

HILLSBORO SCHOOL DISTRICT 1J BOARD OF DIRECTORS
Administration Center, 3083 NE 49th Place, Hillsboro, OR 97124

Board Meeting Agenda
Tuesday, July 2, 2024
12:00 PM

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

1. **12:00 PM - Work Session**
 - A. Call to Order Work Session
Presenter: Mark Watson
Time: 12:00 PM
 - B. Elect Board Chair and Vice Chair 3
Presenter: Mark Watson
Time: 12:00 PM, 5 minutes
SAMPLE MOTION:
-I nominate _____ for the Board Chair/Vice Chair position.
-I move that the Board of Directors elect _____ to the Board Chair/Vice Chair position.
 - C. Consent Agenda
Consent agenda items are distributed to Board members in advance for study, and enacted with a single motion.
Presenter: Board Chair
Time: 12:05 PM, 5 minutes
SAMPLE MOTION: I move that the Board of Directors approve the Consent Agenda as printed.
 1. Approve Minutes of June 18, 2024, Board Meeting 4
 - D. Policies - First Reading 12
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: Travis Reiman
 1. J - Students
 - a. JBAA: Section 504 - Students 13
Presenter: Brooke Nova
 - b. JH: Student Welfare 16
Presenter: Brooke Nova
 - E. Information - Administrative Regulation Update 17
Presenter: Travis Reiman
 1. J - Students
 - a. JBAA-AR: Section 504 - Students 18
Presenter: Brooke Nova
 - F. Discussion Time
Presenter: Board Chair
Time: 12:10 PM, 5 minutes

1. Student Representatives' Time
 2. Superintendent's Time
 3. Board of Directors' Time
- G. Recess Work Session
Presenter: Board Chair
Time: 12:15 PM
2. **12:15 PM - Executive Session**
- A. Call to Order Executive Session
Presenter: Board Chair
Time: 12:15 PM
 - B. ORS 192.660(2)(d) - Labor Negotiator Consultation
Presenters: Kona Lew-Williams / Michelle Morrison
Time: 12:15 PM, 15 minutes
 - C. Adjourn Executive Session
Presenter: Board Chair
Time: 12:30 PM
 - D. Next Meetings of the Board of Directors
- August 13, 2024, Full-Day Retreat
- September 10, 2024, Work Session

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

HILLSBORO SCHOOL DISTRICT 1J
July 2, 2024
ELECT BOARD CHAIR AND VICE CHAIR

SITUATION

As part of its organizational meeting every year, the Board must elect a Chair and Vice Chair. The incumbent Chair will preside over the meeting until a successor is elected, whereupon the successor will assume the duties of Board Chair. Separate elections will be held for the Board Chair and Vice Chair positions.

RECOMMENDATION

The Superintendent recommends that Board Chair Mark Watson accept nominations and conduct elections for the Chair and Vice Chair offices for the 2024-25 school year.

I nominate _____ for the Board Chair position.

I nominate _____ for the Board Vice Chair position.

I move that the Board of Directors elect _____ to the Board Chair position.

I move that the Board of Directors elect _____ to the Board Vice Chair position.

DRAFT

HILLSBORO SCHOOL DISTRICT BOARD OF DIRECTORS—MINUTES

June 18, 2024

District Administration Center, 3083 NE 49th Place, Hillsboro, Oregon

1. EXECUTIVE SESSION

Board Present:	Staff Present:
Mark Watson, Chair	Rose Roman, Executive Assistant to the Board
Ivette Pantoja, Vice Chair	
See Eun Kim, virtual	
Erika Lopez	
Patrick Maguire	
Nancy Thomas	
Monique Ward	

A. Call to Order Executive Session

Board Chair Mark Watson called the meeting to order at 5:16 PM and moved the Board into Executive Session under 192.660(2)(i) - Evaluation of the Superintendent.

B. ORS 192.660(2)(1) - Evaluation of the Superintendent

Mark Watson led the conversation. Board members asked questions and discussed the Superintendent evaluation.

C. Recess Executive Session

Board Chair Mark Watson moved the Board out of Executive Session and recessed the meeting at 5:44 PM.

