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Commitment, Excellence, Community

**PLEASANT HILL SCHOOL DISTRICT NO. 1
SCHOOL BOARD MEETING MINUTES**

Monday, October 7, 2024; 7:00 p.m.; Pleasant Hill Community Center

1. CALL TO ORDER

Board Chair Stephen Hammond called the October 7, 2024 board meeting to order at 7:00 p.m. with the Pledge of Allegiance. Board members present were Rusty Rexius and Jennifer Woodland, via Zoom. Others present were Superintendent Jim Crist, Special Education Director Whitney Connolly, Elementary School Principal Brenna Fairchild, Middle/High School Principal Chris Reiersgaard, Middle School Assistant Principal Caleb Salmond and Board Secretary Kimberly Silbernagel.

Rusty Rexius read the mission statement.

2. CHANGES OR ADDITIONS TO THE AGENDA

The addition of Resolution 2425.50 for agenda item 6.4 Approve Board Goal(s).

3. INTRODUCTIONS AND ATTENDANCE

Audience included Charlotte Newman.

4. PRESENTATIONS

4.1 Students of the Month

- Most Improved Students of the Month – September: Freshman – Parker Shaddon, Sophomore – Ellie Whipple, Junior – William Brock, Senior – Nick Perkins
- Students of the Month – September: Freshman – Kaylee Johnson, Sophomore – Jay Griffith, Junior – Addi Hyland, Senior – Claire Crawford

Senior Claire Crawford plays volleyball and basketball. Claire has been awarded all-league and all-state in both sports. Volleyball is currently ranked number one in the state. Last weekend they won the Pleasant Hill Invitational. Claire is undecided about where she will go to college and what she will study.

4.2 High School Leadership

Leadership student Charlotte Newman shared upcoming events with the board. Homecoming will be on October 26 and the theme is Mardi Gras. The theme for homecoming floats is board games. Freshman – Monopoly, Sophomore – The Game of Life, Junior – Candy Land, Senior – Clue. The leadership class has been busy planning spirit week. They also plan game themes with the cheerleaders.

5. PUBLIC FORUM

There was no public comment.

6. ACTION ITEMS

6.1 Consent Agenda

6.101 Enrollment Reports – September and 1st Quarter (Exhibit 2425.32 and Exhibit 2425.33)

6.102 September 9, 2024 Board Meeting Minutes (Exhibit 2425.34)

6.103 September 23, 2024 Board Work Session Minutes (Exhibit 2425.35)

Rusty Rexius moved to approve 6.1 Consent Agenda. Stephen Hammond seconded the motion. The motion passed unanimously.

6.2 Approve Alternative Programs (Resolution 2425.36)

Special Education Directory Whitney Connolly discussed the alternative programs that students who are residents of Pleasant Hill School District attend to receive additional services. It is recommended that the board approve Bridgeway School and Martin Luther King Education Center for the 2024-25 school year.

Rusty Rexius moved to approve 6.2 Alternative Programs. Stephen Hammond seconded the motion. The motion passed unanimously.

6.3 Approve Personnel Action (Resolution 2425.37)

Superintendent Crist discussed a personnel action to move an employee from Probationary 3 to Contract status. This change is based on the employee's prior service with PHSD. The individual worked under a Temporary Contract for 137 days during the 2021-22 school year, making them eligible for Probationary 2 status upon being hired full-time in the 2022-23 school year, instead they were hired as Probationary 1. After successfully completing at least 135 days in that year, the employee would have been moved to Probationary 3 status for the 2023-24 school year and should now transition to Contract Status for the 2024-25 school year.

Stephen Hammond moved to approve 6.3 Personnel Action. Rusty Rexius seconded the motion. The motion passed unanimously.

6.4 Approve Board Goal(s) (Resolution 2425.50)

Superintendent Crist presented the two board goals that we developed at the September 23, 2024 work session for the 2024-25 school year.

1. Utilize upcoming Board Work Sessions to explore assessment opportunities and alignment with the district initiatives.
2. Increase visibility and presence at school and community events and to report back to the board during the Board Communication part of regular board meetings.

Rusty Rexius moved to approve 6.4 Board Goals. Stephen Hammond seconded the motion. The motion passed unanimously.

6.5 Approve Superintendent Evaluation (Exhibit 2425.38)

During the September 9, 2024 board meeting Superintendent Crist provided the board with the Superintendent's goals, evaluation timeline and the OSBA/COSA Superintendent Evaluation Workbook.

Rusty Rexius moved to approve 6.5 Superintendent Evaluation. Stephen Hammond seconded the motion. The motion passed unanimously.

7. BOARD DISCUSSION

7.1 Board Policy Review (Exhibit 2425.39-Exhibit 2425.44)

Superintendent Crist discussed the policy update. The policies being updated are AC – Nondiscrimination, GBN/JBA - Sexual Harassment and JBA/GBN - Sexual Harassment. New policies are GCDA/GDDA - Criminal Records Checks and Fingerprinting* (New), DJC - Bidding Requirements (New) and DJC-AR - Exemptions from Competitive Bidding and Special Procurements (New).

There are also policies that will be deleted because they are no longer needed with the addition of the new policies. DJC - Bidding Requirements (Versions 1 & 2), DJC - AR - Exemptions from Competitive Bidding and Special Procurements, DJCA - Personal Service Contracts, DJCA-AR - Personal Service Contracts, GCDA/GDDA - Criminal Records Checks and Fingerprinting*, GCDA/GDDA-AR - Criminal Records Checks and Fingerprinting.

8. REPORTS AND INFORMATION

8.1 Elementary School Report (Exhibit 2425.45)

Elementary Principal Brenna Fairchild presented her report to the board. She shared that average daily attendance is 95.78% and regular attenders (student who attend 90% of the time) is 82%.

Fall DIBLES data is as follows.

- Of the 418 student that took the fall benchmark assessments:
- 130 students in intensive support (At risk)
- 78 students in strategic support (Some risk)
- 127 students in core support (Minimal risk)
- 83 students in core^ support (Negligible risk)

- $130+78=208$ Below grade level
- $127+83=210$ At or above grade level

The elementary jog-a-thon was held September 27. As of October 7, over \$43,000 has been raised. Ten percent of what is raised will be donated to the track and turf project at the high school. Since the fundraising goal was met Ms. Fairchild will be slimed at the jog-a-thon prize assembly.

8.2 Middle School Report (Exhibit 2425.46)

Assistant Principal Caleb Salmond shared his report with the board.

Fall DIBLES data is as follows.

- Of the 223 student that took the fall benchmark assessments:
- 37 students in intensive support (At risk)
- 52 students in strategic support (Some risk)
- 50 students in core support (Minimal risk)
- 84 students in core^ support (Negligible risk)

- $37+52=89$ Below grade level
- $50+84=134$ At or above grade level

October 1-4 the sixth graders attended outdoor school. It was an awesome week. The teachers and high school counselors did an excellent job. Mr. Salmond shared regular attenders data by grade. 6th grade – 84%, 7th grade – 68% and 8th grade – 88%.

8.3 High School Report (Exhibit 2425.47)

Mr. Reiersgaard gave an update on the tardy policy. The first week there were five students who had five or more tardies in a week. After the second week there were no students with five or more tardies in a week. Average daily attendance at the high school is 93.14%. 76% of the high school students are regular attenders. The leadership class will be sending two students to each board meeting to give an update on events and activities.

8.4 Financial Report (Exhibit 2425.48)

Superintendent Crist presented the report prepared by Business Manager Sheri Longobardo.

8.5 Superintendent Report (Exhibit 2425.49)

Superintendent Crist reviewed the Oregon State Assessment System data from the 2023-24 school year.

- ELA Proficiency: Pleasant Hill students had an overall ELA proficiency rate of 33.6%, slightly higher than the previous year's 30.6%, but still lagging behind the state average of 42.5%.
- Math Proficiency: The overall math proficiency rate for the district was 30.2%, which represents an improvement from 26.9% the previous year, although still below the state average of 31%.
- Science Proficiency: Pleasant Hill's science proficiency rate was 24.3%, showing an increase from 18.1%, but also remaining below the state average of 29.3%.

Areas for Focus and Improvement: While Pleasant Hill shows promising growth in certain areas, there are also challenges that need addressing:

- Grade-Level Disparities: Performance across grade levels varies significantly. For instance, 3rd grade ELA proficiency dropped to 30.6%, and 6th Grade Math dropped to 9.7%.
- 11th Grade Performance: Both ELA and math proficiency in 11th grade show critical low points, with ELA at 14.9% and math too low to report, indicating an urgent need for intervention at the high school level.

While Pleasant Hill continues to face challenges, the district is showing resilience and potential in areas such as math and science. By focusing on grade-level disparities, continuing to invest in targeted supports, professional development and interventions, the district can continue improving its academic outcomes.

9. BOARD COMMUNICATION

Superintendent Crist reviewed upcoming events that board members can attend. A list of upcoming events will be provided to the board so they can sign up for the events they will attend.

10. OTHER BUSINESS

There was no other business.

11. NEXT MEETING

- Board Meeting – October 21, 2024; 7:00 p.m.; Pleasant Hill Community Center

12. ADJOURNMENT – 7:54 p.m.

Signed: _____, this _____ day of _____, 2024
Stephen Hammond, Board Chair

Date: October 21, 2024

Exhibit: 2425.52

Division 22 Assurances

Relevant Data:

The rules contained in Chapter 581, Division 22 of Oregon Administrative Rules (OARs) are the educational standards that the Oregon Legislature or the State Board has determined must be met in order to be a standard school district. Compliance with the Division 22 Standards ensures every student in Oregon public schools is provided with a baseline level of service. By November 1 of each year, the district reports to the school board and community on their compliance with all Division 22 Standards for Public Elementary and Secondary Schools, for the preceding school year, by making a presentation to the local School Board as set forth in OAR 581-02202305.

Recommendation:

It is recommended that the Board of Directors approve the Division 22 Standards Assurances Report for 2023-24 academic year.

Submitted and Recommended By:

Jim Crist
Superintendent

Pleasant Hill School District

Report on Compliance with Public School Standards

2023-24 School Year

By November 1 of each year, school district superintendents are required by [OAR 581-022-2305: District Assurances of Compliance with Public School Standards](#) to report to their community on the district's status with respect to all of the Standards for Public Elementary and Secondary Schools. The Standards are adopted by the State Board of Education and set out in Oregon Administrative Rules Chapter 581, Division 22.

The table below contains a summary of **Pleasant Hill** School District's compliance with each of the requirements of Oregon's administrative rules found in [DIVISION 22 - STANDARDS FOR PUBLIC ELEMENTARY AND SECONDARY SCHOOLS](#) during the 2023-24 school year. For each rule reported as out of compliance, **Pleasant Hill** School District has provided an explanation of why the school district was out of compliance and the school district's proposed corrective action plan to come into compliance. The corrective action must be approved by ODE and completed by the district by the beginning of the 2025-26 school year.

What are the requirements of the standards? For a general overview of what each rule/standard requires, consult this high-level [Rules at a Glance summary](#). For specific, comprehensive requirements, use the links below for each individual rule.

Category: Teaching & Learning

Subcategory: Curriculum & Instruction

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2030 District Curriculum	In compliance	The district has met all of the requirements for this rule. School curriculum is aligned to state content standards.	Not applicable
581-022-2045 Substance Use Prevention and Intervention Plan	In compliance	The district has met all of the requirements for this rule. Policy	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
		IGAEB: Drug, Alcohol and Tobacco Prevention, Health Education	
581-022-2050 Human Sexuality Education	In compliance	The district has met all of the requirements for this rule. Policy IGAI: Human Sexuality, AIDS/HIV, Sexually Transmitted Diseases, Health Education	Not applicable
581-022-2055 Career Education	In compliance	The district has met all of the requirements for this rule. Policy IJ: School Counseling Program	Not applicable
581-022-2060 Comprehensive School Counseling	In compliance	The district has met all of the requirements for this rule. Policy IJ: School Counseling Program	Not applicable
581-022-2263 Physical Education Requirements *Elementary Grades	In compliance	The district has met all of the requirements for this rule. All grades at or above PE instructional minutes.	Not applicable
581-022-2263 Physical Education Requirements *Middle Grades	In compliance	The district has met all of the requirements for this rule. All grades at or above PE instructional minutes.	Not applicable
581-022-2320 Required Instructional Time	In compliance	The district has met all of the requirements for this rule. All grade levels at or above instructional minutes.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2340 Media Programs	In compliance	The district has met all of the requirements for this rule. Media specialist is hired through LESD ☐	Not applicable
581-022-2500 Programs and Services for TAG Students	In compliance	The district has met all of the requirements for this rule. Policy GBBA - Talented and Gifted Students – Identification Policy IGBBC - Talented and Gifted – Programs and Services https://resources.finalsite.net/images/v1682616529/pleasant-hillk12orus/j7ioehj42vuo7fg17bh1/PHSDTAGPlan2023-2024.pdf	Not applicable
581-022-2350 Independent Adoptions of Instructional Materials	In compliance	The district has met all of the requirements for this rule..Policy IIA: Instructional Resources/Instructional Materials	Not applicable
581-022-2355 Instructional Materials Adoption	In compliance	The district has met all of the requirements for this rule. District is in compliance with instructional materials adoptions.	Not applicable
581-022-2360 Postponement of Purchase of State-Adopted Instructional Materials	In compliance	The district has met all of the requirements for this rule. No Postponement	Not applicable

