143 [may] [will] result in immediate termination from the ability to volunteer in the district.]

Fees associated with a criminal records check and/or fingerprinting may be charged.

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

Appeals

An subject individual eligible may appeal a determination that prevents his/her employment or eligibility to contract with the district to the Superintendent of Public Instruction as a contested case and will be so notified of such in writing by the ODE.

A volunteer required to submit to a fingerprint-based criminal records check may appeal a determination that prevents the ability to volunteer with the district to the Superintendent of Public Instruction as a contested case, if the results of the background check were provided by ODE or ODE's vendor and will be notified of such in writing by ODE.

END OF POLICY

Legal Reference(s):

[ORS 181A.180](#)
[ORS 181A.230](#)
[ORS 326.603](#)
[ORS 326.607](#)
[ORS 332.107](#)

[ORS 336.631](#)
[ORS 342.143](#)
[ORS 342.223](#)
[OAR 414-061-0010 - 0030](#)
[OAR 581-021-0500](#)

[OAR 581-021-0502](#)
[OAR 581-022-2430](#)
[OAR 584-050-0012](#)

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

OSBA Model Sample Policy

Code: GCDA/GDDA-AR
Revised/Reviewed:

Criminal Records Checks and Fingerprinting

Subject Individual Requirements

1. Any individual newly hired, ~~whether~~ full-time or part-time, and not requiring licensure as a teacher, administrator, personnel specialist or school nurse shall be required to undergo a nationwide criminal records check and fingerprinting.
2. Any individual applying for reinstatement of an Oregon license with the Teacher Standards and Practices Commission (TSPC) that has lapsed for more than three years shall be required to undergo a nationwide criminal records check and fingerprinting with TSPC.
3. Any individual registering with the TSPC for student teaching, practicum or internship as a teacher, administrator or personnel specialist shall be required to undergo a nationwide criminal records check and fingerprinting with TSPC.
4. Any district contractor ~~and its employees~~¹, whether part-time or full-time, ~~or an employee of a district contractor, whether part-time or full-time,~~ hired into a position having direct, unsupervised contact with students shall be required to undergo a nationwide criminal records check and fingerprinting.

The superintendent will identify district contractors who are present on district property and regularly interact with students and are subject to such requirements.

5. Any contractor or an employee of the contractor who provides early childhood special education or early intervention services shall be required to undergo a nationwide criminal records check and fingerprinting with the Oregon Department of Education (ODE), Child Care Division.
6. Any community college faculty member providing instruction at the site of an early childhood education program, at a school site as part of an early childhood program or at a grade K through 12 school site during the regular school day, shall be required to undergo a nationwide criminal records check and fingerprinting.
7. Any individual who is an employee of a public charter school not requiring licensure shall be required to undergo a nationwide criminal records check and fingerprinting.
8. ~~Any individual authorized by the district for volunteer service into a position having~~ ~~allowing~~ direct, unsupervised contact with students shall be required to undergo an Oregon criminal records check.]

¹ ~~A Contractor's employees may not be required to submit to fingerprinting until the contractor has been offered a contract by the district.~~

² ~~[If the district allows volunteer service and the volunteers to have direct, unsupervised contact with students, this policy language is required, and districts are required to conduct criminal background checks on these volunteers. Choose the bracketed language options in 8, 9 and/or 10 of this policy that aligns with district practice. If the district allows volunteers to have direct, unsupervised contact with students the presented language is required. Align policy IICC – Volunteers with chosen language here.]~~

9. [Any volunteer allowed to have direct, unsupervised contact with students, in a volunteer position identified in Board policy³ by the district as requiring fingerprinting, shall be required to undergo a nationwide criminal records check and fingerprinting.]
10. [Any individual authorized by the district for volunteer service that does not is not likely to have direct, unsupervised contact with students [will] [will not] be required to undergo an Oregon criminal records check.]

Exceptions

A newly hired employee is not subject to fingerprinting if the district has ~~on file evidence~~ on file that the newly hired employee ~~was previously and successfully completed checked through~~ an Oregon and a FBI criminal records check ~~for by~~ a previous employer that was a school district.

Evidence of the prior check will be either a copy of the criminal records check or a written statement of verification from a supervisor or officer of the previous employer.

