

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

Board Meeting Agenda
Tuesday, August 13, 2024
8:00 AM

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. **Board Retreat**
 - A. Call to Order
Presenter: Ivette Pantoja
Time: 8:00 AM
 - B. Team-Building Activity
Presenters: Brooke Nova / Kona Lew-Williams
Time: 8:00 AM, 30 minutes
 - C. Setting the Stage: School Year 2024-2025
Presenter: Travis Reiman
Time: 8:30 AM, 10 minutes
 - D. Budget Preview
Presenter: Michelle Morrison
Time: 8:40 AM, 10 minutes
 - E. Legislative Updates
Presenters: Travis Reiman / Michelle Morrison / Beth Graser
Time: 8:50 AM, 30 minutes
 - F. Long Range Planning - Bond Development Preview and Timeline
Presenter: Beth Graser
Time: 9:20 AM, 10 minutes
 - G. Break
Presenter: Ivette Pantoja
Time: 9:30 AM, 15 minutes
 - H. Strategic Plan Update
Presenters: Beth Graser / Brooke Nova
Time: 9:45 AM, 45 minutes
 - I. Focus Areas and School Improvement Planning (SIP) for 2024-25 School Year
Presenter: Audrea Neville
Time: 10:30 AM, 15 minutes
 - J. SB3: New Oregon Diploma Requirements
Presenter: Brooke Nova
Time: 10:45 AM, 10 minutes
 - K. School-based Health Expansion Report
Presenter: Beth Graser
Time: 10:55 AM, 45 minutes
 - L. Introduction of New Administrators
Presenter: Kona Lew-Williams
Time: 11:40 AM, 10 minutes
 - M. Recess Meeting
Presenter: Ivette Pantoja
Time: 11:50 AM
 - N. Lunch Break with New Administrators

- Time: 11:50 AM, 40 minutes
- O. Reconvene Meeting
Presenter: Ivette Pantoja
Time: 12:30 PM
 - P. Initial Summer Programming Update
Presenters: Audrea Neville / Brooke Nova
Time: 12:30 PM, 10 minutes
 - Q. District Summer Project Updates
Presenter: Saideh Haghighi Khochkhou
Time: 12:40 PM, 10 minutes
 - R. Technology Update
Presenter: Jordan Beveridge
Time: 12:50 PM, 20 minutes
 - S. Equity Update
Presenter: Francesca Sinapi
Time: 1:10 PM, 20 minutes
 - T. Board Committees Update
Presenters: Francesca Sinapi / Brooke Nova / Michelle Morrison / Kona Lew-Williams
Time: 1:30 PM, 30 minutes
 - U. Break
Presenter: Ivette Pantoja
Time: 2:00 PM, 15 minutes
 - V. Board goals 2024-25
Presenter: Ivette Pantoja
Time: 2:15 PM, 10 minutes
 - W. Superintendent Goals 2024-25
Presenters: Ivette Pantoja / Travis Reiman
Times: 2:25 PM, 10 minutes
 - X. Superintendent Evaluation 2024-25
Presenters: Ivette Pantoja / Travis Reiman
Time: 2:35 PM, 10 minutes
 - Y. Board Working Agreements
Presenter: Ivette Pantoja
Time: 2:45 PM, 5 minutes
 - Z. Board / Superintendent Communication
Presenters: Ivette Pantoja / Travis Reiman
Time: 2:50 PM, 5 minutes
 - Board / Superintendent
 - Board / Cabinet
 - Board Emails
 - Emergency Response
 - AA. Board Budget
Presenter: Michelle Morrison
Time: 2:55 PM, 5 minutes
 - BB. Board Conferences
Presenter: Ivette Pantoja
Time: 3:00 PM, 5 minutes
 - CC. Board Meeting Planning
Presenters: Ivette Pantoja / Travis Reiman
Time: 3:05 PM, 10 minutes
 - DD. Action Items
 - 1. Approve Policies

Presenter: Ivette Pantoja
Time: 3:15 PM, 5 minutes

SAMPLE MOTION: *I move that the Board of Directors approve the policies as presented.*

- a. C - General School Administration
 - 1) CCG: Evaluation of Administrators 6
Presenter: Kona Lew-Williams
- b. E - Support Services
 - 1) EBBA: Student Health Services 9
Presenter: Brooke Nova
 - 2) EBBAA: Infection Control and Bloodborne Pathogens 13
Presenter: Brooke Nova
- c. G - Personnel
 - 1) GB: General Personnel Policies 16
Presenter: Michelle Morrison
 - 2) GBEB: Communicable Diseases in School 17
Presenter: Brooke Nova
 - 3) GBEB: Staff with HIV, AIDS, and HBV 19
Presenter: Brooke Nova
 - 4) GBN/JGA: Sexual Harassment 20
Presenter: Kona Lew-Williams
 - 5) GBNAB/JHFE: Suspected Abuse of a Child Reporting Requirements 29
Presenter: Kona Lew-Williams
 - 6) GBNAB/JHFE-AR(1): Reporting of Suspected Abuse of a Child 32
Presenter: Kona Lew-Williams
- d. J - Students
 - 1) JBA/GBN: Sexual Harassment 36
Presenter: Kona Lew-Williams
 - 2) JBAA: Section 504 - Students 45
Presenter: Brooke Nova
 - 3) JH: Student Welfare 48
Presenter: Brooke Nova
 - 4) JHC: Student Health Services and Requirements 49
Presenter: Brooke Nova
 - 5) JHCA/JHCB: Immunizations and School Sports Participation 52
Presenter: Brooke Nova
 - 6) JHCC: Communicable Diseases - Student 56
Presenter: Brooke Nova
 - 7) JHCCA: Students - HIV, HBV, and AIDS 58
Presenter: Brooke Nova
 - 8) JHCCF: Pediculosis (Head Lice) 60
Presenter: Brooke Nova
 - 9) JOA: Directory Information 61
Presenter: Jordan Beveridge
 - 10) JOB: Personally Identifiable Information 63
Presenter: Jordan Beveridge
- 2. Notice of Intent to Purchase 66
Presenter: Jordan Beveridge
Time: 3:20 PM, 5 minutes

SAMPLE MOTION: *I move that the Board of Directors acknowledge the*

Notice of Intent to Purchase multifunctional copiers from Canon USA by use of a cooperative purchasing agreement, under the authority of the State of Oregon (ORS 279A.215 Permissive Cooperative Procurements).

- EE. Information - Administrative Regulation Update 67
Presenter: Travis Reiman
 - 1. J - Students
 - a. JEA-AR: Compulsory Attendance Notices 68
Presenter: Audrea Neville
- FF. Discussion Time
Presenter: Ivette Pantoja
Time: 3:25 PM, 10 minutes
 - 1. Student Representatives' Time
 - 2. Superintendent's Time
 - 3. Board of Directors' Time
- GG. Adjourn Regular Session
Presenter: Ivette Pantoja
Time: 3:35 PM
- HH. Next Meetings of the Board of Directors:
 - September 10, 2024 - Work Session
 - September 24, 2024 - Work / Regular 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
August 13, 2024
APPROVE POLICIES

SITUATION

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

Policy language must meet the following criteria:

- * 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 presented it to the Board for First Reading on June 18, 2024:

- o Policy in Section C – General School Administration
 - o CCG: Evaluation of Administrators
- o Policy in Section E – Support Services
 - o EBBA: Student Health Services
 - o EBBAA: Infection Control and Bloodborne Pathogens
- o Policy in Section G – Personnel
 - o GB: General Personnel Policies
 - o GBEB: Communicable Diseases in Schools
 - o GBEB: Staff with HIV, AIDS and HBV
 - o GBN/JBA: Sexual Harassment
 - o GBNAB/JHFE: Suspected Abuse of a Child Reporting Requirements
 - o GBNAB/JHFE-AR(1): Reporting of Suspected Abuse of a Child
- o Policy in Section J – Students
 - o JBA/GBN: Sexual Harassment
 - o JBAA: Section 504 – Students
 - o JH: Student Welfare
 - o JHC: Student Health Services and Requirements
 - o JHCA/JHCB: Immunizations and School Sports Participation
 - o JHCC: Communicable Diseases - Student
 - o JHCCA: Students – HIV, HBV, and AIDS
 - o JHCCF: Pediculosis (Head Lice)
 - o JOA: Directory Information
 - o JOB: Personally Identifiable Information

RECOMMENDATION

The Superintendent recommends that the Board of Directors approve the policies.



Code: CCG
Adopted: 6/26/18
Revised/Readopted: 1/22/19
Orig. Code(s): CCG

Evaluation of Administrators

{Required Policy. OAR 581-022-2405 requires districts to “adopt and implement personnel policies which address...evaluation procedures.” Review any employment contracts before adopting to ensure there is no conflicting language. Many of the legal requirements in this policy apply only to those who meet the definition of administrator in ORS 342.815, but the district may have administrators that do not meet that definition (e.g., business manager, transportation supervisor).}

The Superintendent will implement and supervise an evaluation system for administrators~~administrative personnel~~. The purpose of administrator evaluations is to assist an administrator with developing and strengthening ~~their~~ professional abilities, to improve the instructional program and management of the school system, and for supervisors to make recommendations regarding their employment and/or salary status.