2. WORK SESSION

Board Present:	Staff Present:
Mark Watson, Chair	Travis Reiman, Superintendent
Ivette Pantoja, Vice Chair	Audrea Neville, Assistant Superintendent, School Performance
See Eun Kim, virtual	Brooke Nova, Assistant Superintendent, Academic Services
Erika Lopez	Beth Graser, Communications Officer
Patrick Maguire	Kona Lew-Williams, Human Resources Officer
Nancy Thomas	Michelle Morrison, Financial Officer
Monique Ward	Saideh Haghighi Khochkhou, Operations Officer
	Jordan Beveridge, Information Technology Officer
Student Representatives Present:	Francesca Sinapi, Equity, Access, and Engagement Officer
Hadley Brathapan	Yessica Hardin Mercado, TOSA OSP
RJ Panlilio	Jennifer Williams, TOSA OSP
Aliannah Shalikal	Rose Roman, Executive Assistant to the Board
	Ciara Hartzell, Technology Support
Others Present:	John Garcia, Technology Support
Zarmeena Riaz, EEAC Community Member	William Wenzloff, Environmental, Health and Safety Supervisor
Shira Long-Strand, EEAC Parent	Antonio Hernandez, Language Liaison
William Johnson, EEAC Staff	
Annie Tronco, EEAC Parent	

- A. Call to Order Work Session
Board Chair Mark Watson called the work session to order at 5:49 PM.

- B. Educational Equity Advisory Committee Update
Equity, Access and Engagement Officer Francesca Sinapi introduced the topic and group and discussed three focus areas of recommendations. OSP TOSA Jennifer Williams discussed the membership summary and roles and responsibilities. OSP TOSA Yessica Hardin Mercado reviewed the EEAC timeline. EEAC parent member Shira Long-Strand discussed inclusive and supportive learning environments. EEAC staff member William Johnson discussed recommendations. EEAC community member Zarmeena Riaz discussed enhancing communication and engagement. Board members asked questions and provided comment.

- C. Integrated Pest Management Overview
Operations Officer Saideh Haghighi Khochkhou introduced the topic and introduced Environmental, Health and Safety Supervisor William Wenzloff. William discussed the IPM plan, tenets of the IPM plan, benefits of the plan, low-impact pesticides, managing pest resistance, plant health and sustainability, and pest prevention through design.

- D. Announce Community Curriculum Advisory Committee Vacancies
Assistant Superintendent Brooke Nova presented the vacancies on the CCAC.

- E. Announce Budget Committee Vacancies
Financial Officer Michelle Morrison presented the vacancies on the Budget committee.

- F. Announce Education Equity Advisory Committee Vacancies
Equity, Access, and Engagement Officer Francesca Sinapi presented the vacancies on the EEAC.
- G. Memorandum of Agreement for Non-Union Employees
Human Resources Officer Kona Lew-Williams and Financial Officer Michelle Morrison gave an update on the Memorandum of Agreement (MOA) for non-union employees. Board members asked questions and made comments.
- H. Board Leadership Planning
Board Chair Mark Watson led the discussion and proposed that Vice Chair Ivette Pantoja take over as Chair next year so that he can mentor her for a year as chair before the election.
- I. Recess Work Session
Board Chair Mark Watson recessed the work session at 6:53 PM.

3. **REGULAR SESSION**

Board Present:	Staff Present:
Mark Watson, Chair	Travis Reiman, Superintendent
Ivette Pantoja, Vice Chair	Audrea Neville, Assistant Superintendent, School Performance
See Eun Kim, virtual	Brooke Nova, Assistant Superintendent, Academic Services
Erika Lopez	Beth Graser, Communications Officer
Patrick Maguire	Kona Lew-Williams, Human Resources Officer
Nancy Thomas	Michelle Morrison, Financial Officer
Monique Ward	Saideh Haghghi Khochkhou, Operations Officer
	Jordan Beveridge, Information Technology Officer
Student Representatives Present:	Francesca Sinapi, Equity, Access, and Engagement Officer
Hadley Brathapan	Jeff Jones, Manager – Business Services
RJ Panlilio	Rose Roman, Executive Assistant to the Board
Aliannah Shalika	Ciara Hartzell, Technology Support
	John Garcia, Technology Support

- A. Call to Order and Flag Salute
Board Chair Mark Watson reconvened the meeting at 7:06 PM and led the Pledge of Allegiance.

