



Santiam Travel Station

750 S. Third St. Lebanon, OR 97355

**DISTRICT GOALS: Improve Student Achievement, K-3 Literacy, On-Time Graduation**

**MEETING AGENDA**

Livestream: <https://www.youtube.com/@lcsdboardmeetingstream6568/streams>

**1. WELCOME**

- A. Call to Order
- B. Flag Salute

**2. PUBLIC COMMENTS<sup>1</sup>**

This is a time for citizens to address the Board. The Chair will recognize speaker(s) at the designated time. All speakers shall identify themselves and state their name before speaking. Speakers are asked to provide their name, address and telephone number on the Speaker's Sign-in Sheet. Each speaker may address the Board for three minutes.

**3. SUPERINTENDENT'S REC FOR RENEWAL & NONRENEWAL      Action: Approval Requested**

**4. 2026-27 CERTIFIED CALENDAR, pg. 3      Action: Approval Requested**

**5. SNOW DAYS MAKE UP      Action: Approval Requested**

**6. CONSENT AGENDA      Action: Approval Requested**

- A. February 13, 2025 Board Meeting Minutes, pg. 10
- B. First, pg. 17 and Second, pg. 72 Reading Policy Updates

CODE	TITLE
<b>FIRST READING</b>	<b>REQUIRED</b>
AC	Nondiscrimination and Civil Rights
AC-AR	Discrimination Complaint Procedure
GBN/JBA	Sexual Harassment
GBN/JBA-AR(1)	Sexual Harassment Complaint Procedure
GBN/JBA-AR(2)	Federal Law (Title IX) Sexual Harassment Complaint Procedure
JBA/GBN	Sexual Harassment
JBA/GBN-AR(1)	Sexual Harassment Complaint Procedure
JBA/GBN-AR(2)	Federal Law (Title IX) Sexual Harassment Complaint Procedure

CODE	TITLE
<b>SECOND READING</b>	<b>REQUIRED</b>
JHCD - New	Medications**/*
JHCD/JHCDA - Delete	Medications**/*
<b>SECOND READING</b>	<b>HIGHLY RECOMMENDED</b>
GCBDA/GDBDA	Family and Medical Leave *
GCBDC/GDBDC	Domestic Violence, Harassment, Sexual Assault, Bias, Or Stalking Leave (Safe Leave) *

IIA	Instructional Materials**
JEC	School Admission and Open Enrollment **

C. Hiring:

NAME	POSITION	FTE	START DATE	END DATE
<b>NEW HIRES 2024-25</b>				
Laurie Mala	Autism Consultant – District Office	1.0	4/1/2025	
<b>TEMPORARY NEW HIRES 2024-25</b>				
Aurora Lakey	Elective Teacher/Engineering Technology – Seven Oak Middle School	1.0	2/17/2025	6/11/2025

**7. DEPARTMENT REPORTS**

**Action: Informational**

- A. Operations
  - 1. Operations Report, pg. 92
- B. Human Resources
- C. Finance
  - 1. Financial Report, pg. 94

**8. COMMUNICATION**

**Action: Informational**

- A. Board
- B. Student Board
- C. Superintendent
  - 1. Jen's Zens

**9. PUBLIC COMMENTS<sup>1</sup>**

**10. ADJOURNMENT**

Upcoming meeting dates:

- April 10, 2025
- May 8, 2025
- June 12, 2025
- July 10, 2025

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<sup>1</sup> The Lebanon Community School District Board of Directors welcomes you to our regular meeting. It is the Board's goal to hold an effective and efficient meeting to conduct the business of the District. In keeping with this goal, the Board provides a place for Public Comments on each of its regular agendas. This is a time when you can provide statements or ask questions. The Board allows three minutes for each speaker. The language below discusses the Public Meetings Law and public participation in such meetings.

*"The Public Meetings Law is a public attendance law, not a public participation law. Under the Public Meetings Law, governing body meetings are open to the public except as otherwise provided by law. ORS 192.630 The right of public attendance guaranteed by the Public Meetings Law does not include the right to participate by public testimony or comment.*

*"Other statutes, rules, charters, ordinances, and bylaws outside the Public Meetings Law may require governing bodies to hear public testimony or comment on certain matters. But in the absence of such a requirement, a governing body may conduct a meeting without any public participation. Governing bodies voluntarily may allow limited public participation at their meetings."*

**Oregon Attorney General's Administrative Law Manual and Uniform and Model Rules of Procedure under the Administrative Procedures Act. Hardy Myers, Attorney General, March 27, 2000**

# Agenda Item 4

2026-27 Certified Calendar

# Lebanon Community Schools 2026-27 Calendar

D=Staff Development  
 P=Preparation  
 Shaded = Non Contract  
 H=Holiday  
 C=Parent Conferences  
 S=Semester  
 Q=Quarter  
 E=Early Release

AUG 2026						
S	M	T	W	H	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	D24	D25	D26	P27	P28	29
30	*31					

SEP 2026						
S	M	T	W	H	F	S
		1	E2	3	4	5
6	H7	8	E9	10	11	12
13	14	15	E16	17	18	19
20	21	22	E23	24	25	26
27	28	29	E30			

Class: 1                              Class: 21              D= 0  
 Other: D= 3      P= 2              Other: H= 1      P= 0

OCT 2026						
S	M	T	W	H	F	S
				1	2	3
4	5	6	E7	8	9	10
11	12	13	E14	15	16	17
18	19	20	E21	22	23	24
25	26	Q27	P28	C29	C30	31

NOV 2026						
S	M	T	W	H	F	S
1	2	3	E4	5	6	7
8	9	10	H11	12	13	14
15	16	17	E18	19	20	21
22	23	24	25	H26	27	28
29	30					

DEC 2026						
S	M	T	W	H	F	S
		1	E2	3	4	5
6	7	8	E9	10	11	12
13	14	15	E16	17	18	19
20	21	22	23	24	H25	26
27	28	29	30	31		

Class: 19                              Class: 17                              Class: 14  
 Other: C= 2      H= 0              Other: C= 0                          Other: H= 2                          Other: H= 1

JAN 2027						
S	M	T	W	H	F	S
					1	2
3	4	5	E6	7	8	9
10	11	12	E13	14	15	16
17	H18	19	E20	21	S22	23
24	P25	P26	E27	28	29	30
31						

FEB 2027						
S	M	T	W	H	F	S
	1	2	E3	4	5	6
7	8	9	E10	11	12	13
14	H15	16	E17	18	19	20
21	22	23	E24	25	26	27
28						

MAR 2027						
S	M	T	W	H	F	S
	1	2	E3	4	5	6
7	8	9	E10	11	12	13
14	15	16	E17	18	19	20
21	22	23	24	25	26	27
28	29	30	E31			

Class: 17                              Class: 19                              Class: 18  
 Other: H= 1      P= 2              Other: H= 1                          Other: C= 0      P= 0

APR 2027						
S	M	T	W	H	F	S
				1	2	3
4	5	Q6	P7	C8	C9	10
11	12	13	E14	15	16	17
18	19	20	E21	22	23	24
25	26	27	E28	29	30	

MAY 2027						
S	M	T	W	H	F	S
						1
2	3	4	E5	6	7	8
9	10	11	E12	13	14	15
16	17	18	E19	20	21	22
23	24	25	E26	27	28	29
30	H31					

JUN 2027						
S	M	T	W	H	F	S
		1	E2	3	E4	5
6	7	E8	P9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Class: 19                              Class: 19                              Class: 6  
 Other: C= 2      P= 1              Other: H= 1                          Other: P= 1

**ALL SUBJECT TO BARGAINING CONTRACT**  
 Adoption Date: 3/13/2025

Class	P	C	D	H	Contract
22	2	0	3	1	28
50	1	2	0	3	56
54	2	0	0	2	58
44	2	2	0	1	49
170	7	4	3	7	191

## 2026

August 24-26, 2026	Staff Professional Development Days
August 27-28, 2026	Staff Preparation Days
August 31, 2026	Open House/Orientation
September 1, 2026	First Day of School
September 7, 2026	Holiday - Labor Day
October 27, 2026	End of First Quarter
October 28, 2026	Staff Preparation Day - NO SCHOOL
October 29-30, 2026	Parent Conferences - NO SCHOOL
November 11, 2026	Holiday - Veterans' Day - NO SCHOOL
November 25, 2026	Non-Contract Day - NO SCHOOL
November 26, 2026	Holiday - Thanksgiving Day - NO SCHOOL
November 27, 2026	Non-Contract Day - NO SCHOOL
December 21-24, 2026	Non-Contract Day - Winter Break - NO SCHOOL
December 25, 2026	Holiday - NO SCHOOL
December 28-31, 2026	Non-Contract Day - Winter Break - NO SCHOOL

## 2027

January 1, 2027	Non-Contract Day - NO SCHOOL
January 4, 2027	Classes Resume
January 18, 2027	Holiday - Martin Luther King Jr. Day - NO SCHOOL
January 22, 2027	End of First Semester
January 25-26, 2027	Staff Preparation Days - NO SCHOOL
February 15, 2027	Holiday - Presidents' Day - NO SCHOOL
March 22-26, 2027	Non-Contract Days - Spring Break - NO SCHOOL
April 6, 2027	End of Third Quarter
April 7, 2027	Staff Preparation Day - NO SCHOOL
April 8-9, 2027	Parent Conferences - NO SCHOOL
May 28, 2027	Non-Contract Day (Snow Make Up)
May 31, 2027	Holiday - Memorial Day - NO SCHOOL
June 1, 2027	High School Graduation
June 4, 2027	Strawberry Festival - Early Release
June 8, 2027	Classes End
June 9, 2027	Staff Preparation Day

\* Some students may begin school later due to incoming student orientation.  
More information will be provided by the school.

*Early Release Collaboration Days will be every Wednesday, beginning September 2, 2026 for **ALL** schools.*

### **ALL SUBJECT TO BARGAINING CONTRACT**

Adoption Date: 3/13/2025

# Lebanon Community Schools 2026-27 Calendar

D=Staff Development  
 P=Preparation  
 Shaded = Non Contract  
 H=Holiday  
 C=Parent Conferences  
 S=Semester  
 Q=Quarter  
 E=Early Release

AUG 2026						
S	M	T	W	H	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	D31					

SEP 2026						
S	M	T	W	H	F	S
		D1	D2	P3	P4	5
6	H7	*8	E9	10	11	12
13	14	15	E16	17	18	19
20	21	22	E23	24	25	26
27	28	29	E30			

Class: 0  
 Other: D= 1

Class: 17      D= 2  
 Other: H= 1      P= 2

OCT 2026						
S	M	T	W	H	F	S
				1	2	3
4	5	6	E7	8	9	10
11	12	13	E14	15	16	17
18	19	20	E21	22	23	24
25	26	27	E28	29	30	31

NOV 2026						
S	M	T	W	H	F	S
1	2	Q3	P4	C5	C6	7
8	9	10	H11	12	13	14
15	16	17	E18	19	20	21
22	23	24	25	H26	27	28
29	30					

DEC 2026						
S	M	T	W	H	F	S
		1	E2	3	4	5
6	7	8	E9	10	11	12
13	14	15	E16	17	18	19
20	21	22	23	24	H25	26
27	28	29	30	31		

Class: 22      P= 0  
 Other: C= 0      H= 0

Class: 14      P= 1  
 Other: C= 2      H= 2

Class: 14  
 Other: H= 1

JAN 2027						
S	M	T	W	H	F	S
					1	2
3	4	5	E6	7	8	9
10	11	12	E13	14	15	16
17	H18	19	E20	21	22	23
24	25	26	E27	28	S29	30
31						

FEB 2027						
S	M	T	W	H	F	S
	P1	P2	E3	4	5	6
7	8	9	E10	11	12	13
14	H15	16	E17	18	19	20
21	22	23	E24	25	26	27
28						

MAR 2027						
S	M	T	W	H	F	S
	1	2	E3	4	5	6
7	8	9	E10	11	12	13
14	15	16	E17	18	19	20
21	22	23	24	25	26	27
28	29	30	E31			

Class: 19  
 Other: H= 1      P= 0

Class: 17  
 Other: H= 1      P= 2

Class: 18  
 Other: C= 0      P= 0

APR 2027						
S	M	T	W	H	F	S
				1	2	3
4	5	6	E7	8	9	10
11	12	Q13	P14	C15	C16	17
18	19	20	E21	22	23	24
25	26	27	E28	29	30	

MAY 2027						
S	M	T	W	H	F	S
						1
2	3	4	E5	6	7	8
9	10	11	E12	13	14	15
16	17	18	E19	20	21	22
23	24	25	E26	27	28	29
30	H31					

JUN 2027						
S	M	T	W	H	F	S
		1	E2	3	E4	5
6	7	8	E9	10	11	12
13	14	E15	P16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Class: 19  
 Other: C= 2      P= 1

Class: 19  
 Other: H= 1

Class: 11  
 Other: P= 1

**ALL SUBJECT TO BARGAINING CONTRACT**

Adoption Date: 3/13/2025

Class	P	C	D	H	Contract
17	2	0	3	1	23
50	1	2	0	3	56
54	2	0	0	2	58
49	2	2	0	1	54
170	7	4	3	7	191

## 2026

August 31-September 2, 2026	Staff Professional Development Days
September 3-4, 2026	Staff Preparation Days
September 7, 2026	Holiday - Labor Day
September 8, 2026	Open House/Orientation
September 9, 2026	First Day of School
November 3, 2026	End of First Quarter
November 4, 2026	Staff Preparation Day - NO SCHOOL
November 5-6, 2026	Parent Conferences - NO SCHOOL
November 11, 2026	Holiday - Veterans' Day - NO SCHOOL
November 25, 2026	Non-Contract Day - NO SCHOOL
November 26, 2026	Holiday - Thanksgiving Day - NO SCHOOL
November 27, 2026	Non-Contract Day - NO SCHOOL
December 21-24, 2026	Non-Contract Day - Winter Break - NO SCHOOL
December 25, 2026	Holiday - NO SCHOOL
December 28-31, 2026	Non-Contract Day - Winter Break - NO SCHOOL

## 2027

January 1, 2027	Holiday - NO SCHOOL
January 4, 2027	Classes Resume
January 18, 2027	Holiday - Martin Luther King Jr. Day - NO SCHOOL
January 29, 2027	End of First Semester
February 1-2, 2027	Staff Preparation Days - NO SCHOOL
February 15, 2027	Holiday - Presidents' Day - NO SCHOOL
March 22-26, 2027	Non-Contract Days - Spring Break - NO SCHOOL
April 13, 2027	End of Third Quarter
April 14, 2027	Staff Preparation Day - NO SCHOOL
April 15-16, 2027	Parent Conferences - NO SCHOOL
May 28, 2027	Non-Contract Day (Snow Make Up)
May 31, 2027	Holiday - Memorial Day - NO SCHOOL
June 4, 2027	Strawberry Festival - Early Release
June 8, 2027	High School Graduation
June 15, 2027	Classes End
June 16, 2027	Staff Preparation Day

\* Some students may begin school later due to incoming student orientation.  
More information will be provided by the school.