The evaluations shall be conducted according to the following guidelines:

1. Evaluative criteria for each position will be in written form and made available to the administrator;
2. Evaluations will be made by the Superintendent and/or a qualified designee with an administrative license;
3. Evaluations will be in writing and discussed with the administrator by the person who conducts the evaluation; and
4. The administrator being evaluated will have the right to attach a memorandum to the written evaluation, and have the right of appeal through established grievance procedures, if applicable.

An administrator’s evaluations shall use the following educational leadership-administrator standards¹ adopted by the State Board of Education.

1. Visionary leadership;
2. Instructional improvement;
3. Effective management;
4. Inclusive practice;

¹ These standards are aligned with the Interstate School Leaders Licensure Consortium (ISLLC) and the Educational Leadership Constituents Council (ELCC) standards for Education Leadership.

5. Ethical leadership; and
6. Socio-political context.

Administrator evaluations shall be based on the core administrator standards adopted by the Oregon State Board of Education. The standards shall be customized based on collaborative efforts with the administrators and any exclusive bargaining representative of the administration.

Local evaluation and support systems established by the district for administrators must be designed to meet or exceed the requirements defined in the Oregon Framework for Teacher and Administrator Evaluation and Support Systems, including:

1. Four performance level ratings of effectiveness;
2. Consideration of multiple measures of administrator practice and responsibility which may include, but are not limited to:
 - a. Classroom-based assessments including observations, lesson plans and assignments;
 - b. Portfolios of evidence;
 - c. Supervisor reports; and
 - d. Self-reflections and assessments.
3. Consideration of evidence of student academic growth and learning based on multiple measures of student progress including performance data of students, schools and districts that is both formative and summative. Evidence may also include other indicators of student success;
4. A summative evaluation method for considering multiple measures of professional practice, professional responsibilities, and student learning and growth to determine the administrator's professional growth path.

An evaluation using the administrator standards must attempt to:

1. Strengthen the knowledge, skills, disposition and administrative practices of the administrator administrators;
2. Refine the support, assistance, and professional growth opportunities offered to an administrator, based on the individual needs of the administrator and the needs of the students, the school and the district;
3. Allow the administrator to establish a set of administrative practices and student learning objectives that are based on the individual circumstances of the administrator, including other assignments of the administrator;
4. Establish a formative growth process for each administrator that supports professional learning and collaboration with other educators and administrators;
5. Use evaluation methods and professional development, support, and other activities that are based on curricular standards and are targeted to the needs of the administrator; and
6. Address ways to help all educators strengthen their culturally responsive practices.

~~Evaluation and support systems established by the district must evaluate administrators on a regular cycle.~~
The superintendent, or designee, shall **regularly** report to the Board on **the** implementation **updates** of the evaluation and support systems and educator effectiveness, **as needed**.

Contract administrators shall be evaluated at least every other year.

END OF POLICY

Legal Reference(s):

[ORS 192.660\(2\),\(8\)](#)
[ORS 332.505](#)
[ORS 342.120](#)

[ORS 342.815](#)
[ORS 342.850](#)
[ORS 342.856](#)
[OAR 581-022-2405](#)

[OAR 581-022-2410](#)
[OAR 581-022-2420](#)

Hanson v. Culver Sch. Dist. (FDAB 1975).



Code: **EBBA**
 Adopted: 11/03/08
 Revised/Readopted: 3/12/19
 Orig. Code(s): EBBA

First Aid**

In cases of sudden illness or injury to a student or staff member, assistance will be given by school staff. Further medical attention for a student is the responsibility of the student’s parent(s) or guardian(s), or of someone the parent(s) or guardian(s) designate in the case of an emergency.

Each administrator is charged with providing for the immediate care of ill or injured persons for which the administrator is responsible.

Staff members shall report self-administered first aid treatment to an immediate supervisor.

In each District facility, procedures for handling health emergencies will be established and made known to staff. Each District facility and district (licensed) vehicle will be equipped with appropriate first-aid supplies and equipment. All employees are expected to know where first-aid supplies and equipment are kept in their work areas.

Designated employees in each building shall hold current first-aid cards. In compliance with Oregon Administrative Rules, each school shall have, at a minimum, at least one staff member with a current first-aid card for every 60 students enrolled or an emergency response team per building. The emergency response team shall consist of no less than six persons who hold current first-aid/CPR cards and who are trained annually in the District and building emergency plans. Names of the designated employees will be posted.

END OF POLICY

Legal Reference(s):

[ORS 329.025](#)
[ORS 332.107](#)
[ORS 336.201](#)
[ORS 336.204](#)

[ORS 336.211 – 336.214](#)
[OAR 581-021-0017](#)
[OAR 581-021-0031](#)
[OAR 581-021-0587](#)

[OAR 581-021-0590](#)
[OAR 581-022-2050](#)
[OAR 581-022-2220](#)
[OAR 581-022-2515](#)

Every Student Succeeds Act, 20 U.S.C. § 7928 (2018).
 Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2018).



Code: EBBA
Adopted:
Orig. Code(s): JHC

Student Health Services**

{Highly recommended policy. The requirement for school districts to develop and implement a health services plan comes from OAR 581-022-2220.}

Although the district's primary responsibility is to educate students, the students' health and general welfare is also an important Board responsibility. The Board believes school programs should be conducted in a manner that protects and enhances student and employee health and is consistent with good health practices. A health services plan shall be developed, implemented, and updated annually. The plan shall describe a health services program for all students at each facility that is owned or leased where students are present for regular programming.

The district shall maintain a written prevention-oriented health services plan for all students. The health services plan will¹:

1. Explain available health care space that is appropriately supervised and adequately equipped for providing health care and administering medication or first aid;
2. Refer to available communicable disease prevention and management plan that includes school-level protocols²;
3. Outline a district-to-school communication plan³;
4. Provide information about health screenings, including immunizations and TB certificate requirements;
5. Describe how services for all students, including those who are medically complex, medically fragile or nursing dependent, and those who have approved 504 plans, individual education program plans, and individualized health care plans or special health care needs are managed⁴;
6. Integrate school health services with school health education programs and coordinate with health and social service agencies, public and private;

¹ For exact language and complete requirement, see OAR 581-022-2220(1).

² For specific protocol content requirements, see OAR 581-022-2220(1)(b).

³ For requirements of this plan see OAR 581-022-2220(1)(c).

⁴ For more information regarding these requirements see ORS 336.201 and 339.869, OARs 581-021-0037, 581-015-2040, 581-015-2045, 851-045-0040 – 0060, and 851-047-0010 – 0030.

7. Describe how hearing, vision and dental screenings are managed and/or verified for required students⁵;
8. Include a process to assess and determine a student’s health services needs, including availability of a nurse to assess student nursing needs upon, during, and following enrollment with one or more new medical diagnose(s) impacting a student’s access to education, and implement a student’s individual health plan prior to attending school⁶;
9. Comply with OR-OSHA Bloodborne Pathogens Standards for all persons who are assigned to job tasks which may put them at risk for exposure to body fluids⁷;
10. Refer to adopted policy and procedures for medications in accordance with Oregon law⁸;
11. Include guidelines for the management of students who are medically complex, medically fragile, or nursing dependent as defined by ORS 336.201, including students with life-threatening food allergies and adrenal insufficiency while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before-school or after-school care programs on school-owned property, and in transit to or from school or school-sponsored activities⁹; and.
12. List the positions in the district which shall be required to obtain and maintain a first-aid/CPR/AED card in accordance with OAR 581-022-2220(3).

Any nurse(s) employed by the district and providing services to students on behalf of the district shall be licensed in Oregon to practice as a registered nurse or nurse practitioner or be a licensed practical nurse (LPN) in alignment with LPN supervision requirements of OAR 851-045-0050 – 0060.

A nurse employed by the district shall follow all applicable requirements of ORS Chapter 678 and OAR Chapter 851. This includes, but is not limited to, delegation in accordance with OAR 851-047, which includes performing a nursing assessment of a student prior to delegation, providing adequate supervision during the delegation, and evaluating the skills, ability and willingness of the delegee.¹⁰

A nurse employed by the district will function as an integral member of the instructional staff, serving as a resource person to teachers in securing appropriate information and materials on health-related topics.

The district provides a menstrual product dispenser with a variety of products in every student bathroom¹¹ which meets the requirements of law.

⁵ For vision screening or eye examination or dental screening information see ORS 336.211 and 336.213.

⁶ For definitions for this policy see ORS 336.201.

⁷ OAR 437-002-0360 lists various health and safety regulations that apply in the employment setting.

⁸ Medication laws can be found in ORS 339.866 – 339.874 and OAR 581-021-0037; relevant Board policy includes JHCD/JHCDA - Medications.

⁹ For guideline requirements see OAR 581-022-2220(1)(k).

¹⁰ For additional delegation requirements see OAR [851-047-0030](#).

¹¹ “Student bathroom” means a bathroom that is accessible by students, including a gender-neutral bathroom, a bathroom designated for females, and a bathroom designated for males. (OAR 581-021-0587)

END OF POLICY

Legal Reference(s):

[ORS 329.025](#)
[ORS 332.107](#)
[ORS 336.201](#)
[ORS 336.204](#)

[ORS 336.211 – 336.214](#)
[OAR 581-021-0017](#)
[OAR 581-021-0031](#)
[OAR 581-021-0587](#)

[OAR 581-021-0590](#)
[OAR 581-022-2050](#)
[OAR 581-022-2220](#)
[OAR 581-022-2515](#)

Every Student Succeeds Act, 20 U.S.C. § 7928 (2018).

Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2018).



Code: **EBBAA**
Adopted: 11/03/08
Revised/Readopted: 3/12/19
Orig. Code(s): EBBAA/GBEBC/JHCCC

Infection Control and Bloodborne Pathogens

The Board recognizes that staff and students incur some risk of infection and illness each time they are exposed to blood or other potentially infectious materials.

Consequently, the Board directs adherence to standard precautions. Standard precautions require that staff and students approach infection control as if all direct contact with human blood and body fluids is known to be infectious for ~~HIV, AIDS, HBV¹ and/or other~~ bloodborne pathogens².

The District shall develop an Exposure Control Plan in accordance with the requirements in law³. ~~that includes infection control procedures, and procedures to minimize and eliminate exposure incidents to bloodborne pathogens.~~

Infection Control

~~Staff and students shall receive an annual in-service that includes correct procedures for cleaning up body fluid spills and for personal cleanup, appropriate disposal, immunization and personal hygiene, as well as the location and a content review of first aid and clean up kits. Kits shall be available for each room in the building and in each District vehicle.~~

~~In addition to an annual in-service, staff and students on a regular basis will receive HIV, AIDS and HBV information.~~

~~The information shall emphasize infection—how infection is spread as well as how it is not spread.~~

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

² “Bloodborne pathogens” are pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis ~~Hepatitis~~ B virus (HBV) and ~~human~~ immunodeficiency virus ~~Human Immunodeficiency Virus~~ (HIV). 29 CFR 1910.1030(b)

³ See 29 CFR 1910.1030(c)(1) and OAR 437-002-1059 for more information about an Exposure Control Plan. {A template for an exposure control plan may be available from [Oregon OSHA](#).}

~~Whenever possible, students should be directed to care for their own minor bleeding injury. This includes encouraging students to apply their own band-aids. If assistance is required, band-aids may be applied after the care-giver has removed gloves, if the care-giver will not come into contact with blood or wound drainage.~~

Bloodborne Pathogens

The Exposure Control Plan shall be reviewed and updated at least annually and when necessary to reflect new or modified tasks and procedures which affect occupational exposure and to reflect new or revised employee positions with occupational exposure. The review and update shall also:

1. Reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens;
2. Annually, document consideration and implementation of appropriate commercially available and effective safer medical devices designed to eliminate or minimize occupational exposure.

The plan shall include training followed by an offer of ~~hepatitis immunization with Hepatitis B~~ vaccine and vaccination series for all staff who are required to provide first aid to students and/or for all staff who have occupational exposure as determined by the district. Training shall be provided at the time of initial assignment to tasks where occupational exposure may take place and at least annually⁴ thereafter. Staff will receive the annual training⁵ as well as the location and a content review of first-aid and clean-up kits. Kits shall be readily available⁶ in close proximity⁷ to all employees in the building and for district vehicles, including each bus⁸.

Personal protective equipment appropriate to job tasks shall be provided by the district. A post-exposure evaluation and follow-up shall be made available to any employee sustaining an occupational exposure.

The district recognizes that, ~~as required by Oregon Administrative Rule (OAR) 437-002-1030,~~ employees who use medical sharps in the performance of their duties (e.g., administering injectable medicines to students, such as epinephrine and glucagon) must, at least annually, be

⁴ Annual training for all employees shall be provided within one year of their previous training. (29 CFR 1910.1030(g)(2)(iv))

⁵ See 29 CFR 1910.1030(g)(2) for information about training requirements.

⁶ OAR 437-002-0161(2) First-Aid Supplies. (a) The employer shall provide first-aid supplies based upon the intended use and types of injuries that could occur at the place of employment. The first-aid supplies shall be available in close proximity to all employees. Either bulk pack or unit pack supplies are acceptable. (b) "In proximity" is defined as that which is available nearby to ensure prompt treatment in the event of need.

⁷ "In proximity" is defined as that which is available nearby to ensure prompt treatment in the event of need. (OAR 437-002-0161(1)(b))

⁸ Emergency equipment for buses, includes, but is not limited to, body fluid cleanup and first-aid kits. (OAR 581-053-0240(23); OAR 581-053-0640)

provided with the opportunity to identify, evaluate and select engineering and work practice controls (e.g., sharps disposal containers, self-sheathing needles, safer medical devices, such as sharps with engineered sharps injury protections and needleless systems). The district will implement such work practice controls, as appropriate. The district will document the solicitation of input from such staff in the plan.

Documentation, including a sharps injury log, will be maintained in accordance with law⁹ as required by ~~OAR 437-002-1030(3) and 437-002-1035~~.

~~The District will cooperate with the Oregon Department of Education, the Oregon Health Authority, Public Health Division, the local health department, and the education service district in delivering HIV, AIDS, and HBV education.~~

The Exposure Control Plan will be accessible to employees in accordance with law¹⁰.

Students will be instructed in safe practices to prevent transmission of bloodborne pathogens in accordance with Oregon Health Standards.

END OF POLICY

Legal Reference(s):

ORS 332.107	OAR 437-002-1035	OAR 581-053-0250(1)
OAR 437-002-0161	OAR 581-022-2050	OAR 581-053-0640(2)
OAR 437-002-0360	OAR 581-022-2220	
OAR 437-002-1030	OAR 581-053-0240(23)	

Occupational Safety and Health Standards, Bloodborne Pathogens, 29 C.F.R. §§ 1910.1020, 1910.1030.

⁹ See OAR 437-002-1030(3) and OAR 437-002-1035.

¹⁰ See 29 CFR 1910.1020(e) for requirements on providing access.



Code: **GB**
 Adopted: 11/25/08
 Revised/Readopted: 4/28/20
 Orig. Code(s): GB

General Personnel Policies

The Superintendent **or designee** will recommend candidates to fill licensed positions for Board approval. The Superintendent or designee will hire all other personnel as needed.

[*]Notice of all regular job openings will be available to current staff members. Vacant positions may also be advertised through professional and institutional placement agencies, appropriate employment agencies and general and specialized media.

Applications or inquiries concerning job openings will be received by Human Resources Department through the standard District application process. The selection process will be coordinated and supervised by Human Resources Department, with the involvement of the appropriate administrators and supervisors.

Each candidate selected for a position with the District must possess or demonstrate eligibility for any certificate, license, or permit required to fill the position. In addition, the individual must be insurable by the District’s insurance carrier for a position requiring liability insurance coverage or bonding.

In accordance with Oregon law, the District may require any candidate, as a condition of employment, to hold a current, recognized first-aid card. A current employee required to hold a card will obtain it within 90 days from the date the District gives notification.

[*]Personnel selected for employment will be notified in writing following Board approval. This notification will specify the assignment, the job classification, the salary or hourly rate, the length of the work week and the length of the assignment. Non-selected applicants will be notified.

Initial assignments of staff will be made by the Superintendent or designee.

END OF POLICY

Legal Reference(s):

[ORS 342.664](#)
[ORS 408.225](#)
[ORS 408.230](#)
[ORS 408.235](#)
[ORS 653.305 to -653.326](#)

[ORS 659A.309](#)
[OAR 581-022-2405](#)
[OAR 839-006-0435](#)
[OAR 839-006-0440](#)

[OAR 839-006-0450](#)
[OAR 839-006-0455](#)
[OAR 839-006-0460](#)
[OAR 839-006-0465](#)

Cross Reference(s):

EBBA - First Aid



Code: **GBEB**
Adopted: 4/24/18
Revised/Readopted: 4/28/20; 12/08/20
Orig. Code(s): GBEB/JHCC

Communicable Diseases —~~Staff~~ Schools

The district shall provide reasonable protection against the risk of exposure to communicable disease for students and employees while engaged in the performance of their duties. Reasonable protection from communicable disease is generally attained through immunization, exclusion or other measures as provided by Oregon law, by the local health department or in the Communicable Disease Guidance *for Schools* published by the Oregon Department of Education (ODE) and the Oregon Health Authority (OHA).

~~An~~ A student or employee may not attend school or work, respectively, while in a communicable stage of a restrictable disease or when an administrator has reason to suspect ~~that~~ the student or employee has or has been exposed to any disease for which exclusion is required in accordance with law. The district may provide an educational program in an alternative setting. Services will be provided to students as required by law. ~~and per administrative regulation GBEB-AR-Communicable Diseases-Staff. If the disease is a reportable disease, the administrator or designee will report the occurrence to the local health department.~~

Employees shall comply with all other measures adopted by the district and with all rules adopted by Oregon Health Authority, Public Health Division and the local health department.

~~Employees shall provide services to students as required by law. In cases when a restrictable or reportable disease is diagnosed and confirmed for a student, the principal or designee shall inform the appropriate employees with a legitimate educational interest to protect against the risk of exposure.~~

The district shall protect the confidentiality of each student's and ~~an~~ employee's health condition and record to the extent possible and consistent with federal and state law. In cases when a restrictable or reportable disease is diagnosed and confirmed for a student, the administrator may inform employees with a legitimate educational interest.

The district will include, as part of its general emergency plan, a description of the actions to be taken by district staff in buildings and by the ~~the case of a declared public health emergency or other catastrophe that disrupts~~ district in response to medical emergencies ~~operations~~.