- B. Land Acknowledgement
Board Chair Mark Watson read the Land Acknowledgement.

- C. Recognition
 - 1. Outgoing Student Representatives
Board Chair Mark Watson read a statement about the outgoing Student Representatives.

- D. Approval of Agenda
Director Monique Ward MOVED, SECONDED by Director Patrick Maguire, to approve the agenda as printed.

The MOTION CARRIED (7-0).

No further discussion took place.

- E. Audience Time
No audience members requested to address the Board.

- F. Consent Agenda
Consent agenda items are distributed to Board members in advance for study and enacted with a single motion.

Director Erika Lopez MOVED, SECONDED by Director Nancy Thomas, to approve the Consent Agenda as printed.

The MOTION CARRIED (7-0).

No discussion took place.

Consent Agenda items were as follows:

1. Approve Minutes of May 28, 2024, Board Meeting
2. Approve Routine Personnel Matters
3. Approve Policies
 - a. A/B - Board Governance and Operations
 - 1) AC: Nondiscrimination
 - 2) BBF: Board Member Standards of Conduct
 - 3) BBFC: Reporting of Suspected Abuse of a Child
 - b. C - General School Administration
 - 1) CB: District Superintendent
 - 2) CBC: Superintendent's Contract and Benefits
 - c. D - Fiscal Management
 - 1) DJC: Bidding Requirements
 - 2) DJCA: Personal Service Contracts
 - d. E - Support Services
 - 1) EBC: Emergency Plan and First Aid
 - 2) EBCA: Safety Threats
 - 3) EBCB: Emergency Procedure Drills and Instruction
 - e. G - Personnel
 - 1) GC: Licensed Staff Positions
 - f. I - Instruction
 - 1) IGBAF: Special Education - Individual Education Program (IEP)
 - 2) IGBAF-AR: Special Education - Individual Education Program (IEP)
 - 3) IGBAG: Special Education - Procedural Safeguards
 - g. J - Students
 - 1) JGAB: Use of Restraint or Seclusion
 - 2) JHFE/GBNAB: Suspected Abuse of a Child Reporting Requirements
 - 3) JHFE/GBNAB-AR(1): Reporting of Suspected Abuse of a Child
4. Approve Annual Clerk / Officer Designations
5. Approve Annual Depository, Auditor, Legal Counsel, Newspaper, and Agent Designations
6. Approve Crime Policy Coverage Limits
7. Establish 2024-25 Mileage Reimbursement Rate
8. Tuition Rates for Non-Resident Students

G. Open Budget Hearing

1. Board Chair Mark Watson declares the Budget Hearing open.
2. Board Chair Mark Watson asks if there is any public testimony.
3. No Public Testimony was received.
4. Board Chair Mark Watson declares the Budget Hearing closed.

Director Nancy Thomas MOVED, SECONDED by Director Ivette Pantoja, that the adopt the Resolutions to Adopt the 2024-25 Budget, Appropriate the 2024-25 Budget, and Impose 2024–25 Taxes and Categorize the Levy, as shown in the June 18, 2024, Board meeting packet.

The MOTION CARRIED (7-0).

Board members made comment.

H. Action Items

1. Notice of Intent to Contract for Energy Services for Liberty High School Boilers
Operations Officer Saideh Haghighi Khochkhou gave an overview of the agenda item.

Director Erika Lopez MOVED, SECONDED by Director Monique Ward, that the Board of Directors approve the Energy Services Company (ESCO) currently under contract for the Liberty High School HVAC control system replacement to also include the boiler replacement project to their scope of work for summer 2024 completion.

The MOTION CARRIED (7-0).

Board members asked questions and made comments.

2. Approve Memorandum of Agreement for Non-Union Employees
Human Resources Officer Kona Lew-Williams reminded the Board about the discussion earlier in the evening.

Director Nancy Thomas MOVED, SECONDED by Director Erika Lopez, that the Board of Directors approve the 2024-27 individual contract with non-union employees including the recommended MOA revisions, and GSI and health benefit contributions in alignment with the licensed bargain agreement.

The MOTION CARRIED (7-0).