Subcategory: Assessment & Reporting

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2100 Administration of State Assessments	In compliance	The district has met all of the requirements for this rule. Yes, PHSD utilized OSAS / ELPA 21	Not applicable
581-022-2110 Exception of Students with Disabilities from State Assessments	In compliance	The district has met all of the requirements for this rule. We do not exempt a student with a disability from participation in the Oregon State Assessment System or any districtwide assessments to accommodate the student's disability unless the parent has requested such an exemption.	Not applicable
581-022-2115 Assessment of Essential Skills: Diploma Requirements	Waived through the end of 2027-28 school year	Not applicable	Not applicable
581-022-2115(2) Assessment of Essential Skills: Local Performance Assessment Requirement	In compliance	The district has met all of the requirements for this rule.	Not applicable
581-022-2120 Essential Skill Assessments for English Language Learners	Waived through the end of 2027-28 school year	Not applicable	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2270 Individual Student Assessment, Recordkeeping and Reporting	In compliance	The district has met all of the requirements for this rule. Teacher gradebook, student folders, portfolios	Not applicable
581-022-2445 Universal Screenings for Risk Factors of Dyslexia	In compliance	The district has met all of the requirements for this rule. PHSD universally screens for risk factors of dyslexia in kindergarten, and for students entering Oregon schools for the first time in first grade, using screening test that is on the Department's approved list. □	Not applicable

Subcategory: Program & Service Requirements

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2315 Special Education for Children with Disabilities	In compliance	The district has met all of the requirements for this rule. Policy IGBA: Students with Disabilities -Child Identification Procedures	Not applicable
581-022-2325 Identification of Academically Talented and Intellectually Gifted Students	In compliance	The district has met all of the requirements for this rule. TAG coordinators at each building (2) provides annual staff training, collects evidence, meets with the teacher making the recommendation and then	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
		proceeds with the TAG identification process.	
581-022-2330 Rights of Parents of TAG Students	In compliance	The district has met all of the requirements for this rule. IGBBAAR: Appeal Procedure for Talented and Gifted Student Identification and Placement	Not applicable
581-022-2505 Alternative Education Programs	In compliance	The district has met all of the requirements for this rule. IGBHA - Alternative Education Programs	Not applicable
581-022-2515 Menstrual Dignity for Students	In compliance	The district has met all of the requirements for this rule.	Not applicable

Subcategory: High School Diploma

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2000 Diploma Requirements	In compliance	The district has met all of the requirements for this rule. Policy IKF: Graduation Requirements	Not applicable
581-022-2005 Veterans Diploma	In compliance	The district has met all of the requirements for this rule. Policy IKF: Graduation Requirements	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2010 Modified Diploma	In compliance	The district has met all of the requirements for this rule. Policy IKF: Graduation Requirements	Not applicable
581-022-2015 Extended Diploma	In compliance	The district has met all of the requirements for this rule. Policy IKF: Graduation Requirements	Not applicable
581-022-2020 Certificate of Attendance	In compliance	The district has met all of the requirements for this rule. Policy IKF: Graduation Requirements	Not applicable
581-022-2025 Credit Options	In compliance	The district has met all of the requirements for this rule. Policy IKF: Graduation Requirements	Not applicable

Category: Health & Safety

Subcategory: Policies & Practices

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2205 Policies on Reporting of Child Abuse	In compliance	The district has met all of the requirements for this rule. Policy BBFC, JHFE, JHFF,GBNAA: Reporting of Suspected Abuse of a Child	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2220 Health Services	In compliance	The district has met all of the requirements for this rule. School Board Policy: Communicable Diseases - Students (JHCC) Administrative Rule: Communicable Diseases - Students (JHCC-AR)	Not applicable
581-022-2310 Equal Education Opportunities	In compliance	The district has met all of the requirements for this rule. Policy JB: Equal Educational Opportunity	Not applicable
581-022-2312 Every Student Belongs	In compliance	The district has met all of the requirements for this rule. Policy ACB: All Students Belong	Not applicable
581-022-2345 Auxiliary Services	In compliance	The district has met all of the requirements for this rule. Policy KGF/EDC: Authorized Use of District Equipment and Materials- Food Service and Transportation Audit W/ ODE are in good standing	Not applicable

Subcategory: Plans & Reports

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2223 Healthy and Safe Schools Plan	In compliance	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
		<p>https://resources.finalsite.net/images/v1691509745/pleasanthillk12orus/bjtfxgkawebyzhjkbpfmm/UpdatedCDGuidance.pdfhttps://resources.finalsite.net/images/v1691517392/pleasanthillk12orus/jhtwxp1noziwxlwkryix/2023-24School-LevelCDManagementPlanPHES.pdfhttps://resources.finalsite.net/images/v1691517392/pleasanthillk12orus/jx3n1eflvoibzyog5uf/2023-24School-LevelCDManagementPlanPHMS_PHHS.pdfIn Compliance</p>	
581-022-2225 Emergency Plans and Safety Programs	<p>In compliance</p>	<p>The district has met all of the requirements for this rule. HASS Plan is submitted to Brian French@ ODE and PHSD is in good standinghttps://www.pleasanthill.k12.or.us/resources/healthy-safe-schools</p>	<p>Not applicable</p>
581-022-2230 Asbestos Management Plans	<p>In compliance</p>	<p>The district has met all of the requirements for this rule. HASS Plan is submitted to Brian French@ ODE and PHSD is in good standinghttps://www.pleasanthill.k12.or.us/resources/healthy-safe-schools</p>	<p>Not applicable</p>

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2267 Annual Report on Restraint and Seclusion	In compliance	The district has met all of the requirements for this rule. Yes- PHSD SPED Director submitted.	Not applicable
581-022-2510 Suicide Prevention Plan	In compliance	The district has met all of the requirements for this rule. Policy JHH Student Suicide Prevention PHSD Suicide Prevention Process and Procedural Manual	Not applicable

Subcategory: Athletics & Interscholastic Activities

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2210 Anabolic Steroids and Performance Enhancing Substances	In compliance	The district has met all of the requirements for this rule. Policy IGDJ: Interscholastic Activities & PHSD Coaches Handbook	Not applicable
581-022-2215 Safety of School Sports – Concussions	In compliance	The district has met all of the requirements for this rule. Policy IGDJ: Interscholastic Activities & PHSD Coaches Handbook	Not applicable
581-022-2308 Agreements Entered Into with Voluntary Organizations	In compliance	The district has met all of the requirements for this rule. Policy IGDJ: Interscholastic Activities & PHSD Coaches Handbook	Not applicable

Category: District Performance & Accountability

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2250 District Improvement Plan	In compliance	The district has met all of the requirements for this rule. Submitted and approved by ODE.	Not applicable
581-022-2255 School and District Performance Report Criteria	In compliance	The district has met all of the requirements for this rule. The Superintendent will notify the public and the media by December 15 of each year that school and district performance reports are available at each school and school district and at the Department of Education website and office.	Not applicable
581-022-2260 Records and Reports	In compliance	The district has met all of the requirements for this rule. IGDG: Student Activity Funds	Not applicable
581-022-2265 Report on PE Data	In compliance	The district has met all of the requirements for this rule. Yes, minimum physical education each school week if the school on average holds classes five days a week over the course of the school year.	Not applicable
581-022-2300 Standardization	In compliance	The district has met all of the requirements for this rule. PHSD uses Division 22 process sent from ODE	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2305 District Assurances of Compliance with Public School Standards	In compliance	The district has met all of the requirements for this rule. Yes, report provided to the school board on October 21, 2024 and submitted to ODE on or before November 15, 2024 using provided form. Report posted on district website.	Not applicable
581-022-2370 Complaint Procedures	In compliance	The district has met all of the requirements for this rule. Policy GBN/JBA- Sexual Harassment, Policy JBA/GBN Sexual Harassment, AC-AR: Discrimination Complaint Procedure, Policy KL- Public Complaints	Not applicable

Category: Human Resources/Staffing

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2335 Daily Class Size	In compliance	The district has met all of the requirements for this rule. Yes- PHSD maintains class sizes that promote effective practices consistent with expected outcomes. In Compliance	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2400 Personnel	In compliance	The district has met all of the requirements for this rule. Yes- All teachers, specialists and administrators employed must be licensed	Not applicable
581-022-2405 Personnel Policies	In compliance	The district has met all of the requirements for this rule. Policy GCL/GDL Staff Development Policy GBA Equal Employment Opportunity Policy CCG Evaluation of Administrators, GCN/GDN evaluation of staff Policy GBD Board-Staff Communications Policy GBL Personnel records. Policy CCG Evaluation of Administrators, Policy GCN/GDN evaluation of staff In Compliance	Not applicable
581-022-2410 Teacher and Administrator Evaluation and Support	In compliance	The district has met all of the requirements for this rule. Policy CCG Evaluation of Administrators, Policy GCN/GDN evaluation of staff	Not applicable
581-022-2415 Core Teaching Standards	In compliance	The district has met all of the requirements for this rule. Policy GCN/GDN evaluation of staff for licensed staff shall be based on core teaching standards	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2420 Educational Leadership - Administrator Standards	In compliance	The district has met all of the requirements for this rule. Policy CCG Evaluation of Administrators	Not applicable
581-022-2430 Fingerprinting of Subject Individuals in Positions Not Requiring Licensure as Teachers, Administrators, Personnel Specialists, School Nurses	In compliance	The district has met all of the requirements for this rule. Policy GCDA/GDDA Criminal Records Checks and Fingerprinting Policy IICC: Volunteers GCDA/GDDA-AR - Criminal Records Checks and Fingerprinting	Not applicable
581-022-2440 Teacher Training Related to Dyslexia	In compliance	The district has met all of the requirements for this rule. Yes, PHSD has at least one kindergarten through grade five teacher in each kindergarten through grade five school has received training related to dyslexia.	Not applicable

Date: October 21, 2024

Board Policy First Read

Relevant Data:

From time to time, changes in laws or operating practice require changes or additions to board policies. In addition, the district subscribes to a policy review service with Oregon School Boards Association and receives samples that are used to develop policy for Pleasant Hill School District. The following information and policies were presented to the Board of Directors for review during Board Discussion at the October 7, 2024 Regular Meeting to reflect the updates as required by legislative action or recommended by the Oregon School Boards Association. Having heard no information for changes they are now being brought forward as a first reading for formal adoption and change as recommended.

Recommendation:

It is recommended the Board of Directors approve the first read of the following board policy changes.

Civil Rights Coordinator

- AC - Nondiscrimination, Update (**Exhibit 2425.53**)

Procurements

- DJC - Bidding Requirements, Delete
- DJC - Bidding Requirements, New (**Exhibit 2425.54**)
- DJC - AR - Exemptions from Competitive Bidding and Special Procurements, Delete
- DJC-AR - Exemptions from Competitive Bidding and Special Procurements, New (**Exhibit 2425.55**)
- DJCA - Personal Service Contracts, Delete
- DJCA-AR - Personal Service Contracts, Delete

Sexual Harassment Definition

- GBN/JBA - Sexual Harassment, Update (**Exhibit 2425.56**)
- JBA/GBN - Sexual Harassment, Update (**Exhibit 2425.57**)

Fingerprinting

- GCDA/GDDA - Criminal Records Checks and Fingerprinting*, Delete
- GCDA/GDDA - Criminal Records Checks and Fingerprinting*, New (**Exhibit 2425.58**)
- GCDA/GDDA-AR - Criminal Records Checks and Fingerprinting, Delete

Submitted by:

Jim Crist, Superintendent

Pleasant Hill School District 1

Code: AC
 Adopted: 1/10/00
 Revised/Readopted: 2/13/06, 12/10/07,
 4/13/09, 10/25/10,
 9/14/15, 11/20/17

Nondiscrimination

The district prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual race¹, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans' status, or because of the perceived or actual race, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans' status of any other persons with whom the individual associates.

The district prohibits discrimination and harassment in, but not limited to, employment, assignment and promotion of personnel; educational opportunities and services offered students; student assignment to schools and classes; student discipline; location and use of facilities; educational offerings and materials; and accommodating the public at public meetings.

The Board encourages staff to improve human relations within the schools, to respect all individuals and to establish channels through which patrons can communicate their concerns to the administration and the Board.

The Board designates the Superintendent as the district's civil rights coordinator. The Board directs the superintendent to designate the district's civil rights coordinator and make contact information available to staff, students and parents.

The superintendent shall appoint individuals at the district to contact on issues concerning the Americans with Disabilities Act and Americans with Disabilities Act Amendments Act (ADA), Section 504 of the Rehabilitation Act, Titles VI and VII of the Civil Rights Act, Title IX of the Education Amendments, and other civil rights or discrimination issues, and notify students, parents, and staff with their names, office addresses, and phone numbers. The district will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees and the public, and such procedures will be available at the district's administrative office and available on the home page of the district's website.

The district prohibits retaliation and discrimination against an individual who has opposed any discrimination act or practice; because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing; and further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising any rights guaranteed under state and federal law.

