

Lowell School District

45 S. Moss St. ♦ Lowell, Oregon 97452 ♦ (541) 937-2105

Board of Director's Meeting

August 25, 2014

Professional Development Center

5:30 – Meeting Opens

[Building inspection and walking tour and immediately followed by Executive Session]

7:00 pm - Public Session

AGENDA

The Lowell School Board encourages public input. Persons wishing to address the Board on school related issues, are invited to do so, either when the item is presented on the agenda, or under the "Public Comments" section. In the interest of time and order, presentations from the public are limited to three (3) minutes per person, and the total time for individual agenda items shall not exceed twenty (20) minutes. An individual speaker's allotted time may not be increased by a donation of time from members of the public in attendance. If you wish to speak under Public Comments, please complete a Public Comment Form and turn it in to the Assistant to the Superintendent. The Board requests complaints or charges against an employee be held in Executive Session. Individuals who require disability-related accommodations or modifications to participate in the Board meeting should contact the Superintendent in writing prior to the meeting.

1.0 OPENING BUSINESS

1.1 Call to Order

1.2 Pledge of Allegiance—Presented by Board Chair, Mr. McCallum

1.3 Attendance:

___ Dennis McCallum, Chair

___ Suzanne Kintzley, Vice-Chair

___ Mike Galvin

___ Leslie Brandt

___ Jim Chapman

___ Walt Hanline, Ed. D., Superintendent

___ Kay Graham, Principal

___ Marisa Owsley, Student Body Representative

___ Michelle Stephens, Assistant to the Superintendent

1.4 Approval of Agenda – August 25, 2014

Recommended Action: Approval of Agenda

MOTION: _____ 2nd: _____ AYES: _____ NOES: _____ ABSTAIN: _____

1.5 Building Renovation Inspection—Walking tour of the building

1.6 Public Comment on Executive Session Topics

1.7 Convene to Executive Session

2.0 EXECUTIVE SESSION—Convene to Superintendent's Office Conference Room

2.1 Pursuant to ORS 192.660(2)(i)

To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

2.1.1 Discussion of Superintendent's Annual Objectives and Evaluation Process

2.2 Pursuant to ORS 192.660 (2) (d).

To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

2.3 Pursuant to ORS 192.660 (2)(f)

To consider records exempt by law from public inspection.

2.4 Return to Public Session

3.0 **COMMUNITY/SCHOOL PRESENTATIONS**

***Those that have received commendations or made presentations will have an opportunity to be excused at this time.*

4.0 **PUBLIC COMMENT**

***Opportunity for Citizens to address items not on the Agenda. Persons wishing to address the Board on any school related issue not listed elsewhere on the agenda are invited to do so now. Board Members are limited, but not required, to give a brief response to public statements or questions regarding non-agenda items.*

5.0 **CONSENT AGENDA—consolidated motion**

***The purpose of the Consent Agenda is to expedite action on routine agenda items. These items will be acted upon with one motion, second and approval of the Board, unless a member of the board or public wishes to pull the item for individual discussion and action. All matters listed under Consent Agenda are those on which the board has previously deliberated or can be classified as routine items of business. **There will be no separate discussion of these items prior to the vote by the Board unless members of the Board, staff, or public request specific items to be discussed or pulled from the Consent Agenda.** Members of the public who wish to speak on an item must first fill out a public comment card.*

5.1 Board Minutes from July 14, 2014 Board Meeting (Attachment)

5.2 Ratification of Employment (Attachment)

5.3 Check Register: 25855 through 25956 (Attachment)

MOTION: _____ 2nd: _____ AYES: _____ NOES: _____ ABSTAIN: _____

6.0 **ACTION DISCUSSION**

6.1 Approve revisions in Board Policy BCBA D1 regarding Student Representatives to the School Board—Presented by Dr. Hanline (Attachment)