No further discussion took place.

3. Accept Recommendation and Appoint Student Representatives to the Board of Directors
Board Chair Mark Watson discussed the process of selecting student representatives to the Board.

Director Ivette Pantoja MOVED, SECONDED by Director Nancy Thomas, that the Board of Directors accept the recommendation of the interview committee and appoint Gwen Kondor from Century High School, Kal Sibbel from Liberty High School, and Abraham Staffa from Hillsboro Online Academy to serve as Student Representatives to the Board of Directors for the 2024-25 school year.

The MOTION CARRIED (7-0).

Board members asked questions and made comments.

4. Approve Integrated Pest Management Plan
Director Nancy Thomas MOVED, SECONDED by Director Erika Lopez, that the Board of Directors approve the annual revisions of the Integrated Pest Management Plan.

The MOTION CARRIED (7-0).

No further discussion took place.

I. Reports and Discussions

1. Financial Report

Financial Officer Michelle Morrison highlighted the retirement of Jolene Sauve after 27 years in the District.

2. Hillsboro Classified United End of Year Wrap Up
HCU Leadership shared a year end video.

J. Policies - First Reading

Superintendent Travis Reiman presented the policies for first read.

K. Information - Administrative Regulation Update

Superintendent Travis Reiman presented the administrative regulation updates.

L. HCU / HEA Reports

HCU provided no additional comment.

HEA had no representative present to make comment.

M. Discussion Time

1) Student Representatives' Time

Aliannah Shalihar thanked the Board for the opportunity to serve as a student representative.

RJ Panlilio reflected on the opportunity and wished next year's students well.

Hadley Brathapan talked about his time on the Board and the opportunity to pave the way for next year's students.

2) Superintendent's Time

Superintendent Travis Reiman thanked the outgoing student representatives, thanked Equity, Access, and Engagement Officer Francesca Sinapi and the EEAC committee for its work, and highlighted the work of the Business Office, Financial Officer Michelle Morrison, and Manager of Business Service Jeff Jones. He highlighted the HSD Safety Summit held recently at Glencoe High School. He ended by promoting HSD's participation in the Hillsboro 4th of July parade and asked Board members to please contact Communications Officer Beth Graser if you'd like to participate this year.

3) Board of Directors' Time

Director See Kim congratulated the student representatives and all graduating seniors, thanked Board Chair Mark Watson and Vice Chair Ivette Pantoja for their service to the board, and encouraged participation in the 4th of July parade.

Director Erika Lopez highlighted the HCU video and thanked the student representatives for their time.

Director Monique Ward thanked the student representatives and wished them the best and wished Board and Cabinet members a happy summer.

Director Nancy Thomas briefly discussed the OSBA board, highlighted honoring student representative RJ Panlilio at Glencoe High School Senior Honors night, and thanked fellow Board members for their support as her son graduated from Liberty High School.

Director Patrick Maguire reflected on his years of service.

Board Vice Chair Ivette Pantoja wished the student representatives well, thanked the staff who worked so hard on graduation, and thanked her fellow Board members for being a part of her first year of service.

Board Chair Mark Watson wished the student representatives well, advocated for participation in 4th of July parade, highlighted graduations, highlighted hearing Oregon

Department of Education Director Dr. Charlene Williams speak at a recent event, and thanked Board colleagues and the community for the opportunity to serve.

N. Adjourn Meeting

Chair Mark Watson adjourned the meeting at 8:12 PM.

HILLSBORO SCHOOL DISTRICT 1J
July 2, 2024
FIRST READING – POLICIES

SITUATION

The Hillsboro School District has contracted with Oregon School Boards Association (OSBA) to receive a quarterly policy update.

Policy language must meet the following criteria:

- Legally mandated or legally wise
- Harmonize with District’s existing collective bargaining agreements
- Reflect current District practice

The Superintendent and Cabinet members have reviewed the policy listed below, and are presenting it to the Board for first reading:

- Policy in Section J – Students
 - JBAA: Section 504 - Students
 - JH: Student Welfare

RECOMMENDATION

The Superintendent recommends that the Board of Directors review the first reading of policies of the District’s policy manual.