¹ Includes discriminatory use of a Native American mascot pursuant to OAR 581-021-0047. Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001 (as amended by House Bill 2935 (2021)).

END OF POLICY

Legal Reference(s):

ORS 174.100	ORS 659A.003	ORS 659A.321
ORS 192.630	ORS 659A.006	ORS 659A.409
ORS 326.051(1)(e)	ORS 659A.009	OAR 581-002-0001 – 002-0005
ORS 332.505	ORS 659A.029	OAR 581-021-0045
ORS 408.230	ORS 659A.030	OAR 581-021-0046
ORS 659.805	ORS 659A.040	OAR 581-021-0047
ORS 659.815	ORS 659A.103 - 659A.145	OAR 581-022-2310
ORS 659.850 - 659.860	ORS 659A.230 - 659A.233	OAR 581-022-2370
ORS 659.865	ORS 659A.236	OAR 839-003
ORS 659A.001	ORS 659A.309	

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-633 (2018); 29 C.F.R Part 1626 (2019).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12112 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2018).

Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2018); 34 C.F.R. Part 104 (2019).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018); 29 C.F.R. § 1601 (2019).

Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (2018).

Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (2018); 29 C.F.R. Part 1635 (2019).

Pleasant Hill School District 1

Exhibit 2425.54

Code: DJC
Adopted:

Bidding Requirements

The Board is the Local Contract Review Board (LCRB) for the district. The LCRB has not adopted its own rules of procurement. Consequently, the *Oregon Attorney General's Model Public Contracting Rules*¹ shall apply to the district.²

Additionally, the district may include as part of its procedures portions of the Oregon Department of Administrative Services administrative rules governing Public Contract Exemptions, OAR Chapter 125, Divisions 246 - 249.

The LCRB may make the written findings required by law for exemptions from competitive bidding. Such findings shall be maintained by the district and made available on request.

The district may not artificially divide or fragment a procurement to reduce the procurement requirements.

The superintendent may develop administrative regulations or procedures to assist with the implementation of this policy and applicable procurement rules.

Goods and Services

The district will purchase goods and services through the following procedures, unless an exception applies:

1. **Small Procurement.** For purchases of goods and services with a contract price not exceeding \$25,000, the district can use any manner deemed practical or convenient, including direct selection or award. Amendments to a contract awarded through small procurement must be in accordance with OAR 137-047-0800.
2. **Intermediate Procurement.** For purchases of goods and services with a contract price exceeding \$25,000, but not exceeding \$250,000, the district shall seek at least three informally solicited competitive price quotes or competitive proposals from prospective contractors. The district will keep record of the request and quotes. If three quotes are not reasonably available, fewer will suffice, but the district will make a written record of the effort made. The district may negotiate with a prospective contractor to clarify the quote or offer, or to effect modifications. Amendments to a contract awarded through intermediate procurement must be in accordance with OAR 137-047-0800.
3. **Regular Procurement.** For purchases exceeding \$250,000, the district will use competitive sealed bids (OAR 137-047-0255) or competitive sealed proposals (OAR 137-047-0260). Amendments to contracts awarded through regular procurement must be in accordance with OAR 137-047-0800.

¹ Oregon Administrative Rules (OAR) 137-045 - 049

² See ORS 279A.065(5). {The LCRB can formally adopt the AG rules. If the LCRB formally adopts the rules, the district is required to review the AG rules each time there is a modification.}

4. Emergency Procurements. In situations of emergency⁵, the LCRB or designee may authorize an emergency procurement. In an emergency procurement, the district is not required to follow general procurement requirements. The district must ensure competition for the contract that is reasonable and appropriate under the circumstances. The district must document the nature of the emergency and the method used for the selection of the contractor.
5. Sole-source Procurements. If the LCRB or designee determines that the goods or services are available from only one source, the district may award a contract without competition. To the extent reasonably practicable, the district shall negotiate with the sole source to obtain contract terms that are advantageous to the district. The determination of sole source must be based on written findings and may include:
 - a. That the efficient utilization of existing goods requires acquiring compatible goods or services;
 - b. That the goods or services required to exchange software or data with other public or private agencies are available from only one source;
 - c. That the goods or services are for use in a pilot or experimental project; or
 - d. Other findings that support the conclusion that the goods or services are available from only one source.⁶
6. Special Procurements. “Special procurement” means a contract or class of contracts that use a contracting procedure other than competitive sealed proposals, competitive sealed bidding, small procurement or intermediate procurement. Special procurements require LCRB approval and will be conducted in accordance with ORS 279B.085, OAR 137-047-0285, and this policy and administrative regulation DJC-AR - Exemptions from Competitive Bidding and Special Procurement.
7. Personal Services Contracts. “Personal services contract,” as used in this policy, means a contract whose primary purpose is to acquire specialized skills, knowledge and resources in the application of technical or scientific expertise, or the exercise of professional, artistic or management discretion or judgment.⁸ Unless otherwise designated by the LCRB, personal services contracts will be procured in accordance with applicable procurement laws. The LCRB may designate certain service contracts or classes of service contracts as personal services contracts and exempt them from competitive bidding. All personal services contracts shall be based on demonstrated qualifications and competence to perform the required services, encourage competition, discourage favoritism and

⁵ “Emergency” means circumstances that:

1. Could not have been foreseen;
2. Create a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety; and
3. Require prompt execution of a contract to remedy the condition.

⁶ If the contract does not exceed \$250,000, using intermediate procurement is likely less burdensome than sole source.

⁸ This includes, but is not limited to, contracts for the services of an accountant, physician or dentist, educator, consultant (including a provider under an Architectural and Engineering Service Contract), broadcaster, or artist (including a photographer, filmmaker, painter, weaver or sculptor (OAR 137-045-0010(19))). Also includes architectural, engineering, photogrammetric mapping, transportation planning or land surveying services procured under ORS 279C.105 (ORS 279C.100) and related services procured under ORS 279C.120 (ORS 279C.100(5)).

obtain services at a fair and reasonable price. Personal service contractors may be required to qualify as independent contractors in accordance with applicable laws.¹⁰

Procurements for services estimated to be in excess of \$250,000 shall go through the cost analysis and feasibility process in accordance with ORS 279B.030.

Public Improvements

“Public improvement” means a project for construction, reconstruction or major renovation on real property by or for the district.¹¹ The district will contract for public improvements using the following procedures, unless an exception applies.

1. Public improvements contracts with a value of less than \$25,000 are exempt from competitive bidding.
2. Intermediate Procurements. For public improvement contracts not exceeding \$100,000, the district may utilize three quotes¹²:
 - a. The request for the quotes shall be in writing (unless not reasonably practicable)¹³;
 - b. The request for quotes shall include the selection criteria and if the criteria are not of equal value, their relative value or ranking.

The district shall award the contract to the prospective contractor whose quote will best serve the interest of the district, based on the selection criteria. If the award is not made to the offeror and quote with the lowest price, the district will make a written record of the basis for the award. Amendments to a contract awarded via intermediate procurement may be increased in accordance with OAR 137-049-0160(6)-(7).

3. Regular Procurements. For purchases exceeding \$100,000, the district will use invitation to bid or request for proposals except as otherwise allowed by law. See OAR 137-049-0130 and OAR 137-049-0640. Amendments to contracts awarded through regular procurement must be in accordance with OAR 137-049-0910.
4. Emergency Procurements. Emergency contracts for construction services are not considered public improvement contracts and will be procured in accordance with OAR 137-049-0140 and OAR 137-049-0150.
5. Community Benefit Contracts. “Community benefit contract” means a public improvement contract that includes, but is not limited to, terms and conditions that require the contractor to:

¹⁰ See ORS 670.600 and OAR 459-005-0020.

¹¹ Public improvement does not include:

1. Projects for which no funds of the district are directly or indirectly used, except for participation that is incidental or related primarily to project design or inspection; or
2. Emergency work, minor alternation, ordinary repair or maintenance necessary to preserve a public improvement.

¹² If three quotes are not reasonably available, the district shall make a written record of the effort made to obtain these quotes.

¹³ For Public Works Contracts, oral quotations may only be utilized in the event that written copies of prevailing wage rates are not required by the Bureau of Labor and Industries.

- a. Qualify as a training agent, as defined in ORS 660.010, or provide apprenticeship training that meets applicable federal and state standards for apprenticeship training;
- b. Employ apprentices to perform a specified percentage of work hours that workers in apprenticeable occupations perform on the community benefit project;
- c. Provide employer -paid family health insurance; and
- d. Meet any other requirements that the LCRB sets forth.

Community benefits contracts may be procured in accordance with ORS 279C.308.

6. Construction Manager/General Contractor (CM/GC) Procurement. The district shall procure CM/GC services in accordance with model rules the Attorney General adopts under Oregon Revised Statute (ORS) 279A.065(3) and OAR 137-049-0690, which requires “the assistance of legal counsel with substantial experience and necessary expertise in using the CM/GC Method, as well as knowledgeable staff, consultants or both staff and consultants who have demonstrated capability of managing the CM/GC process in the necessary disciplines of engineering, construction scheduling and cost control, accounting, legal, Public Contracting and project management.”

END OF POLICY

Legal Reference(s):

[ORS Chapter 279](#)
[ORS Chapter 279A](#)
[ORS Chapter 279B](#)
[ORS Chapter 279C](#)

[ORS 670.600](#)
[OAR Chapter 125](#), Divisions 246 -
249

[OAR Chapter 137](#), Divisions 045 -
049
[OAR 459-005-0020](#)

[OREGON PROCUREMENT MANUAL](#), Oregon Department of Administrative Services.

Pleasant Hill School District 1

Code: DJC-AR
Revised/Reviewed:

Exemptions from Competitive Bidding and Special Procurements

All public contracts shall be based upon competitive bids or proposals, except the following:

1. Contracts below threshold levels in accordance with ORS 279B.065 (small procurements for goods and services), 279B.070 (intermediate procurements for goods and services) and 279C.412 (intermediate procurements for public improvements);
2. Special procurements for goods and services in accordance with ORS 279B.085 and OAR 137-047-0285;¹
3. Contracts which have been exempted under ORS 279A.025 and 279C.335; and
4. Any other contract exempted by law.

SPECIAL PROCUREMENTS FOR GOODS AND SERVICES

To proceed with a special procurement, the district shall submit a written request to the Board, acting as the Local Contract Review Board (LCRB). This request shall describe the contracting procedure, the goods and services or class of goods and services that are the subject of the special procurement, and circumstances that justify the use of a special procurement.

The special procurement must be unlikely to encourage favoritism in the awarding of a public contract or to substantially diminish competition for public contracts; and (A) must be reasonably expected to result in substantial cost savings to the district or to the public; or (B) must substantially promote the public interest in a matter that could not practicably be realized by complying with requirements that are applicable under ORS 279B.055, 279B.060, 279B.065, 279B.070 or any related rules.

After LCRB approval, the district may proceed with a special procurement. Public notice of the approval of a special procurement must be given in the same manner as provided in ORS 279B.055(4). If the district intends to award a contract through special procurements that calls for competition among prospective contractors, the district shall award the contract to the contractor it determines to be most advantageous to the district.

When the LCRB approves a class special procurement the district may award contracts to acquire goods and services within the class of goods and services in accordance with the terms of the approval without making a subsequent request for a special procurement.

The following are additional considerations and requirements for specific types of special procurements. The request submitted to the LCRB should address these provisions and satisfy any requirements.

¹ Procurement law for goods and services uses the term “special procurement.” Procurement law for public improvement contracts does not use the term “special procurement,” but a comparable exemption is allowed under ORS 279C.335.

Brand Names or Equal²

1. “Brand name or equal specification” means a specification that uses one or more manufacturers’ names, makes, catalog numbers or similar identifying characteristics needed to meet the district’s requirements and that authorizes bidders or proposers to offer goods or services that are equivalent or superior to those named or described in the specification.
2. “Brand name specification” means a specification limited to one or more products, brand names, makes, manufacturer’s names, catalog numbers or similar identifying characteristics.”
3. “Specification” means any description of the physical or functional characteristics of, or of the nature of, goods or services to be procured by a contracting agency.³

A brand name or equal specification may be used when the use of a brand name or equal specification is advantageous to the district because the brand name describes the standard of quality, performance, functionality and other characteristics of the product needed by the district. The district is entitled to determine what constitutes a product that is equal or superior to the product specified, and any such determination is final. Nothing in the law or this administrative regulation may be construed as prohibiting the district from specifying one or more comparable products as examples of the quality, performance, functionality or other characteristics of the product needed by the contracting agency.

A brand name specification may be prepared and used only if the district determines for a solicitation or class of solicitations that only the identified brand name specification will meet the needs of the district based on one or more of the following written determinations:

1. That use of the brand name specification is unlikely to encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts;
2. That use of a brand name specification would result in substantial cost savings to the contracting agency;
3. That there is only one manufacturer or seller of the product of the quality, performance or functionality required; or
4. That efficient utilization of existing goods requires the acquisition of compatible goods or services.

Advertising Contracts, Purchase of⁴

The district traditionally purchases advertising in newspapers, however, the district may also purchase advertising in other media, such as radio, television or the internet. Advertising contracts may be procured without competitive procurement based on findings of:

1. Advertisements are placed in a particular source because of the specific audience that source serves;

² For additional guidance, see OAR 125-247-0691.