MOTION: _____ 2nd: _____ AYES: _____ NOES: _____ ABSTAIN: _____

6.2 Approve The Register Guard Newspaper as the publication of record

MOTION: _____ 2nd: _____ AYES: _____ NOES: _____ ABSTAIN: _____

6.3 Approve WHA Insurance Agency – Tammy Fitch and Jake Stone as our Insurance agent of record

MOTION: _____ 2nd: _____ AYES: _____ NOES: _____ ABSTAIN: _____

6.4 Approve the contract between Billy Reid and Lowell School District—Presented by Dr. Hanline (Attachment)

MOTION: _____ 2nd: _____ AYES: _____ NOES: _____ ABSTAIN: _____

7.0 INFORMATION AND STUDY

- 7.1 Discussion regarding things that are going well in Lowell School District—Presented by Dr. Hanline
- 7.2 OSBA updates—1st Reading (Attachment)
- 7.3 Report from the OSBA conference—Referred by Dr. Hanline; Presented by Dr. Hanline, Mr. Chapman and Ms. Brandt (Handouts)
- 7.4 Report on New Staff and Programs—Ms. Graham
- 7.5 Financial Report—Referred by Mr. Standridge (Attachment)
- 7.6 Student Body Representative Report and Report on the graduation trip—Presented by Ms. Owsley
- 7.7 Food Service Report—Presented by Dr. Hanline
- 7.8 Principals Report—Presented by Ms. Graham
- 7.9 Superintendent’s Report—Presented by Dr. Hanline
- 7.10 Board Members’ Report

8.0 ADJOURNMENT

Any documents that are public records and are provided attachments to public session items on this agenda are accessible to the public on the District’s Website, with the exception of documents provided at the time of the meeting. Documents that are public records, and are provided at the time of the meeting to a majority of the Board regarding a public session item, will be made available for public inspection upon request to the Superintendent's Assistant.

Lowell School District

45 S. Moss St. ♦ Lowell, Oregon 97452 ♦ (541) 937-2105

Special Meeting of the Board of Directors

July 14, 2014

Professional Development Center

5:00 pm Executive Session

5:30 pm - Public Session

MINUTES

The Lowell School Board encourages public input. Persons wishing to address the Board on school related issues, are invited to do so, either when the item is presented on the agenda, or under the "Public Comments" section. In the interest of time and order, presentations from the public are limited to three (3) minutes per person, and the total time for individual agenda items shall not exceed twenty (20) minutes. An individual speaker's allotted time may not be increased by a donation of time from members of the public in attendance. If you wish to speak under Public Comments, please complete a Public Comment Form and turn it in to the Assistant to the Superintendent. The Board requests complaints or charges against an employee be held in Executive Session. Individuals who require disability-related accommodations or modifications to participate in the Board meeting should contact the Superintendent in writing prior to the meeting.

1.0 OPENING BUSINESS

1.1 Call to Order

1.2 Attendance:

- Dennis McCallum, Chair
- Suzanne Kintzley, Vice-Chair
- Mike Galvin
- Leslie Brandt
- Jim Chapman
- Walt Hanline, Ed. D., Superintendent
- Kay Graham, Principal

AB Marisa Owsley, Student Body Representative

AB Michelle Stephens, Assistant to the Superintendent

1.3 Approval of Agenda – July 14, 2014

Recommended Action: Approval of Agenda

MOTION: _____ 2nd: _____ AYES: _____ NOES: _____ ABSTAIN: _____

1.4 Swear in Board of Directors—No new Board Members at this time

1.5 Elect Chair and Vice-Chair:

Nominated Dennis McCallum as Chair

MOTION: Mike Galvin 2nd: Jim Chapman CLOSED: Mike Galvin 2nd: Leslie Brandt AYES: 5 NOES: 0
ABSTAIN: 0

Nominated Suzanne Kintzley as Vice-Chair

MOTION: Suzanne Kintzley 2nd: Leslie Brant CLOSED: Mike Galvin 2nd: Jim Chapman AYES: 5
NOES: 0 ABSTAIN: 0