Code: **JBAA**
Adopted: 4/28/09
Revised/Readopted: 12/10/19
Orig. Code(s): JBAA

Section 504 – Students**

The District recognizes its responsibility to provide a free appropriate public education to students with disabilities under Section 504 of the Rehabilitation Act of 1973. Accordingly, no otherwise qualified individual with disabilities shall, solely by reason of ~~his/her~~ disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any District program or activity or those provided by the District through contractual or other arrangements. District aids, benefits, and services will afford qualified students with disabilities equal opportunity to obtain the same result, gain the same benefit, or reach the same level of achievement as students without disabilities in the most integrated setting appropriate to the student’s needs. Programs and activities shall be accessible to and usable by individuals with disabilities as prescribed by law.

A qualified individual with disabilities under Section 504 is an individual who has a physical or mental impairment¹ that substantially limits one or more major life activities²; has a record of such an impairment; or is regarded as having such an impairment.

In compliance with the provisions of Section 504, the District will:

1. Provide written assurance of nondiscrimination in accordance with application procedures whenever the District receives federal money;
2. Designate an employee to coordinate compliance with Section 504;
3. Provide procedures to resolve complaints of discrimination under Section 504;
4. Provide notice to students, parents, and employees, including those with vision or hearing impairments, of the District’s policy and compliance with law assuring nondiscrimination in

¹ Impairments which may substantially limit major life activities, and without regard for the ameliorative effects of medication or aids/devices include, but are not limited to, chronic asthma and severe allergies, blindness or visual impairment, cancer, diabetes, deafness or hearing impairment, heart disease, mental illness, and conditions which may be episodic or in remission.

² “Major life activities” as defined by the Americans with Disabilities Act Amendments Act of 2008 includes caring for one’s self, walking, seeing, hearing, speaking, breathing, working, performing manual tasks, learning eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, communicating; and major bodily functions, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

admission or access to, or treatment, in District programs, activities, or employment. Notice will be included in student/parent and staff handbooks and other materials as appropriate;

5. Annually identify and locate all ~~Section 504-qualified~~ students in the District, with disabilities, and who qualify for Section 504 but ~~in the District~~ who are not receiving a free appropriate public education (FAPE)³;
6. Ensure that tests and other evaluation materials have been validated, are administered by trained personnel, are tailored to assess educational need and are not based on IQ scores, and reflect what the tests purport to measure;
7. Provide nonacademic and extracurricular services⁴ and activities in such a manner as to afford students with disabilities an equal opportunity for participation in such services and activities;
8. Annually notify students with disabilities and their parents or guardians of the District's responsibilities under Section 504, including those with limited proficiency in English and those with vision or hearing impairments;
9. Provide parents or guardians with procedural safeguards, including notification of their right:
 - a. To be notified in writing of any decisions made by the District concerning the identification, evaluation, or educational placement of their student pursuant to Section 504. The District will request parental consent prior to conducting an evaluation of the student;
 - b. To examine, copy, and request an amendment to the student's educational records;
 - c. To request an impartial hearing, with opportunity for participation by the student's parents or guardian and representation by counsel, regarding District decisions concerning identification, evaluation, or educational placement of their student. A review procedure will be provided.

Students identified as qualified individuals with disabilities under Section 504 shall be placed in the regular educational environment unless it is demonstrated by the District that the education of the student with the use of related aids and services in such a placement cannot be achieved satisfactorily. All placement decisions will be made by an evaluation team comprised of persons designated by the Superintendent or designee, knowledgeable about the student, the meaning of the evaluation data, and placement options.

Students will be reevaluated periodically, but no less than every three years. Additionally, before implementing discipline that constitutes a significant change in the placement (i.e., expulsion, serial suspensions which exceed 10 school days in a school year, a series of suspensions each of which is 10 or fewer school days in duration but that creates a pattern of exclusion), the District shall conduct a

³ "Appropriate education" (34 C.F.R. § 104.33) means the provision of regular or special education and related aids and services that are designed to meet the student's individual educational needs as adequately as the needs of persons without disabilities are met and are based upon adherence to appropriate procedural requirements of 34 C.F.R. §§ 104.34, 104.35 and 104.36 concerning educational setting, evaluation and placement and procedural safeguards.