³ Specification may include a description of any requirement for inspecting, testing or preparing goods or services for delivery.

⁴ See OAR 125-247-0288(5) for additional guidance.

2. Competition to furnish advertising space in daily newspapers of general, trade or business circulation in the vicinity of the district is limited;
3. Cost savings are difficult to quantify where the sources are unique and not interchangeable;
4. Advertisements may be placed to satisfy legal notice or Board policy requirements;
5. Other published advertisements or notices, such as routine public notices, personnel recruitment information, etc., are placed in one or more of the publications of general circulation in the local area and other publications, as appropriate;
6. The communities served by the district rely upon its use of the local daily newspaper as a central source of news and information regarding district activities; or
7. It is unknown whether contracts for advertisements placed with radio, television, the internet or other media are going to result in cost savings if not placed for competitive bid or request for proposal (RFP). If possible, savings could be obtained through competitive means, the district would attempt to obtain competitive quotes or bids, as appropriate.

Advertising Contracts, Sale of

The district may sell advertising for district publications and activities, regardless of a dollar amount, without competitive bidding, including school newspapers, yearbooks, athletic programs, drama or music programs and the like.

Sales of advertising for student activities are generally other fund revenues, where student groups solicit advertisements from local businesses to help with the cost of the activity itself. A common example is the sale of advertising in school newspapers and yearbooks. The district itself would not achieve any increased revenue to the General Fund by seeking competitive bids or proposals for such advertising. This holds true for other student activities, such as athletics, drama or music events and the like.

Equipment Repair and Overhaul⁵

The district may enter into a public contract for equipment repair or overhaul without competitive bidding when competitive procurement is not practical. This may include when service or parts required are unknown and the cost cannot be determined without extensive preliminary dismantling or testing, or service or parts required are for sophisticated equipment for which specially trained personnel are required and such personnel are available from only one source. The district will use a competitive procedure to the extent practicable.

If the repair or overhaul qualifies as an emergency, the district may use emergency procurement procedures.

Copyrighted Materials

Contracts for the procurement or distribution of textbooks are exempt from public procurement requirements. Purchase of copyrighted materials available from only one source may be procured through

⁵ For additional guidance, see OAR 127-247-0288(6).

the sole source procedures. Requests for special procurement approval for the purchase of other copyrighted materials may be submitted to the LCRB with supporting information.

Used Personal Property or Equipment, Purchase⁶

The district may purchase used property or equipment without obtaining competitive bids or quotes, if at the time of purchase, the LCRB has determined that the purchase will result in substantial cost savings to the district or promote the public interest and will unlikely diminish competition or encourage favoritism. “Used personal property or equipment” is property or equipment which has been placed in its intended use by a previous owner or user for a period of time recognized in the relevant trade or industry as qualifying the personal property or equipment as “used,” at the time of district purchase.

Information Technology and Telecommunication Contracts⁷

The district may enter into a contract to acquire information technology hardware and software and services (including telecommunications) without competitive bidding if, the LCRB has determined that the purchase will result in substantial cost savings to the district or promote the public interest and will unlikely diminish competition or encourage favoritism.

Renegotiation of Existing Contracts with Incumbent Contractors

The district may amend or renegotiate contracts with existing vendors, service providers or other parties in accordance with OAR 137-047-0800.

EXEMPTIONS FOR PUBLIC IMPROVEMENT CONTRACTS

Oregon law⁸ allows for exceptions to competitive bidding for public improvement contracts or classes of contracts when the LCRB approves findings that:

1. The exemption is unlikely to encourage favoritism in awarding public improvement contracts or substantially diminish competition for public improvement contracts; and
2. Awarding a public improvement contract under the exemption will likely result in substantial cost savings and other substantial benefits to the district.

In approving a finding, the LCRB shall consider the type, cost and amount of the contract and, to the extent applicable to the particular public improvement contract or class of public improvement contracts, the following:

1. How many persons are available to bid;

⁶ For additional guidance, see OAR 125-247-0288(10). When contracting with another governmental entity, a district has a statutory exception under ORS 279A.025. The district may purchase state/federal surplus property through the Department of Administrative Services, State Services Division for Surplus Property. For more information on this program, contact DAS at 503-378-4714.

⁷ For additional guidance, see OAR 127-247-0185.

⁸ See ORS 279C.335.

2. The construction budget and the projected operating costs for the completed public improvement;
3. Public benefits that may result from granting the exemption;
4. Whether value engineering techniques may decrease the cost of the public improvement;
5. The cost and availability of specialized expertise that is necessary for the public improvement;
6. Any likely increases in public safety;
7. Whether granting the exemption may reduce risks to the contracting agency, the state agency or the public that are related to the public improvement;
8. Whether granting the exemption will affect the sources of funding for the public improvement;
9. Whether granting the exemption will better enable the contracting agency to control the impact that market conditions may have on the cost of and time necessary to complete the public improvement;
10. Whether granting the exemption will better enable the contracting agency to address the size and technical complexity of the public improvement;
11. Whether the public improvement involves new construction or renovates or remodels an existing structure;
12. Whether the public improvement will be occupied or unoccupied during construction;
13. Whether the public improvement will require a single phase of construction work or multiple phases of construction work to address specific project conditions; and
14. Whether the contracting agency or state agency has, or has retained under contract, and will use contracting agency or state agency personnel, consultants and legal counsel that have necessary expertise and substantial experience in alternative contracting methods to assist in developing the alternative contracting method that the contracting agency or state agency will use to award the public improvement contract and to help negotiate, administer and enforce the terms of the public improvement contract.

In granting this exemption, the LCRB shall:

1. If appropriate, direct the use of alternative contracting methods that take account of market realities and modern practices and are consistent with the public policy of encouraging competition;
2. Require and approve or disapprove written findings by the district that support awarding a particular public improvement contract or a class of public improvement contracts, without the competitive bidding requirements. The findings must show that the exemption complies with the requirements outlined in this administrative regulation; and
3. If the procurement involves construction manager/general contractor services, require the district conduct the procurement in accordance with OAR 137-049-0690.

Notification of a proposed exemption under this section must be published in at least one trade newspaper of general statewide circulation a minimum of 14 days before the date on which the LCRB intends to take

action to approve or disapprove the exemption. The notice must state that in response to a written request, the district will hold a public hearing for the purpose of taking comments on the draft findings for an exemption from the competitive bidding requirement.⁹ If a hearing is held, the district shall offer an opportunity for any interested party to appear and comments. If the district must act promptly because of circumstances beyond the district's control that do not constitute an emergency, notification of the proposed exemption may be published simultaneously with the district's solicitation of contractors, as long as responses to the solicitation are due at least five days after the agency intends to take action to approve or disapprove the proposed exemption.

⁹ The district may hold a hearing even if there is no written request.

Pleasant Hill School District 1

Code: GBN/JBA
 Adopted: 1/10/00
 Revised/Readopted: 6/26/17, 9/10/18

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 parties are subject to this policy. Any person may report sexual harassment.

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

General Procedures

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

OREGON DEFINITION AND PROCEDURES

Oregon Definition

Sexual harassment of students, staff members or third parties³ shall include:

1. A demand or request for sexual favors in exchange for benefits;
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 consent⁴.

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

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

⁴ "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.

conduct is not the product of sexual intent or a person finding another person, or another person's actions, 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 individual(s):

Name	Position	Phone	Email
<u>Jim Crist</u>	<u>Superintendent</u>	<u>(541) 736-0701</u>	<u>jcrist@pleasanthill.k12.or.us</u>

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

Response

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

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

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

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

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
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 person⁹ who may have been affected by this policy files a complaint or otherwise reports behavior that may violate the policy, the district shall provide written notification to the following:

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

The written notification must include¹⁰:

1. Name and contact information for all person 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 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

⁹ 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.

¹⁰ Remember confidentiality laws when providing any information.

or drugs without the person’s knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct; and

9. Prohibition of retaliation.

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

The notice must:

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

Oregon Department of Education (ODE) Support

The ODE will provide technical assistance and training upon request.

FEDERAL DEFINITION AND PROCEDURES

Federal Definition

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

1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual’s participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district’s education program or activity¹¹;
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

¹¹ “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))

6. “Stalking”: engaging in a course of conduct directed at a specific person that would cause a reasonable person fear for the person’s own safety or the safety of others, or suffer substantial emotional distress.

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

Federal Procedures

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

Reporting

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

The Superintendent is designated as the Title IX coordinator and can be contacted at 541-736-0701. The Title IX coordinator will coordinate the district’s efforts to comply with its responsibilities related to this AR. The district prominently will display the contact information for the Title IX coordinator 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.¹³ The district shall treat complainants and respondents equitably by providing supportive measures¹⁴ to the complainant and by following a grievance procedure¹⁵ 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.¹⁶

¹³ (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.

¹⁴ (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.¹⁴ 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))

¹⁵ 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).

¹⁶ The Title IX coordinator may also discuss that the Title IX coordinator has the ability to file a formal complaint.

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.¹⁷ The district must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. A non-student employee may also be placed on non-disciplinary administrative leave pending the grievance process.

Notice

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

1. The name or title, office address, electronic mail address, and telephone number of the Title IX coordinator(s);
2. That the district does not discriminate on the basis of sex in the education program or activity that it operates, as required by Title IX. This includes admissions and employment; and
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 Secretary¹⁸, or both.

No Retaliation

Neither the district or any person may retaliate¹⁹ 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 shall be prominently published in the school 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):

¹⁷ 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))

¹⁸ Of the United States Department of Education.

¹⁹ Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

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

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

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

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

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

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

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

Code: JBA/GBN
Adopted: 1/10/00
Revised/Readopted: 6/26/17, 9/10/18

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 parties 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 procedures.

OREGON DEFINITION AND PROCEDURES

Oregon Definition

Sexual harassment of students, staff members or third parties³ shall include:

1. A demand or request for sexual favors in exchange for benefits;
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 consent⁴.

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

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

⁴ “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.

conduct is not the product of sexual intent or a person finding another person, or another person's actions, 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 individual(s):

Name	Position	Phone	Email
<u>Jim Crist</u>	<u>Superintendent</u>	<u>(541) 736-0701</u>	<u>jcrist@pleasanthill.k12.or.us</u>

This individual is responsible for accepting and managing complaints of sexual harassment. Persons wishing to report should contact them using the above information. This person is 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;
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
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 person⁹ who may have been affected by this policy files a complaint or otherwise reports behavior that may violate the policy, the district shall provide written notification to the following:

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

The written notification must include¹⁰:

1. Name and contact information for all person 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 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

⁹ 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.

¹⁰ Remember confidentiality laws when providing any information.

or drugs without the person’s knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct; and

9. Prohibition of retaliation.

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

The notice must:

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

Oregon Department of Education (ODE) Support

The ODE will provide technical assistance and training upon request.

FEDERAL DEFINITION AND PROCEDURES

Federal Definition

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

1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual’s participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district’s education program or activity¹¹;
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

¹¹ “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))

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.*

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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.¹⁶

¹³ (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.

¹⁴ (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.¹⁴ 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))

¹⁵ 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*).

¹⁶ The Title IX coordinator may also discuss that the Title IX coordinator has the ability to file a formal complaint.

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.¹⁷ 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.

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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 Secretary¹⁸, or both.

No Retaliation

Neither the district or any person may retaliate¹⁹ 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.

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Publication

This policy shall be made available to students, parents of students and staff members. This policy shall be prominently published in the school 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):

¹⁷ 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))

¹⁸ Of the United States Department of Education.

¹⁹ Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

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[ORS 659A.029](#)

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

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

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

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

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

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

Pleasant Hill School District 1

Code: GCDA/GDDA

Adopted:

Criminal Records Checks and Fingerprinting *

In a continuing effort to ensure the safety and welfare of students and staff, the district shall require certain individuals to submit to a criminal records check and fingerprinting as required by law. This includes employees, contractors, volunteers and others.

Requirements for Employees not Licensed, Certified or Registered by the Teachers Standards Practices Commission (TSPC)

All newly hired employees² not identified under Oregon Revised Statutes (ORS) 342.223³ are required to submit to a criminal records check and fingerprinting as required by law. A newly hired employee is not subject to fingerprinting if the district has evidence on file that the person successfully completed a state and national criminal records check for a previous employer that was a school district⁴ or private school, and has not resided outside the state between the two periods of employment.

An individual shall be subject to the collection of fingerprint information, only after the offer of employment from the district. Fees associated with criminal records checks and fingerprinting for individuals applying for employment with the district and not requiring licensure shall be paid by the individual.

The district may⁶ begin the employment of an individual on a probationary basis pending the return and disposition of the required criminal records checks.

When the criminal records check indicates an individual has been convicted of any crimes⁷ prohibiting employment, the individual will not be employed, or if employed will be terminated. When the criminal records check indicates an individual has knowingly made a false statement as to the conviction of any crime, the individual may be employed by the district, or if employed by the district may be terminated. An individual who fails to disclose the presence of convictions that would not otherwise prohibit employment or contract with the district as provided by law may be employed by the district. Employment termination shall remove the individual from any district policies, collective bargaining provisions

² Any individual hired within the last three months. This does not include an employee hired within the last three months if the district has evidence on file that meets the definition in Oregon Administrative Rule (OAR) 581-021-0510(11)(b).