*Early Release Collaboration Days will be every Wednesday, beginning September 9, 2026 for **ALL** schools.*

## **ALL SUBJECT TO BARGAINING CONTRACT**

Adoption Date: 3/13/2025

# Lebanon Community Schools 2025-26 Calendar

D=Staff Development  
P=Preparation  
H=Holiday  
C=Parent Conferences  
S=Semester  
Q=Quarter  
E=Early Release

### AUG 2025

S	M	T	W	H	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	D25	D26	D27	P28	P29	30
31						

Class: 0  
Other: D= 3 P= 2

### SEP 2025

S	M	T	W	H	F	S
	H1	*2	E3	4	5	6
7	8	9	E10	11	12	13
14	15	16	E17	18	19	20
21	22	23	E24	25	26	27
28	29	30				

Class: 21  
Other: H= 1 P=

### OCT 2025

S	M	T	W	H	F	S
			E1	2	3	4
5	6	7	E8	9	10	11
12	13	14	E15	16	17	18
19	20	21	E22	23	24	25
26	27	28	E29	30	Q31	

Class: 23  
Other: C= H=

### NOV 2025

S	M	T	W	H	F	S
						1
2	P3	C4	C5	6	7	8
9	10	H11	E12	13	14	15
16	17	18	E19	20	21	22
23	24	25	26	H27	28	29
30						

Class: 13  
Other: C= 2 H= 2

### DEC 2025

S	M	T	W	H	F	S
	1	2	E3	4	5	6
7	8	9	E10	11	12	13
14	15	16	E17	18	19	20
21	22	23	24	H25	26	27
28	29	30	31			

Class: 15  
Other: H= 1

### JAN 2026

S	M	T	W	H	F	S
				1	2	3
4	5	6	E7	8	9	10
11	12	13	E14	15	16	17
18	H19	20	E21	22	S23	24
25	P26	P27	E28	29	30	31

Class: 17  
Other: H= 1 P= 2

### FEB 2026

S	M	T	W	H	F	S
1	2	3	E4	5	6	7
8	9	10	E11	12	13	14
15	H16	17	E18	19	20	21
22	23	24	E25	26	27	28

Class: 19  
Other: H= 1 P=

### MAR 2026

S	M	T	W	H	F	S
1	2	3	E4	5	6	7
8	9	10	E11	12	13	14
15	16	17	E18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Class: 17  
Other: C= P=

### APR 2026

S	M	T	W	H	F	S
			E1	2	3	4
5	6	Q7	P8	C9	C10	11
12	13	14	E15	16	17	18
19	20	21	E22	23	24	25
26	27	28	E29	30		

Class: 19  
Other: C= 2 P= 1

### MAY 2026

S	M	T	W	H	F	S
					1	2
3	4	5	E6	7	8	9
10	11	12	E13	14	15	16
17	18	19	E20	21	22	23
24	H25	26	E27	28	29	30
31						

Class: 19  
Other: H= 1

### JUN 2026

S	M	T	W	H	F	S
	1	2	E3	4	E5	6
7	8	E9	P10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Class: 7  
Other: P= 1

Class	P	C	D	H	Contract
21	2	0	3	1	27
51	1	2	0	3	57
53	2	0	0	2	57
45	2	2	0	1	50
170	7	4	3	7	191

**ALL SUBJECT TO BARGAINING CONTRACT**

Adoption Date: 3/14/2024



## 2025

August 25-27, 2025	Staff Professional Development Days
August 28-29, 2025	Staff Preparation Days
September 1, 2025	Holiday - Labor Day
September 2, 2025	Open House/Orientation
September 3, 2025	First Day of School
October 31, 2025	End of First Quarter
November 3, 2025	Staff Preparation Day - NO SCHOOL
November 4-5, 2025	Parent Conferences - NO SCHOOL
November 11, 2025	Holiday - Veterans' Day - NO SCHOOL
November 26, 2025	Non-Contract Day - NO SCHOOL
November 27, 2025	Holiday - Thanksgiving Day - NO SCHOOL
November 28, 2025	Non-Contract Day - NO SCHOOL
December 22-24, 2025	Non-Contract Day - Winter Break - NO SCHOOL
December 25, 2025	Holiday - NO SCHOOL
December 29-31, 2025	Non-Contract Day - Winter Break - NO SCHOOL

## 2026

January 1-2, 2026	Non-Contract Day - NO SCHOOL
January 5, 2026	Classes Resume
January 19, 2026	Holiday - Martin Luther King Jr. Day - NO SCHOOL
January 23, 2026	End of First Semester
January 26-27, 2026	Staff Preparation Days - NO SCHOOL
February 16, 2026	Holiday - Presidents' Day - NO SCHOOL
March 23-27, 2026	Non-Contract Days - Spring Break - NO SCHOOL
April 7, 2026	End of Third Quarter
April 8, 2026	Staff Preparation Day - NO SCHOOL
April 9-10, 2026	Parent Conferences - NO SCHOOL
May 22, 2026	Non-Contract Day (Snow Make Up)
May 25, 2026	Holiday - Memorial Day - NO SCHOOL
June 2, 2026	High School Graduation
June 5, 2026	Strawberry Festival - Early Release
June 9, 2026	Classes End
June 10, 2026	Staff Preparation Day

\* Some students may begin school later due to incoming student orientation.  
More information will be provided by the school.

*Early Release Collaboration Days will be every Wednesday, beginning September 3, 2025 for **ALL** schools.*

## **ALL SUBJECT TO BARGAINING CONTRACT**

Adoption Date: 3/14/24

# Agenda Item 6

Consent Agenda

A. February 13, 2025 Board  
Meeting Minutes



Via Zoom

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## **MEETING MINUTES**

<b><u>BOARD MEMBERS PRESENT:</u></b> Tom Oliver, Chair Aubree Molina, Member Clyde Rood, Member Melissa Baurer, Member	<b><u>EXECUTIVE STAFF PRESENT:</u></b> Jennifer Meckley, Superintendent William Lewis, Chief Operations Officer Steven Prosocki, Business Director
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The meeting minutes were recorded by Executive Secretary Jessica Woody.

### **1. WELCOME AND CALL TO ORDER**

Board Chair, Tom Oliver, called the meeting to order at 6:03 PM and led the flag salute.

### **2. PUBLIC COMMENTS**

No public comments were made.

### **3. GRADUATION RATE PRESENTATION**

High School Principal, Craig Swanson, speaks to the Board referring to the presentation in the packet, and thanking them for this time to celebrate some achievements which he asks for those achievements to be credited to the district as a whole. He shares how special the 2023-24 graduation ceremony was, where they had the privilege of handing out 277 diplomas and the presence of all five Board Members at the ceremony. He reviews the data and gives credit to the students and families for their hard work and support. He specifically highlights the graduation rate, at 91.1%-- almost 10 points above the state average, and a 12.1% increase from 2022. He also highlights the successes in many sub-groups including Special Education, Historically Underserved Races and Ethnicities, Students Experiencing Poverty, and participation in CTE courses in relation to graduation rates. Mr. Swanson also gives credit to the teachers and support staff and specifically acknowledges various district staff and programs for their work towards graduation.

Mr. Swanson asks the community to understand that the district's graduation rate also includes the students of Ralston Academy and he gives his appreciation for his partnership with Alternative Education Director and Principal at Ralston Academy, Brandon Weist. Mr. Weist speaks to the Board, also referencing the data provided in the packet, and additionally highlighting the first generation graduates and the current district staff who are proud former students. He thanks the leadership in each department for providing that opportunity to those students and shares the pride in retaining those students now as staff members.

Mr. Swanson highlights some of the exemplary work done by the class of 2024 including a national merit scholarship finalist accepted into Yale and Stanford University who attended with LCSD K-12, an NMS commended grad, 10 valedictorians, 1 salutatorian, 26 academic honor diplomas, 32 honor certificates, and over 1200 college credits earned.

The Board shares their appreciation for the impressive and remarkable work being done by the staff to help make this happen, and shares appreciation for the awareness that social needs impacts education, acknowledging their partnership with the Welcome Center.

#### **4. WELCOME CENTER PRESENTATION**

LCSD's Mental Health Coordinator, Sandi Cox, speaks to the Board, referencing the presentation in the packet. She begins by introducing the Welcome Center staff, also known as the "Magic Workers"—doing their magic to help families. The presentation includes information and data regarding roles, who is served, the referral process, youth services team, and annual events made up of: a school supply and backpack event, kindergarten health screening, coat drive, Thanksgiving food baskets, holiday gift sponsors, and the Sources of Strength Wellness fair.

Ms. Cox also acknowledges the community partners, sharing that they could not do this work without their partnership.

The Board thanks Sandi and the Welcome Center staff for their hard and tiring work. Some discussion takes place regarding staff certifications.

Many thanks are given to Sandi for her hard work overseeing the Welcome Center, amongst her many other job duties.

#### **5. SPECIAL EDUCATION RESTRAINT & SECLUSION REPORT**

Jennifer shares that it is a requirement through Division 22 to present the Restraint and Seclusion data to the Board once a year. Referring to the data in the packet, Jennifer explains the reason for the spike in numbers last year, with a particular student, and that this year the student has a more successful plan in place, causing improvements in the data. She also notes that this year's restraint data involves 4 different students, and the seclusion data involves only 1 student—and all of those students are involved in Special Education.

There is no discussion or questions presented by the Board.

#### **6. CLASS SIZE AND CASE LOAD REPORT**

Jennifer explains to the Board that per the bargaining agreement, the class size and case load data is to be shared with the Board bi-annually, in October and February. Referring to the data, Jennifer acknowledges where there are some pockets and how administrators have done an amazing job balancing class sizes, which has also been acknowledged by the association.

Discussion takes place regarding secondary elective class numbers, and the class sizes at Hamilton Creek School. Open Enrollment and K-8 factors are discussed regarding Hamilton Creek. It is noted that slowing down Open Enrollment could help overtime, and that blends could also help with the numbers, though blends are not typically favorable by teachers.

Special Education case load data is reviewed and it is noted that the district has great case managers and it has been a priority to allow additional paperwork time to provide adequate time to complete case load requirements.

Discussion also takes place regarding SLPs, and the lack of staff members to fill those positions. It is noted that the district has great highly skilled SLPs and will work with the ESD to access SLP assistants who can provide additional support.

Discussion takes place regarding the counselor case load at Riverview, and enrollment numbers at Riverview in relation.

Jennifer thanks the Board for reviewing the data and hopes that each year they can continue to improve, support teachers, and keep class sizes balanced throughout the district.

## **7. POOL FACILITY LEASE AGREEMENT**

Jennifer explains to the Board that in 2001 a lease agreement was entered into between the Lebanon School District and the Lebanon Aquatic District. It is noted that the district owns the pool and the aquatic district manages the operations. The agreement was up for renewal in 2023 and with much work between LCSD and LAD, minor updates were made to the agreement. The Aquatic Board has approved the updated lease agreement and now the district is seeking LCSD Board approval of the agreement. No questions are presented by the Board.

Melissa motions to approve, and Aubree seconds the motion. All approved with unanimous vote, the pool facility lease agreement is approved as presented.

## **8. 2023-24 AUDIT REPORT**

Steven, Director of Finance, speaks to the Board regarding the completed 2023-24 audit report. He explains that the audit team was unable to attend this evening's meeting but will be available for questions next month, if needed. The consensus of the Board was that the audit team's attendance was not necessary as there were no questions presented.

It is acknowledged by the Board that the numbers looked really good and in the best way, it is agreed upon that it was a very boring audit report.

Steven acknowledges the healthy ending fund balance and that the audit report was completed on time.

Some discussion takes place regarding busses which were purchased, where the entire expense was recorded in year one, which was not anticipated.

There is no further discussion.

## **9. SAFETY AND SECURITY RFP PROCUREMENT CHANGE**

William, Chief Operations Officer, speaks to the Board regarding the proposed process for the safety and security update project, for access control and the paging systems. He explains that the goal is

to integrate new technology with existing systems, efficiently, which will modernize technology in 1950-1960s buildings.

He explains that the current "low bid" process is less suitable in this case and the importance of having additional flexibility for a project of this scope. He also explains that this would assist the district in improving cost control, enhancing safety, and minimizing disruptions.

Some discussion and clarification take place regarding the process and how it differs or is similar to RFP processes in the past. It is the consensus of the Board that the requested process still allows multiple parties to respond with a decision made on multiple factors, and not just dollars.

Melissa motions to approve the presented safety and security RFP procurement change, and Aubree seconds the motion. All in favor with a unanimous vote, the RFP procurement change is approved.

## **10. SUPERINTENDENT EVALUATION PROCESS**

The board discusses the presented surveys and how the new staff survey will more closely align with the OSBA standards, which is what the Board members use to evaluate. Jennifer recommends sending the staff survey to all staff, rather than a randomly selected group.

Jennifer explains that the surveys will go out in the next week or so, and data will be available for Board review by the end of the month, prior to Jennifer's evaluation in March

The consensus of the Board is to move ahead with the presented surveys.

## **11. CONSENT AGENDA**

Some discussion takes place regarding the policy updates that were removed due to changes in the law, and that some may need to be reverted to previously approved policies, which will be presented to the Board next month.

Discussion also takes place regarding the Board member question about policy GBNA/JHFF, and it is recommended that the Board adopt as presented and review the policy at a later date if additional changes are needed.

A question is presented and discussion takes place between the Board regarding the Board approval of instructional material, in policies IIA and its associated ARs.

Melissa motions to approve the consent agenda as presented, and Clyde seconds the motion. All in favor with a unanimous vote, the consent agenda made up of the January 9, 2025 Board Meeting Minutes, January 23, 2025 Special Board Meeting Minutes, First Reading Policy Updates JHCD, JHCD-AR, JHCD/JHCDA, JHCD/JHCDA-AR, GCBDA/GDBDA, GCBDA/GDBDA-AR(1), GCBDC/GDBDC, GCBDC/GDBDC-AR, IIA, JEC, IIA-AR(1), IIA-AR(2), IIA-AR(3), IIA-AR(4), and IIA-AR(5), Second Reading Policy Updates AC, GBNA/JHFF, IKF, JHFF/GBNA, JECA, IKFB, and temporary new hire Christopher Tanser is approved in its entirety.