⁴ Nonacademic and extracurricular services and activities may include, but are not limited to, counseling services, transportation, health services, athletics, intramurals, clubs or organization activities, referrals to agencies which provide assistance to persons with disabilities and employment of students, including both employment by the District and assistance by the District in making available outside employment.

reevaluation of the student to determine whether the misconduct in question is caused by the student's disability and, if so, whether the student's current educational placement is appropriate.

If it is determined that the misconduct of the student is caused by the disability, the District's team will continue the evaluation, following the requirements of Section 504 and the Americans with Disabilities Act of 1990 and Americans with Disabilities Act Amendments Act of 2008 (ADA) for evaluation and placement to determine whether the student's current educational placement is appropriate. Due process procedures that meet the requirements of the Individuals with Disabilities Education Act (IDEA) may be used to meet the procedural safeguards of law. If it is determined that the misconduct is not caused by the student's disability, the student may be excluded from school in the same manner as are similarly situated students who do not have disabilities.

A student identified as a qualified individual with disabilities under Section 504, who is also covered by the IDEA, will be disciplined in accordance with Board policy JGDA - Discipline of Students with Disabilities and accompanying administrative regulation.

A reevaluation will also be required before any other significant change in placement (e.g., transferring a student to alternative education, graduation from high school, significantly changing the composition of the student's class schedule such as from regular education to the resource room).

END OF POLICY

Legal Reference(s):

[ORS 192.630](#)

[ORS 326.051\(1\)\(e\)](#)

[ORS 343.068](#)

[ORS 659.850](#)

[ORS 659.865](#)

[ORS 659A.103](#)

[ORS 659A.109](#)

[OAR 581-015-2030](#)

[OAR 581-021-0045](#)

[OAR 581-021-0046](#)

[OAR 581-021-0049](#)

[OAR 581-022-2310](#)

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

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

Americans with Disabilities Amendments Act of 2008.

Nondiscrimination on the Basis of Handicap in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 104 (2017).



Code: JH
Adopted: 6/09/09
Revised/Readopted: 11/13/18
Orig. Code: JH

Student Welfare**

~~Students' safety will be assured through close supervision of students in all school buildings and grounds during the hours when students are normally present.~~ The District provides supervision of students, in all school buildings and grounds during the hours when students are normally present. Such supervision does not include early morning or the time following usual departure, unless students are present for a scheduled school-sponsored activity. Hours when supervision is available shall be included in the student/parent handbook.

The District further assures the following practices:

1. Maintaining a safe school environment; ~~designated~~ appropriate personnel will be responsible for periodically inspecting the physical condition of all equipment, buildings and grounds;
2. ~~Expecting~~ Observing safe practices on the part of school personnel and students to observe safe practices, particularly in those areas of instruction or extracurricular activities that offer present special hazards;
3. ~~Providing~~ Offering safety education to students as is germane to particular subjects such as, but not limited to, laboratory and studio courses in science, professional-technical, the arts, health and physical education courses;
4. Providing first-aid care for students in case of accident or sudden illness; and
5. Providing adequate supervision of school grounds when they are used by students during established school hours and school-sponsored activities.

~~In addition, school personnel will be concerned about and aware of suspicious strangers loitering in or near school buildings or sitting in parked automobiles nearby.~~ School personnel will be concerned about school safety issues, including but not limited to, safety issues in or on school property and awareness of persons loitering in or near school buildings or sitting in parked vehicles nearby. Staff shall report all such instances to the principal or designee. The principal or designee will notify law enforcement if circumstances warrant such action.

Students will be instructed to tell or report to teachers, their parents, law enforcement or school security personnel of any safety concerns.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[OAR 581-022-2220](#)

[OAR 581-022-2225](#)

HILLSBORO SCHOOL DISTRICT 1J
July 2, 2024
INFORMATION – ADMINISTRATIVE REGULATION UPDATE

SITUATION

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

Policy language must meet the following criteria:

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

The following administrative regulations (AR) have proposed changes:

- Policies in Section J – Students
 - JBAA-AR: Section 504 – Students

RECOMMENDATION

The Superintendent recommends that the Board of Directors review the updated administrative regulations.