³ ORS 342.223 includes teachers, administrators, personnel specialist, school nurses, persons participating in supervised clinical practice experience, practicum or internship as a teacher, administrator or personnel specialist. See statute for details.

⁴ As is defined in OAR 581-021-0510(9); includes school districts, the Oregon School for the Deaf, and educational program under the Youth Corrections Education Program, public charter schools and ESDs.

⁶ Decisions regarding which employees may begin before the return of the required criminal records checks must be made in a nondiscriminatory manner.

⁷ See OAR 581-021-0511(8).

regarding dismissal procedures and appeals and the provisions of Accountability for Schools for the 21st Century Law.

Requirements for individuals in positions requiring licensure, certification or registration with Teacher Standards and Practices Commission (TSPC) are outlined in ORS 342.223.

OR

Requirements for TSPC Licensed, Certified or Registered Individuals

1. Any individual who is applying for a license as a teacher, administrator or personnel specialist is subject to a criminal records check and fingerprinting, unless the individual has submitted to such a check through the Teacher Standards and Practices Commission (TSPC) within the previous three years, or has remained continuously licensed by or registered with TSPC for a different license or registration for which the individual has already submitted to a criminal records check and fingerprinting.
2. Any individual who is applying for an initial certificate under ORS 342.475 as a school nurse shall submit to a criminal records check and fingerprinting with TSPC.
3. Any individual who is applying for a registration as a public charter school teacher or administrator with TSPC shall submit to a criminal records check and fingerprinting with TSPC.
4. Any individual applying for reinstatement of an Oregon license or registration as a teacher, administrator or personnel specialist, or a certificate as a school nurse with the TSPC, whose license, registration or certificate has lapsed for at least three years, shall submit to a criminal records check and fingerprinting with TSPC.
5. Any individual registering with the TSPC for student teaching, practicum or internship as a teacher, administrator or personnel specialist, if the individual does not hold a current license issued by TSPC and has not submitted to a criminal records check by TSPC within the previous three years for student teaching, practicum or internship as a teacher, administrator or personnel specialist, shall be required to submit to a criminal records check and fingerprinting with TSPC.

Requirements for Contractors

All individuals employed as or by a contractor and considered by the district to have direct, unsupervised contact with students⁹ or unsupervised access to children are required to submit to a criminal records check and a fingerprint-based criminal records check.

The superintendent or designee will identify contractors who are subject to such requirements.

A contractor or an employee of a contractor required to submit to a criminal records check and fingerprinting in accordance with law and Board policy will be terminated from contract status, or withdrawal of offer of contract will be made by the district upon:

⁹ “Direct, unsupervised contact with students” means contact with students that provides the person opportunity and probability for personal communication or touch when not under direct supervision. (OAR 581-021-0510)

1. Refusal to consent to a criminal records check and fingerprinting; or
2. Notification¹⁰ from the Superintendent of Public Instruction that the individual has a conviction of any crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number.

A subject individual may be terminated from contract status upon notification from the Superintendent of Public Instruction that the individual has knowingly made a false statement as to the conviction of any crime.

Requirements for Volunteers

The district shall require a fingerprint-based criminal records check for volunteers allowed direct, unsupervised contact with students, in the following positions:

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

The service of a volunteer into a position identified by the district as requiring a fingerprint-based criminal records check may begin on a probationary basis pending the return and disposition of a state and national criminal records check based on fingerprints.

Volunteers allowed by the district into a position designated by the district to have direct, unsupervised contact with students shall submit to an in-state criminal records check.

The service of a volunteer allowed to have direct, unsupervised contact with students will not begin before the return and disposition of a criminal records check.

A volunteer that is not likely to have direct, unsupervised contact with students, as determined by the district, will be required to submit to an in-state criminal records check.

A volunteer who knowingly made a false statement on a district volunteer application form or has a conviction of a crime listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number will result in immediate termination from the ability to volunteer in the district.

¹⁰ Prior to making a determination that results in this notification and opportunity for a hearing, the Superintendent of Public Instruction may cause an investigation pursuant to OAR 581-021-0511; involved parties shall cooperate with the investigation pursuant to law.

Fees associated with a required fingerprinting for volunteers shall be paid by the individual . Fees associated with required non-fingerprinting criminal records checks for volunteers shall be paid by the district.

A volunteer who refuses to submit, when required, to a criminal records check or a fingerprint-based criminal records check in accordance with law and Board policy will be denied such ability to volunteer in the district.

Requirements for Others

Any community college faculty member providing instruction at the site of an early childhood education program, at a school site as part of an early childhood program or at a grade K through 12 school site during the regular school day is required to submit to a criminal records check and a fingerprint-based criminal records check.

Any individual who is an employee of a public charter school and not identified under ORS 342.223 is required to submit to a criminal records check and a fingerprint-based criminal records check.

Notification

The district will provide written notice about the requirements of fingerprinting and criminal records checks through means such as staff handbooks, employment applications, contracts or volunteer forms.

The district will provide the following notification to individuals subject to criminal records checks and fingerprinting:

1. Such criminal records checks and fingerprinting are required by law or Board policy;
2. All employment or contract offers or the ability to volunteer are contingent upon the results of such checks;
3. A refusal to consent to a required criminal records check and fingerprinting shall result in immediate termination from employment, contract status or the ability to volunteer in the district;
4. A determination by the Oregon Department of Education (ODE) which affects an individual's eligibility to be employed, or contracted with, by the district may be appealed to the Superintendent of Public Instruction under ORS 183.413 – 183.470;
5. An individual determined to have knowingly made a false statement as to the conviction of any crime on district employment applications, contracts or ODE forms (written or electronic) may result in immediate termination from employment or contract status;
6. An individual determined to have been convicted of any crime that would prohibit employment or contract will be immediately terminated from employment or contract status .
7. A volunteer candidate who knowingly made a false statement or has a conviction of the crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number will result in immediate termination from the ability to volunteer in the district.] [The district will remove the volunteer from the position allowing direct, unsupervised contact with students.

Processing and Reporting Procedures

Immediately following an offer and acceptance of employment or contract, an individual subject to criminal records checks and fingerprinting shall complete the appropriate forms authorizing such checks and report to an authorized fingerprinter as directed by the district. The district shall send such authorization, any collection of fingerprint information, and the request to ODE pursuant to law.

Fingerprints may be collected by one of the following:

1. Employing district staff;
2. Contracted agent of employing district;
3. Local or state law enforcement agency; or
4. Statewide vendor identified by the Oregon Department of Administrative Services.

To ensure the integrity of the fingerprinting collection and prevent any compromise of the process, the district will provide the name of the individual to be fingerprinted to the authorized fingerprinter.

The authorized fingerprinter will obtain the necessary identification and fingerprinting and notify ODE of the results. ODE will then review and notify the district of said results as well as the identity of any individual it believes has knowingly made a false statement as to conviction of a crime or has a conviction of a crime prohibiting employment, contract or volunteering.

A copy of the fingerprinting results will be kept by the district. The district's use of criminal history must be relevant to the specific requirements of the position, services or employment.

END OF POLICY

Legal Reference(s):

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

[ORS 336.631](#)
[ORS 342.143](#)
[ORS 342.223](#)
[OAR 414-061-0010 – 061-0030](#)
[OAR 581-021-0510 – 021-0512](#)

[OAR 581-022-2430](#)
[OAR 584-050-0012](#)
[OAR 584-050-0100](#)

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

**Date: October 21,
2024 Exhibit: 2425.59**

Lane Transit Dollar Request

Relevant Data:

Pursuant to ORS 334.177, as amended by 2013 House Bill 3401, a component school district board may request that a percentage of the state formula revenue received by Lane ESD be distributed to the school district for any purpose identified by the school district board. The request for these "Transit Dollars" will be distributed on an ADMw basis. The ORS requires that the component school district Board submit the request to the Lane Education Service District Board no later than November 1, 2024.

During the 2023 - 2024 school year, Pleasant Hill School District requested 50% of our transit dollars and utilized the resource to support Regional Special Education Program services for students in our district. If needed, we will utilize the transit dollars in 2024-25 to support Special Education programming for Pleasant Hill Schools.

Note: The percentage of funds requested may affect the school district's ability to participate in the formal governance of Lane Education Service District.

Recommendation:

It is recommended that the Board of Directors approve the Lane County School District Transit Dollar Request for the fiscal year 2024-25. Specifically, it is recommended that the Board of Directors request does not exceed 50% of the Transit Dollars pursuant to ORS 334.177.

Submitted and Recommended By:

Jim Crist
Superintendent

**Lane Education Service District
School District Transit Dollar Request for Fiscal Year 2024-25**

Pursuant to ORS 334.177, as amended by 2013 House Bill 3401, a component school district board may request that a percentage of the state formula revenue received by Lane ESD be distributed to the school district for any purpose identified by the school district board. The request for these “Transit Dollars” will be distributed on an ADMw basis.

The ORS requires that the component school district Board submit the request to the Lane Education Service District Board no later than November 1, 2024. The percentage of funds requested may affect the school district’s ability to participate in the formal governance of Lane Education Service District.

The following school district requests the amount of funds identified below for Fiscal Year 2025-26.

Name (Number) of District:	Pleasant Hill School District No. 1
Date of Board Action:	October 21, 2024
District Representative:	Jim Crist, Superintendent
Signature:	
Date Submitted:	

Select One

X	<p>Not to Exceed 50% <i>The school district may request up to 50% of their funds without having any impact on their ability to participate in the formal governance of Lane ESD.</i></p>
	<p>More than 50% and less than 100% <i>The school district may request up to 99% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan.</i></p>
	<p>100% <i>The school district may request up to 100% of their funds and be considered withdrawn from Lane ESD. This precludes the school district from voting for the Lane ESD local service plan. See ORS 334.015</i></p>

Withdrawal of Transit Funds: Districts electing to withdraw transit funds in excess of 50% will be assessed a fee on services ordered from the ESD as follows:

- 51%-80% 10% service fee*
- 81%-100% 15% service fee*

Date: October 21, 2024
Policy Review

Board Policy Review

Relevant Data:

From time to time, changes in laws or operating practice require changes or additions to board policies. In addition, the district subscribes to a policy review service with Oregon School Boards Association and receives samples that are used to develop policy for Pleasant Hill School District. The following policies are presented to the Board of Directors for review to reflect the updates as required by legislative action or recommended by the Oregon School Boards Association. These policies will be brought back for appropriate action at an upcoming regular board meeting.

Recommendation:

It is recommended the Board of Directors review the following board policy changes. Explanation of changes can be found in accompanying exhibits.

Exhibit [Health Services]

- EBBA – First Aid**, Delete
- EBBA – Student Health Services**, Highly Recommended, New (**Exhibit 2425.60**)
- EBBA-AR – First Aid - Infection Control, Delete
- EBBB – Injury or Illness Reports, Required (update) (**Exhibit 2425.61**)
- GBEB – Communicable Diseases in Schools, Highly Recommended (update) (**Exhibit 2425.62**)
- GBEB-AR – Communicable Diseases in Schools, Highly Recommended (update) (**Exhibit 2425.63**)
- GBEB-AR – Staff – HIV, AIDS, and HBV, Delete
- JHC – Student Health Services and Requirements**, Delete (in lieu of new EBBA)
- JHCA/JHCB – Immunization and School Sports Participation**, Highly Recommended, New (**Exhibit 2425.64**)
- JHCC – Communicable Diseases - Students, Delete
- JHCC-AR – Communicable Diseases - Students, Delete
- JHCCA – Students - HIV, HBV and AIDS**, Delete

Exhibit [Restraint or Seclusion Record and Corporal Punishment]

- JGA - Corporal Punishment**, Optional (update) (**Exhibit 2425.65**)
- JGAB - Use of Restraint or Seclusion**, Required (update) (**Exhibit 2425.66**)
- JGAB-AR - Use of Restraint or Seclusion**, Required (update) (**Exhibit 2425.67**)

Exhibit: Health Services

Summary

The State Board of Education adopted revisions to Oregon Administrative Rule (OAR) 581-022-2220 on health services. The changes result in a requirement to develop “a written prevention-oriented health services plan for all students” (OAR 581-022-2220(1)). The plan requirements include a variety of topics, including but not limited to, plan for health care space, communicable disease prevention, communication strategies, health screenings, and hearing, vision and dental screenings.

As a result of these changes there is a list of policies and administrative regulations (ARs), included herein, which have been revised. Recommendations may include to delta or rescind policy or AR, recording, and reassigning some policy content to a new section or policy of the policy manual.

ODE resources and School Health Services include tools to support some requirements.

Local District Responsibility

Review the recommendations regarding board policy changes and make decisions regarding the same. Any policy revisions or recommendation to rescind a policy should be submitted to the board for action. An AR may be submitted to the board for review for either removing or keeping and revising as recommended.