~~The superintendent will develop administrative regulations necessary to implement this policy.~~

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)
[ORS 431.150 - 431.157](#)
[ORS 433.001 - 433.004](#)
[ORS 433.010](#)

[ORS 433.110](#)
[ORS 433.235 - 433.284](#)

[OAR 333-018](#)

[OAR 333-019-0010](#)
[OAR 333-019-0014](#)
[OAR 581-022-2220](#)
[OAR 581-022-2225](#)

OREGON DEPARTMENT OF EDUCATION and OREGON HEALTH AUTHORITY, *Communicable Disease Guidance for Schools*.
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 (2023).
Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. §§ 1320d to -1320d-8 (2018); 45 C.F.R. Parts 160, 164 (2023).



Code: **GBEBA**
 Adopted: 11/25/08
 Revised/Readopted: 4/28/20
 Orig. Code(s): GBEBA

Staff with HIV, AIDS and HBV

The District will strictly adhere in its policies and procedures to the Oregon Revised Statutes and Oregon Administrative Rules as they relate to staff infected with HIV, AIDS or HBV¹.

The District recognizes a staff member has no obligation under any circumstance to report a condition under this policy to the District and that the staff member has a right to continue working.

The Superintendent may revise assignments that include application of first-aid and include personal hygiene care, or any other factors that could transmit blood or bodily fluids from one person to another. The employee's medical records will be kept confidential in accordance with law.

END OF POLICY

Legal Reference(s):

[ORS 243.650](#)
[ORS 342.850\(7\)](#)
[ORS 433.008](#)
[ORS 433.045](#)

[ORS 433.260](#)
[OAR 333-017-0000](#)
[OAR 333-018-0000](#)

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

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



Code: **GBN/JBA**
Adopted: 12/16/14
Revised/Readopted: 5/28/19 ; 1/26/21
Orig. Code: GBN/JBA

Sexual Harassment

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 parties¹ 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 procedures².

OREGON DEFINITION AND PROCEDURES

Oregon Definition

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

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

¹ “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~~ **at** a school-sponsored activity or program; or 3) ~~Off~~ **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.

² 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).

2. 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.

3. Assault when sexual contact occurs without ~~the student’s, staff member’s or third party’s consent~~³. ~~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.~~⁴

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 actions ~~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;

³ “Without consent” means an act performed: (a) without the knowing, voluntary and clear agreement by all parties to participate in the specific act; or (b) when a person who is a party to the act is incapacitated by drugs or alcohol; unconscious; or pressured through physical force, coercion or explicit or implied threats to participate in the act.

⁴ ~~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.~~

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.

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 person⁵ 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.

⁵ 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.

The written notification must include⁶:

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;
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.

⁶ Remember confidentiality laws when providing any information.

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 activity⁷;
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.

⁷ "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))

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 with its responsibilities related to this [policy AR](#). The district prominently will display the contact information for the Title IX Coordinators on the district website and in each handbook.

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.⁸ The district shall treat complainants and respondents equitably by providing supportive measures⁹ to the complainant and by following a grievance procedure¹⁰ 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.¹¹

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.¹² 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.

⁸ (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.

⁹ (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.⁹ 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))

¹⁰ 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).

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

¹² 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))

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
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 Secretary¹³, or both.

No Retaliation

Neither the district or any person may retaliate¹⁴ 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

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 584-020-0041](#)

¹³ Of the United States Department of Education.

¹⁴ Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

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: **GBNAB/JHFE**
Adopted: 10/12
Revised/Readopted: 11/13/18; 2/23/21; 3/16/21;
1/25/22
Orig. Code(s): JHFE

Suspected Abuse of a Child Reporting Requirements**

Any district employee who has reasonable cause to believe that **any child** with whom the employee has come in contact has suffered abuse¹ shall ~~orally report or cause an oral report~~ immediately ~~make a report by telephone or otherwise~~ to the ~~local office of the~~ Oregon Department of Human Services (DHS) through the centralized child abuse reporting system² ~~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 Oregon Revised Statute (ORS) 419B.010~~. Any district employee who has reasonable cause to believe that **any person**³ 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 419B.010~~.

The report must contain, ~~if~~ 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 abuse and the identity of a possible perpetrator.

Abuse of a child by district employees, contractors⁴, agents⁵, volunteers⁶, or students is prohibited and will not be tolerated. All district employees, contractors, agents, volunteers and students are subject to this policy and the accompanying administrative regulations.

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

² How to report abuse or neglect: [Oregon DHS](#). Call 855-503-SAFE (7233)

³ "Person" could include adult, student or other child.

⁴ "Contractor" means a person providing services to the district under a contract in a manner that requires the person to have direct, unsupervised contact with students.

⁵ "Agent" means a person acting as an agent for the district in a manner that requires the person to have direct, unsupervised contact with students.

⁶ "Volunteer" means a person acting as a volunteer for the district in a manner that requires the person to have direct, unsupervised contact with students.

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 Oregon Department of Human Services (DHS)~~ or through its centralized child abuse reporting system or to ~~a designee or the local~~ law enforcement agency pursuant to ORS 419B.015, and to ~~the~~ designated licensed administrator.

The district will designate a licensed administrator and an alternate licensed administrator, in the event that the designated licensed administrator is the suspected abuser, for each school building to receive reports of suspected abuse of a child by district employees, contractors, agents, volunteers or students.

If the superintendent is the alleged perpetrator the report shall be submitted to the District Human Resources Officer who shall also report to the Board chair.

The district will post the names and contact information of the designees for each school building, in the respective school, designated to receive reports of suspected abuse and the procedures in GBNAB/JHFE-AR(1) - Reporting of Suspected Abuse of a Child the designee will follow upon receipt of a report, the contact information for ~~making a report to local~~ law enforcement ~~or~~ and the ~~centralized child abuse reporting system of local~~ DHS ~~office or its designee~~, and a statement that this duty to report suspected abuse is in addition to the requirements of reporting to a designated licensed administrator.

When a designee receives a report of suspected abuse, the designee will follow procedure established by the district and set forth in administrative regulation GBNAB/JHFE-AR(1) - Reporting of Suspected Abuse of a Child. All such reports of suspected abuse will be reported to a law enforcement agency or ~~DHS, or its designee~~, for investigation, and the agency will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged abuser.

When there is reasonable cause to support a report, a district employee suspected of abuse shall be placed on paid administrative leave pending an investigation and the district will take necessary actions to ensure the student's safety. When there is reasonable cause to support a report, a district contractor, agent or volunteer suspected of abuse shall be removed from providing services to the district and the district will take necessary actions to ensure the student's safety.

The district will notify the person, as allowed by state and federal law, who was subjected to the suspected abuse about any actions taken by the district as a result of the report.

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.

The initiation of a report in good faith, pursuant to this policy, may not adversely affect any terms or conditions of employment or the work environment of the person initiating the report or who may have been subjected to abuse. If a student initiates a report of suspected abuse of a child by a district employee, contractor, agent, volunteer or student, in good faith, the student will not be disciplined by the district or any district employee, contractor, agent or volunteer. Intentionally making a false report of abuse of a child is a Class A violation.

The district shall provide information and training each school year to district employees on the prevention and identification of abuse, the obligations of district employees under ORS 339.388 and ORS 419B.005 - 419B.050 and as directed by Board policy to report suspected abuse of a child, and appropriate electronic

communications with students. The district shall make available each school year the training described above to contractors, agents, volunteers, and parents and legal guardians of students attending district-operated schools, and will be made available separately from the training provided to district employees. The district shall provide each school year information on the prevention and identification of abuse, the obligations of district employees under Board policy to report abuse, and appropriate electronic communications with students to contractors, agents and volunteers. The district shall make available each school year training that is designed to prevent abuse to students attending district-operated schools.

The district shall provide to a district employee at the time of hire, or to a contractor, agent, or volunteer at the time of beginning service for the district, the following:

1. A description of conduct that may constitute abuse;
2. A description of the investigatory process and possible consequences if a report of suspected abuse is substantiated; and
3. A description of the prohibitions imposed on district employees, contractors, and agents when they attempt to obtain a new job, as provided under ORS 339.378. A district employee, contractor or agent will not assist another district employee, contractor or agent in obtaining a new job if the individual knows, or has reasonable or probable cause to believe the district employee, contractor or agent engaged in abuse, unless criteria found in ORS 339.378(2)(c) are applicable.

Nothing in this policy prevents the district from disclosing information required by law or providing the routine transmission of administrative and personnel files pursuant to law.

The district shall make available to students, district employees, contractors, agents, and volunteers a policy of appropriate electronic communications with students.

Any electronic communications with students by a contractor, agent or volunteer for the district will be appropriate and only when directed by district administration. When communicating with students electronically regarding school-related matters, contractors, agents or volunteers shall use district e-mail, using mailing lists and/or other internet messaging approved by the district to a group of students rather than individual students or as directed by district administration. Texting or electronically communicating with a student through contact information gained as a contractor, agent or volunteer for the district is prohibited.

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

END OF POLICY

Legal Reference(s):

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

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

[OAR 581-022-2205](#)

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).