Furthermore:

1. The ODE or TSPC verification of a previous check shall be acceptable only in the event the district can demonstrate records are not otherwise available; ~~and~~
2. The district shall maintain evidence that the employee has not resided outside the state during the interval between the two periods of time working in the district.

Notification

1. The district will provide the following notification to individuals subject to criminal records checks and/or fingerprinting ~~of the following~~:
 - a. Such criminal records checks and/or fingerprinting are required by law ~~and/or~~ Board policy;
 - b. Any action resulting from such checks that impact employment, ~~or~~ contract or volunteering may be appealed as a contested case;
 - c. All employment or contract offers [or the ability to volunteer] are contingent upon the results of such checks;
 - d. A refusal to consent to a required criminal records check and/or fingerprinting shall result in immediate termination from employment[,] [or] contract status [or the ability to volunteer in the district];
 - e. An individual determined to have knowingly made a false statement as to the conviction of any crime on district employment applications, contracts[,] [or] ODE forms ~~or district volunteer forms~~ [(written or electronic)] [may] [will] result in immediate termination from employment[,] [or] contract status ~~or the ability to volunteer in the district~~;
 - f. An individual determined to have been convicted of any crime that would prohibit employment or contract will be immediately terminated from employment or contract status; [.]
 - g. [A volunteer candidate who knowingly made a false statement or has been convicted of any crime listed in ORS 342.143 [may] [will] result in immediate termination from the ability to volunteer in the district.] [The district [may] [will] remove the volunteer from the position allowing direct, unsupervised contact with students.]
2. The district will provide the written notice described above through such means as employment applications, contracts or [volunteer] forms.

³ See policy GCDA/GDDA – Criminal Records Checks and Fingerprinting.

Processing/ and Reporting Procedures

1. Any individual subject to criminal records checks and/or fingerprinting shall complete the appropriate forms or requirements as approved by ODE (information available through the district).
2. If the ~~All~~ individual~~s~~ is subject to fingerprinting per ~~pursuant to~~ state law, he/she will be ~~are~~ required by the district, and is responsible to report within ~~three~~ working days to an authorized fingerprinter for fingerprinting as directed by the district.

Fingerprints may be collected by one of the following:

- a. Employing district staff;
- b. Contracted agent of employing district; or
- c. Local or state law enforcement agency.

The individual subject to fingerprinting, shall be subject only after acceptance of an offer of employment or contract.

3. To ensure the integrity of the fingerprinting collection and prevent any compromise of the process, the district will provide the name of the individual to be fingerprinted to the authorized fingerprinter.
4. The authorized fingerprinter will obtain the necessary identification and fingerprinting and notify the ODE with of the results. The ODE will then notify the district of said results and as well as the identity of any subject individual it believes has knowingly made a false statement, has knowingly made a false statement as to conviction of any crime or has a conviction of a crime prohibiting employment[,] [or] contract [or volunteering].
5. A copy of the required form to authorize fingerprinting, and the results of such, will be kept in the employee's personnel file by the district.

Fees

1. Fees associated with criminal records checks and/or fingerprinting for individuals applying for employment with the district and not requiring licensure, including contractors⁴ and their employees, shall be paid by the [individual] [district].
2. [Fees are payable [prior to] [within [three] working days of] beginning employment, volunteer service or contract.]
3. [An individual offered employment in the district may request that the amount of the fee be withheld from the employee's paycheck, including a periodic payroll deduction rather than a lump sum payment, in accordance with Oregon law. The district may withhold such fees only upon the request of the individual.]
4. [Fees associated with required criminal records checks for volunteers shall be paid by the [individual] [district].]
5. [Fees associated with a required fingerprinting for volunteers shall be paid by the [individual] [district].]

⁴ A contractor's employees may not be required to submit to fingerprinting until the contractor has been offered a contract by the district.