Policies and ARs Impacted by these Revisions

EBBA – First Aid**, Delete

EBBA – Student Health Services**, Highly Recommended, New (**Exhibit 2425.60**)

EBBA-AR – First Aid - Infection Control, Delete

EBBB – Injury or Illness Reports, Required (update) (**Exhibit 2425.61**)

GBEB – Communicable Diseases in Schools, Highly Recommended (update) (**Exhibit 2425.62**)

GBEB-AR – Communicable Diseases in Schools, Highly Recommended (update)
(**Exhibit 2425.63**)

GBEBA – Staff – HIV, AIDS, and HBV, Delete

JHC – Student Health Services and Requirements**, Delete (in lieu of new EBBA)

JHCA/JHCB – Immunization and School Sports Participation**, Highly Recommended, New
(**Exhibit 2425.64**)

JHCC – Communicable Diseases - Students, Delete

JHCC-AR – Communicable Diseases - Students, Delete

JHCCA – Students - HIV, HBV and AIDS**, Delete

Exhibit: Restraint or Seclusion Record and Corporal Punishment

Summary

The procedures for responding to an incident of restraint or seclusion are found in ORS 339.294 and were amended by Senate Bill 1024 (2023). These amended procedures are represented in the recommended changes to model administrative regulation, JGAB-AR - Use of Restraint or Seclusion** and policy JGAB - Use of Restraint or Seclusion**. There are several changes to highlight of which two are: 1) addition of immediate notice to the parent or guardian of any existing record, including audio or video, of the incident (which will be preserved in the original format without alteration), and 2) such record shall be reviewed at the debriefing meeting, to which parents shall be invited.

Additional information regarding the preservation and disclosure of such records, which have record retention and disclosure implications, are outlined in the new SB, subsection 9 and 10.

The changes are a result of the adopted language from the bill and related, revised OARs recently adopted by the State Board.

A change to ORS 161.205 on issues of corporal punishment was put into effect by Senate Bill 577; also effective now.

Local District Responsibility

The district's responsibility is to update the current board policies and administrative regulation (AR) and comply with new procedural requirements related to incidents of use of restraint or seclusion. The revised AR should be implemented and submitted to the board for review; recommended policy revisions should be submitted to the board for review and readoption.

Policies and ARs Impacted by these Revisions

- JGA - Corporal Punishment**, Optional (update) (Exhibit 2425.65)
- JGAB - Use of Restraint or Seclusion**, Required (update) (Exhibit 2425.66)
- JGAB-AR - Use of Restraint or Seclusion**, Required (update) (Exhibit 2425.67)

OSBA Model Sample Policy

Code: EBBA
 Adopted:

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;
7. Describe how hearing, vision and dental screenings are managed and/or verified for required students⁵;

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.

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

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.

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).

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).

OSBA Model Sample Policy

Code: EBBB

Adopted:

Injury or Illness Reports

{This policy was originally released with the April 2024 Policy Update. Following that release, OSBA determined that a correction was necessary. This correction was made in May 2024 and this policy was re-released. This version includes the correction. Required policy. ORS 339.309 requires a district school board establish policy for reporting incidents, e.g., injury.}

All injuries or illnesses¹, sustained by the employee while in the actual performance of the duty of the employee, occurring on district premises, in district vehicles, at a district-sponsored activity or involving staff members who may be elsewhere on district business will be reported immediately to a supervisor. Staff members will report self-administered first-aid² treatment to an immediate supervisor. All accidents involving employees, students, visiting public or district property will be reported immediately to a supervisor.

A written report will be submitted within 24 hours to the district's safety officer. Reports will cover property damage as well as personal injury.

In the event of a work-related³ illness or injury to an employee resulting in in-patient hospitalization, loss of an eye, amputation or avulsion⁵, the district safety officer shall report the incident to the Oregon Occupational Safety and Health Division (OR-OSHA) within 24 hours after notification to the district of an illness or injury. Fatalities or catastrophes⁶ shall be reported⁷ to OSHA within eight hours.

ALL injuries or illnesses sustained by an employee, while in the actual performance of the duty of the employee or by a student or visiting public and accidents involving district property, employees, students or visiting public will be promptly investigated. As a result of the investigation any corrective measures needed will be acted upon.

The district safety officer will maintain records on injuries, illnesses, and accidents involving district property, employees, students or visiting public. These records will include prevention measures taken, reporting information, periodic statistical reports on the number and types of injuries, illnesses and

¹ The Oregon Occupational Safety and Health Division provides: "Injury or illness" means an abnormal condition or disorder. Injuries include cases such as, but not limited to, a cut, fracture, sprain, or amputation. Illnesses include both acute and chronic illnesses, such as, but not limited to, skin disease, respiratory disorder, or poisoning (record injuries and illnesses only if they are new, work-related cases that meet one or more of the recording criteria). (OAR 437-001-0015(39))

² For employees, "first aid" means any one-time treatment and subsequent observation of minor scratches, cuts, burns, splinters, or similar injuries that do not ordinarily require medical care. Such one-time treatment and subsequent observation is considered first aid even though it is provided by a physician or registered professional personnel. (OAR 437-001-0015(34))

³ An injury or illness is work related if an event or exposure in the work environment either caused or contributed to the resulting condition or significantly aggravated a preexisting injury or illness. (OAR 437-001-0700(6))

⁵ Amputations and avulsions are only required to be reported if they result in bone loss. (OAR 437-001-0704(4))

⁶ "Catastrophe" is an accident in which two or more employees are fatally injured, or three or more employees are admitted to a hospital or an equivalent medical facility. (OAR 437-001-0015(11))

⁷ Reporting must be done in person or by telephone. (OAR 437-001-0704(3))

accidents occurring in the district, and monthly and annual analyses of accident data. Such reports will be submitted to the superintendent.

END OF POLICY

Legal Reference(s):

[ORS 339.309](#)

[OAR 437-001-0015](#)

[OAR 437-001-0700](#)

[OAR 437-001-0704](#)

[OAR 437-001-0760](#)

[OAR 437-002-0360](#)

[OAR 437-002-0377](#)

[OAR 581-022-2225](#)

OSBA Model Sample Policy

Code: GBEB
 Adopted:

Communicable Diseases in Schools

{Highly recommended policy. This policy outlines the requirements for schools on communicable diseases.}

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).

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 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.

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.

The district shall protect the confidentiality of each student's and 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 plans, a description of the actions to be taken by district staff in buildings and by the district in response to medical emergencies.

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).

OSBA Model Sample Administrative Regulation

Code: GBEB-AR
Revised/Reviewed:

Communicable Diseases in Schools

{Highly recommended administrative regulation.}

In accordance with state law, administrative rule, the local health authority and the *Communicable Disease Guidance*, the procedures established below will be followed.

1. “Restrictable diseases” are defined by rule¹ and include but are not limited to COVID-19, chickenpox, diphtheria, hepatitis A, hepatitis E, measles, mumps, pertussis, rubella, Salmonella enterica serotype Typhi infection, scabies, Shiga-toxigenic Escherichia coli (STEC) infection, shigellosis and infectious tuberculosis, and may include a communicable stage of hepatitis B infection in a child who, in the opinion of the local health officer, poses an unusually high risk to other children (e.g., exhibits uncontrollable biting or spitting). Restrictable disease also includes any other communicable disease identified in an order issued by the Oregon Health Authority or the local public health officer as posing a danger to the public’s health.
2. “Susceptible” for a child means lacking documentation of immunization required under OAR 333-050-0050, or if immunization is not required, lacking evidence of immunity to the disease.
3. “Susceptible” for a school employee means lacking evidence of immunity to the disease.
4. “Reportable diseases” means a disease or condition, the reporting of which enables a public health authority to take action to protect or to benefit the public health.

Restrictable Diseases

1. A student or employee of the district will not attend school or work, respectively, at a district school or facility while in a communicable stage of a restrictable disease, unless authorized to do so under Oregon law. When an administrator has reason to suspect that a student or employee has a restrictable disease, the administrator shall send them home.
2. An administrator shall exclude a susceptible student or employee if the administrator has reason to suspect they have been exposed to measles, mumps, rubella, diphtheria, pertussis, hepatitis A, or hepatitis B, unless the local health officer determines that exclusion is not necessary to protect the public’s health. The administrator may request the local health officer to make a determination as allowed by law. If the disease is reportable, the administrator or designee may report the occurrence to the local health department.
3. A student or employee will be excluded in such instances until such time as the student or employee, respectively, presents a certificate from a physician, a physician assistant licensed under Oregon Revised Statute (ORS) 677.505 - 677.525, a nurse practitioner licensed under ORS 678.375 - 678.390, local health department nurse or school nurse stating that the student or employee does not have or is not a carrier of any restrictable disease. An exclusion for chickenpox, scabies,

¹ OAR 333-019-0010 lists restrictable diseases.

staphylococcal skin infections, streptococcal infections, diarrhea or vomiting may be removed by a school nurse or health care provider.

4. More stringent exclusion standards for students or employees from school or work may be adopted by the local health department.

Reportable Diseases Notification

1. All employees shall comply with all reporting measures adopted by the district and with all rules set forth by Oregon Health Authority, Public Health Division and the local health department.
2. An administrator may seek confirmation and assistance from the local health officer to determine the appropriate district response when the administrator is notified that an employee or student has been exposed to a restrictable disease which is also a reportable disease.
3. District staff with impaired immune responses, that are of childbearing age or some other medically fragile condition, should consult with a medical provider for additional guidance⁴.
4. An administrator shall determine other persons who may be informed of an employee's communicable disease, or that of a student's when a legitimate educational interest exists or for health and safety reasons, in accordance with law.

Equipment and Training

1. The administrator or designee shall determine what equipment and/or supplies are necessary in a particular classroom or other setting in order to prevent disease transmission.
2. The administrator or designee shall consult with the district's [school] nurse or other appropriate health officials to provide special training in the methods of protection from disease transmission.
3. All district personnel will be instructed annually to use the proper precautions pertaining to blood and body fluid exposure per the Occupational Safety and Health Administration (OSHA).

⁴ Refer to *Communicable Disease Guidance for Schools* published by the Oregon Health Authority and the Oregon Department of Education.

OSBA Model Sample Policy

Code: JHCA/JHCB
 Adopted:

Immunization and School Sports Participation**

{Highly recommended policy.}

Immunization

Proof of immunization must be presented at the time of initial enrollment¹ in school or within 30 days of transfer to the 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 medical exemption or immunity documentation.²

School Sports Participation

A student participating in extracurricular sports in grades 7 through 12 is required to submit to an appropriate School Sports Pre-Participation Examination³ prior to their initial participation in a related district program. The form⁴ is to be completed and signed by a parent or guardian giving permission for the student to participate and signed by a medical provider authorized by law⁵ who has examined and evaluated the student. The completed form(s) must be returned 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.

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;

¹ The district shall immediately enroll a 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.

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.

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 examination once every two years, thereafter.

END OF POLICY

Legal Reference(s):

[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).

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.

OSBA Model Sample Policy

Code: JGA
 Adopted:

Corporal Punishment**

{Optional policy. While State law prohibits the use of corporal punishment, having a policy which states this is optional.}

The use of corporal punishment in any form is strictly prohibited in the district. No student will be subject to the infliction of corporal punishment.

“Corporal punishment” is defined as the willful infliction of, or willfully causing the infliction of, physical pain. Corporal punishment does not include the use of physical force authorized in ORS 161.205 (2), (4) or (5) for the reasons specified therein, or physical pain or discomfort resulting from or caused by participation in athletic competition or other such recreational activity, voluntarily engaged in by a student.

No teacher, administrator, other school personnel or school volunteer will subject a student to corporal punishment or condone the use of corporal punishment by any person under their supervision or control. Permission to administer corporal punishment will not be sought or accepted from any parent or school official.

A parent or legal guardian of a minor child may use reasonable physical force upon the minor child when and to the extent the person reasonably believes the physical force is necessary to maintain discipline or promote the welfare of the minor child, unless the physical force constitutes abuse as defined in ORS 418.257 or 419B.005.

A staff member is authorized to employ reasonable physical force upon a student only to the extent that the application of physical force is consistent with ORS 339.285 - 339.303 and is not corporal punishment as defined in ORS 339.250(9). Physical force shall not be used to discipline or punish a student.

A staff member found in violation of this policy may be subject to discipline up to and including dismissal. A volunteer found in violation of this policy by administration may be subject to sanctions and/or prohibited from volunteer service in the district.

The superintendent shall inform all staff members and volunteers of this policy.

END OF POLICY

Legal Reference(s):

[ORS 161.205](#)
[ORS 332.107](#)
[ORS 339.240](#)

[ORS 339.250](#)
[OAR 581-021-0050 – 0075](#)

[OAR 584-020-0040](#)

OSBA Model Sample Policy

Code: JGAB

Adopted:

Use of Restraint or Seclusion**

{Required policy. The requirement for this policy comes from OAR 581-021-0556(12).}

The Board is dedicated to the development and application of best practices within the district's public educational/behavioral programs. The Board establishes this policy and its administrative regulation to define the circumstances that must exist and the requirements that must be met prior to, during, and after the use of restraint or seclusion as an intervention with district students.