Code: **GBNAB/JHFE-AR(1)**
Adopted: 6/18/18
Revised/Readopted: 11/13/18; 1/25/22
Orig. Code(s): JHFE-AR

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 abuse¹ shall ~~orally report or cause an oral~~ make a report immediately ~~by telephone or otherwise~~ to the ~~local office of the~~ Oregon Department of Human Services (DHS) ~~through the centralized child abuse reporting system² or its designee~~ 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 person**³ with whom the employee is in contact has abused a child shall immediately report ~~in the same manner 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 419B.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 ~~through~~ ~~or its centralized child abuse reporting system or to a 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.

The report must contain, ~~if~~ 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 District 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 suspecting the abuse of a child using the District's Child Abuse/Neglect Report Form.

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

² ~~How to report abuse or neglect: Oregon DHS. Call 855-503-SAFE (7233)~~

³ "Person" could include adult, student or other child.

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 and the Assistant Superintendent for the Office of School Performance, if appropriate.

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 human resources administrator determine that there is reasonable cause to support the report, the District shall place the school employee on paid administrative leave⁴ 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 been~~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^{5}, agent or volunteer, the district 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 investigated⁶ 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.

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

⁴ The district employee cannot be required to use any accrued leave during the imposed paid administrative leave.

⁵ {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.}

⁶ The district will investigate all reports of suspected abuse, unless otherwise requested by DHS or law enforcement pursuant to law.

1. Oregon law ~~recognizes these and other types of~~ defines “abuse” in ORS 419B.005(1).:
 - 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 or is ~~under 21 years of age and residing in or receiving care or services at a child-caring agency~~ a child in care, as defined in ORS 418.257.
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~~ or this administrative regulation, the employee will be disciplined up to and including dismissal.

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 GBNAB/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 officials wishing to remove a student from the premises shall present themselves at the office and contact the school administrator or designee. The law enforcement official shall sign the student out in accordance with District procedures and after having provided 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 or anyone else other than DHS or law enforcement agency, and any school employee necessary to enable the investigation.
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.

Nothing prevents the District from conducting its own investigation, unless another agency requests to lead the investigation or requests the District to suspend ~~their~~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: **JBA/GBN**
Adopted: 12/16/14
Revised/Readopted: 5/28/19; 1/26/21
Orig. Code(s): JBA/GBN

Sexual Harassment

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 parties¹ 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* JBA/GBN-AR(1) - Sexual Harassment Complaint Procedure and JBA/GBN-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 procedures².

OREGON DEFINITION AND PROCEDURES

Oregon Definition

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

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

¹ “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~~ **at** a school-sponsored activity or program; or 3) ~~Off~~ **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.

² 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).

2. 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.

3. Assault when sexual contact occurs without ~~the student’s, staff member’s or third party’s consent~~³. ~~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.~~⁴

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 ~~actions~~ ~~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* JBA/GBN-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;

³ “Without consent” means an act performed: (a) without the knowing, voluntary and clear agreement by all parties to participate in the specific act; or (b) when a person who is a party to the act is incapacitated by drugs or alcohol; unconscious; or pressured through physical force, coercion or explicit or implied threats to participate in the act.

⁴ ~~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.~~

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.

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 person⁵ 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.

⁵ 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.

The written notification must include⁶:

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;
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.

⁶ Remember confidentiality laws when providing any information.

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 activity⁷;
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 JBA/GBN-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure.*

⁷ "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))

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 with its responsibilities related to this [policy AR](#). The district prominently will display the contact information for the Title IX Coordinators on the district website and in each handbook.

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.⁸ The district shall treat complainants and respondents equitably by providing supportive measures⁹ to the complainant and by following a grievance procedure¹⁰ 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.¹¹

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.¹² 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.

⁸ (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.

⁹ (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.⁹ 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))

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

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

¹² 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))

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
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 Secretary¹³, or both.

No Retaliation

Neither the district or any person may retaliate¹⁴ 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

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 584-020-0040](#)
[OAR 584-020-0041](#)

¹³ Of the United States Department of Education.

¹⁴ Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

[OAR 581-021-0038](#)

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).

Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).

Gebser v. Lago Vista Indep. Sch. Dist., 524 U.S. 274 (1998).



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 659A.103	OAR 581-021-0046
ORS 326.051(1)(e)	ORS 659A.109	OAR 581-021-0049
ORS 343.068		OAR 581-022-2310
ORS 659.850	OAR 581-015-2030	
ORS 659.865	OAR 581-021-0045	

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](#)



Code: **JHC**
Adopted: 2/18
Revised/Readopted: 12/10/19; 12/06/22
Orig. Code: JHC

Student Health Services and Requirements**

(See new EBBA - Student Health Services)

Although the District's primary responsibility is to educate students, the students' health and general welfare is also an important Board responsibility. The Board believes school programs should be conducted in a manner that protects and enhances student and employee health and is consistent with good health practices.

The District shall staff nursing services appropriate for students with medical needs and prevention-oriented health services per applicable requirements of Oregon Revised Statutes (ORS) 336.201 and Oregon Administrative Rule (OAR) 581-022-2220.

The nurse(s) employed by the District shall be licensed to practice as a registered nurse or nurse practitioner in Oregon, and will function as an integral member(s) of the instructional staff, serving as a resource person(s) to teachers in securing appropriate information and materials on health-related topics.

The District shall provide:

1. One registered nurse or school nurse for every 125 medically fragile students;
2. One registered nurse or school nurse or one licensed practical nurse under the supervision of a registered nurse or school nurse for each nursing-dependent student; and
3. One registered nurse or school nurse for every 225 medically complex students.

The District may use the most cost-effective means available to meet the above requirements, and they may satisfy the nursing requirements for medically complex students by providing personnel trained and supervised by a registered nurse or school nurse, and complying with the requirements of ORS 678.010 - 678.448.

Any nurse(s) providing services on behalf of the District shall follow all applicable requirements of ORS Chapter 678 and OAR Chapter 851. This includes, but is not limited to, delegation in accordance with OAR 851-047, which includes performing a nursing assessment of the patient prior to delegation, providing adequate supervision during the delegation, and evaluating the skills, ability and willingness of the delegee.¹

¹ For additional delegation requirements, see OAR [851-047-0030](#).

The District shall maintain a prevention-oriented health services program which provides:

1. Pertinent health information on the students, as required by Oregon statutes or rules;
2. Health appraisal to include screening for possible vision or hearing problems;
3. Health counseling for students and parents, when appropriate;
4. Health care and first-aid assistance that are appropriately supervised and isolate the sick or injured child from the student body;
5. Control and prevention of communicable diseases as required by Oregon Health Authority, Public Health Division, and the county health department;
6. Assistance for students in taking prescription and/or nonprescription medication according to established district procedures;
7. Services for students who are medically fragile or have special health care needs;
8. Integration of school health services with school health education programs.

District health staff will coordinate with health personnel from other public agencies in matters pertaining to health instruction or the general health of students and employees.

In accordance with the requirements of federal law, the District recognizes its responsibility to notify parents in advance of any nonemergency, invasive physical examination² or screening that is required as condition of attendance; administered and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students.

Notification will be provided at least annually at the beginning of the school year or when enrolling students for the first time in school and will include the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

School-based health clinics will provide all health services in accordance with Oregon laws and the most current version of the Oregon School-Based Health Centers Standards for Certification.

Procedures shall be developed and implemented to carry out this policy. All District employees will be apprised of their responsibilities in this area. Parents shall have the opportunity to request their students be exempt from participation in vision or hearing screening. The District will abide by those requests.

END OF POLICY

² The term “invasive physical examination,” as defined by law, means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening. The term does not include any physical examination or screening that is permitted or required by state law, including physical examinations or screenings that are permitted without parental notification.

Legal Reference(s):

[ORS 329.025](#)

[ORS 336.211](#)

[OAR 581-022-2220](#)

[ORS 336.201](#)

[OAR 581-022-2050](#)

[OAR 581-022-2225](#)

Protection of Pupil Rights, 20 U.S.C. § 1232h (2018); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2022).

Every Student Succeeds Act, 20 U.S.C. § 7928 (2018).

Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2018).

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Code: JHCA/JHCB
Adopted: 1/01/17
Revised/Readopted: 12/10/19
Orig. Code: JHCA/JHCB

Immunizations, ~~Physical Examinations, Vision Screening/Eye Examinations and Dental Screening~~ and School Sports Participation**

Immunization

Proof of immunization must be presented at the time of initial enrollment¹ in school or within 30 days of transfer to the ~~district~~ District in accordance with Oregon law. Proof consists of a signed Certificate of Immunization Status form, documenting either evidence of immunization, ~~a religious, philosophical beliefs and/or a medical or nonmedical or nonmedical~~ exemption or immunity documentation².

School Sports Participation ~~Physical Examination~~

~~The Board recommends that all students initially enrolling in school have an examination with a medical provider. When initially enrolling their student in the District, and when registering them for school, parents will be asked to provide essential health information that is necessary to keep their student healthy and safe at school.~~

~~All students~~ A student participating in athletic programs in grades 7 through 12 is ~~are~~ required to submit to an appropriate ~~the District a~~ School Sports Pre-Participation Examination³ ~~form~~ prior to their initial participation in a District athletic program. The form⁴ is to be completed and signed by a parent or guardian ~~and physician,~~ giving permission for the student to participate ~~and be signed by a medical~~

¹ The district shall immediately enroll a ~~homeless~~ student ~~experiencing houselessness~~ in the school selected even if the student is unable to produce records normally required for enrollment.

² Documentation requirements for exemptions are outlined in ORS 433.267.