## **12. DEPARTMENT REPORTS** **A. Operations**

William provides information regarding the seismic grant used at LHS to update the roof and the seismic capacity. He explains that the project was a success, providing a brand-new roof to replace the leaks, with new windows, and structures integrated to improve HVAC capabilities. He also explains that the goal is to do the same at Seven Oak. He shares that this would then allow Seven Oak to be used as an emergency facility for the community in case of an earthquake.

William also shares that the warehouse being built at Seven Oak is almost completed, and he will soon share photos of the project.

He provides information regarding House Bill 2531, requiring districts to replace all light bulbs to LED bulbs, and he shares that he will be testifying on behalf of the district regarding this House Bill, in Salem, as he hopes to have time and a good plan in place to implement this.

He also informs the Board of an upcoming network RFP which will be for network, switches, servers, and equipment for all schools in the district. He explains that the goal is to obtain the equipment and have it installed. He also explains that the costs are potentially eligible for reimbursement at 85-90% through e-rate. He plans to begin the RFP process this week and will return with information regarding this to the Board when appropriate. A question is presented regarding whether it would be design *and* installation, and it is confirmed that most of the installation would be done in house, aside from any needed areas of assistance.

A question is also presented regarding the House Bill 2531 requirements, and whether energy trust incentives are available to the district. Further discussion takes place regarding the cost for the district and what this House Bill expense may look like in the future, and the rate of return on the expense.

### **B. Human Resources**

Kim Grousbeck, HR Director, shares that the district has officially started bargaining with both associations and have went over ground rules. Kim shares that she will continue to keep the Board updated along the way.

### **C. Finance**

Steven refers to the financial report, showing that the district is projected to be on point with the projected budget.

## **13. COMMUNICATION**

### **A. Board**

A question is proposed by a Board member regarding student attendance, and whether it has decreased in the last couple of weeks. It is noted that it is flu season so some bouts of sickness have taken place, presenting in some absences, though the rates do not appear to be different than years prior.

A shout out is given to Riverview Teacher Lori Mills, for her work in the OBOB, Oregon Battle of the Books program, as she just completed her 11<sup>th</sup> year in the program, where teams of students read novels and test their knowledge in competition.

A Board member shares concerns with the current larger political scheme with the Department of Education and how it may affect the district. It is noted that important updates are being shared with the district from ODE, COSA, American Association of School Superintendents, and OSBA, and

some clarification is provided regarding executive orders—executive orders do not create new laws, and schools do not need to immediately alter policy or practice based on executive orders. It is also noted that the district will continue to watch for guidance on what may need to be changed, and will continue to follow Oregon Statutes. Jennifer plans to attend a joint COSA/OASBO conference this week which will address some of the concerns regarding federal dollars. Continued discussion takes place regarding federal funding.

**B. Student Board**

The student members share the upcoming sporting events, as well as a school wide competition to hopefully increase student attendance.

**C. Superintendent**

Jennifer presents Jen’s Zens, sharing the recent Apple Award winners for January. Three outstanding educators are recognized for their award, consisting of Nancy Whaley (formally Webb), Dean of Students at Hamilton Creek School, Retired Lieutenant Colonel Mark Smith, JROTC instructor at LHS, and Grace Rieke, Teacher at Riverview School. She shares the dedication that each of these staff members have for the students and families. She congratulates the January winners, and shares that to nominate a staff member you may do so on the district website, and/or by using a QR code.

**14. PUBLIC COMMENTS**

No public comments were made.

**15. ADJOURNMENT**

There being no further business before the Board, the meeting was adjourned at 7:36 PM.

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Tom Oliver, Board Chair

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Jennifer Meckley, Superintendent



# Agenda Item 6

Consent Agenda

B. First Reading Policy Updates

## March 2025 POLICY UPDATES – REVIEW AND RECOMMENDATIONS

The week of January 13, 2025, OSBA notified its members about a court [decision](#) decided on January 9th, 2025, in which a federal district court judge in Kentucky issued a decision vacating the 2024 updates to the Title IX regulations. This ruling vacated the rules that went into effect on August 1, 2024. It has since been stated in a communication from the U.S. Department of Education that this means the previous Title IX rules (effective in 2020) remain in effect. This email does not change the advice in the January email from OSBA, rather it provides additional clarity.

OSBA released updated policies on the 2024 Title IX regulations in the November 2024 update. Due to this court decision, OSBA has rolled back some of its recommended edits from the November 2024 update.

This means that in some instances, previous versions of these policies remain in effect (unless action has already been taken to remove or update them). The OSBA Policy Department completed a review and has issued updated recommendations affecting these policies and administrative regulations:

AC – Nondiscrimination and Civil Rights (the same as the version from the November 2024 update, with the removal of footnote 2)

AC-AR – Nondiscrimination Complaint Procedure (reverting back to the version from the March 2023 update)

GBN/JBA – Sexual Harassment (reverting back to the version from the April 2024 update)

GBN/JBA(1) – Sexual Harassment Complaint Procedure (reverting back to the version from the July 2020 update)

GBN/JBA(2) – Federal Law (Title IX) Sexual Harassment Complaint Procedure (reverting back to the version from the July 2020 update)

JBA/GBN – Sexual Harassment (reverting back to the version from the April 2024 update)

JBA/GBN(1) – Sexual Harassment Complaint Procedure (reverting back to the version from the July 2020 update)

JBA/GBN(2) – Federal Law (Title IX) Sexual Harassment Complaint Procedure (reverting back to the version from the July 2020 update)

JFE – Pregnant and/or Parenting Students (reverting back to the version from the April 2021 for districts; a version from 2017 for ESDs; no policy needed for charter schools or community colleges)

Refer to the lists of affected policies and administrative regulations and the additional information regarding these updates that are posted to the OSBA membership [portal](#).

Reminder: One of the key provisions of the 2024 Title IX rules was the expansion of "sex-based discrimination" to include gender identity and sexual orientation. The court decision struck down this language under Title IX. However, Oregon law has prohibited discrimination based on sexual orientation and gender identity for several years ([ORS 659.850](#)).

<b>Code</b>	<b>Title</b>	<b>OSBA Recommendation</b>	<b>DO Staff Lead(s)</b>	<b>Changes/DO Staff Comments</b>	<b>Recommended Adoption? (Yes/No)</b>
AC	Nondiscrimination and Civil Rights	Required	Jen	Updates made to reflect changes to Title IX regulations.	Yes
AC-AR	Discrimination Complaint Procedure	Required	Jen	Updates made to reflect changes to Title IX regulations.	Yes
GBN/JBA JBA/GBN	Sexual Harassment	Required	Jen	Updates made to reflect changes to Title IX regulations.	Yes
GBN/JBA -AR(1) GBN/JBA - AR(2) JBA/GBN -AR(1) JBA/GBN - AR(2)	Sexual Harassment Complaint Procedure Federal Law (Title IX) Sexual Harassment Complaint Procedure	Required	Jen	Updates made to reflect changes to Title IX regulations.	Yes
JHCD JHCD/JHCDA	Medications	Required	Jen, Nurses	Significant changes were made to rules around medication administration and student self-administration in HB 2002, HB 2395, and SB 1552.	Delete prior version and adopt new.
GCBDA/GDBDA	Family and Medical Leave	Highly Recommended	Kim Grousbeck	Changes in Oregon law regarding leave. SB 1515	Delete prior version and adopt new.
GCBDC/GDBDC	Domestic Violence, Harassment, Sexual Assault, Bias, or Stalking Leave	Highly Recommended	Kim Grousbeck	Changes in Oregon law regarding leave. SB 1515	Yes

IIA	Instructional Materials	Highly Recommended	Jen/Bill	OSBA policy staff met with a work group to update current policies.	Delete prior version and adopt new.
JEC	School Admission and Open Enrollment	Highly Recommended	Jen	Updating policy to reflect a requirement of proof of address during registration	Yes

*No updates are needed for Policy JFE – current version aligns with 2021 Update*

# Lebanon Community Schools

Code: **AC**  
Adopted: 06/16/09  
Readopted: 02/04/10, 09/10/15,  
03/08/18, 12/12/19, 12/9/21, 6/6/24  
Orig. Code(s): AC

## **Nondiscrimination and Civil Rights**

The district **does not discriminate on any basis listed below and** prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual race<sup>1</sup>, color, religion, sex<sup>2</sup>, sexual orientation, gender identity, national or ethnic origin, marital status, age, mental or physical disability or perceived 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, in 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 citizens can communicate their concerns to the administration and the Board.

~~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,

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<sup>1</sup> 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)).~~

<sup>2</sup> ~~34 CFR § 106.10 provides "discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity."~~

threatening or interfering with an individual for exercising any rights guaranteed under state and federal law.

Any complaint alleging discrimination may be made to any civil rights coordinator and will be processed in accordance with administrative regulation AC-AR(1) - Discrimination or Civil Rights Complaint Procedure. Depending on the nature of the complaint, additional requirements may apply.

The district will document and track:

1. All reports of discrimination received by the district and all responses to those reports issued by the district, including any investigations completed and remedies provided; and
2. The training completed by each civil rights coordinator.

### **Civil Rights Coordinator**

The Director of Communications is the district's civil rights coordinator.

The civil rights coordinator(s) will:

1. Be knowledgeable of the requirements in OARs 581-021-0038, 581-021-0045, 581-021-0046, and 581-021-0660;
2. Have the independence and authority necessary to carry out the provisions of OAR 581-021-0660;
3. Monitor, coordinate, and oversee district compliance with state and federal laws prohibiting discrimination in education, including ensuring the availability of, and providing to students and staff:
  - a. The notice of nondiscrimination<sup>3</sup> required by OAR 581-021-0045; and
  - b. The district written complaint process for making reports of discrimination.
4. Oversee and ensure the resolution of district investigations of complaints alleging and substantiating discrimination, including the provision of remedies designed to restore or preserve equal access to an education program or activity;
5. Provide guidance to district staff on civil rights issues in the district;
6. Respond to questions and concerns about civil rights in the district;
7. Coordinate efforts to prevent civil rights violations from occurring in the district; and
8. Satisfy the training requirements in OAR 581-021-0660 (2)-(3).
  - a. Upon initial designation, a civil rights coordinator must receive the following training in accordance with a schedule established by the Oregon Department of Education (ODE):

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<sup>3</sup> The notice of nondiscrimination will include the name or title, work address, email address, and phone number of each civil rights coordinator.

- (1) The meaning of discrimination under state and federal nondiscrimination law, including ORS 659.850, Title VI of the Civil Rights Act of 1964 Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990;
  - (2) The duties of districts under state and federal nondiscrimination law, including ORS 342.700 to 342.708, ORS 659.850 and 659.855, Title VI of the Civil Rights Act of 1964, Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the American’s with Disabilities Act of 1990, those statutes’ implementing rules and regulations, and determinations made by the Oregon Department of Education and the United States Department of Education’s Office for Civil Rights;
  - (3) The coordinators required by Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and those coordinators’ duties;
  - (4) Identifying discrimination and reports of discrimination;
  - (5) Responding to reports of discrimination;
  - (6) Conducting civil rights investigations, including identifying conflicts of interest, and using strategies to mitigate conflicts of interest;
  - (7) Preventing discrimination in public school programs and activities;
  - (8) Identifying retaliation taken in response to reports of discrimination, responding to reports of such retaliation, and preventing such retaliation in public school programs and activities;
  - (9) Tracking and documenting reports of discrimination.
- b. In years subsequent to being designated a civil rights coordinator, a civil rights coordinator must annually receive the following training in accordance with a schedule established by ODE:
- (1) The meaning of discrimination under state and federal nondiscrimination law, including ORS 659.850, Title VI of the Civil Rights Act of 1964 Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990;
  - (2) The duties of districts under state and federal nondiscrimination law, including ORS 342.700 to 342.708, ORS 659.850 and 659.855, Title VI of the Civil Rights Act of 1964, Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the American’s with Disabilities Act of 1990, those statutes’ implementing rules and regulations, and determinations made by the Oregon Department of Education and the United States Department of Education’s Office for Civil Rights;
  - (3) The coordinators required by Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and those coordinators’ duties;
  - (4) Reporting discrimination, and responding to reports of discrimination, including through complaint processes and investigations.<sup>4</sup>

END OF POLICY

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<sup>4</sup> Training must first be completed by June 30, 2025.

**Legal Reference(s):**

<a href="#">ORS 174.100</a>	<a href="#">ORS 659A.006</a>	<del><a href="#">OAR 581-002-0001-002-0005</a></del>
<a href="#">ORS 192.630</a>	<a href="#">ORS 659A.009</a>	<a href="#">OAR 581-021-0045</a>
<a href="#">ORS 326.051(1)(e)</a>	<a href="#">ORS 659A.029</a>	<a href="#">OAR 581-021-0046</a>
<a href="#">ORS 408.505</a>	<a href="#">ORS 659A.030</a>	<a href="#">OAR 581-021-0047</a>
<a href="#">ORS 408.230</a>	<a href="#">ORS 659A.040</a>	<del><a href="#">OAR 581-021-0650-0665</a></del>
<a href="#">ORS 659.805</a>	<a href="#">ORS 659A.103 - 659A.145</a>	<a href="#">OAR 581-022-2310</a>
<a href="#">ORS 659.815</a>	<a href="#">ORS 659A.230 - 659A.233</a>	<a href="#">OAR 581-022-2370</a>
<a href="#">ORS 659.850 - 659.860</a>	<a href="#">ORS 659A.236</a>	<del><a href="#">OAR 581-075-0001-075-0005</a></del>
<a href="#">ORS 659.865</a>	<a href="#">ORS 659A.309</a>	<del><a href="#">OAR 581-075-0901</a></del>
<a href="#">ORS 659A.001</a>	<a href="#">ORS 659A.321</a>	<a href="#">OAR 839-003</a>
<a href="#">ORS 659A.003</a>	<a href="#">ORS 659A.409</a>	

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~~/~~Americans with Disabilities Act Amendments Act~~, 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~~2024).  
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); 29 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).



## Discrimination ~~Or Civil Rights~~ Complaint Procedure

Any person, including students, staff, visitors and third parties, may file a complaint.