The use of the following types of restraint on a student in the district is prohibited:

1. Chemical restraint.
2. Mechanical restraint.
3. Prone restraint.
4. Supine restraint.
5. Any restraint that involves the intentional and nonincidental use of a solid object¹, including a wall or the floor, to impede a student's movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.
6. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, neck or throat.
7. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, unless the restraint is necessary for the purpose of extracting a body part from a bite.
8. Any restraint that impedes, or creates a risk of impeding, breathing.
9. Any restraint that involves the intentional placement of the hands, feet, elbow, knee or any object on a student's neck, throat, genitals or other intimate parts.
10. Any restraint that causes pressure to be placed, or creates a risk of causing pressure to be placed, on the stomach or back by a knee, foot or elbow bone.
11. Any action designed for the primary purpose of inflicting pain.

The use of a seclusion cell is prohibited.

¹ The use of a solid object, including furniture, a wall, or the floor, by district staff performing a restraint is not prohibited if the object is used for the staff's own stability or support while performing the restraint and not as a mechanism to apply pressure directly to the student's body.

Restraint or seclusion may not be used for discipline, punishment, retaliation or convenience of staff, contractors or volunteers of the district.

Restraint may be imposed on a student in the district only under the following circumstances:

1. The student’s behavior imposes a reasonable risk of imminent and substantial physical or bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

Seclusion may be used on a student in the district only under the following circumstances:

1. The student’s behavior imposes a reasonable risk of imminent and serious bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

If restraint or seclusion is used on a student, by trained staff or other staff available in the case of an emergency when trained staff are not immediately available due to the unforeseeable nature of the emergency, e.g., teacher or administrator it will be used only for as long as the student’s behavior poses a reasonable risk of imminent and substantial physical or bodily injury to the student or others and less restrictive interventions would not be effective. Students will be continuously monitored by staff for the duration of the restraint or seclusion.

Definitions

1. “Restraint” means the restriction of a student’s actions or movements by holding the student or using pressure or other means.

“Restraint” does not include:

- a. Holding a student’s hand or arm to escort the student safely and without the use of force from one area to another;
- b. Assisting a student to complete a task if the student does not resist the physical contact; or
- c. Providing reasonable intervention with the minimal exertion of force necessary if the intervention does not include a restraint prohibited under Oregon Revised Statute (ORS) 339.288 and the intervention is necessary to:
 - (1) Break up a physical fight;
 - (2) Interrupt a student’s impulsive behavior that threatens the student’s immediate safety, including running in front of a vehicle or climbing on unsafe structures or objects; or
 - (3) Effectively protect oneself or another from an assault, injury or sexual contact with the minimum physical contact necessary for protection.

2. “Seclusion” means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. Seclusion includes, but is not limited to, the involuntary confinement of a student alone in a room with a closed door, whether the door is locked or unlocked.

“Seclusion” does not include the removal of a student for a short period of time to provide the student with an opportunity to regain self-control if the student is in a setting from which the student is not physically prevented from leaving, or a student being left alone in a room with a closed door

for a brief period of time if the student is left alone for a purpose that is unrelated to the student's behavior.

3. "Seclusion cell" means a freestanding, self-contained unit that is used to isolate the student from other students or physically prevent a student from leaving the unit or cause the student to believe that the student is physically prevented from leaving the unit.
4. "Serious bodily injury" means any significant impairment of the physical condition of a person, as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else.
5. "Substantial physical or bodily injury" means any impairment of the physical condition of a person that requires some form of medical treatment.
6. "Mechanical restraint" means a device used to restrict the movement of a student or the movement or normal function of a portion of the body of a student.

"Mechanical restraint" does not include:

- a. A protective or stabilizing device ordered by a licensed physician; or
 - b. A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.
7. "Chemical restraint" means a drug or medication that is used on a student to control behavior or restrict freedom of movement that is not prescribed by a licensed physician or other qualified health professional acting under the professional's scope of practice for standard treatment of the student's medical or psychiatric condition; and administered as prescribed by a licensed physician or other qualified health professional acting under the professional's scope of practice.
 8. "Prone restraint" means a restraint in which a student is held face down on the floor.
 9. "Supine restraint" means a restraint in which a student is held face up on the floor.

Any student being restrained or secluded within the district whether in an emergency or as a part of a plan shall be constantly monitored by staff for the duration of the intervention. Any room used for seclusion of a student must meet the standards as outlined in Oregon Administrative Rule (OAR) 581-021-0568.

The district shall only utilize a training program for restraint or seclusion to train staff and use in the district which has been approved by the Oregon Department of Education (ODE).

The district shall preserve, and may not destroy, any records related to an incident of restraint or seclusion, including an audio or video recording. The records must be preserved in the original format and without alteration in accordance with law.

An annual review of the use of restraint and seclusion during the preceding school year shall be completed and submitted to ODE to ensure compliance with district policies and procedures.

The results of the review and annual report shall be documented and shall include at a minimum:

1. The total number of incidents involving restraint;

2. The total number of incidents involving seclusion;
3. The total number of seclusions in a locked room;
4. The total number of students placed in restraint;
5. The total number of students placed in seclusion;
6. The total number of incidents that resulted in injuries or death to students or staff as a result of the use of restraint or seclusion;
7. The total number of students placed in restraint or seclusion more than 10 times in a school year and an explanation of what steps have been taken by the district to decrease the use of restraint and seclusion for each student;
8. The total number of restraint or seclusion incidents carried out by untrained individuals;
9. The demographic characteristics³ of all students upon whom restraint or seclusion was imposed;
10. The total number of rooms available for use by the district for seclusion of a student and a description of the dimensions and design of the rooms.

This annual report shall be made available to the public at the district’s main office and on the district’s website, and to the Board. At least once each school year the parents and guardians of students of the district shall be notified about how to access the report.

The district shall investigate all complaints regarding the use of restraint and/or seclusion practices according to the procedures outlined in Board policy KL - Public Complaints and KL/GBM-AR - Complaint Form. The complaint procedure is available at the district’s administrative office and is available on the home page of the district’s website.

The complainant, whether an organization or an individual, may appeal a district’s final decision to the Oregon Department of Education pursuant to OAR 581-002-0001 - 581-002-0023. This appeal process is represented in Board policy KL- Public Complaints.

The superintendent shall develop administrative regulations to carry out the requirements set forth in this policy and to meet any additional requirements established by law related to the use, reporting, and written documentation of the use of restraint or seclusion by district staff. A staff member who violates this policy or its administrative regulation may be subject to discipline, up to and including dismissal.

END OF POLICY

Legal Reference(s):

[ORS 161.205](#)
[ORS 339.250](#)

[ORS 339.285](#)
[ORS 339.288](#)

[ORS 339.291](#)
[ORS 339.294](#)

³ Including race, ethnicity, gender, disability status, migrant status, English proficiency and status as economically disadvantaged, unless the demographic information would reveal personally identifiable information about an individual student.

[ORS 339.297](#)

[ORS 339.300](#)

[ORS 339.303](#)

[OAR 581-021-0061](#)

[OAR 581-021-0550](#)

[OAR 581-021-0553](#)

[OAR 581-021-0556](#)

[OAR 581-021-0563](#)

[OAR 581-021-0566](#)

[OAR 581-021-0568](#)

[OAR 581-021-0569](#)

[OAR 581-021-0570](#)

[OAR 581-022-2267](#)

[OAR 581-022-2370](#)

OSBA Model Sample Policy

Code: JGAB-AR

Revised/Reviewed:

Use of Restraint or Seclusion**

{Required administrative regulation. ORS 339.294 requires a district to establish procedures to follow during and after an incident involving the use of restraint or seclusion. This administrative regulation helps support those procedures.}

Procedure

1. If restraint or seclusion continues for more than 30 minutes, school staff will attempt to immediately notify parents or guardians verbally or electronically.
2. Following an incident involving the use of restraint or seclusion, school staff will provide parents or guardians of the student the following:
 - a. Verbal or electronic notice of the incident by the end of the school day when the incident occurred.
 - b. Written documentation of the incident within 24 hours that provides:
 - (1) A description of the restraint or seclusion including:
 - (a) The date of the restraint or seclusion;
 - (b) The times the restraint or seclusion began and ended; and
 - (c) The location of the incident.
 - (2) A description of the student's activity that prompted the use of restraint or seclusion.
 - (3) The efforts used to de-escalate the situation and the alternatives to restraint or seclusion that were attempted.
 - (4) The names of staff of the district who administered the restraint or seclusion.
 - (5) A description of the training status of the staff of the district who administered the restraint or seclusion, including any information that may need to be provided to the parent or guardian.
 - c. Timely notification of a debriefing meeting to be held and of the parent's or guardian's right to attend the meeting.
 - d. Immediate¹, written notification of the existence of any records^{2} related to an incident of restraint or seclusion (including photos or audio or video recording).
3. If the restraint or seclusion was administered by a person without training, the administrator will ensure written notice is issued to the parent or guardian of the student which includes notice of the lack of training and the reason restraint or seclusion was administered by a person without training. The administrator will ensure written notice of the same to the superintendent.

¹ "Immediate" means to act as soon as possible without undue delay, but in no case later than within 24 hours of the incident. (OAR 581-021-0556 (2)(e))

² {Such records shall be maintained in accordance with ORS 339.294(9).}

4. An administrator will be notified as soon as practicable whenever restraint or seclusion has been used.
5. If restraint or seclusion continues for more than 30 minutes the student must be provided with adequate access to bathroom and water every 30 minutes. If restraint or seclusion continues for more than 30 minutes, every 15 minutes after the first 30 minutes, an administrator for the district must provide written authorization for the continuation of the restraint or seclusion, including providing documentation for the reason the restraint or seclusion must be continued. Whenever restraint or seclusion extends beyond 30 minutes, staff of the district will immediately attempt to verbally or electronically notify a parent or guardian.
6. A district Restraint and/or Seclusion Incident Report must be completed and copies provided to those attending the debriefing meeting for review and comment. The completed Restraint and/or Seclusion Incident Report Form shall include the following:
 - a. Name of the student;
 - b. Name of staff member(s) administering the restraint or seclusion;
 - c. Date of the restraint or seclusion and the time the restraint or seclusion began and ended;
 - d. Location of the restraint or seclusion;
 - e. A description of the restraint or seclusion;
 - f. A description of the student's activity immediately preceding the behavior that prompted the use of restraint or seclusion;
 - g. A description of the behavior that prompted the use of restraint or seclusion;
 - h. Efforts to de-escalate the situation and alternatives to restraint or seclusion that were attempted;
 - i. Information documenting parent or guardian contact and notification.
7. A documented debriefing meeting must be held within two school days after the use of restraint or seclusion. The parent or guardian of the student must be invited to attend the meeting³, and the meeting will include staff members involved in the intervention and any other appropriate personnel. The debriefing team shall include an administrator. At the debriefing meeting, the district shall review, in its entirety, any audio or video recording⁴ preserved as a record of the incident involving restraint or seclusion in accordance with law. Written notes shall be taken and a copy of the written notes shall be provided to the parent or guardian of the student.

The parent or guardian has the right to request another meeting in the event they were unable to attend the debriefing meeting scheduled to be held within two school days of the incident.

³ "Meeting" means the debriefing meeting at which the audio or video recording will be viewed. (OAR 581-021-0556(9))

⁴ To the extent practicable without altering the meaning of the record, the district shall segregate or redact from such a record any personally identifiable information of other students before disclosure to the student's parent or guardian. If the district is unable to segregate or redact personally identifiable information of other students without altering the meaning of the record, the district shall disclose the record to the student's parent or guardian in its original format and without any alteration. "Disclose" means to inform the student's parent or guardian that the record exists; that the record in its original format and without alteration will be available for review by the parent or guardian privately and in the debriefing meeting; and that a copy of the record will be provided to the student's parent or guardian upon request in its original and unaltered format except to the extent that the redaction is needed to protect the personally identifiable information of another student. (ORS 339.294; OAR 581-021-0556(10))

8. If serious bodily injury or death of a student occurs in relation to the use of restraint or seclusion:
 - a. Oral notification of the incident must be provided immediately to a parent or guardian of the student and to the Oregon Department of Human Services (DHS); and
 - b. Written notification of the incident must be provided to DHS within 24 hours of the incident.
9. If serious bodily injury or death of a staff member occurs in relation to the use of restraint or seclusion, written notification of the incident must be provided within 24 hours of the incident to the superintendent, to the Superintendent of Public Instruction and, if applicable, to the union representative for the affected person.
10. The district shall maintain a record of each incident in which injuries or death occurs in relation to the use of restraint or seclusion.
11. The district, upon request from DHS regarding an investigation of an incident of restraint or seclusion as suspected child abuse, shall disclose any records preserved to DHS or its designee which are deemed relevant to the subject investigation, in its original format and without any alteration.

Restraint and/or seclusion as a part of a behavioral support plan in the student’s Individual Education Program (IEP) or Section 504 plan.

1. Parent participation in the plan is required.
2. The IEP team that develops the behavioral support plan shall include knowledgeable and trained staff, including a behavioral specialist and a district representative who is familiar with the restraint and seclusion training practices adopted by the district.
3. Prior to the implementation of any behavioral support plan that includes restraint and/or seclusion, a functional behavioral assessment must be completed. The assessment plan must include an individual threshold for reviewing the plan.
4. [When a behavior support plan includes restraint or seclusion the parents [will] [may] be provided a copy of the district Use of Restraint or Seclusion policy at the time the plan is developed.]
5. If a student is involved in five incidents in a school year, the team, including a parent or guardian of the student, will form for the purpose of reviewing and revising the student’s behavior plan and ensuring the provision of any necessary behavioral supports.