1.6 Designate Chief Administrative Officer—Dr. Hanline

1.7 Designate Business Manager—Dr. Hanline

1.8 Designate Custodian of Funds—Dr. Hanline, Ms. Graham, and Mr. McCullum

- 1.8.1 Determine fidelity-bond amounts for those authorized to handle district funds and ensure they are bonded by a surety company authorized in Oregon (Not Required—No action needed)
- 1.8.2 Set a borrowing limit for the custodian of funds (Not Required—No action needed)
- 1.9 Designate Budget Officer—Mr. Standridge
- 1.10 Designate Auditors—To be determined in September
- 1.11 Designate Legal Counsel—Hungerford Law Firm
- 1.12 Approve Calendar and Location for Lowell School District Board Meetings
- 1.13 Establish Depository for School Funds—Siuslaw Bank and Oregon Investment Pool
- 1.14 Appoint the members of standing committees (Budget)—Jerry Bjornstad, Larry Garratt, Kathy Hern, Gary Riberal, and Warren Weathers
- Motion to approve 1.6-1.14
- MOTION: Jim Chapman 2nd: Leslie Brandt AYES: 5 NOES: 0 ABSTAIN: 0
- 1.15 Public Comment on Executive Session Topics
- 1.16 Convene to Executive Session

2.0 EXECUTIVE SESSION—Convene to Superintendent’s Office Conference Room

- 2.1 Pursuant to ORS 192.660(2)(i)
 - To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.
 - 2.1.1 Discussion of Superintendent’s Annual Objectives and Evaluation Process
 - 2.2 Pursuant to ORS 192.660 (2) (d).
 - To conduct deliberations with persons designated by the governing body to carry on labor negotiations.
 - 2.3 Pursuant to ORS 192.660 (2)(f)
 - To consider records exempt by law from public inspection.
 - 2.4 Oregon Regulation 192.660 (2)(e)
 - To conduct deliberations with persons designated by the governing body to negotiate real property transactions.
- The Lowell School Board considered the items reflected on the Executive Session Agenda and no action was taken.
- 2.5 Return to Public Session

3.0 PLEDGE OF ALLEGIANCE

- 3.1 Lead by Chairman of the Board—To be determined

4.0 COMMUNITY/SCHOOL PRESENTATIONS

***Those that have received commendations or made presentations will have an opportunity to be excused at this time.*

5.0 PUBLIC COMMENT

***Opportunity for Citizens to address items not on the Agenda. Persons wishing to address the Board on any school related issue not listed elsewhere on the agenda are invited to do so now. Board Members are limited, but not required, to give a brief response to public statements or questions regarding non-agenda items.*

6.0 CONSENT AGENDA—consolidated motion

***The purpose of the Consent Agenda is to expedite action on routine agenda items. These items will be acted upon with one motion, second and approval of the Board, unless a member of the board or public wishes to pull the item for individual discussion and action. All matters listed under Consent Agenda are those on which the board has previously deliberated or can be classified as routine items of business. **There will be no separate discussion of these items prior to the vote by the Board unless members of the Board, staff, or public request specific items to be discussed or pulled from the Consent Agenda.** Members of the public who wish to speak on an item must first fill out a public comment card.*

6.1 Board Minutes from June 23, 2014 Board Meeting (Attachment)

6.2 Ratification of Employment (Attachment)

6.3 Check Register: 25747 through 25854 (Attachment)

MOTION: Suzanne Kintzley 2nd: Leslie Brandt AYES: 5 NOES: 0 ABSTAIN: 0

7.0 ACTION DISCUSSION

7.1 Approve Resolution 2014-15-1 for Government Capital Facility Loan of \$266,000—Presented by Dr. Hanline (Attachments; the resolution document will be available at the Board Meeting)