Code: **JBAA-AR**
Revised/Reviewed: 4/28/09; 12/10/19
Orig. Code(s): JBAA-AR

Section 504 – Students**

(Highly recommended AR. Considering the district has version 1 of policy JBAA, this AR is not needed; it has some duplicate language already in policy.)

In order to meet the requirements of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990⁵, and the Americans with Disabilities Act Amendments Act of 2008 (ADA), the following procedures have been established:

Definitions

1. A student is considered a “qualified individual with disabilities” under Section 504 if the student:
 - a. Has a physical or mental impairment which substantially limits one or more major life activities, even when mitigating measures, such as medication, prosthetics, hearing aids, etc., ameliorate the effects of the disability (e.g., any student receiving services under the Individuals with Disabilities Education Act (IDEA), students with diabetes, etc.). The term does not cover students disadvantaged by cultural, environmental⁵, or economic factors;
 - b. Has a record or history of such an impairment (e.g., a student with learning disabilities who has been decertified as eligible to receive special education under IDEA, a student who had cancer, a student in recovery from chemical dependencies, etc.);
 - c. Is regarded as having such an impairment. A person can be found eligible under this provision if the student:
 - (1) Has a physical or mental impairment that does not substantially limit a major life activity, but is treated by the District as having such a limitation;
 - (2) Has a physical or mental impairment that substantially limits a major life activity only as a result of the attitudes of others towards such impairment (e.g., a student who is obese, etc.); or
 - (3) Has no physical or mental impairment⁵, but is treated by the District as having such an impairment (e.g., a student who tests positive with the HIV¹ virus⁵, but has no physical effects from it; etc.).
 - d. Has a qualifying disability that is episodic or in remission.
2. “Physical or mental impairment” means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological;

¹ HIV - Human Immunodeficiency Virus

musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; ~~and~~ endocrine; or any mental or psychological disorder, such as ~~intellectual disability~~ ~~mental retardation~~, organic brain syndrome, emotional or mental illness, and specific learning disabilities;

3. “Major life activities,” as defined by the ADA, means functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, communicating; and major bodily functions, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions;
4. “Program or activity” includes all District programs and activities. The District will also ensure that contracts with those who provide services to the District, such as alternative programs, also provide students with disabilities an equal opportunity to participate in the program or activity;
5. “Potentially disabling conditions” under Section 504, if they substantially limit a major life activity, may include, but are not limited to:

a. Attention deficit disorder (ADD/ADHD);

~~a.b.~~ [Mental health conditions \(i.e. Anxiety, OCD, Adjustment Disorder\)](#)

~~b.c.~~ Behavior disorders;

~~e.d.~~ Chronic asthma and severe allergies;

~~d.e.~~ Physical disabilities such as spina bifida, hemophilia, and conditions requiring students to use crutches;

~~e.f.~~ Diabetes.

District Responsibilities

The Superintendent or designee will:

1. Provide written assurance of nondiscrimination whenever the District receives federal money in accordance with application guidelines;
2. Designate an employee to coordinate the District’s compliance efforts with Section 504;
3. Provide procedures to resolve student, parent, and employee complaints of discrimination;
4. Provide notice to students, parents, and employees, including those with vision or hearing impairments, of the District’s policy of compliance with Section 504 prohibiting nondiscrimination in admission or access to or treatment or employment in District programs or activities. District aids, benefits, and services will afford students with disabilities equal opportunity to obtain the same result, gain the same benefit, or reach the same level of achievement as students without disabilities, in the most integrated setting appropriate to the student’s needs. Notice will specify the employee designated by the District to coordinate the District’s Section 504 compliance efforts;
5. Annually identify and locate ~~Section 504 qualified~~ students with disabilities ~~who are Section 504 qualified~~ in the ~~district and District~~ who qualify for services;

6. Annually notify students with disabilities and their parents or guardians of the District's responsibilities under Section 504;
7. Provide parents or guardians with procedural safeguards:
 - a. Notice of their rights under Section 504, including the right to request an impartial hearing as provided by Oregon Administrative Rule (OAR) OAR 581-015-2390;
 - b. An opportunity to review relevant records.
8. Provide all employees assigned to work with a student with specialized needs to assist the student with educational, behavioral, medical, health or disability-related support access to the 504 Plan.