Use of restraint and/or seclusion in an emergency by school administrator, staff or volunteer to maintain order or prevent a student from harming themselves, other students or school staff.

Use of restraint and/or seclusion under these circumstances with a student who does not have restraint and/or seclusion as a part of their IEP or Section 504 plan, is subject to all of the requirements established by Board policy and this administrative regulation with the exception of those specific to plans developed in an IEP or 504 plan.

TO: Pleasant Hill School District Board of Directors

FROM: Whitney Connolly, Special Education Director

DATE: October 17, 2024

SUBJECT: Special Education Board Report

Current Program Demographics

- We currently have approximately 140 students eligible for special education services.
- 8 students are served through off-site placements.
 - 3 of these students receive life skills support through regional consortium classrooms.
 - The other 5 students attend at a variety of locations to receive more specialized or intensive support than is available within our traditional settings.

Post School Outcomes

The Post School Outcomes report allows us to reconnect with young adults who received special education services as high school students. One year after graduation, our staff calls these young adults to see how their first year in the real world has gone. For our 2023 graduates, some highlights include:

- 50% attended or are attending school or an educational program
- 80% had paid jobs lined up upon leaving school
- 90% are currently employed (those not employed were enrolled in school full time)
- 50% are living with family, while 50% are living independently or with roommates

Current Priorities

- Collaborative Problem Solving - a framework and mindset around how to support students with challenging behaviors and build skills authentically to help them improve regulation, executive functioning skills, and overall behavior at school.
 - This is a combined initiative between special education staff and counselors as a way to learn the philosophy and share out across the buildings.
- Maintaining an emphasis on pre-K to kinder, 5th to 6th, and 8th to 9th transitions.
- Monitoring 9th grade students for on-track status and 12th grade students for graduation.

School Board Report: Changes to Oregon Public School Graduation Requirements and Social-Emotional Learning (SEL) Initiatives

Unit of Credit Requirements for 9th Grade Students (2023-24 Onward)

Beginning with the 2023-24 school year, Oregon public schools will implement updated unit of credit requirements for students who were first enrolled in grade 9 during the 2023-24 school year or thereafter. The changes include:

- **0.5 credit in Personal Financial Education:** This will provide students with essential financial literacy skills, preparing them to manage personal finances effectively.
 - **0.5 credit in Higher Education & Career Path Skills:** This focuses on equipping students with the knowledge and skills needed to pursue higher education and career opportunities, ensuring a smoother transition to life after high school.
-

Updated Requirements for 2024-25: Comprehensive Substance Use Prevention and Intervention Plan

Starting in the 2024-25 school year, all Oregon public schools are required to adopt a comprehensive plan for substance use prevention and intervention. The plan includes:

- **Substance Use Prevention Education (K-12):** Instruction aligned with Health Education Standards and specific content on substance use prevention. A minimum of one **ODE Opioid Prevention Education lesson** will be required in grades 6, 7, and 8, and once during high school.
- **Intervention Plan:**
 - **School policies and procedures addressing substance use:** These policies are essential for ensuring a structured response to substance use issues within our schools.
 - Clear resources and referral processes for students needing support.
 - Training and established procedures for staff to intervene appropriately when substance use issues arise.

Related Policies:

- **Policy JHCD/JHCDA Medications** (Revised and Adopted 11/14/22)
- **Policy JHCD/JHCDA - AR Medications** (Revised and Adopted 11/14/22)

These policies directly support the district's commitment to addressing substance use and ensuring student safety.

New Instructional Requirements for 2024-25

Additional instructional programs that will be required starting in the 2024-25 school year include:

- **K-12 Social and Emotional Learning (SEL):** Schools must implement a comprehensive, planned instructional program for Social and Emotional Learning across all grade levels. This program aims to enhance students' social skills, emotional regulation, and resilience. Key SEL initiatives in our district include:

Elementary SEL Initiatives

- **Second Steps:** A research-based program focusing on social-emotional skills and bullying prevention.
- **Zones of Regulation:** A framework to teach students self-regulation and emotional control.
- **Billie's Monthly Character Trait of Focus:** Monthly themes that promote character development and positive behavior.
- **Lunch Buddies:** A peer support program encouraging friendship and social connections among students.
- **Reach Out Mentoring Program:** Connecting students with mentors to enhance their social and emotional skills.

Middle School SEL Initiatives

- **6th Grade Sources of Strength Class:** A class that teaches resilience, wellness, and strength-based approaches to challenges.
- **WEBB (Where Every Billie Belongs):** A peer mentoring program that fosters a welcoming school environment for all students.
- **Lunch Buddies:** Continuation of the elementary program, promoting inclusivity and friendship.
- **Reach Out Mentoring Program:** Similar to the elementary program, offering mentoring opportunities for middle school students.

High School SEL Initiatives

- **Integrated Activities within the Classroom:** Incorporating SEL strategies in daily lessons and activities.
- **Daily or Weekly Check-Ins:** Targeted emotional check-ins to foster a supportive classroom environment.
- **Classroom Norms:** Establishing shared expectations to promote a positive and inclusive classroom culture.
- **Mindfulness Practices:** Techniques for managing stress and promoting emotional well-being.

- **Advisory Periods:** Dedicated time for SEL-focused discussions and activities as needed.
 - **Goal-Setting and Self-Management (College and Career Readiness):** Helping students set personal and academic goals aligned with their future aspirations.
 - **Leadership and Student-Led Initiatives:** Opportunities for students to take on leadership roles and lead SEL-related activities.
 - **Extracurricular Activities and Clubs:** Clubs that promote social engagement and community service, integrating SEL principles into their activities.
-

Conclusion

These updates to graduation requirements, alongside our SEL initiatives and intervention plan, reflect our commitment to preparing students not only academically but also socially and emotionally. By embedding SEL practices throughout our K-12 curriculum and adhering to updated policies, we are equipping our students with the necessary skills to navigate their educational journey and beyond.

Submitted by:

Jim Crist

Superintendent, Pleasant Hill School District



OREGON
DEPARTMENT OF
EDUCATION

Oregon's Newest Diploma Requirements

Senate Bill 3

Overview

Beginning with the class of 2027, the Oregon diploma requirements will include a 0.5 credit in Personal Financial Education and a 0.5 credit in Higher Education and Career Path Skills, as part of the 24 credit requirements. This requires the development of new standards designed to support students in developing skills they will need to be successful in their future lives.

Background

One of the recommendations from [Senate Bill 744](#) (2021) included adding a requirement for a future and financial planning course, providing a foundation for the development of [Senate Bill 3](#) in the 2023 session. Senate Bill 3, requiring a 0.5 credit in Personal Financial Education and a 0.5 credit in Higher Education and Career Path Skills, received broad support from educators, parents, students, and business and community partners.

In June 2023, the Oregon Legislature passed, and Governor Kotek signed Senate Bill 3. Together, this new legislation and the [Senate Bill 744 community-informed recommendations](#) for graduation requirements provide momentum to help create more equitable, inclusive, and accessible diploma requirements.

Purpose of the New Requirements

The purpose of Oregon's newest diploma requirements are to:

- Provide students opportunities to acquire a variety of real-world skills,
- Enable students to focus on the practical application of financial literacy to future aspirations,
- Establish dedicated time for all students to receive support in developing interview skills and resumes, applying for financial aid, and completing employment and/or college applications, and
- Promote students' successful transition to career, college, and adult life.



Credit Requirements

Senate Bill 3 provides definitions that describe the type of knowledge, skills, and experiences that students will gain in their high school coursework.

Personal Financial Education Credit Requirement

As established in Senate Bill 3, Personal Financial Education means instruction that provides guidance on:

- Credit scores, including how to build credit, the costs and benefits of borrowing money on credit and the long-term impacts of high or low credit scores;
- Investments, asset building and debt, including how to open a bank account, different types of bank accounts, compound interest, the total cost of loan repayment, comparing investment options and types of investments and understanding different types of retirement accounts;
- Strategies for creating a budget, tracking and modifying spending patterns and understanding insurance products, including exploring common costs associated with rentals and home ownership;
- Taxes, including accessing tax credits, understanding tax cycles, being familiar with state and federal tax forms and being familiar with federal, state, regional and local taxes; and
- Building financial well-being, including evaluating the impact of behavioral economics and the psychology of money, explaining trends in financial health and evaluating consumer skills, including fraud and identity theft prevention.

Higher Education and Career Path Skills Credit Requirement

As established in Senate Bill 3, Higher Education and Career Path Skills means providing instruction on:

- Applying for jobs, including preparing a resume or filling out a job application and developing job interview skills;
- Applying for admission to a post-secondary institution of education, including applying for financial aid and scholarships;
- Applying for post-secondary learning and job training opportunities and programs that do not require a four-year degree, including apprenticeships and how to meet the prerequisites for those opportunities and programs;
- Developing career-related skills, including improving employability skills, taking advantage of community-based experiential learning and gaining knowledge of career opportunities; and
- Seeking assistance, including accessing community resources and acting as a self-advocate for mental, physical and financial well-being.





Timeline

Implementation of these new diploma requirements will first require the adoption of new Oregon Administrative Rules and instructional standards by the State Board of Education. These new rules and standards will support schools in providing students with opportunities to complete a 0.5 credit of higher education and career path skills and a 0.5 credit of personal financial education in grades 9-12, starting with the class of 2027.

The Oregon Department of Education recommends to start planning, communicating and implementing the new diploma requirement as early as possible. The Department has established the following anticipated implementation timeline:

2023-2024:

- ODE convenes content panels to develop standards and engages with partners for feedback on draft standards.
- ODE and TSPC engages in rule-making to determine licensure requirements.

2024-2025:

- ODE develops resources to support implementation, including instructional materials evaluation tools.

2025-2026

- Most districts and public charter schools implement new course requirements.

2026-2027:

- Students are required to have completed a 0.5 credit in Personal Financial Education and a 0.5 credit in Higher Education and Career Path Skills as part of earning an Oregon Diploma.
 - *Waivers available if a district or school is able to demonstrate to the satisfaction of the Oregon Department of Education, based on rules adopted by the State Board of Education, that the district or school is unable to provide courses necessary for students to satisfy the credit requirements and due to a lack of educators qualified to provide the courses. If approved, this is a one-year waiver.*

2027-2028:

- Students are required to have completed a 0.5 credit in Personal Financial Education and a 0.5 credit in Higher Education and Career Path Skills to earn an Oregon Diploma.
 - *Waivers are not available.*

Waiver

Senate Bill 3 amends the requirements outlined in [ORS 329.451](#) to apply to high school diplomas awarded on or after January 1, 2027. It also allows a school district, public charter school, or education service district to request a one-year waiver if needed. Districts or schools can apply for a waiver if they are unable to provide courses necessary for students to satisfy the credit requirements and due to a lack of educators qualified to provide the courses. If approved, the waiver is for one year only.

To obtain a waiver, districts must:

- Request a waiver for students who will be awarded high school diplomas on or after January 1, 2027, and before January 1, 2028, and
- Ensure that students who will be awarded high school diplomas on or after January 1, 2028, can satisfy the credit requirements of ORS 329.451.

Development Approach

The Oregon Department of Education will develop and support the content standards for these new required courses using a multi-step approach, including:

- Convening content standards panels for Personal Financial Education and Higher Education and Career Path Skills,
- Conducting ongoing engagement to learn from and incorporate input and feedback,
- Convening an instructional materials review panel to develop criteria and a rubric for identifying high-quality curriculum and resources, and
- Developing resources to support districts, public charter schools and education service districts with implementation.





New Diploma Requirements: FAQs

Q: When will this change in requirements take effect?

A: Students must earn a 0.5 credit in personal financial literacy and a 0.5 higher education and career path skills to be awarded a standard Oregon diploma on or after January 1, 2027.

Q: Does this increase the diploma credit requirement from 24 to 25 credits?

A: No. The total credit requirements remain at 24 credits for the class of 2027 and beyond. Refer to the Credit Requirements table on the [Oregon Diploma](#) webpage for specific requirements.

Q: Are there any new requirements for extended and modified diplomas?

A: Yes. The new diploma requirements apply to all Oregon Diploma types including modified diploma.

Q: What if a district is not ready to implement for the 2026-2027 school year?

A: Senate Bill 3 includes a provision for a one-year waiver. Schools who receive a waiver must be ready to offer the required courses and credit by January 1, 2028.

Q: We are a public charter school, does this apply to us?

A: Yes, it applies to all public charter schools.

Q: Who must be notified about the new diploma requirements?

A: Districts should communicate the new diploma requirements to grade 9 students in 2023/2024, graduating Spring 2027. Also, beginning in grade 5, students who are served by an IEP must have their families notified of diploma requirements.

Q: When will standards be developed?

A: The Oregon Department of Education is currently in the planning phase and will publish a timeline for development on the [Oregon Diploma](#) webpage once it is ready.

Q: What instructional materials should we be using to teach the courses?

A: As part of the implementation process, ODE and an advisory panel will develop criteria to evaluate instructional materials related to personal financial education and higher education and career path skills. This criteria should be available by the 2024-25 school year.

For questions, contact: ODE.StateGraduationRequirements@ode.oregon.gov