MOTION: Leslie Brandt 2nd: Jim Chapman AYES: 5 NOES: 0 ABSTAIN: 0

8.0 INFORMATION AND STUDY

8.1 Student Body Representative Report—Presented by Ms. Owsley

8.2 Principals Report—Presented by Ms. Graham

8.3 Superintendent’s Report—Presented by Dr. Hanline

8.4 Board Members’ Report

9.0 ADJOURNMENT

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5.2	Name	Site	Position	Action	Salary	Effective
5.2a	Colette Ullrich	Lundy Elementary	Elementary School Secretary	Change from Instructional Assistant .81 to School Secretary 1.0	Range 1; Step 4 223 days	August 4, 2014
5.2b	Bill Krei	N/A	N/A	Terminated	N/A	August 6, 2014
5.2c	Brian Beard	Lowell High School	Industrial Arts Teacher	New Hire	Range 6; Step 18	August 26, 2014
5.2d	Taylor Llewellyn	Lowell High School	Secondary Math Teacher	New Hire	Range 4; Step 1	August 26, 2014

Board Secretary Signature
Approved: August 25, 2014

SELECTION CRITERIA: transact.ck_date between '07/01/2014' and '07/31/2014'
 ACCOUNTING PERIOD: 2/15

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	BUDGET CODE	ACCNT	DESCRIPTION	SALES TAX	AMOUNT	
A101	25855	07/02/14	2329	CDW GOVERNMENT	1002661000000000	480	COMPUTER ADAPTERS	0.00	49.16
A101	25855	07/02/14	2329	CDW GOVERNMENT	1002661000000000	480	COMPUTER CABLES	0.00	69.52
TOTAL CHECK							0.00	118.68	
A101	25857	07/02/14	1884	JASPER MOUNTAIN	1001281000320000	371	MAY INSTRUCTION SVC	0.00	5,985.00
A101	25857	07/02/14	1884	JASPER MOUNTAIN	1001281000320000	371	JUNE INSTRUCTION SV	0.00	2,790.00
A101	25857	07/02/14	1884	JASPER MOUNTAIN	1001281000320000	371	AUG 2013 ADJUSTMENT	0.00	-45.00
TOTAL CHECK							0.00	8,730.00	
A101	25858	07/02/14	1334	LANE COMMUNITY COLL	1002574000000000	355	PRINT THE BRIDGE	0.00	280.45
A101	25859	07/02/14	1087	LANE EDUCATION SERV	1002410000000000	640	TRUANCY CONFERENCES	0.00	257.45
A101	25860	07/02/14	2170	MCKENZIE BY SEW ON	1001131000200000	410	SCOOTERS FOR PE	0.00	155.00
A101	25861	07/02/14	2126	PACIFIC OFFICE AUTO	1002574000000000	355	COPIES ELEM	0.00	109.90
A101	25861	07/02/14	2126	PACIFIC OFFICE AUTO	1002574000000000	355	COPIES HS	0.00	160.98