³ The required form is available at <https://www.osaa.org/governance/forms>, a copy may be obtained from a school office, or a form generated by the medical provider may be used if it meets requirements of law in OAR 581-021-0041.

⁴ The form may be used in either a hard copy or electronic format.

provider authorized by law⁵ who has examined and evaluated the student. The completed form(s) must be returned [as directed] [to the school office].

A student who is subsequently diagnosed with a significant illness or has had a major surgery is required to have a physical examination prior to further participation ~~in extracurricular sports~~.

A student who exhibits signs, symptoms or behaviors consistent with a concussion following an observed or suspected blow to the head or body, or who has been diagnosed with a concussion will not be allowed to participate in any athletic event or training on that day, unless an athletic trainer licensed by the Board of Athletic Trainers or a physician licensed pursuant to ORS 677.100 - 677.228 has determined the student has not suffered a concussion.⁶ Except as allowed above, a student excluded for concussion reasons will not be allowed to return to participate in an athletic event or training until the following three conditions have been met:

1. It is not the same day as the student exhibited signs, symptoms or behaviors, experienced a blow to the head or body, or was diagnosed with a concussion;
2. The student no longer exhibits signs, symptoms or behaviors consistent with a concussion; and
3. The student has received a medical release form from a health care professional⁷.

A student who continues to participate in extracurricular sports in grades 7 through 12 shall be required to complete a ~~sports~~physical examination once every two years, thereafter.

Vision Screening or Eye Examination

~~The parent or guardian of a student who is 7 years of age or younger and is beginning an education program with the District for the first time shall, within 120 days of beginning the education program, submit a certification that the student has received:~~

- ~~1. A vision screening or eye examination; and~~
- ~~2. Any further examination, treatments, or assistance necessary.~~

~~The certification is not required if the parent or guardian provides a statement to the District that:~~

- ~~1. The student submitted a certification to a prior education provider; or~~

⁵ This physical examination must be conducted by a physician possessing an unrestricted license to practice medicine, a licensed naturopathic physician, a licensed physician assistant, a licensed nurse practitioner or a licensed chiropractic physician who has clinical training and experience in detecting cardiopulmonary diseases and defects.

⁶ For more information regarding medical releases for students in grades 9-12, see OSAA rules.

⁷ "Health care professional" includes a chiropractic physician, a naturopathic physician, a psychologist, a physical therapist, an occupational therapist, a physician assistant or a nurse practitioner who is licensed or registered under the laws of Oregon.

~~3.—The vision screening or eye examination is contrary to the religious beliefs of the student or the parent or guardian of the student.~~

Dental Screening

~~The District shall file in the student's dental health record any dental screening certifications and any results of a dental screening known by the District. The District will provide to the parent or guardian of each student, standardized information developed by the Oregon Health Authority's dental director regarding dental screenings, further examinations or necessary treatments, and preventative care, including fluoride varnish, sealants, and daily brushing and flossing.~~

~~The parent or guardian of a student who is 7 years of age or younger and is beginning an education program with the District for the first time, shall submit a certification within 120 days of beginning the education program, that the student has received a dental screening within the previous 12 months. The certification is not required if the parent or guardian provides a statement to the District that:~~

- ~~1.—The student submitted a certification to a prior education provider;~~
- ~~4.—The dental screening is contrary to the religious beliefs of the student or the parent or guardian of the student; or~~
- ~~5.—The dental screening is a burden for the student or the parent or guardian of the student in the following ways:
 - ~~a.—The cost of obtaining the dental screening is too high;~~
 - ~~b.—The student does not have access to an approved screener;~~
 - ~~c.—The student was unable to obtain an appointment with an approved screener.~~~~

~~The certification may be provided by a licensed dentist, a dental hygienist, or a health care practitioner, as defined by state law. The certification must include the:~~

- ~~1.—Student's name;~~
- ~~6.—Date of screening; and~~
- ~~7.—Name of entity conducting the dental screening.~~

~~The District shall submit to the Oregon Department of Education a report that identifies the percentage of students who failed to submit the certification for the previous year, no later than June 15 of each year.~~

~~If the District is causing the dental screening to be conducted, the District will follow the notice requirements in accordance with law.~~

END OF POLICY

Legal Reference(s):

~~Immunizations, Physical Examinations, Vision Screening/Eye Examinations and Dental Screening~~ and School Sports Participation** –

[ORS 326.580](#)

[ORS 336.479](#)

[ORS 336.485 - ORS 336.490](#)

[ORS 433.235 - 433.280](#)

[OAR 333-019-0010](#)

[OAR 333-050-0010 - 050-0120](#)

[OAR 581-021-0041](#)

McKinney-Vento Homeless Assistance Act, Subtitle VII-B, reauthorized by Title IX-A of the Every Student Succeeds Act, 42 U.S.C. §§ 11431-11435 (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 (2024).



Code: JHCC
Adopted: 4/24/18
Revised/Readopted: 12/10/19; 11/17/20
Orig. Code: JHCC

Communicable Diseases - Student

The district shall provide reasonable protection against the risk of exposure to communicable disease for students. Reasonable protection from communicable disease is generally attained through immunization, exclusion or other measures as provided by Oregon law, by the local health department or in the *Communicable Disease Guidance* published by the Oregon Department of Education (ODE) and the Oregon Health Authority (OHA). Services will be provided to students as required by law.

A student will not attend school while in communicable stage of a restrictable disease or when a principal or designee¹ has reason to suspect that any susceptible student has or has been exposed to any disease for which the student is required to be excluded in accordance with law and per administrative regulation JHCC-AR - Communicable Diseases - Students. If the disease is a reportable disease, the principal or designee will report the occurrence to the local health department. The principal or designee¹ will also take whatever reasonable steps it considers necessary to organize and operate its programs in a way which both furthers the education and protects the health of students and others.

The district may, for the protection of both the student who has a restrictable disease and the exposed student, provide an educational program in an alternative setting.

The district will include, as a part of its emergency plan, a description of the actions to be taken by district personnel in the case of a declared public health emergency or other catastrophe that disrupts district operations.

The district shall protect the confidentiality of each student's health condition and record to the extent possible and consistent with federal and state law. In cases when a restrictable or reportable disease is diagnosed and confirmed for a student, the administrator shall inform the appropriate employees with a legitimate educational interest to protect against the risk of exposure.

The superintendent will develop administrative regulations necessary to implement this policy.

¹ Or site administrator for non-school locations/departments.

END OF POLICY

Legal Reference(s):

[ORS 431.150](#) - 431.157
[ORS 433.001](#) - 433.526

[OAR 333-019-0010](#)
[OAR 333-019-0014](#)
[OAR 333-019-1000](#)
[OAR 437-002-0360](#)

[OAR 437-002-0377](#)
[OAR 581-022-2220](#)

OREGON DEPARTMENT OF EDUCATION and OREGON HEALTH AUTHORITY, *Communicable Disease Guidance* (2020).
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).

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Code: **JHCCA**
 Adopted: 12/13
 Revised/Readopted: 5/28/19
 Orig. Code: JHCCA

Students – HIV, HBV, and AIDS**

This District will adhere strictly in policies and procedures to the Oregon Revised Statutes and the Oregon Administrative Rules as they relate to a student infected with HIV or HBV or diagnosed with AIDS.¹

The District recognizes a parent (student) has no obligation to inform the District of an HIV, HBV, or AIDS condition, and that the student has a right to attend school. If the District is informed of such a student, written guidelines shall be requested of the parent (student). These guidelines shall include who may have the information, who will give the information, how the information will be given, and where and when the information will be given.

When informed of the infection, and with written permission from the parent (student), the District will develop procedures for formulating an evaluation team. The team shall address the nature, duration, and severity of risk, as well as any modification of activities. The team shall continue to monitor the student’s condition. The district will make reasonable accommodations to allow students living with HIV infection to participate in school-sponsored physical activities.

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

END OF POLICY

Legal Reference(s):

- [ORS 326.565](#)
- [ORS 326.575](#)
- [ORS 332.061](#)
- [ORS 336.187](#)
- [ORS 336.615 to -336.665](#)
- [ORS 339.030](#)
- [ORS 339.250](#)
- [ORS 433.008](#)
- [ORS 433.045](#)
- [OAR 333-018-0000](#)
- [OAR 333-018-0005](#)
- [OAR 581-022-2060](#)
- [OAR 581-022-2220](#)

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

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

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Code: JHCCF
Adopted:

Pediculosis (Head Lice)

A student with a suspected case of head lice may be referred to designated trained staff for a screening. The screening will be done in a confidential manner by trained personnel.

School personnel will notify the parent or guardian of a student found with head lice and may provide information on treatment. The student will be allowed to remain in school.