~~The district may have additional responsibilities addressing reports and complaints, including but not limited to, those found in the following policies and their associated administrative regulations:~~

- ~~1. AC-AR(2) — Sex-Based Discrimination under Title IX;~~
- ~~2. ACA — Americans with Disabilities Act;~~
- ~~3. ACB — Every Student Belongs;~~
- ~~4. GBEA — Workplace Harassment;~~
- ~~5. GBM — Staff Complaints;~~
- ~~6. GBMA — Whistleblower;~~
- ~~7. GBN/JBA — Sexual Harassment;~~
- ~~8. GBNA — Hazing, Harassment, Intimidation, Bullying, Menacing or Cyberbullying — Staff;~~
- ~~9. GBNA/JHFF — Reporting of Suspected Sexual Conduct with Students;~~
- ~~10. GBNAB/JHFE — Suspected Abuse of a Child Reporting Requirements;~~
- ~~11. IA — Instructional Materials\*\*;~~
- ~~12. JFCF — [Hazing, ]Harassment, Intimidation, Bullying, [Menacing, ]Cyberbullying, Teen Dating Violence, or Domestic Violence — Student\*\*; and~~
- ~~13. KL — Public Complaints.~~

Complaints regarding discrimination or harassment, on any basis protected by law, shall be processed in accordance with the following procedures:

- Step 1: ~~Complaints of sex-based discrimination received by the district, in addition to the procedures outlined below, must follow additional requirements in AC-AR(2) — Sex-Based Discrimination Complaints.~~

Complaints may be oral or in writing and ~~must~~ ~~may~~ be filed with the administrator ~~or civil rights coordinator~~. The administrator shall determine the action to be taken, if any, and reply, in writing, to the complainant within ten school days of receipt of the complaint.

Any staff member that receives a written or oral complaint shall report the complaint to the administrator. ~~If a complaint is filed with the civil rights coordinator, the civil rights coordinator will forward it to the administrator. If a complaint is filed with the administrator, the administrator will notify the civil rights coordinator of the complaint. The civil rights coordinator will oversee the investigation conducted by the administrator and ensure the investigation is resolved.~~

~~The administrator shall ensure that any required notices are provided<sup>1</sup>.~~

- Step 2: If the complainant wishes to appeal the decision of the administrator ~~he/she the complainant~~ may submit a written appeal to the superintendent or designee within ten school days after receipt of the administrator's response to the complaint. The superintendent or designee may review the administrator's decision within ~~five ten~~ school days and may meet with all parties involved. The superintendent or designee will review the merits of the complaint and the administrator's decision and respond in writing to the complainant within ten school days.
- Step 3: If the complainant is not satisfied with the decision of the superintendent or designee, a written appeal may be filed with the Board within five school days of receipt of the superintendent's or designee's response to Step 2. The Board may decide to hear or deny the request for appeal. If the Board decides to hear the appeal, the Board may meet with the concerned parties and their representative at the next regular or special Board meeting. The Board's decision will be final and will address each allegation in the complaint and contain reasons for the Board's decision. A copy of the Board's final decision shall be sent to the complainant in writing or electronic form within 30 days of receipt of the appeal by the Board.

If the administrator is the subject of the complaint, the individual may start at step 2 and file a complaint with the superintendent or designee. ~~The superintendent will notify the civil rights coordinator.~~

If the superintendent is the subject of the complaint, the complaint may start at step 3 and should be referred to the Board chair. The Board may refer the investigation to a third party. ~~The Board chair will direct notification to the civil rights coordinator.~~

Complaints against the Board as a whole or against an individual Board member, may start at step 3 and should be made to the Board chair and may be referred to district counsel. ~~The Board chair will direct notification to the civil rights coordinator.~~

Complaints against the Board chair may start at step 3 and be made directly to the Board vice chair. ~~The Board vice chair will direct notification to the civil rights coordinator.~~

~~All complaints, including those starting at Step 2 or later, will meet all legal requirements. The civil rights coordinator will oversee these requirements.~~

~~Timelines may be extended based upon mutual consent of both parties. The timelines established in each step of this procedure may be extended by the district for good cause. Any extension will be communicated to the parties and include a reason for the delay.~~

If ~~the~~ the complainant, is a person who resides in the district, ~~is or~~ a parent or guardian of student who attends school in the district or is a student, and is not satisfied after exhausting local complaint procedures, the district fails to render a written decision within 30 days of submission of the complaint at any step unless the district and complainant have agreed in writing to a different time period for that step or after ~~fails to~~

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<sup>1</sup> See the following for notice requirements:

- ~~1. Administrative regulation ACB-AR-Bias Incident Complaint Procedures~~
- ~~2. Administrative regulation AC-AR(2)-Sex-Based Discrimination Under Title IX~~
- ~~3. Board policy GBN/JBA-Sexual Harassment~~

~~resolve the complaint within 90 days of the initial filing of the complaint, whichever occurs first, he/she may appeal<sup>2</sup> the district's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-075-0001-581075-0045 (the rules are amended by OAR 581-075-0901 until April 30, 2025); in writing to the Superintendent of Public Instruction under Oregon Administrative Rule (OAR) 581-021-0049.~~

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

The district Board, through this administrative regulation, will not review an appeal of a decision reached by the Board of the Sand Ridge Charter School on a complaint alleging a violation of Oregon Revised Statute (ORS) 659.850 or Oregon Administrative Rule (OAR) 581-021-0045 or 581-021-0046 (Discrimination), ~~or OAR 581-021-0655 (Duty to Designate a Civil Rights Coordinator) or 581-021-0660 (Duties of and Training Requirements for Civil Rights Coordinator)~~, for which the district Board has jurisdiction, and recognizes a decision reached by the Board of Sand Ridge Charter School as the district Board's final decision. A final decision reached by this district Board may be appealed to the Oregon Department of Education under OAR 581-002-0001 ~~075-0001- 581-002-0023075-0045 (the rules are amended by OAR 581-075-0901 until April 30, 2025).~~

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<sup>2</sup> An appeal must meet the criteria found in OAR 581-~~002-0005(1)(a)~~ 075-0010 (the rules are amended by OAR 581-075.0901 until April 30, 2025).

**DISCRIMINATION ~~OR CIVIL RIGHTS~~ COMPLAINT FORM**

*Any person, including students, staff, visitors and third parties, may file a complaint.*

\_\_\_\_\_  
Name of Person Filing Complaint                      Date                      School or Activity

Student/Parent     Employee     Job applicant     Other  \_\_\_\_\_

Type of discrimination:

- Race     Mental or physical disability                       Age
- Color     Marital Status     Sexual Orientation
- Religion     Familial Status     Pregnancy
- Sex     Socio-Economic Status                       Discriminatory use of a Native American mascot
- National or ethnic origin     Veterans' Status                       Other \_\_\_\_\_
- Gender Identity

Specific complaint: (Please provide detailed information including names, dates, places, activities and results of informal discussion.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Who should we talk to and what evidence should we consider? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Suggested solution/resolution/outcome: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This complaint form should be mailed or submitted to the administrator.

Direct complaints related to educational programs and services may be made to the US Department of Education, Office for Civil Rights. Direct complaints related to employment may be filed with the Oregon Bureau of Labor and Industries, Civil Rights Division, or the U.S. Department of Labor, Equal Employment Opportunities Commission.

## Sexual Harassment

<sup>1</sup>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.

~~The district processes complaints or reports of sexual harassment using administrative regulation AC-AR(1) - Discrimination or Civil Rights Complaint Procedure. Additional requirements for processing complaints are included in this policy.<sup>2</sup>~~

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

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

~~Additional information regarding filing of a complaint or report may be obtained through the principal, Title IX Coordinator, civil rights coordinator, or superintendent.~~

~~All documentation related to sexual harassment complaints may become part of the student's education record or employee's personnel file, as appropriate. Additionally, a copy of all sexual harassment~~

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<sup>1</sup>~~Sexual harassment is generally considered a type of sex-based discrimination. Consequently, additional laws and complaint procedures may apply.~~

<sup>2</sup>~~Other complaint policies and administrative regulations that may apply include, but are not limited to: AC - Nondiscrimination and Civil Rights; ACB - Every Student Belongs; GBEA - Workplace Harassment, GBNA - Hazing, Harassment, Intimidation, Menacing, or Cyberbullying - Staff; GBNA/JHFF - Suspected Sexual Conduct with Students and Reporting Requirements; GBNAB/JHFE - Suspected Abuse of a Child Reporting Requirements; and JFCF - [Hazing,] Harassment, Intimidation, Bullying, [Menacing,] Cyberbullying, Teen Dating Violence or Domestic Violence - Students.~~

~~complaints or reports and documentation will be maintained as a confidential file and stored in the district office.~~

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

## **OREGON DEFINITION AND PROCEDURES**

### **Oregon Definition**

Sexual harassment of students, staff members or third parties<sup>3</sup> 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 consent<sup>4</sup>.

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

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

### **Oregon Procedures**

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

Name	Position	Phone	Email
<u>Kim Grousbeck</u>	<u>HR Director</u>	<u>541-259-8949</u>	<u><a href="mailto:kim.grousbeck@lebanon.k12.or.us">kim.grousbeck@lebanon.k12.or.us</a></u>

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

<sup>4</sup> “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.

These individual(s) are responsible for accepting and managing complaints of sexual harassment. Persons wishing to ~~make a~~ report should ~~contact them using use~~ the above ~~contact~~ information. ~~The person designated will coordinate the report with the procedures in administrative regulation AC AR(1)-Discrimination or Civil Rights Complaint Procedure.~~ 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 **and prevent reoccurrence**:



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 person<sup>5</sup> who may have been affected by this policy files a complaint or otherwise reports behavior that may violate the policy, the district shall provide written notification to the following:

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<sup>5</sup> Student, staff member, or third party, or if applicable, the student or third party's parent. If the person is a minor, the district should consider when to contact the person's parent.

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

The written notification must include<sup>6</sup>:

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 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;

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<sup>6</sup> Remember confidentiality laws when providing any information.

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

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

The ODE will provide technical assistance and training upon request.

### **FEDERAL DEFINITION AND PROCEDURES**

#### **Federal Definition**

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

1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity<sup>7</sup>;
3. "Sexual assault": an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
4. "Dating violence": violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship;
5. "Domestic Violence": felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or
6. "Stalking": engaging in a course of conduct directed at a specific person that would cause a reasonable person fear for the person's own safety or the safety of others, or suffer substantial emotional distress.

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

#### **Federal Procedures**

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

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<sup>7</sup> "Education program or activity" includes locations, events, or circumstances over which the recipient exercised substantial control over both the respondent and the context in which the sexual harassment occurs." (Title 34 C.F.R. § 106.44(a))

## 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.

Kim Grousbeck is designated as the Title IX Coordinator and can be contacted at 541-259-8948. 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.<sup>8</sup> The district shall treat complainants and respondents equitably by providing supportive measures<sup>9</sup> to the complainant and by following a grievance procedure<sup>10</sup> prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

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

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

## Notice

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

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

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

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

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

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

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.

### **No Retaliation**

Neither the district or any person may retaliate<sup>13</sup> against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. The district must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act (FERPA), as required by law, or to carry out the proceedings herein. Complaints of retaliation may be filed using these procedures.

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

### **Publication**

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

END OF POLICY

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

[ORS 243.706](#)

[ORS 332.107](#)

[ORS 342.700](#)

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<sup>13</sup> Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

[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~~2024).

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

### Sexual Harassment Complaint Procedure

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

Name	Position	Phone	Email
<u>Kim Grousbeck</u>	<u>HR Director</u>	<u>541-259-8948</u>	<u>kim.grousbeck@lebanon.k12.or.us</u>
<u>Jennifer Meckley</u>	<u>Superintendent</u>	<u>541-451-8511</u>	<u>jennifer.meckley@lebanon.k12.or.us</u>

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

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

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

**Step 2** If a complainant is not satisfied with the decision at Step 1, the complainant may submit a written appeal to the superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step 1 decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal within 5 working days of receipt of the appeal. The superintendent or designee shall provide a written decision to the complainant within 10 working days.

**Step 3** If a complainant is not satisfied with the decision at Step 2, the complainant may submit a written appeal to the Board. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The Board will review the decision of the superintendent or designee in a public meeting to determine what action is appropriate. The Board may use executive session if the subject matter qualifies under Oregon law. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, and adopting the superintendent’s or designee’s decision. All parties involved, including the school administration, may be asked to attend a hearing for the purposes of making further

explanations and clarifying the issues. The Board shall provide a written decision to the complainant within 30 working days following receipt of the appeal.

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

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

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

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

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

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

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

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

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

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



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

**Lebanon Community School District**  
**485 S. 5<sup>th</sup> Street, Lebanon, OR 97355 | (541) 451-8511**

**SEXUAL HARASSMENT COMPLAINT FORM**

Name of complainant: \_\_\_\_\_

Position of complainant: \_\_\_\_\_

Date of complaint: \_\_\_\_\_

Name of alleged harasser: \_\_\_\_\_

Date and place of incident or incidents: \_\_\_\_\_

Description of misconduct: \_\_\_\_\_

Name of witnesses (if any): \_\_\_\_\_

Evidence of sexual harassment, i.e., letters, photos, etc. (attach evidence if possible): \_\_\_\_\_

Any other information: \_\_\_\_\_

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Lebanon Community School District**  
**485 S. 5<sup>th</sup> Street, Lebanon, OR 97355 | (541) 451-8511**

**WITNESS DISCLOSURE FORM**

Name of Witness: \_\_\_\_\_

Position of Witness: \_\_\_\_\_

Date of Testimony/Interview: \_\_\_\_\_

Description of Instance Witnessed: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Any Other Information: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

### **Additional Definitions**

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

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

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

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

### **Formal Complaint Procedures**

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

1. Notice of the district’s grievance process, including any informal resolution process.
2. Notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details<sup>6</sup> known at the time and with sufficient time to prepare a response before any initial interview.

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

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

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

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

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

3. That the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility be made at the conclusion of the grievance process.
4. That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
5. The parties may inspect and review evidence.
6. A reference to any provision in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

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

### **Investigation**

The Title IX Coordinator will coordinate the district's investigation. The investigation must:

1. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence.
2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the district and not on the parties.<sup>7</sup>
3. Provide an equal opportunity for the parties to present witnesses, and other inculpatory and exculpatory evidence.
4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
5. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice.<sup>8</sup> The district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint.<sup>9</sup> Prior to

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

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

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

<sup>9</sup> This includes the evidence upon which the district does not intent to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully

completion of the investigative report, the district must send to each party and party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report;

8. Create an investigative report that fairly summarizes relevant evidence and is sent to each party and party's advisor in electronic format or hard copy at least 10 days prior to any hearing (if required or provided) or other time of determination of responsibility. The party and advisor will be allowed to review and provide a written response.

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

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

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

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

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

### **Determination of Responsibility**

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

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

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

1. Identification of the allegations potentially constituting sexual harassment;

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respond to the evidence prior to the investigation. The district must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

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

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

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

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

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

### **Remedies**

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

The disciplinary sanctions<sup>12</sup> may include:

1. Discipline up to and including suspension and expulsion;
2. Removal from various activities, committees, extra-curricular, positions, etc.
3. Disqualification for awards and honors;
4. Discipline up to and including termination, in accordance with laws, agreements, contracts, handbooks, etc.<sup>13</sup>

Other remedies may include:

Educational programming

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

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

1. Would not constitute sexual harassment, even if proved;

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<sup>12</sup> Districts should review any other disciplinary procedures and requirements prior to imposing any discipline, and should contact legal counsel with questions.