TOTAL CHECK							0.00	270.88	
A101	25862	V 07/02/14	1022	U S BANK	1002321000000000	410	STAFF LIBRARY BOOKS	0.00	-82.07
A101	25862	V 07/02/14	1022	U S BANK	1002321000000000	460	OFFICE FURNITURE	0.00	-189.98
A101	25862	07/02/14	1022	U S BANK	1002321000000000	410	OFFICE SUPPLIES	0.00	15.00
A101	25862	V 07/02/14	1022	U S BANK	1002321000000000	410	OFFICE SUPPLIES	0.00	-15.49
A101	25862	07/02/14	1022	U S BANK	1002321000000000	410	OFFICE SUPPLIES	0.00	15.49
A101	25862	07/02/14	1022	U S BANK	1002543000000000	410	FOUNDERS EQUIP	0.00	29.95
A101	25862	07/02/14	1022	U S BANK	1002321000000000	410	STAFF LIBRARY BOOKS	0.00	82.07
A101	25862	07/02/14	1022	U S BANK	1002321000000000	460	OFFICE FURNITURE	0.00	189.98
A101	25862	07/02/14	1022	U S BANK	1002321000000000	460	OFFICE FURNITURE	0.00	559.98
A101	25862	V 07/02/14	1022	U S BANK	1002321000000000	410	OFFICE SUPPLIES	0.00	-15.00
A101	25862	V 07/02/14	1022	U S BANK	1002543000000000	410	FOUNDERS EQUIP	0.00	-29.95
A101	25862	V 07/02/14	1022	U S BANK	1002321000000000	460	OFFICE FURNITURE	0.00	-559.98
TOTAL CHECK							0.00	0.00	
A101	25863	07/02/14	1022	U S BANK	1002321000000000	410	STAFF LIBRARY BOOKS	0.00	82.07
A101	25863	07/02/14	1022	U S BANK	1002543000000000	410	FOUNDERS EQUIP	0.00	29.95
A101	25863	07/02/14	1022	U S BANK	1002321000000000	410	OFFICE SUPPLIES	0.00	15.49
A101	25863	07/02/14	1022	U S BANK	1002321000000000	410	OFFICE SUPPLIES	0.00	15.00
TOTAL CHECK							0.00	142.51	
A101	25865	07/09/14	1151	FOLLETT SOFTWARE CO	1002222000000000	640	LIBRARY LICENSE	0.00	1,400.00
A101	25867	07/09/14	1202	OETC	1002661000000000	640	OETC MEMBERSHIP	0.00	75.00
A101	25868	07/09/14	1211	OSBA	1002310000000000	640	LEGAL ASSIST. DUES	0.00	270.00
A101	25868	07/09/14	1211	OSBA	1002310000000000	640	OSBA DUES	0.00	541.25
TOTAL CHECK							0.00	811.25	
A101	25869	07/09/14	1847	PACE	1002552000000000	651	AUTO INSURANCE	0.00	12,477.00
A101	25869	07/09/14	1847	PACE	1002310000000000	651	LIABILITY INSURANCE	0.00	7,393.00
A101	25869	07/09/14	1847	PACE	1002542000000000	653	PROPERTY INSURANCE	0.00	36,326.00
TOTAL CHECK							0.00	46,196.00	