Suggested school measures for head lice provided in [Communicable Disease Guidance for Schools](#) issued by the Oregon Department of Education and Oregon Health Authority will be consulted.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)



Code: JOA
Adopted: 6/26/18
Revised/Readopted: 12/10/19
Orig. Code: JOA

Directory Information**

Directory information includes those items of personal information contained in a student education record which are not generally considered harmful or an invasion of privacy if released, unless the combination of information released is considered “personally identifiable information” and will not be released. The following categories are designated as directory information. The following directory information may be released to the public through appropriate procedures:

1. Student’s name;
2. Student’s address;
3. Student’s telephone listing;
- ~~4. Student’s electronic address;~~
5. Student’s photograph;
- ~~6. Date and place of birth;~~
- ~~7. Major field of study;~~
8. Participation in officially recognized sports and activities;
9. Weight and height of athletic team members;
- ~~10. Dates of attendance;~~
11. Grade level
12. Diplomas, honors or awards received;
13. Most recent previous school enrollment ~~or program attended.~~

Public Notice

The District will give annual public notice to parents of students in attendance and students 18 years of age or emancipated. The notice shall identify the types of information considered to be directory information, the District’s option to release such information, and the requirement that the District must, by law, release secondary students’ names, addresses, and telephone numbers to military recruiters and/or institutions of

higher education, unless parents or eligible students request that the District withhold this information. Such notice will be given prior to release of directory information.

Exclusions

Exclusions from any or all directory categories named as directory information or release of information to military recruiters and/or institutions of higher education must be submitted in writing to the principal by the parent, student 18 years of age, or emancipated student within 15 days of annual public notice. A parent or student 18 years of age or an emancipated student may not opt out of directory information to prevent the District from disclosing or requiring a student to disclose their names, identifier, or institutional email address in a class in which the student is enrolled, or from requiring a student to disclose a student ID card or badge that exhibits information that has been properly designated directory information by the District in this policy.

Directory information shall be released only with administrative direction.

Directory information considered by the District to be detrimental will not be released.

Information will not be given over the telephone except in health and safety emergencies.

At no point will a student's Social Security Number or student identification number be considered directory information. The District shall not, in accordance with state law, disclose personal information for the purpose of enforcement of federal immigration laws.

END OF POLICY

Legal Reference(s):

[ORS 30.864](#)
[ORS 107.154](#)
[ORS 180.805](#)

[ORS 326.565](#)
[ORS 326.575](#)
[ORS 336.187](#)

[OAR 581-021-0220 to -0430](#)
[OAR 581-022-2060](#)

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

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).

Every Student Succeeds Act, 20 U.S.C. § 7908 (2012).

Cross Reference(s):

IGBAB/JO - Education Records/Records of Students with Disabilities

JO/IGBAB - Education Records/Records of Students with Disabilities

JOD - Media Access to Students



Code: **JOB**
Adopted: 12/13
Revised/Readopted: 12/10/19
Orig. Code: JOB

Personally Identifiable Information**

Personally identifiable information includes, but is not limited to:

1. Student's name, and other directory information if opted out from directory information release, as requested by the eligible student/parent **in writing** using the District Release of Information Opt-Out Form (JOA-AR);
2. Name of the student's parent(s) or other family member;
- ~~3. Address of the student or student's family, if excluded from directory information, as requested by the student/parent in writing;~~
4. Personal identifier such as the student's social security number or student ID number or biometric record;
5. A list of personal characteristics that would make the student's identity easily traceable such as student's date of birth, place of birth, and mother's maiden name;
6. Other information, alone or in combination, that would make the student's identity easily traceable;
7. Other information requested by a person who the District reasonably believes knows the identity of the student to whom the educational record relates.

Prior Consent to Release

Personally identifiable information will not be released without prior signed and dated consent of the parent, the student 18 years of age or older or an emancipated student.

Notice of and/or request for release of personally identifiable information shall specify the records to be disclosed, the purpose of disclosure, and the identification of person(s) to whom the disclosure is to be made. Upon request of the parent or eligible student, the District will provide a copy of the disclosed record.

Exceptions to Prior Consent

The District may disclose personally identifiable information without prior consent under the following conditions:

1. To personnel within the District who have legitimate educational interests;
2. To personnel of an education service district or state regional program where the student is enrolled or is receiving services;
3. To personnel of another school, another district, state regional program, or institution of post-secondary education where the student seeks or intends to enroll;
4. To authorized representatives of the U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division in connection with an audit or evaluation of federal or state-supported education programs or the enforcement of, or compliance with federal or state supported education programs, or the enforcement of or compliance with federal or state regulations;
5. To personnel determining a financial aid request for the student;
6. To personnel conducting studies for or on behalf of the District;
7. To personnel in accrediting organizations fulfilling accrediting functions;
8. To comply with a judicial order or lawfully issued subpoena;
9. For health or safety emergency;
10. By request of a parent of a student who is not 18 years of age;
11. By request of a student who is 18 years of age or older or emancipated;
12. Because information has been identified as “directory information;”
13. To the courts when legal action is initiated;
14. To court and state and local juvenile justice agencies;
15. A judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependency matters;
16. To a caseworker or other representative of a state or local child welfare agency or tribal organization that is legally responsible for the care and protection of the student, including educational stability of children in foster care.

END OF POLICY

Legal Reference(s):

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

[ORS 326.575](#)
[ORS 336.187](#)

[OAR 581-015-2000](#)
[OAR 581-021-0220 to -0430](#)
[OAR 581-022-2260](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2012).
 Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012).
 Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).

Uninterrupted Scholars Act (USA), 2013 (P.L. 112-278, Jan. 14, 2013), 20 U.S.C. § 1221 (2012).

Cross Reference(s):

IGBAB/JO - Education Records/Records of Students with Disabilities

JO/IGBAB - Education Records/Records of Students with Disabilities

JOD - Media Access to Students

HILLSBORO SCHOOL DISTRICT 1J
August 13, 2024
NOTICE OF INTENT TO PURCHASE

SITUATION

The District is in need of leasing multifunctional copiers to replace multifunctional copiers with a lease that has expired. The District evaluated several different manufacturers to select the best value and feature combination. This lease is configured as \$102,014.04 annually for 5 years.

Devices and Services to be purchased are:

IRADV DX C5870i
IRADV DX C5860i
IRADV DX C5840i
IC X MF1538C
IC X MF1333C
IC X MF1440

The District is leasing these devices from Canon USA using a Cooperative Purchasing Agreement from the OMNIA Partners UC Program. The District has the benefit of participating in a cooperative purchasing agreement, an exception to the public procurement requirements for conducting a request for proposal on purchases over \$150,000. Hillsboro School District 1J is permitted to join cooperative purchasing agreements under the authority of the State of Oregon (ORS 279A.215 Permissive Cooperative Procurements).

RECOMMENDATION

The Superintendent recommends that the Board of Directors acknowledge the Notice of Intent to Purchase multifunctional copiers from Canon USA by use of a cooperative purchasing agreement, under the authority of the State of Oregon (ORS 279A.215 Permissive Cooperative Procurements).

I move that the Board of Directors acknowledge the Notice of Intent to Purchase multifunctional copiers from Canon USA by use of a cooperative purchasing agreement, under the authority of the State of Oregon (ORS 279A.215 Permissive Cooperative Procurements).

HILLSBORO SCHOOL DISTRICT 1J
August 13, 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
 - JEA-AR: Compulsory Attendance Notices

RECOMMENDATION

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



Code: JEA-AR
Revised/Reviewed: 11/15/22

Compulsory Attendance Notices

Compulsory attendance for education and/or registering homeschool students with the local ESD are statutory requirements of persons in charge of students ages 6 through to 18. This administrative regulation supports procedures required of public education providers.

~~Compulsory attendance citations may be issued by the superintendent or designee as a means to enforce the compulsory attendance law. All such citations shall be issued according to the following procedures:~~

Appropriate notices on student absences or irregular attendance may be issued by the district in accordance with ORS 339.095.

1. Attendance Supervisor

The attendance supervisor shall:

- a. Determine whether ~~at that the~~ parent or guardian has failed to enroll their child and to maintain the child in regular attendance at a public school. “Regular attendance” means attendance which does not include more than eight unexcused one-half day absences or the equivalent thereof, in any four-week period in which school is in session;
- b. Provide written ~~compulsory~~ attendance noncompliance notification to the parent or guardian within 24 hours of notification ~~verification~~ of the violation from the proper authority. If the student is an adjudicated ~~a youth-offender~~ on parole or probation, at the same time notice is given to the parent or other person, the attendance supervisor shall notify the student’s parole or probation officer of the student’s absence;
- c. Serve the notification personally or by ~~certified~~ mail. The notification will be written in the ~~home~~ native language of the parent or guardian of the student;
- d. Ensure that notification includes a statement requiring the student to appear at the public school on the next school day following receipt of the notice and to maintain regular attendance for the remainder of the school year;
- e. Ensure that the notification states that the parent or guardian has the right to request an evaluation to determine if the child should have an individualized education program (IEP) or Section 504 plan or to ~~), if the child does not currently have an IEP, or~~ request a review of their child’s current IEP or Section 504 plan;
- f. Provide a copy of the notice ~~and pertinent attendance records~~ to the superintendent or designee ^{1} at the time notice is given to the parent or guardian.;

¹ {OAR 581-021-0077, requires such notice to the superintendent, a principal or other appropriate school official.}

The attendance supervisor will notify the superintendent or designee within three days of knowledge of noncompliance by ~~that~~ the parent or guardian. ~~receiving the notification has not complied with the notice.~~

2. Superintendent or Designee

~~The superintendent or designee will:~~

~~a.~~ If after review of a student's record, ~~attendance records~~ a citation in violation of ORS 339.035 appears warranted, prior to issuing the citation, the superintendent or designee shall provide written notification to the parent or guardian of the student and the student. The notice will be written in the native language of the parent or guardian. The notice will be delivered personally or by certified mail and will state that:

- ~~a.~~ ~~(1)~~ The student is required to attend regularly, a ~~school~~-full-time ~~school~~ during the school year;
- ~~b.~~ ~~(2)~~ A citation for violation of ORS 339.035 ~~compulsory attendance laws~~ may be issued by the superintendent or designee;

~~(3) — The parent has the right to request:~~

- ~~(a) — An evaluation to determine if the student should have an IEP, if the student does not have one; or~~
- ~~(b) — A review of the student's current IEP.~~

~~c.~~ The parent or guardian has the right to request an evaluation to determine if the student should have an IEP or Section 504 plan, if the student does not have one, or a review of the student's current IEP or Section 504 plan;

~~d.~~ ~~(4)~~ The parent or guardian and student are required to attend a conference with the superintendent or designee. The date, time and place of conference will be specified in the notice. ~~This conference may not be scheduled until after an evaluation or review as described in item 3. above, if requested by the parent, has been completed.~~

If an evaluation or review as described in item c. above has been requested, this conference will be scheduled after its completion.