Transportation

1. If the District proposes to terminate transportation services for a student who qualifies for services under Section 504, the District will first determine the relationship between the student's behavior and their disability and provide the parent with notice of their rights.
2. If the District places a student in a program not operated by the District, the District will ensure that adequate transportation to and from the program is provided at no additional cost to the parent or student than would be incurred if the student were placed in programs operated by the District.

Evaluation

1. The District will conduct an evaluation of any student who, because of a disability, needs or is believed to need accommodations or related services. The evaluation will be completed by an evaluation team comprised of a group of persons knowledgeable about the student, the meaning of the evaluation data, and placement options. The team will be appointed by the Superintendent or designee. The evaluation will be completed before any action is taken with respect to the initial placement of the student in a regular or special education program, and any subsequent significant change in placement.

All employees assigned to work with a student with specialized needs to assist the student with educational, behavioral, medical, health or disability-related support needs of the student must be consulted with when the 504 Plan for the student is being developed, reviewed or revised. This includes being invited to, and compensated for attending, meetings regarding the student's 504 Plan and other meetings regarding the student, when the decisions made and issues discussed are related to the responsibilities of the employee to support the student or when the employee has unique information about the student's needs and present level of performance.

2. Tests and other evaluation materials will:
 - a. Be validated and administered by trained personnel;
 - b. Tailored to assess educational need and not merely based on IQ scores;
 - c. Reflect aptitude or achievement. All tests must measure what they purport to measure.

Placement

In interpreting evaluation data and making placement decisions, the evaluation team will:

1. Draw upon information from a variety of sources;
2. Ensure that all relevant information is documented and considered;
3. Ensure that the student is educated with students without disabilities to the maximum extent possible.

Reevaluations

1. The evaluation team will periodically reevaluate all students identified as qualified to receive services under Section 504. Minimally, students will be reevaluated every three years.
2. A reevaluation will be conducted by the evaluation team whenever a significant change in placement occurs. Examples of significant changes in placement include, but are not limited to:
 - a. Expulsion;
 - b. Serial suspensions which exceed ~~10~~ten school days in a school year. Consideration will be given to the frequency of suspensions, the length of each, and their proximity to one another;
 - c. Transferring or placing the student in alternative education or other such programs;
 - d. Graduation;
 - e. Significantly changing the composition of the student's class schedule (e.g., moving the student from regular education to the resource room, etc.).

Discipline

1. Before implementing a suspension or expulsion that constitutes a significant change in the placement of a student with disabilities under Section 504, the evaluation team will conduct a reevaluation of the student to determine whether the misconduct in question is caused by the student's disability and, if so, whether the student's current educational placement is appropriate:
 - a. If it is determined that the misconduct of the student is caused by the student's disability, the evaluation team will continue the evaluation, following the requirements of Section 504 and the ADA for evaluation and placement, to determine whether the student's current educational placement is appropriate. Due process procedures that meet the requirements of IDEA may be used to meet the procedural safeguards of law;
 - b. If it is determined that the misconduct is not caused by the student's disability, the student may be excluded from school in the same manner as are similarly situated students who do not have disabilities.
2. When the placement of a student with disabilities under Section 504 is changed for disciplinary reasons, the student and parents of the student are entitled to the procedural protections as specified above. These protections include appropriate notice to parents, an opportunity for their examination of pertinent records, an impartial hearing with the participation of the parents, an opportunity for representation by counsel, and a review procedure.
3. The District may take disciplinary action against a student with disabilities under Section 504 who is currently engaged in the use of alcohol or illegal drugs to the same extent that it takes disciplinary action against students not having disabilities. As provided by law, due process procedures specified

above will not apply to disciplinary actions arising from the use or possession of alcohol or illegal drugs. Regularly established District due process procedures will, however, be provided.

4. Students with disabilities under Section 504 who are also covered by IDEA will be disciplined in accordance with Board policy JGDA - Discipline of Students with Disabilities and accompanying administrative regulation.

Complaints

Student, parent, or staff complaints of noncompliance with the provisions of Section 504 will be reported to the Superintendent or designee and processed as provided in Board policy AC - Nondiscrimination and the accompanying administrative regulation in accordance with established District complaint procedures.