<sup>13</sup> It is important to keep supportive measures separate from disciplinary sanctions. Supportive measures must be “non-disciplinary” and “non-punitive.”

2. Did not occur in the district’s education program or activity<sup>14</sup>; or
3. Did not occur against a person in the United States.

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

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

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

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

### **Consolidation of Complaints**

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

### **Informal Resolution**

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

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

### **Appeals**

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<sup>14</sup> Includes locations, events, or circumstances over which the district exercised substantial control over both the respondent the respondent and the context in which the sexual harassment occurs. (Title 34 C.F.R. §106.44(a))



Either party may file an appeal from a determination regarding responsibility or from a dismissal of a formal complaint, within 5 days of the decision, on the following bases:

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

When an appeal is filed, the district must:

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

### **Timelines**

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

1. General grievance process (from receipt of formal complaint to determination of responsibility): 90 days;
2. Appeals (from receipt of appeal): 60 days;
3. Informal resolution process: 60 days.

Temporary delays of the grievance process, or limited extensions of time will be allowed for good cause<sup>15</sup> with written notice to the parties.

### **Records**

Records will be created and maintained in accordance with the requirements in Title 34 C.F.R. §106.45(a)(10).<sup>16</sup>

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<sup>15</sup> Good cause may include considerations such as the absence of a party, a party's advisor or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. (Title 34 C.F.R. § 106.45(b)(1)(v))

## Training

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

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

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

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

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<sup>16</sup> This includes creating a record for each investigation. This record must include:

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

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

## Sexual Harassment

<sup>1</sup>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.

~~The district processes complaints or reports of sexual harassment using administrative regulation AC-AR(1) - Discrimination or Civil Rights Complaint Procedure. Additional requirements for processing complaints are included in this policy.<sup>2</sup>~~

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

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

~~Additional information regarding filing of a complaint or report may be obtained through the principal, Title IX Coordinator, civil rights coordinator, or superintendent.~~

~~All documentation related to sexual harassment complaints may become part of the student's education record or employee's personnel file, as appropriate. Additionally, a copy of all sexual harassment~~

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<sup>1</sup>~~Sexual harassment is generally considered a type of sex-based discrimination. Consequently, additional laws and complaint procedures may apply.~~

<sup>2</sup>~~Other complaint policies and administrative regulations that may apply include, but are not limited to: AC - Nondiscrimination and Civil Rights; ACB - Every Student Belongs; GBEA - Workplace Harassment, GBNA - Hazing, Harassment, Intimidation, Menacing, or Cyberbullying - Staff; GBNA/JHFF - Suspected Sexual Conduct with Students and Reporting Requirements; GBNAB/JHFE - Suspected Abuse of a Child Reporting Requirements; and JFCF - [Hazing,] Harassment, Intimidation, Bullying, [Menacing,] Cyberbullying, Teen Dating Violence or Domestic Violence - Students.~~

~~complaints or reports and documentation will be maintained as a confidential file and stored in the district office.~~

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

## **OREGON DEFINITION AND PROCEDURES**

### **Oregon Definition**

Sexual harassment of students, staff members or third parties<sup>3</sup> 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 consent<sup>4</sup>.

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

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

### **Oregon Procedures**

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

Name	Position	Phone	Email
<u>Kim Grousbeck</u>	<u>Director of HR</u>	<u>541-259-8948</u>	<u>kim.grousbeck@lebanon.k12.or.us</u>

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

<sup>4</sup> “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.

These individuals are responsible for accepting and managing complaints of sexual harassment. Persons wishing to ~~make a~~ report should ~~contact them using use~~ the above ~~contact~~ information. ~~The person designated will coordinate the report with the procedures in administrative regulation AC AR(1)-Discrimination or Civil Rights Complaint Procedure.~~ 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 **and prevent reoccurrence**:

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 person<sup>5</sup> who may have been affected by this policy files a complaint or otherwise reports behavior that may violate the policy, the district shall provide written notification to the following:

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<sup>5</sup> Student, staff member, or third party, or if applicable, the student or third party's parent. If the person is a minor, the district should consider when to contact the person's parent.

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

The written notification must include<sup>6</sup>:

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 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;

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<sup>6</sup> Remember confidentiality laws when providing any information.

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

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

The ODE will provide technical assistance and training upon request.

### **FEDERAL DEFINITION AND PROCEDURES**

#### **Federal Definition**

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

1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity<sup>7</sup>;
3. "Sexual assault": an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
4. "Dating violence": violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship;
5. "Domestic Violence": felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or
6. "Stalking": engaging in a course of conduct directed at a specific person that would cause a reasonable person fear for the person's own safety or the safety of others, or suffer substantial emotional distress.

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

#### **Federal Procedures**

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

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<sup>7</sup> "Education program or activity" includes locations, events, or circumstances over which the recipient exercised substantial control over both the respondent and the context in which the sexual harassment occurs." (Title 34 C.F.R. § 106.44(a))



## 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.

Kim Grousbeck is designated as the Title IX Coordinator and can be contacted at 541-259-8948. 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.<sup>8</sup> The district shall treat complainants and respondents equitably by providing supportive measures<sup>9</sup> to the complainant and by following a grievance procedure<sup>10</sup> prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

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

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

## Notice

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

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

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

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

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

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

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.

### **No Retaliation**

Neither the district or any person may retaliate<sup>13</sup> against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. The district must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act (FERPA), as required by law, or to carry out the proceedings herein. Complaints of retaliation may be filed using these procedures.

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

### **Publication**

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

END OF POLICY

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

[ORS 243.706](#)

[ORS 332.107](#)

[ORS 342.700](#)

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<sup>13</sup> Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

[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~~2024).

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

### Sexual Harassment Complaint Procedure

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

Name	Position	Phone	Email
<u>Kim Grousbeck</u>	<u>HR Director</u>	<u>541-259-8948</u>	<u>kim.grousbeck@lebanon.k12.or.us</u>
<u>Jennifer Meckley</u>	<u>Superintendent</u>	<u>541-451-8458</u>	<u>jennifer.meckley@lebanon.k12.or.us</u>

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

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

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

**Step 2** If a complainant is not satisfied with the decision at Step 1, the complainant may submit a written appeal to the superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step 1 decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal within 5 working days of receipt of the appeal. The superintendent or designee shall provide a written decision to the complainant within 10 working days.

**Step 3** If a complainant is not satisfied with the decision at Step 2, the complainant may submit a written appeal to the Board. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The Board will review the decision of the superintendent or designee in a public meeting to determine what action is appropriate. The Board may use executive session if the subject matter qualifies under Oregon law. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, and adopting the superintendent’s or designee’s decision. All parties involved, including the school administration, may be asked to attend a hearing for the purposes of making further

explanations and clarifying the issues. The Board shall provide a written decision to the complainant within 30 working days following receipt of the appeal.

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

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

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

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

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

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

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

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

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

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

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

**Lebanon Community School District**  
**485 S. 5<sup>th</sup> Street, Lebanon, OR 97355 | (541) 451-8511**

**SEXUAL HARASSMENT COMPLAINT FORM**

Name of complainant: \_\_\_\_\_

Position of complainant: \_\_\_\_\_

Date of complaint: \_\_\_\_\_

Name of alleged harasser: \_\_\_\_\_

Date and place of incident or incidents: \_\_\_\_\_

Description of misconduct: \_\_\_\_\_

Name of witnesses (if any): \_\_\_\_\_

Evidence of sexual harassment, i.e., letters, photos, etc. (attach evidence if possible): \_\_\_\_\_

Any other information: \_\_\_\_\_

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Lebanon Community School District**  
**485 S. 5<sup>th</sup> Street, Lebanon, OR 97355 | (541) 451-8511**

**WITNESS DISCLOSURE FORM**

Name of Witness: \_\_\_\_\_

Position of Witness: \_\_\_\_\_

Date of Testimony/Interview: \_\_\_\_\_

Description of Instance Witnessed: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Any Other Information: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



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

### **Additional Definitions**

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

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

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

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

### **Formal Complaint Procedures**

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

1. Notice of the district’s grievance process, including any informal resolution process.
2. Notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details<sup>6</sup> known at the time and with sufficient time to prepare a response before any initial interview.

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

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

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

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

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

3. That the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility be made at the conclusion of the grievance process.
4. That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
5. The parties may inspect and review evidence.
6. A reference to any provision in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

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

### **Investigation**

The Title IX Coordinator will coordinate the district's investigation. The investigation must:

1. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence.
2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the district and not on the parties.<sup>7</sup>
3. Provide an equal opportunity for the parties to present witnesses, and other inculpatory and exculpatory evidence.
4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
5. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice.<sup>8</sup> The district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint.<sup>9</sup> Prior to

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

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

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

<sup>9</sup> This includes the evidence upon which the district does not intent to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully

completion of the investigative report, the district must send to each party and party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report;

8. Create an investigative report that fairly summarizes relevant evidence and is sent to each party and party's advisor in electronic format or hard copy at least 10 days prior to any hearing (if required or provided) or other time of determination of responsibility. The party and advisor will be allowed to review and provide a written response.

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

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

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

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

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

### **Determination of Responsibility**

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

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

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

1. Identification of the allegations potentially constituting sexual harassment;

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respond to the evidence prior to the investigation. The district must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

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

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

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

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

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

### **Remedies**

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

The disciplinary sanctions<sup>12</sup> may include:

1. Discipline up to and including suspension and expulsion;
2. Removal from various activities, committees, extra-curricular, positions, etc.
3. Disqualification for awards and honors;
4. Discipline up to and including termination, in accordance with laws, agreements, contracts, handbooks, etc.<sup>13</sup>

Other remedies may include:

Educational programming

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

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

1. Would not constitute sexual harassment, even if proved;

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<sup>12</sup> Districts should review any other disciplinary procedures and requirements prior to imposing any discipline, and should contact legal counsel with questions.

<sup>13</sup> It is important to keep supportive measures separate from disciplinary sanctions. Supportive measures must be “non-disciplinary” and “non-punitive.”

2. Did not occur in the district’s education program or activity<sup>14</sup>; or
3. Did not occur against a person in the United States.

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

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

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

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

### **Consolidation of Complaints**

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

### **Informal Resolution**

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

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

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<sup>14</sup> Includes locations, events, or circumstances over which the district exercised substantial control over both the respondent the respondent and the context in which the sexual harassment occurs. (Title 34 C.F.R. §106.44(a))

## Appeals

Either party may file an appeal from a determination regarding responsibility or from a dismissal of a formal complaint, within 5 days of the decision, on the following bases:

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

When an appeal is filed, the district must:

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

## Timelines

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

1. General grievance process (from receipt of formal complaint to determination of responsibility): 90 days;
2. Appeals (from receipt of appeal): 60 days;
3. Informal resolution process: 60 days.

Temporary delays of the grievance process, or limited extensions of time will be allowed for good cause<sup>15</sup> with written notice to the parties.

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<sup>15</sup> Good cause may include considerations such as the absence of a party, a party's advisor or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. (Title 34 C.F.R. § 106.45(b)(1)(v))

## Records

Records will be created and maintained in accordance with the requirements in Title 34 C.F.R. §106.45(a)(10).<sup>16</sup>

## Training

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

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

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

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

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<sup>16</sup> This includes creating a record for each investigation. This record must include:

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

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

# Agenda Item 6

Consent Agenda

B. Second Reading Policy  
Updates



# OSBA Model Sample Policy

Code: JHCD

Adopted:

## Medications\*\*/\*

{Required policy. The requirement for policy comes from ORS 339.866 (2).}

The district recognizes administering a medication to a student and/or permitting a student to administer a medication to themselves, may be necessary to allow the student to attend school. Therefore, the district allows medication, including injectable medications, to be administered to a student by designated personnel and the administration of medication by a student to themselves without assistance from designated personnel, subject to criteria established by the district and in accordance with Oregon law.

The district shall designate personnel authorized to administer medications to students. Medications, including injectable medications, may be administered by designated district personnel as part of a formal delegation by a registered nurse. Annual training shall be provided to designated personnel in accordance with law. The training will align with the ODE Medication Administration Training and include discussion of this policy, procedures and materials, including but not limited to, procedures outlined in administrative regulation JHCD-AR - Medications.

When a licensed health care professional is not immediately available, trained personnel designated by the district may administer epinephrine, glucagon, treatment for adrenal insufficiency, or another medication to a student as prescribed and/or as otherwise allowed by Oregon law.

A current first-aid/CPR/AED card is required for designated personnel.

The district reserves the right to reject a request for administration of medication at school, either by district personnel or student self-administration, if the medication is not necessary for the student to remain in school.

The district may revoke permission given to a student to self-administer medication if the student does not responsibly self-administer the medication or abuses the use of the medication, as determined by district personnel.

Medications will be handled, stored, monitored, disposed of and records maintained in accordance with law and established district procedures governing the administration of prescription or nonprescription medications to students, including procedures for the disposal of sharps and glass.

A process shall be established by which, upon parent or guardian written request, a backup medication is kept at a reasonably, secure location in the student's classroom as provided by state law.

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on district premises who the person believes in good faith is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

[<sup>1</sup>] A non-injectable short-acting opioid antagonist may be administered to any student or other individual by district personnel (whether or not they have received training on administering medications) on district premises who the individual administering the short-acting opioid antagonist believes in good faith is experiencing an opioid overdose.

A school administrator, teacher or other school employee, may administer a short-acting opioid antagonist to a student who experienced or is experiencing an opioid overdose without written permission and instructions of the student’s parents or guardian.]

This policy shall not prohibit, in any way, the administration of recognized first aid to a student by district employees in accordance with established state law, Board policy and administrative regulation.

The superintendent shall develop administrative regulations to meet the requirements of law and the implementation of this policy.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.107](#)

[ORS 339.866 - 339.871](#)

[ORS 433.800 - 433.830](#)

[ORS 689.800](#)

[OAR 166-400-0010\(17\)](#)

[OAR 166-400-0060\(29\)](#)

[OAR 333-055-0000 - 0035](#)

[OAR 581-021-0037](#)

[OAR 581-022-2220](#)

[OAR 851-047-0000 - 0030](#)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).

OREGON HEALTH AUTHORITY AND OREGON DEPARTMENT OF EDUCATION, *Medication Administration: A Manual for School Personnel*.

House Bill 1552 (2024).

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<sup>1</sup> {The district is not required to provide or administer this medication. If the district is going to provide for, and administer this medication, this policy language is required. If the district does not intend to provide or administer this medication, there is no requirement to include this language in this policy.}

## Medications\*\*/\*

The district recognizes that administering a medication to a student and/or permitting a student to administer a medication himself/herself, may be necessary when the failure to take such medication during school hours would prevent the student from attending school, and recognizes a need to ensure the health and well-being of a student who requires regular doses or injections of a medication as a result of experiencing a life-threatening allergic reaction or adrenal crisis<sup>1</sup>, or a need to manage hypoglycemia, asthma or diabetes. Accordingly, the district may administer or a student may be permitted to administer to himself/herself prescription (injectable and noninjectable) and/or nonprescription (noninjectable) medication at school.