Termination of Employment or Withdrawal of Employment/Contract Offer/Volunteer Status

1. Any individual required to submit to a criminal records check and/or fingerprinting in accordance with law and/or Board policy will be terminated from employment or contract status, or withdrawal of offer of employment or contract will be made by the superintendent upon:
 - a. Refusal to consent to a criminal records check and/or fingerprinting; or
 - b. Notification from the Superintendent of Public Instruction or his/her designee that the employee has a conviction of any crime prohibiting employment with the district as specified in ~~by~~ law.
2. Any individual required to submit to a criminal records check and/or fingerprinting in accordance with law [may] [will] be terminated from employment or contract status, or withdrawal of offer of employment or contract will be made by the superintendent upon notification from the Superintendent of Public Instruction or his/her designee that the employee has knowingly made a false statement as to the conviction of any crime.
3. Employment termination shall remove the individual from any district policies, collective bargaining provisions regarding dismissal procedures and appeals and the provisions of Accountability for Schools for the 21st Century Law.
4. [Any volunteer who will be allowed to have direct, unsupervised contact with students that refuses to submit to a required criminal records check to acquire or maintain such a volunteer status in the district in accordance with law and/or Board policy will be denied ~~the~~ such ability to volunteer in the district.]
5. [If the district has ~~completed a required criminal records check and the district has been notified by the Superintendent of Public Instruction that the~~ an individual knowingly made a false statement ~~on an ODE form as to~~ has a conviction of any crime ~~that may otherwise prevent a volunteer status in the district, listed in ORS 342.143~~ the individual [will] [may] be denied the ability to volunteer.]
6. [Any volunteer who knowingly makes a false statement, as determined by the district, on a district volunteer application form [will ~~may~~] be denied the ability to volunteer in the district.]

Appeals

An individual may appeal a determination, that prevents his/her employment or eligibility to contract with the district, to the Superintendent of Public Instruction as a contested case and will be so-notified ~~of such~~ in writing by ~~the~~ ODE.

A volunteer required to submit to a fingerprint-based criminal records check may appeal a determination that prevents the ability to volunteer with the district to the Superintendent of Public Instruction as a contested case, if the results of the background check were provided by ODE or ODE's vendor and will be notified of such in writing by ODE.

OSBA Model Sample Policy

Code: IGBA
Adopted:

Students with Disabilities - Child Identification Procedures

The district implements an ongoing system to locate, identify and evaluate all children birth to age 21 residing within its jurisdiction who have disabilities and need early intervention, early childhood special education (EI/ECSE) or special education services. For preschool children the district is responsible for the evaluation(s) used to determine eligibility; the designated referral and evaluation agency [insert name] is responsible for determining the eligibility of children for EI/ECSE services in accordance with Oregon Administrative Rule (OAR) 581-015-2100. The district identifies all children with disabilities, regardless of the severity of their disabilities, including those who are:

1. Highly mobile, such as migrant and homeless children;
2. Wards of the state;
3. Indian preschool children living on reservations;
4. Suspected of having a disability even though they are advancing from grade to grade;
5. Home schooled;
6. Resident and nonresident students, including residents of other states, attending a private school (religious or secular) located within the boundaries of the district;
7. Attending a public charter school located in the district;
8. Below the age of compulsory school attendance who are not enrolled in a public or private school program; and
9. Above the age of compulsory school attendance who have not graduated from high school with a regular or modified high school diploma and have not completed the school year in which they reach their 21st birthday.

The district determines residency in accordance with Oregon Revised Statutes (ORS) Chapter 339 and, for the purposes of public charter school students with disabilities, in accordance with ORS Chapter 338 and ORS Chapter 339. The district enrolls all students who are five years of age or older on or before September 1 of the current school year. Students with disabilities are eligible to enroll in the district through the school year in which they reach the age of 21 if they have not graduated with a regular or modified high school diploma.

The district shall annually submit data to the Oregon Department of Education (ODE) regarding the number of resident students with disabilities who have been identified, located and evaluated and are receiving special education and related services. The district conducts an annual count of the total number of private school children attending private schools located within the boundaries of the district, and a

count of all children with disabilities attending private schools located within the boundaries of the district, in accordance with OAR 581-015-2465. The district reports any additional data to ODE as required by the ODE to meet the requirements of federal or state law and the applicable reporting dates.