3. Conference

The superintendent or designee ~~may~~~~will~~ conduct a conference with the parent or guardian and student. Auxiliary aids and services will be provided upon advance request. The superintendent or designee ~~may~~~~will~~:

- a. Review Oregon's ~~compulsory~~ attendance law and the student's attendance record;
- b. Determine the reasons for the noncompliance;
- c. Develop a plan for student attendance improvement (i.e., contract, etc.);
- d. Inform the parent and student of other available resources in the district and community, if available;
- e. Discuss the potential consequences for continued ~~compulsory~~ attendance noncompliance, including the potential for the issuance of a citation, if applicable, ~~and the consequences for violation of the Board's student conduct and truancy policies.~~

4.—Citation

~~Compulsory attendance noncompliance citations may be issued by the superintendent or designee.~~

~~The superintendent or designee shall:~~

- ~~a.— Determine that the parent or guardian has continued to fail to enroll their student in school or maintain the student in regular attendance following a conference or has refused to attend the conference as required;~~
- ~~b.— Contact the clerk of the court for the county and determine which court will hear the case and when;~~
- ~~c.— Ensure the official representing the district will be available to present evidence of the violation at the time and date specified;~~
- ~~d.— Determine whether the local court's interpretation of Oregon Revised Statute (ORS) 339.095 requires the student be named as defendant. Complete form accordingly;~~
- ~~e.— Complete Uniform Compulsory Attendance Citation and Complaint form as follows:
 - ~~(1)— Specify appropriate court, district, circuit, municipal or justice;~~
 - ~~(2)— Specify when the court will hear the case, including date, time and location of the court appearance at the bottom of the form;~~
 - ~~(3)— Provide all pertinent defendant information, including the name and address of the parent or guardian. Only one adult should be named as the defendant;~~
 - ~~(4)— Provide all pertinent offense information, including the period of time during which the absences occurred;~~
 - ~~(5)— Ensure the minimum number of absences constituting irregular attendance as defined in law has in fact occurred. Excused absences should not be counted for purposes of this citation;~~
 - ~~(6)— Provide all pertinent student information including the grade, date of birth, length of time in the district and parent(s) name(s);~~
 - ~~(7)— Provide date of superintendent's or designee's prior notification of attendance requirements, consequences including possibility of citation and conference meeting date was sent;~~
 - ~~(8)— Ensure that the prior notice was served to the same parent or guardian who is named as the defendant in the citation;~~
 - ~~(9)— Provide district name, date, superintendent's name and signature. If the superintendent has designated another district official to issue citations, such delegation will be documented and the delegated official's name and signature will appear on the form;~~
 - ~~(10)— Personally serve (not mail) the citation;~~
 - ~~(11)— Complete time and date citation was issued, name, title and signature of district official serving the citation;~~
 - ~~(12)— Ensure the parent or guardian is provided the citation;~~
 - ~~(13)— Ensure the designated court is appropriately notified immediately after the citation is served;~~
 - ~~(14)— Ensure the district retains a copy of the citation;~~
 - ~~(15)— Consult with district's attorney to assist in these procedures, as necessary.~~~~
- ~~f.— Maintain student attendance records in accordance with applicable education records laws.~~

School Attendance - Letter 1

[DATE]

To the Parents/Guardians of:

We hope this letter finds you and your family in good health. We are reaching out today because we noticed your child has missed 10% or more days since the beginning of the school year. We want you to know that we are here to help.

Regular school attendance is important for your child's success and growth. It helps them stay on track with their school work, making learning easier and more enjoyable. Being present every day allows them to form important friendships and build social skills. A strong routine can also reduce overall stress and anxiety. We understand that keeping up with regular attendance can be difficult. Let's work together to make sure your child has a positive and enriching school experience. We invite you to connect with your student's teacher(s), school counselor, or school office staff, so we can find a solution together.

If you think your child's absences are due to a disability, you may request a meeting to begin the Student Support Process. This process may lead to a special education or Section 504 evaluation. You may also request a review of your child's current Individualized Education Program (IEP) or Section 504 plan. We are here to provide the support your child needs to succeed.

If your child is being taught at home by a parent, guardian, or private teacher, please contact the Northwest Regional ESD at (503) 614-1428, as required by ORS 339.035. If this is a recent change and your child was previously enrolled in public school, please notify the school as well.

We've attached the [Too Sick for School](#) guidelines and a [District Calendar](#) for your convenience. If you want a physical copy, let us know. If you have any concerns or need help, please call us at [PHONE]. We'd love for you to complete a brief questionnaire. Please scan or click on the QR code. We look forward to working with you.



Sincerely,

|

(Attendance Supervisor)

Attendance Supervisor

School Attendance - Letter 2

[DATE]

To the Parents/Guardians of:

I'm reaching out to offer support and check in on [STUDENT]. I've noticed [STUDENT] has missed [# OF DAYS ABSENT] days of school this year. Does this seem correct to you? I've included an attendance calendar for your convenience. We're here to partner with you to improve [STUDENT]'s attendance. If you'd like to discuss ideas for improvement, please call the school at [PHONE], or stop by the school office to schedule a meeting.

Restoring the habit of daily attendance is crucial. A consistent school routine offers your child a chance to connect with peers and teachers, actively engage in learning, and as a result reduce stress and anxiety. If your child isn't currently attending school, we kindly ask that they return no later than the next school day following this notice and maintain regular attendance.

At the start of the year, we shared some tips to help ensure regular attendance:

1. Follow the Too Sick for School guidelines. If your child is absent multiple times for illness, we may ask for a doctor's note, or the district nurse may reach out.
2. Sometimes stomach aches or headaches can be signs of anxiety. If your child seems anxious about school, please talk to their teacher(s) or the school counselor for support.
3. Make every effort to schedule trips and appointments outside school hours.
4. When your child needs to be absent from school, please call the school's attendance line at [PHONE] and stay in regular communication with your child's teacher(s).

If you think your child's absences are due to a disability, you may request a meeting to begin the Student Support Process. This process may lead to a special education or Section 504 evaluation. You may also request a review of your child's current Individualized Education Program (IEP) or Section 504 plan. We are here to provide the support your child needs to succeed.

If your child is being taught at home by a parent, guardian, or private teacher, please contact the Northwest Regional ESD at (503) 614-1428, as required by ORS 339.035. If this is a recent change and your child was previously enrolled in public school, please notify the school as well.

You are welcome to reach out to us at [PHONE]. We'd love for you to complete a brief questionnaire. Please scan or click on the QR code. We look forward to working with you.



Sincerely,

(Principal or Designee)
Principal/Designee

School Attendance - Letter 3

[DATE]

To the Parents/Guardians of:

HSD is committed to knowing, valuing, and empowering every student to achieve their dreams. A key factor in this commitment is ensuring that our schools are inviting and welcoming places for students. When a student's attendance rate drops below 90%, we understandably become concerned and attempt to reach out.

According to our records, you were contacted on [DATES] that your child, [STUDENT], is not attending school regularly. Oregon Law states children between 6-18 years are required to attend regularly, a full-time school during the school year. You were asked to send your child to school the next school day following your previous notification and to maintain regular attendance for the remainder of the school year. Our records indicate your child continues to be absent from school with [NUMBER] absences and an attendance rate of [PERCENT].

We understand that there may be challenges contributing to these absences, and we want to offer our support. You are required to attend a conference with [DESIGNEE] on [DATE] at [TIME]. If this time is inconvenient, please call the school to reschedule. During this meeting, we will:

1. Develop a plan to improve attendance
2. Discuss resources available to help your child be successful in school
3. Provide information about alternative education options as required by law
4. Answer any questions you may have about district programs and resources

If you think your child's absences are due to a disability, you may request a meeting to begin the Student Support Process. This process may lead to a special education or Section 504 evaluation. You may also request a review of your child's current Individualized Education Program (IEP) or Section 504 plan. We are here to provide the support your child needs to succeed.

If your child is being taught at home by a parent, guardian, or private teacher, please contact the Northwest Regional ESD at (503) 614-1428, as required by ORS 339.035. If this is a recent change and your child was previously enrolled in public school, please notify the school as well.

If you have questions and/or need assistance, please call us at [PHONE]. We'd love for you to complete a brief questionnaire. Please scan or click on the QR code.



Sincerely,

(Principal)
Principal