The district shall designate personnel authorized to administer medications to students. Annual training shall be provided to designated personnel as required by law in accordance with guidelines approved by the Oregon Department of Education (ODE). When a licensed health care professional is not immediately available, trained personnel designated by the district may administer epinephrine, glucagon or another medication to a student as prescribed and/or allowed by Oregon law.

Current first-aid and CPR cards are strongly encouraged for designated personnel.

The district reserves the right to reject a request for administration of medication at school, either by district personnel or student self-administration, if the medication is not necessary for the student to remain in school.

The superintendent and/or designee will require that an individualized health care plan and allergy plan is developed for every student with a known life-threatening allergy or a need to manage asthma, and an individualized health care plan for every student for whom the district has been given proper notice of a diagnosis of adrenal insufficiency. Such a plan will include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity.

A student may be allowed to self-administer a medication for asthma, diabetes, hypoglycemia or severe allergies as prescribed by an Oregon licensed health care professional, upon written and signed request of the parent or guardian and subject to age-appropriate guidelines. This self-administration provision also requires a written and signed confirmation the student has been instructed by the Oregon licensed health care professional on the proper use of and responsibilities for the prescribed medication.

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<sup>1</sup>Under proper notice given to the district by a student or student's parent or guardian.

A request to the district to administer or allow a student to self-administer prescription medication shall include a signed prescription and treatment plan from a prescriber<sup>2</sup>.

A request to the district to administer or allow a student to self-administer nonprescription that is not approved by the Food and Drug Administration (FDA) shall include a written order from the student's prescriber that meets the requirements of law.

A written request and permission form signed by a student's parent or guardian, unless the student is allowed to access medical care without parental consent under state law<sup>3</sup>, is required and will be kept on file.

If the student is deemed to have violated Board policy or medical protocol by the district, the district may revoke the permission given to a student to self-administer medication.

Prescription and nonprescription medication will be handled, stored, monitored, disposed of and records maintained in accordance with established district administrative regulations governing the administration of prescription or nonprescription medications to students, including procedures for the disposal of sharps and glass.

A process shall be established by which, upon parent or guardian written request, a back-up prescribed autoinjectable epinephrine is kept at a reasonably, secure location in the student's classroom as provided by state law.

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

Naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing an overdose of an opioid drug.

This policy shall not prohibit, in any way, the administration of recognized first aid to a student by district employees in accordance with established state law, Board policy and administrative regulation.

A school administrator, teacher or other district employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration, in good faith and pursuant to state law, of prescription and/or nonprescription medication.

A school administrator, school nurse, teacher or other district employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of a student's self-

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<sup>2</sup>A registered nurse who is employed by a public or private school, ESD or local public health authority to provide nursing services at a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

<sup>3</sup>Subject to ORS 109.610, 109.640 and 109.675.

administration of medication, as described in Oregon Revised Statute (ORS) 339.866, if that person in good faith and pursuant to state law, assisted the student in self-administration of the medication.

A school administrator, school nurse, teacher or other district employee designated by the school administration is not liable in a criminal action or for civil damages, as a result of the use of medication if that person in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine.

The district and the members of the Board are not liable in a criminal action or for civil damages as a result of the use of medication if any person in good faith, on school premises, including at a school, on school property under the jurisdiction of the district or at any activity under the jurisdiction of the district, administers autoinjectable epinephrine to a student or other individual, with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine.

The superintendent shall develop administrative regulations as needed to meet the requirements of law, and the implementation of this policy.

END OF POLICY

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**Legal Reference(s):**

<a href="#">ORS 109.610</a>	<a href="#">ORS 475.005 to -475.285</a>	<a href="#">OAR 581-022-2220</a>
<a href="#">ORS 109.640</a>		<a href="#">OAR 851-047-0030</a>
<a href="#">ORS 109.675</a>	<a href="#">OAR 166-400-0010(17)</a>	<a href="#">OAR 851-047-0040</a>
<a href="#">ORS 332.107</a>	<a href="#">OAR 166-400-0060(29)</a>	
<a href="#">ORS 339.866 to -339.871</a>	<a href="#">OAR 333-055-0000 to -0115</a>	Senate Bill 665 (2019)
<a href="#">ORS 433.800 to -433.830</a>	<a href="#">OAR 581-021-0037</a>	

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).

OREGON HEALTH AUTHORITY AND OREGON DEPARTMENT OF EDUCATION, *Medication Administration: A Manual for School Personnel*.

# Lebanon Community Schools

Code: GCBDA/GDBDA  
Adopted: 8/21/00  
Readopted: 9/16/10, 7/12/17, 11/9/23  
Orig. Code(s): GCBDA/GDBDA

## Family and Medical Leave \*

When applicable, the district will comply with the provisions of the Family and Medical Leave Act (FMLA), the Oregon Family Leave Act (OFLA), the Oregon Military Family Leave Act (OMFLA), Paid Family and Medical Leave Insurance (PFMLI) and other applicable provisions of state and federal law, Board policies and collective bargaining agreements regarding family medical leave.

In order for an employee to be eligible for the benefits under FMLA, the employee must have been employed by the district for at least 12 months, have worked at least 1,250 hours during the past 12-month period and work~~ed~~s at a worksite that employs 50 or more district employees within 75 miles of the worksite.

Generally, in order for an employee to be eligible for the benefits under OFLA, the employee must work an average of 25 hours or more per week during the 180 calendar days immediately prior to the first day of the start of the requested leave. ~~For parental leave purposes, an employee becomes eligible upon completing at least 180 calendar days immediately preceding the date on which the parental leave begins; there is no minimum average number of hours worked per week.~~ Special requirements apply during public health emergencies.

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

PMFLI is generally available to district employees who have earned \$1,000 in subject wages or taxable income during the alternate or base years<sup>1</sup>, contributed to the PMFLI fund in the alternate or base years and are otherwise eligible<sup>2</sup>. ~~PFMLI can be taken for family leave, medical leave or safe leave<sup>3</sup>.~~

~~Federal and state leave entitlements generally run concurrently.~~ Leave taken under OFLA is in addition to leave taken under PFMLI and cannot be taken concurrently; however, OFLA leave or PFMLI may run concurrently with leave available under ORS 653.601 - 653.661, FMLA, and other types of leave if provided by the district. Any leave taken under PFMLI must be taken concurrently with any leave taken under FMLA when for the same purpose.

The superintendent will develop administrative regulations as necessary for the implementation of the provisions of both federal and state law.

END OF POLICY

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<sup>1</sup> The wages are not required to have been earned for work in the district.

<sup>2</sup> See OAR 471-070-1010 for additional information.

<sup>3</sup> Time to effectuate the legal process for the placement of a child in foster care or a child being adopted qualifies for PFMLI starting January 1, 2025. Until then, leave is available through OFLA.

**Legal Reference(s):**

[ORS 332.507](#)

[ORS 342.545](#)

[ORS 657B.025](#)

[ORS 659A.090](#)

[ORS 659A.093](#)

[ORS 659A.096](#)

[ORS 659A.099](#)

[ORS 659A.150 - 659A.186](#)

[OAR 839-009-02000210](#) to-

[03200460](#)

~~Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006); Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654 (2006/2018); Family and Medical Leave Act of 1993, 29 C.F.R. Part 825 (2008/2023).~~

~~National Defense Authorization Act of 2008, Public Law 110-181, § 585(a).~~

~~National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84, § 565.~~

~~Americans with Disabilities Act Amendments Act of 2008.~~

~~Americans with Disabilities Act, 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2023); 28 C.F.R. Part 35 (2023).~~

~~National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84, § 565.~~

~~Escriba v. Foster Poultry Farms, Inc. 743 F.3d 1236 (9<sup>th</sup> Cir. 2014).~~

~~Senate Bill 1515 (2024).~~

**Domestic Violence, Harassment, Sexual Assault, Bias, or Stalking Leave (Safe Leave) \***  
(For employers who employ six or more employees)

**Definitions**

1. ~~“Covered employer” means an employer who employs six or more individuals in the state of Oregon for each working day through each of 20 or more calendar workweeks in the year in which the eligible employee takes leave to address domestic violence, harassment, sexual assault or stalking, or in the year immediately preceding the year in which an eligible employee takes leave for domestic violence, harassment, sexual assault or stalking.~~
2. ~~“Eligible employee” means an employee who is a victim of domestic violence, harassment, sexual assault or stalking or is the parent or guardian of a minor child or dependent who is a victim of domestic violence, harassment, sexual assault or stalking.~~
3. ~~“Protective order” means an order authorized by ORS 30.866, 107.095(1)(c), 107.700 to 107.735, 124.005 to 124.040 or 163.730 to 163.750 or any other order that restrains an individual from contact with an eligible employee or the employee’s minor child or dependent.~~
4. ~~“Victim of domestic violence” means an individual who has been a victim of abuse as defined by ORS 107.705; or any other individual designated as a victim of domestic violence by rule adopted under ORS 659A.805.~~
5. ~~“Victim of harassment” means an individual against whom harassment has been committed as describe in ORS 166.065 and any other individual designated as a victim of harassment by rule adopted under ORS 659A.805.~~
6. ~~“Victim of sexual assault” means an individual against whom a sexual offense has been committed as described in ORS 163.467 or 163.525; or any other individual designated as a victim of sexual assault by rule adopted under ORS 659A.805.~~
7. ~~“Victim of stalking” means an individual against whom stalking has been committed as described in ORS 163.732; or an individual designated as a victim of stalking by rule adopted under ORS 695A.805; or an individual who has obtained a court’s stalking protective order or a temporary court’s stalking protective order under ORS 30.866.~~
8. ~~“Victim services provider” means a prosecutor-based victim assistance program or a nonprofit program offering safety planning, counseling, support or advocacy related to domestic violence, harassment, sexual assault or stalking.~~

HR2/28/1911/24 | RSLF Domestic Violence, Harassment, Sexual Assault, Bias, or Stalking Leave (Safe Leave) \*- GCBDC/GDBDC



When applicable, the district will comply with the provisions of protected leave identified in ORS 659A.272 to address domestic violence, harassment, sexual assault, bias, or stalking.

~~A~~The district (covered employer<sup>1</sup>) shall allow an ~~(eligible)~~ employee<sup>2</sup> to take reasonable leave from employment for any of the following reasons:

1. To seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or the employee's minor child or dependent, including preparing for and participating in protective order proceedings or other civil or criminal legal proceedings related to domestic violence, harassment, sexual assault, bias, or stalking;
2. To seek medical treatment for or to recover from injuries caused by domestic violence or sexual assault to, ~~or~~ harassment or stalking of , or commission of a bias crime against the eligible employee or the employee's minor child or dependent;
3. To obtain, or to assist a minor child or dependent in obtaining counseling from a licensed mental health professional related to an experience of domestic violence, harassment, sexual assault, bias, or stalking;
4. To obtain services from a victim services provider for the eligible employee or the eligible employee's minor child or dependent; or
5. To relocate<sup>3</sup> or take steps to secure an existing home to ensure health and safety of the eligible employee or the employee's minor child or dependent.

The district may limit the amount of leave, if the eligible employee's leave creates an undue hardship on the district.

The district shall not deny leave to an eligible employee or discharge, threaten to discharge, demote, suspend or in any manner discriminate or retaliate against an employee with regards to promotion, compensation or other terms, conditions or privileges of employment as a result of taking such leave because the employee makes inquiries about, applies for, or takes such leave.

The eligible employee shall give the district reasonable advanced notice of the employee's intention to take leave unless giving advance notice is not feasible.

The district may require the eligible employee to provide certification that:

1. The employee or employee's minor child or dependent is a victim of domestic violence, harassment, sexual assault, bias, or stalking; and

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<sup>1</sup> "Covered employer" means an employer who employs six or more individuals in the State of Oregon for each working day during each of 20 or more calendar workweeks in the year in which an eligible employee takes leave to address domestic violence, harassment, sexual assault, bias or stalking, or in the year immediately preceding the year in which an eligible employee takes leave to address domestic violence, harassment, sexual assault, bias or stalking.

<sup>2</sup> "Eligible employee" means an employee who is a victim of domestic violence, harassment, sexual assault, bias or stalking or is the parent or guardian of a minor child or dependent who is a victim of domestic violence, harassment, sexual assault, bias or stalking.

<sup>3</sup> "Relocate" is described in OAR 839-009-0345 (5).

2. The leave is taken for one of the identified purposes in this policy.

The eligible employee shall provide a certification within a reasonable time after receiving the district's request for the certification.

Sufficient certification to support a request for such leave includes:

1. A copy of a police report indicating the eligible employee or the employee's minor child or dependent was a victim of domestic violence, harassment, sexual assault, bias, or stalking;
2. A copy of a protective order or other evidence from a court, administrative agency, or attorney that the eligible employee appeared in or was is preparing for a civil, or criminal or administrative proceeding related to domestic violence, harassment, sexual assault, bias, or stalking; or
3. Documentation from an attorney, law enforcement officer, health care professional, licensed mental professional or counselor, member of the clergy, employee of the Department of Justice division providing victim and survivor services or a victim services provider that the eligible employee, or the employee's minor child or dependent /child/dependent was undergoing treatment or counseling, obtaining services or relocating as a result of domestic violence, harassment, sexual assault, bias, or stalking.

All records and information kept by the district regarding the employee's leave under ORS 659A.270-659A.285, including the fact the employee has requested or obtaining of obtained such leave, is are confidential and may not be released without the express permission of the employee unless otherwise required by law. This information will be kept in a file separate from the employee's personnel file.

The employee may use any accrued paid leave, including personal, sick leave, or accrued vacation leave or any other paid leave offered by the district. The employer district may choose the order in which paid accrued leave is to be used when more than one type of paid leave is available, consistent with Board policies, and/or any applicable collective bargaining agreement or other agreement.

## Definitions

1. "Protective order" means an order authorized by ORS 30.866, 107.095 (1)(c), 107.700 to 107.735, 124.005 to 124.040, 163.730 to 163.750 or 163.760 to 163.777 or any other order that restrains an individual from contact with an eligible employee or the employee's minor child or dependent.
2. "Victim of bias" means an individual who has been a victim of a bias crime as defined in ORS 147.380; or any other individual designated as a victim of bias by rule adopted under ORS 659A.805.
3. "Victim of domestic violence" means an individual who has been a victim of abuse, as defined in ORS 107.705; or any other individual designated as a victim of domestic violence by rule adopted under ORS 659A.805.