END OF POLICY

Legal Reference(s):

[ORS 332.075](#)
[ORS 338.165](#)
[ORS 339.115 - 339.137](#)
[ORS 343.151](#)
[ORS 343.157](#)
[ORS 343.193](#)
[ORS 343.221](#)

[ORS 343.517](#)
[ORS 343.533](#)

[OAR 581-015-2040](#)
[OAR 581-015-2045](#)
[OAR 581-015-2080](#)
[OAR 581-015-2085](#)

[OAR 581-015-2190](#)
[OAR 581-015-2195](#)
[OAR 581-015-2315](#)
[OAR 581-015-2480](#)
[OAR 581-021-0029](#)
[OAR 581-022-2315](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1412(a)(3) (2012).
Early Intervention Program for Infants and Toddlers with Disabilities, 34 C.F.R. Part 303 (2017).
Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.111 (2017).

Policy recommendations

Hi everyone,

I thought we could begin to look over the policies that need to be looked at from the last board meeting. I thought it would be wise to break down the policies into 5 areas. That will give you the opportunity to look them over and decide the language that you would like. I have highlighted recommendations in yellow and deletions in red. Most of the language is required except those in brackets. Please look over these 5 policies and give your recommendations as you see fit. We will be discussing these policies at the next board meeting. If you have suggestions other than what I have highlight, please let me know and I will (Laurie!!:)) put the information together and hand it out at the meeting. This will speed up the process.

My recommendations:

ECACB-No additions or revisions

GBN-No addition, however, I would remove the last sentence that I have outlined in red. I believe that posting it on the website and in the handbook meets the expectations of the state. However, that is a board decision.

GCDA/GDDA-I have made several suggestions on this policy. My thought process is that is any person is having direct contact with students, there needs to be a background check in place before they have access to our students. The one that I am apprehensive about is #4 on the second page. We have a lot of people who are related who transport with parent permission. If we leave this sentence as is, that would no longer be available for parents.

GCDA/GDDA-AR-This is the Administrative Rule that goes with the GCDA/GDDA policy. A lot of recommendations on this one. Most are based on the previous policy. I was trying to be consistent. In my opinion, if you knowingly misrepresent yourself as a volunteer or employee, you should not be allowed to work at YSD. (Just my opinion, the Board will need to decide where it stands on this issue.)

IGBA-Just a few minor deletions.

Yoncalla High School

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Yoncalla, Oregon 97499
brian.berry@yoncalla.k12.or.us

Principal: Brian Berry
Secretary: Monet Sheffield
Office: 541-849-2175
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Brian Berry, Principal

September 25, 2018

Proposal for a Cooperative Program
2019-2020

Dear Yoncalla School Board,

I would like the Yoncalla School Board to consider a proposal that would continue our cooperative relationship with the Elkton School District in regards to the baseball and softball programs. This proposal would involve a continuation of the past several years in which the baseball players from Yoncalla would go to Elkton as a cooperative and for the softball players from Elkton to continue to come to Yoncalla to participate with the YHS girls. At the current time, we have 5 girls and 4 boys who are interested in playing softball or baseball. These numbers would not allow us to field a team without a cooperative with a neighboring school.

At the current time, we have a cooperative agreement that has expired. If we agree on the cooperatives, we will continue to compete at the 1A/2A/3A level in both sports and will remain in the Mountain View Conference. The advantage of this coop is that we would be able to have an increase in numbers and be able to field a competitive team for both schools.

This proposal is designed to run for the 2019-2020 school year. Thank you for your time and consideration.

Respectfully,

Brian Berry

Brian Berry, Principal

Yoncalla High School

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Brian Berry, Principal

September 25, 2018

Proposal for a Cooperative Program 2019-2020

Dear School Board Members,

I would like the Yoncalla School Board to consider a cooperative proposal between the Yoncalla High School and North Douglas High School Cross Country and track and wrestling programs. This proposal would involve the student athletes from North Douglas being part of a Yoncalla High School Cross Country and track programs. It would also involve the students from Yoncalla who wish to wrestle doing so as part of the North Douglas wrestling program. This particular cooperative has been in existence for a number of years and has served both schools well. At this time, a rough estimate of numbers would be 1 student from North Douglas being part of the cross country program, 3 students from ND participating in track and 2 students from Yoncalla being part of the wrestling program.

This proposal is designed to run for the 2019-2020 school year. Thank you for your time and consideration.

Respectfully,

Brian Berry

Brian Berry, Principal