4. “Victim of harassment” means an individual against whom harassment has been committed as described in ORS 166.065; or any other individual designated as a victim of harassment by rule adopted under ORS 659A.805.
5. “Victim of sexual assault” means an individual against whom a sexual offense has been committed as described in ORS 163.305 to 163.467, 163.472 or 163.525; or any other individual designated as a victim of sexual assault by rule adopted under ORS 659A.805.
6. “Victim of stalking” means an individual against whom stalking has been committed as described in ORS 163.732; an individual designated as a victim of stalking by rule adopted under ORS 659A.805; or an individual who has obtained a court’s stalking protective order or a temporary court’s stalking protective order under ORS 30.866.
7. “Victim services provider” means a prosecutor-based victim assistance program or a nonprofit program offering safety planning, counseling, support or advocacy related to domestic violence, harassment, sexual assault, bias or stalking.

END OF POLICY

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**Legal Reference(s):**

[ORS 192.355\(38\)](#)  
[ORS 659A.270 to-659A.290](#)  
[OAR 839-009-0325 - 0365](#)

# OSBA Model Sample Policy

Code: IIA  
Adopted:

## Instructional Materials\*\*

The Board believes proper care and judgment should be exercised in selecting core and supplemental instructional materials and school and classroom library materials[, and that those materials should be inclusive of populations represented in a global society]. [The process to select materials will reflect respect for all people, regardless of race, color, creed, national origin, age, sex, sexual orientation, gender identity, or disability.]

A material involved with a reconsideration will remain available throughout the reconsideration process. Materials will not be removed for discriminatory reasons. A request for reconsideration of materials may be processed through established procedures found in accompanying administrative regulations. Meetings of reconsideration committees may be subject to Public Meetings Law. Records regarding reconsideration procedures are subject to Public Records Law.

[This policy is not intended to cover classroom activities. Complaints regarding classroom activities unrelated to materials can be filed using other established district complaint procedures.]

The term “instructional material” includes core instructional materials, supplemental materials, school library materials, and classroom library materials.

Some materials may fall into more than one of the following categories. If there is a question regarding selection or reconsideration, the district administration may select which procedure to use.

### Definitions

“Core instructional material,”<sup>1</sup> sometimes referred to as basal, means any organized system, which constitutes the major instructional vehicle for a given course of study, or any part thereof. Core instructional materials may include adaptive or personalized learning programs, digital textbooks, and print textbooks and are adopted and paid for by the district. Core instructional materials may include such instructional materials as a hardbound or a softbound book or books, or sets or kits of print and non-print materials, including electronic and internet or web-based materials or media.

“Supplemental instructional materials” means instructional materials used as part of the course of study, which are not part of the core instructional materials. They contain materials to supplement and/or differentiate core instruction and are generally teacher selected. These materials are not adopted by the Board. Materials required or assigned to be used as part of a class may be considered supplemental instructional materials, regardless of the source or location of the material.

“School library materials” means materials which are kept in the school library for student selection and use. The use of these materials may not be required for a particular class, but they may be selected by

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<sup>1</sup> This comes from OAR 581-011-0050(1), referring to instructional materials which must be adopted by local school boards.

students to use. These may include books, media, newspapers, magazines, videos, websites, or databases, including in digital or print, etc. These materials are not adopted by the Board.

“Classroom library materials” means materials which are kept in the classroom for student selection and use. The use of these materials is not required for the class, but they may be selected by students to use. These may include books, media, newspapers, magazines, videos, etc. These materials are not adopted by the Board.

### **Core Instructional Materials**

The Board retains the authority to approve core instructional materials used in district schools and authorizes the superintendent [or designee] to develop and implement administrative regulations governing selection and adoption of such materials. Procedures will provide for involvement of administrators, staff, parents,[ students,] and community members; will use established selection criteria to contribute to the attainment of district, program, and course or grade-level goals; and will reflect recent knowledge, trends, and technology in the field.

The district will review core instructional materials in accordance with the State Board of Education adoption cycle. Each core instructional program and its instructional materials will be reviewed [on a seven-year cycle], and any resulting recommendations will be issued by district administration to the Board for approval. All recommended core instructional materials shall be approved by the Board prior to use. ~~[The adoption of textbooks [for American history and government] by the Board and any committee shall be done in a manner in accordance with ORS 337.260.]~~ The district will establish a process and timeline for regularly determining and considering whether core instructional materials are available through online resources that enable students with print disabilities to receive textbooks and instructional materials free of charge. [All requests for reconsideration of core instructional materials may be considered under administrative regulation IIA-AR(2) - Reconsideration of Core Instructional Materials.]

[The district may choose to independently adopt core instructional materials which are not on the state-approved list, using state-approved selection criteria. (See administrative regulation IIA-AR(6) – Independent Adoption of Instructional Materials)]

### **Supplemental Instructional Materials**

All supplemental instructional materials will be selected by [teachers, principals, librarians, and/or others, as determined appropriate] [which may not be through any formal selection procedure]. Such materials will contain suitable readability levels and support the district’s adopted curriculum content. Materials will be used for their intended audience. [All requests for reconsideration of supplemental instructional materials may be considered under administrative regulation IIA-AR(3) - Reconsideration of Supplemental Instructional Materials.]

### **School Library Materials**

All school library materials will be selected by a librarian using established selection criteria. Such materials will contain suitable readability levels. [All requests for reconsideration of school library materials may be considered under administrative regulation IIA-AR(4) - Reconsideration of School or Classroom Library Materials.]

### **Classroom Library Materials**

All classroom library materials will be selected by a classroom teacher and/or others[, with no formal selection procedure]. Such materials will contain suitable readability levels. Teachers are responsible for knowing the available materials in their classroom library. [All requests for reconsideration of classroom library materials may be considered under administrative regulation IIA-AR(4) - Reconsideration of School or Classroom Library Materials.]

END OF POLICY

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**Legal Reference(s):**

[ORS 174.100](#)  
[ORS 332.107](#)  
[ORS 336.035](#)  
[ORS 336.082](#)  
[ORS 336.840](#)  
[ORS 337.120](#)  
[ORS 337.141](#)

[ORS 337.150](#)  
[ORS 337.260](#)  
[ORS 337.511](#)  
[ORS 339.155](#)  
[ORS 659.850](#)

[OAR 581-011-0050 - 0117](#)

[OAR 581-021-0045](#)  
[OAR 581-021-0046](#)  
[OAR 581-022-2310](#)  
[OAR 581-022-2340](#)  
[OAR 581-022-2350](#)  
[OAR 581-022-2355](#)

Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2018).

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 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 (2024).

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).

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

## **Instructional Resources/Instructional Materials** (Version 1)

The Board is responsible for the selection of instructional materials. The Board delegates to district professional personnel the authority for the selection of instructional and library media materials in accordance with the policy below.

### **Selection Objectives**

When reviewing and selecting instructional resources and materials, the objectives will be:

1. To select materials that will provide improvements in content, organization and teaching methods;
2. To ensure accurate and up-to-date content that includes new concepts, insights and facts;
3. To provide for sequential growth from level to level;
4. To provide a fair representation of the many religious, ethnic and cultural groups and their contributions to our American heritage;
5. To provide resources and materials that are free of racial, color, national origin, religious, disability, age, marital status, gender identity, sexual orientation or sexual bias.

The district will establish a process and timeline for regularly determining and considering whether the textbooks and other instructional materials are available through online resources that enable students with print disabilities to receive textbooks and instructional materials free of charge.

Textbooks and other instructional materials adopted by the Board shall be selected by the appropriate professional personnel in consultation with parents and citizens. The input of staff and students will be encouraged. Final decisions on purchase will rest with the superintendent or designee, subject to official adoption by the Board in the case of textbooks and other instructional materials.

### **Selection Criteria**

All materials selected will be consistent with the following principles:

6. Materials that enrich and support the curriculum, taking into consideration the varied interests, abilities and maturity levels of the students served;
7. Materials that stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards;

8. A background of information which will enable students to make intelligent judgments in their daily lives;
9. Materials on opposing sides of controversial issues, so that young citizens may develop, under guidance, the practice of analytical reading and thinking;
10. Materials representative of the many religious, ethnic and cultural groups, showing their contributions to our heritage.

The above principles will serve as a guide in the selection of all instructional and library media materials.

To be in compliance with the requirements of federal law, the Board directs the superintendent to distribute curriculum materials and instructional supplies to district schools in such a manner that ensures all schools receive equivalent materials.

Any resident or employee may challenge the appropriateness of the district's instructional materials. The district will provide a procedure to process such challenges.

END OF POLICY

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**Legal Reference(s):**

[ORS 336.035](#)  
[ORS 336.840](#)  
[ORS 337.120](#)  
[ORS 337.141](#)  
[ORS 337.150](#)

[ORS 337.260](#)  
[ORS 337.511](#)  
[ORS 339.155](#)

[OAR 581-011-0050 to -0117](#)  
[OAR 581-022-2310](#)  
[OAR 581-022-2340](#)

[OAR 581-021-0045](#)  
[OAR 581-021-0046](#)  
[OAR 581-022-1140](#)  
[OAR 581-022-1520](#)  
[OAR 581-022-1640](#)  
[OAR 581-022-2350](#)  
[OAR 581-022-2355](#)

Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2018).



# Lebanon Community Schools

Code: **JEC**  
Adopted: 4/15/10  
Readopted: 1/20/11, 3/10/16, 4/28/16  
4/27/17, 1/11/18, 3/13/20  
Orig. Code(s): JEC

## **School Admission and Open Enrollment \*\***

The Board is committed to providing an educational program for all students living in the district. The Board believes all students living in the district who have not completed 12 years of education should regularly attend a public full-time school and be included in the available educational programs.

State law considers a child to be six years of age if the sixth birthday of the child occurred on or before September 1 and a child is considered to be five years of age if the fifth birthday of the child occurred on or before September 1. The district considers a child five years of age to be eligible for kindergarten enrollment.

All new students must register in the office of the school of residence. Registration requirements include **proof of address**, immunization records, as required by law, and proof of the student's birth date (e.g. a birth certificate, a hospital record, a baptismal record or a signed affidavit). Students admitted to any grade must show evidence of completing the prior school years.

Students enrolled in the district shall comply with Oregon laws related to age, residence, health, attendance and immunization.

Students located in the district shall not be excluded from admission solely because the student does not have a fixed, regular and adequate nighttime residence or solely because the student is not under the supervision of a parent.

Students located in the district shall not be excluded from admission where they are otherwise eligible, not receiving special education, and they have not yet attained the age of 19 prior to the beginning of the current school year.

The district may admit an otherwise eligible person who is not receiving special education and who has not yet attained 21 years of age prior to the beginning of the current school year if the person is shown to be in need of additional education in order to receive a high school diploma or a modified diploma.

Students who attend a district school on an interdistrict transfer or were admitted prior to 2019 through open enrollment are considered residents of the district.

Students living in the district who have attained the age of majority are considered residents of the district unless the student has transferred to another district via interdistrict transfer.

Minor students living with a parent or guardian who resides in the district are considered residents of the district unless the student has transferred to another district via interdistrict transfer.

Students who are in foster care<sup>1</sup> and who are placed in the district are residents of the district or origin, unless the court determines that attending in the district of residence is in the best interest of the student.

Students who are military children<sup>2</sup> are considered resident of the district, if the district is in the district of military residence<sup>3</sup> for the military child. Parents of military students must provide proof of residency within 10 days after the date of military transfer or pending transfer indicated on the official military orders.

Students whose parent or guardian voluntarily placed the child outside the child’s home with a public or private agency and who is living in a licensed, certified or approved substitute care program, and whose residency is established pursuant to Oregon Revised Statute (ORS) 339.134.

The Board recognizes that the educational goals of the district can best be attained through educational programs as diverse as students’ needs within a pluralistic society. Therefore, the Board encourages the development of a variety of school options through the cooperative efforts of educators, parents, students, and/or community resources.

Students have a right to attend the neighborhood school which is within the attendance boundaries of which they are also resident. The district will consider parent or guardian applications for open enrollment outside their neighborhood attendance area in accordance with district regulations. Parents may apply for more than one school by priority order.

When open enrollment applications are approved by the district, the student may continue at the transferred school until the student completes the highest level of instruction in the school; the student’s parent requests that the open enrollment be rescinded; or administrators revoke the open enrollment for reasons such as erratic attendance, excessive tardiness, or other unsatisfactory performance.

END OF POLICY

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**Legal Reference(s):**

[ORS 327.006](#)  
[ORS 336.092](#)  
[ORS 339.010](#)  
[ORS 339.115](#)  
[ORS 339.125](#)  
[ORS 339.133](#)  
[ORS 339.134](#)  
[ORS 433.267](#)  
[OAR 581-022-2220](#)

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<sup>1</sup> “Foster care” does not mean care for children whose parent or guardian voluntarily placed the child outside the child’s home with a public or private agency and for whom the child’s parent or guardian retains legal guardianship.

<sup>2</sup> “Military child” means a child who is in a military family covered by the Interstate Compact on Education Opportunity for Military Children, as determined under rules adopted by the State Board of Education.

<sup>3</sup> “School district of military residence” means the school district in which 1) the family of a military child intends to reside as the result of a military transfer, or 2) if the school district in which the family intends to reside is unknown, the school district in which the military installation identified in the official military order is located.

[Senate Bill 802 \(2019\)](#)

[Senate Bill 905 \(2019\)](#)

Illegal Immigration and Immigration Reform Act of 1996, 8 U.S.C. §§ 1101, 1221, 1252, 1324, 1363, 1367 (2018).

McKinney-Vento Homeless Assistance Act, Subtitle VII-B, reauthorized by Title IX-A of the Every Student Succeeds Act (ESSA), 42 U.S.C. §§ 11431, 11434a (2012).

# Agenda Item 7

A. Operations

1. Operations Report

# BOARD MEMORANDUM



**To:** The Honorable Chair and Members  
Lebanon Community School District Board of Directors

**From:** William H. Lewis III, Chief Operation Officer

**Date:** March 7, 2025

**Meeting Date:** March 13, 2025

**Re:** Operations Report

## **Operations Report**

The final inspections are complete, and the new district warehouse is open for occupancy. The district has installed a warehouse racking system on one side of the facility. We will use our new facilities management software to manage the warehouse inventory. The other side of the facility will be used as a shop space for staging projects and expensive equipment storage. We had two goals with this project. Purchase specific high-volume supplies at cheaper bulk pricing and get more efficient with staff time and district resources by having a facility in town. We have already accomplished these two goals. We are purchasing specific supply items in bulk. One less trip to Waterloo will make us more efficient. With this facility, we will be looking at thousands of fewer trips to Waterloo over a year, saving time and valuable staff resources on every trip. District staff is excited and grateful for their new efficient workspace.

LCSD needs to replace its technology network server and switch infrastructure. Federal E-rate funding will reimburse approximately 75-80% of this project. Schools are reimbursed at an 85-90% rate, and other distinct facilities are not reimbursable. When reimbursed by Federal E Rate funds, there are strict rules the district must adhere to. A few rules impacting this RFP are the amount of time the RFP needs to be open (precisely 28 days) and a minimum protest period of 5 days. This required time frame puts approval outside our regular school board meeting on March 13th. We will have a special school board meeting **on Monday, March 24th, at 6:00 pm** to approve the results of the network RFP. The meeting will be electronic.

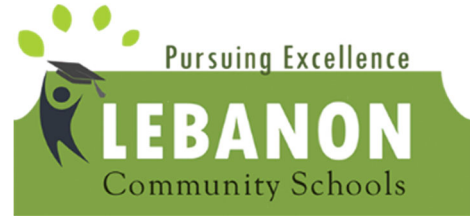
LCSD is working with the LAD (Lebanon Aquatics District) board to finalize the pool gutter renovation and finishes project details. The district will manage the project, and the cost will be split between the two organizations. More details will come in April.

# Agenda Item 7

C. Finance

1. Finance Report

# BOARD MEMORANDUM



**To:** The Honorable Chair and Members  
Lebanon Community School District Board of Directors

**From:** Steven Prosocki, Director of Financial Services

**Date:** March 5, 2025

**Meeting Date:** March 13, 2025

**Re:** Financial Report and Fiscal Updates

## **Financial Report**

The 2024-2025 Financial Board Report included in this packet reflects all General Fund revenues and expenditures for 2023-2024, the budgeted YTD expenditures, and encumbered amounts for 2024-2025 as of 03/05/2025.

Lebanon Community School District  
General Fund: Statement of Revenues Budget Vs. Actual For the Fiscal Year 2024-25

Source	2024-25 Budget	Actual YTD Rev. 3/5/2025	Projected through 6/30/2025	Total Estimated 2024-25	(Over)/Under Budget	2023-24 Budget	Actual YTD Rev. 6/30/2024
<b>SSF Funding</b>							
1111 Current Year Property Taxes	12,956,010	12,110,303	772,986	12,883,289	72,721	12,501,240	12,601,799
1112 Prior Year Property Taxes	240,000	105,237	88,809	194,046	45,954	210,000	191,555
1190 Penalties & Interest on Taxes	1,000	-	1,000	1,000	-	10,000	1,268
3101 State School Funds	37,367,780	28,117,105	8,543,017	36,660,122	707,658	35,951,402	35,615,581
3103 Common School Fund	500,000	278,948	278,948	557,895	(57,895)	450,000	546,735
3104 State Managed County Timber	150,000	-	150,000	150,000	-	140,000	97,119
<b>Total SSF Funding</b>	<b>51,214,790</b>	<b>40,611,593</b>	<b>9,684,760</b>	<b>50,296,353</b>	<b>768,437</b>	<b>49,262,642</b>	<b>49,054,057</b>
<b>Total SSF Revenue</b>	<b>\$ 51,214,790</b>	<b>\$ 40,611,593</b>	<b>\$ 9,684,760</b>	<b>\$ 50,296,353</b>	<b>\$ 768,437</b>	<b>\$ 49,262,642</b>	<b>49,054,057</b>
<b>Non State School Support Formula Sources</b>							
<b>Local Sources</b>							
1312 Tuition From Other Districts Within the State	-	10,000	10,000	20,000	(20,000)	2,500	8,920
1411 Transportation Fees	10,000	4,604	4,896	9,500	500	2,500	8,920
1510 Earnings on Investments	675,000	634,932	370,818	1,005,750	(330,750)	500,000	811,084
1530 Gain or Loss on Sale of Investment (FMV)	-	(196,645)	196,645	-	-	-	196,645
1910 Rentals	1,000	4,525	(2,703)	1,823	(823)	1,000	1,823
1980 Fees Charged to Grants	325,000	-	325,000	325,000	-	110,000	386,074
1990 Miscellaneous Local Revenue	230,000	40,978	28,022	69,000	161,000	150,000	27,579
1991 Student Transportation - Reimbursed	100,000	63,698	36,302	100,000	-	70,000	109,701
1995 MAC Study	-	386,148	370,417	756,565	(756,565)	-	348,036
<b>Total Non Formula Local Sources</b>	<b>1,341,000</b>	<b>948,240</b>	<b>1,329,398</b>	<b>2,267,638</b>	<b>(926,638)</b>	<b>833,500</b>	<b>1,889,863</b>
<b>Intermediate Sources</b>							
2101 - County School Funds	20,000	-	20,000	20,000	-	25,000	30,502
2210 - TMR Reimbursement	200,000	94,865	94,865	189,730	10,270	210,000	291,838
<b>Total Intermediate Sources</b>	<b>200,000</b>	<b>94,865</b>	<b>114,865</b>	<b>209,730</b>	<b>10,270</b>	<b>235,000</b>	<b>322,340</b>
<b>State/Federal Sources</b>							
3199 Other Unrestricted Grants-In-Aid	275,000	-	275,000	275,000	-	-	286,855
4300 Restricted Federal Rev	70,000	45,458	24,542	70,000	-	65,000	80,809
4801 Federal Forest	130,000	-	130,000	130,000	-	115,000	143,058
<b>Total State/Federal Sources</b>	<b>475,000</b>	<b>45,458</b>	<b>429,542</b>	<b>475,000</b>	<b>-</b>	<b>180,000</b>	<b>510,723</b>
<b>Other Sources</b>							
5300 Sale/Loss of Fixed Assets	2,000	-	2,000	2,000	-	2,000	2,000
5400 Beginning Fund Balance	7,000,000	9,287,166	-	9,287,166	(2,287,166)	5,400,000	6,147,584
<b>Total Other Sources</b>	<b>7,002,000</b>	<b>9,287,166</b>	<b>2,000</b>	<b>9,289,166</b>	<b>(2,287,166)</b>	<b>5,402,000</b>	<b>6,149,584</b>
<b>Total Non SSF Revenue</b>	<b>\$ 9,018,000</b>	<b>\$ 10,375,728</b>	<b>\$ 1,875,805</b>	<b>\$ 12,241,534</b>	<b>\$ (3,203,534)</b>	<b>\$ 6,650,500</b>	<b>\$ 8,872,509</b>
<b>Total Resources</b>	<b>\$ 60,232,790</b>	<b>\$ 50,987,321</b>	<b>\$ 11,560,565</b>	<b>\$ 62,537,887</b>	<b>\$ (2,435,097)</b>	<b>\$ 55,913,142</b>	<b>\$ 57,926,566</b>
				<b>\$ 54,313,503</b>			
				<b>\$ 8,224,384</b>			



	<u>2024-25 Budget</u>	<u>Actual YTD EXP 3/5/2025</u>	<u>Projected through 6/30/2025</u>	<u>Total Estimated 2024-25</u>	<u>(Over)/ Under Budget</u>	<u>% Committed</u>	<u>2023-24 Budget</u>	<u>Actual YTD Exp. 6/30/2024</u>
<b>Instruction</b>								
1111 Elementary, K-5 or K-6	10,586,787	4,891,018	5,378,165	10,269,183	317,604	97.00%	9,189,417	9,159,586
1113 Elementary Extracurricular	5,616	-	10,771	10,771	(5,155)	191.78%	5,587	13,946
1121 Middle/Junior High Programs	4,170,438	2,070,965	2,057,768	4,128,734	41,704	99.00%	3,646,280	3,439,789
1122 Middle/Junior High School Extracurricular	39,021	14,563	22,507	37,070	1,951	95.00%	48,398	40,648
1131 High School Programs	6,072,856	2,914,910	3,066,853	5,981,763	91,093	98.50%	5,633,356	5,343,606
1132 High School Extracurricular	86,066	75,480	38,102	113,582	(27,516)	131.97%	86,009	125,301
1140 Pre Kindergarten Programs	236,870	34,637	12,737	47,374	189,496	20.00%	50,000	111,649
1210 Programs for the Talented and Gifted	94,195	3,281	67,365	70,646	23,549	75.00%	81,406	16,578
1220 Restrictive Pgms for Students w/Disabilities	3,144,309	1,437,346	1,644,077	3,081,423	62,886	98.00%	2,922,832	2,539,719
1250 Programs for Students w/Severe Disabilities	3,735,302	1,837,359	1,860,590	3,697,949	37,353	99.00%	3,832,009	3,437,378
1272 GF Title I Support	45,337	54,942	58,401	113,343	(68,006)	250.00%	43,831	83,436
1280 Alternative Education	906,261	439,408	376,227	815,635	90,626	90.00%	857,773	780,273
1281 Alternative Education	10,000	-	-	-	10,000	0.00%	10,000	-
1288 Charter School	2,900,000	2,340,476	778,184	3,118,660	(218,660)	107.54%	2,655,000	2,789,944
1291 English Second Language Programs	495,964	218,103	258,022	476,125	19,839	96.00%	306,600	384,809
1300 Adult/Continuing Education Programs	26,317	-	24,456	24,456	1,861	92.93%	26,317	24,456
1400 Summer School Programs	26,191	18,455	6,511	24,966	1,225	95.32%	25,000	23,830
<b>Total Instruction</b>	<u>\$ 32,581,530</u>	<u>\$ 16,350,943</u>	<u>\$ 15,660,737</u>	<u>\$ 32,011,680</u>	<u>\$ 569,850</u>		<u>\$ 29,419,816</u>	<u>\$ 28,314,949</u>

	<u>2024-25 Budget</u>	<u>Actual YTD EXP 3/5/2025</u>	<u>Projected through 6/30/2025</u>	<u>Total Estimated 2024-25</u>	<u>(Over)/ Under Budget</u>	<u>% Committed</u>	<u>2023-24 Budget</u>	<u>Actual YTD Exp. 6/30/2024</u>
<b>Support Services</b>								
2110 Attendance and Social Work Services	227,581	2,126	168,560	170,686	56,895	75.00%	151,778	144,827
2114 Student Accounting Services	269,325	165,591	103,734	269,325	-		213,052	256,378
2115 Student Safety	527,042	168,207	227,075	395,282	131,761	75.00%	669,963	300,156
2120 Guidance Services	1,280,507	632,846	647,661	1,280,507	-	100.00%	267,660	1,230,545
2130 Health Services	343,129	252,084	223,183	475,267	(132,138)	138.51%	234,125	244,302
2135 Health	126,242	73,687	59,750	133,437	(7,195)	105.70%	167,142	103,594
2140 Psychological Services	250	-	-	-	250	0.00%	250	-
2150 Speech Pathology and Audiology Services	683,130	203,477	343,027	546,504	136,626	80.00%	548,273	601,602
2190 Service Directions, Student Support Svcs	476,332	285,341	181,464	466,805	9,527	98.00%	588,363	593,283
2210 Improvement of Instruction Services	513,007	240,677	221,029	461,706	51,301	90.00%	565,688	316,516
2220 Library/Media Center	475,366	236,980	223,996	460,975	14,391	96.97%	445,064	431,591
2230 Assessment and Testing	65,000	40,838	3,998	44,836	20,164	68.98%	70,300	48,492
2240 Staff Development	101,469	40,624	30,526	71,150	30,319	70.12%	98,043	68,748
2310 Board of Education	133,000	32,941	86,759	119,700	13,300	90.00%	125,000	163,040
2321 Office of the Superintendent Services	790,144	514,224	258,310	772,534	17,610	97.77%	745,706	729,087
2410 Office of the Principal Services	3,970,133	2,442,329	1,488,103	3,930,432	39,701	99.00%	3,788,791	3,681,414
2520 Fiscal Services	967,643	569,343	349,918	919,261	48,382	95.00%	823,612	826,847
2540 Insurance & Judgements	440,000	489,249	-	489,249	(49,249)		400,000	397,164
2542 Care and Upkeep of Buildings Services	3,182,957	1,822,272	1,201,537	3,023,809	159,148	95.00%	2,836,244	2,723,877
2543 Care and Upkeep of Grounds Services	176,043	119,933	56,110	176,043	-	100.00%	167,457	183,549
2544 Maintenance	1,472,909	1,245,203	342,429	1,587,632	(114,723)	107.79%	1,300,676	1,548,609
2548 Land Lab	61,931	6,184	24,781	30,966	30,966	50.00%	5,297	19,432
2550 Student Transportation Services	2,204,733	1,605,818	737,438	2,343,256	(138,523)	106.28%	2,312,202	2,143,709
2573 Warehousing and Distributing Services	27,130	17,494	9,500	26,994	136	99.50%	16,925	25,253
2630 Information Services	238,991	162,646	73,955	236,601	2,390	99.00%	231,611	245,770
2640 Staff Services	730,995	487,332	241,723	729,056	1,939	99.73%	654,175	652,440
2660 Technology Services	899,550	548,141	306,432	854,573	44,978	95.00%	857,112	580,659
2680 Interpretation & Translation Services	6,316	2,261	2,476	4,737	1,579	75.00%	6,286	4,170
2700 Supplemental Retirement	500	(11)	511	500	-		-	4,071
<b>Total Support Services</b>	<b>\$ 20,391,355</b>	<b>\$ 12,407,838</b>	<b>\$ 7,613,985</b>	<b>\$ 20,021,823</b>	<b>\$ 369,532</b>		<b>\$ 18,290,795</b>	<b>\$ 18,269,125</b>
<b>Community Services</b>								
3100 Food Services	16,727	7,755	-	7,755			40,587	18,418
3300 Community Services	-	182	-	182			40,587	18,418
<b>Total Community Services</b>	<b>\$ 16,727</b>	<b>\$ 7,937</b>	<b>\$ -</b>	<b>\$ 7,937</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 40,587</b>	<b>\$ 18,418</b>
<b>Other Requirements</b>								
5200 Transfers of Funds	2,280,000	2,080,000	200,000	2,280,000	-	100.00%	2,184,000	2,036,908
6110 Contingency	1,983,178	-	-	-	1,983,178	100.00%	100,000	-
7000 Unappropriated Ending Fund Balance	3,000,000	-	-	-	3,000,000	100.00%	5,877,944	-
<b>Total Other Requirements</b>	<b>\$ 7,263,178</b>	<b>\$ 2,080,000</b>	<b>\$ 200,000</b>	<b>\$ 2,280,000</b>	<b>\$ 4,983,178</b>		<b>\$ 8,161,944</b>	<b>\$ 2,036,908</b>
<b>Total Requirements</b>	<b>\$ 60,252,790</b>	<b>\$ 30,846,719</b>	<b>\$ 23,474,722</b>	<b>\$ 54,313,503</b>	<b>\$ 5,922,560</b>		<b>\$ 55,913,142</b>	<b>\$ 48,639,401</b>