SELECTION CRITERIA: transact.ck_date between '07/01/2014' and '07/31/2014'
 ACCOUNTING PERIOD: 2/15

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	BUDGET CODE	ACCNT	DESCRIPTION	SALES TAX	AMOUNT
A101	25870	07/09/14	SAIF CORPORATION	100				
A101	25870 V	07/09/14	SAIF CORPORATION	100	L473.004	WORKERS' COMP INS	0.00	14,225.43
TOTAL CHECK							0.00	-14,225.43
A101	25871	07/09/14	SCHOOL MATE	1001132000000000	410	STUDENT PLANNERS	0.00	510.00
A101	25872	07/09/14	CITY OF LOWELL	1002542000000000	327	JUN WATER/SEWER	0.00	641.12
A101	25873	07/09/14	INNOVATIVE AIR INC.	1002543000000000	322	IRRIGATION PIPING	0.00	2,357.55
A101	25874	07/09/14	LANE ELECTRIC COOPE	1002542000000000	325	ELECTRICITY	0.00	1,723.00
A101	25875	07/09/14	PAULSEN ENVIRONMENT	1002542000000000	640	LEAD INSPECTIONS	0.00	2,010.00
A101	25877	07/09/14	SCHETKY NORTHWEST S	1002554000000000	410	SUPPLIES CREDIT	0.00	-100.22
A101	25877	07/09/14	SCHETKY NORTHWEST S	1002554000000000	410	BUS SUPPLIES	0.00	39.37
TOTAL CHECK							0.00	-60.85
A101	25878	07/09/14	SHERWIN-WILLIAMS	1002542000000000	410	PAINTING SUPPLIES	0.00	142.07
A101	25878	07/09/14	SHERWIN-WILLIAMS	1002542000000000	410	PAINTING SUPPLIES	0.00	-93.75
TOTAL CHECK							0.00	48.32
A101	25879	07/10/14	AFLAC	100	L472.125	DED:8011 AFLAC STD	0.00	42.43
A101	25879	07/10/14	AFLAC	100	L472.125	DED:8017 AFLAC DSBL	0.00	23.40
A101	25879	07/10/14	AFLAC	100	L472.125	DED:8010 AFLAC ACDN	0.00	65.39
A101	25879	07/10/14	AFLAC	100	L472.125	DED:8106 AFLAC P/A	0.00	177.98
A101	25879	07/10/14	AFLAC	100	L472.125	DED:8108 AFLAC CNCR	0.00	168.01
TOTAL CHECK							0.00	477.21
A101	25880	07/10/14	AMERICAN FIDELITY A	100	L472.731	DED:7309 A/F CANCER	0.00	53.90
A101	25880	07/10/14	AMERICAN FIDELITY A	100	L472.730	DED:7300 A/F-DSBLTY	0.00	320.70
A101	25880	07/10/14	AMERICAN FIDELITY A	100	L472.731	DED:7301 A/F-CANCER	0.00	122.40
A101	25880	07/10/14	AMERICAN FIDELITY A	100	L472.731	DED:7299 CANCER A/T	0.00	12.00
A101	25880	07/10/14	AMERICAN FIDELITY A	100	L472.734	DED:7304 125 ACIDNT	0.00	125.70
A101	25880	07/10/14	AMERICAN FIDELITY A	100	L472.734	DED:7310 A/F ACCIDE	0.00	33.40
A101	25880	07/10/14	AMERICAN FIDELITY A	100	L472.738	DED:7308 A.F. LIFE	0.00	537.00
TOTAL CHECK							0.00	1,205.10
A101	25881	07/10/14	AMERICAN FIDELITY A	100	L472.076	DED:7111 TSA AM/FID	0.00	460.63
A101	25881	07/10/14	AMERICAN FIDELITY A	100	L472.076	DED:7110 TSA-AM.FID	0.00	4,450.00
TOTAL CHECK							0.00	4,910.63
A101	25882	07/10/14	AMERICAN FIDELITY A	100	L472.732	DED:7302 UNREMB MED	0.00	966.00
A101	25883	07/10/14	AMERICAN FIDELITY H	100	L472.735	DED:7298 AM/FID HSA	0.00	900.56
A101	25884	07/10/14	LOWELL S.D. SCHOLAR	100	L472.420	DED:8103 L. SCHOLAR	0.00	150.00
A101	25885	07/10/14	OREGON DEPARTMENT O	100	L472.099	DED:0099 OR.DEPT.RV	0.00	736.49
A101	25886	07/10/14	OREGON EDUCATION AS	100	L472.012	DED:8200 OEA	0.00	53.75

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FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	BUDGET CODE	ACCNT	DESCRIPTION	SALES TAX	AMOUNT
A101	25887	07/10/14	1052 OREGON SCHOOL EMPLO	100	L472.013	DED:8202 OSEA	0.00	44.88
A101	25887	07/10/14	1052 OREGON SCHOOL EMPLO	100	L472.013	DED:8202 OSEA	0.00	635.78
TOTAL CHECK							0.00	680.66
A101	25888	07/10/14	1939 OSEA CHAPTER 118	100	L472.118	DED:8118 OSEA 118	0.00	0.50
A101	25888	07/10/14	1939 OSEA CHAPTER 118	100	L472.118	DED:8118 OSEA 118	0.00	8.00
TOTAL CHECK							0.00	8.50
A101	25889	07/10/14	2183 LEGAL SHIELD	100	L472.740	DED:7350 PP LEGAL	0.00	280.95
A101	25890	07/10/14	2342 TEXAS LIFE	100	L472.736	DED:7607 TEXAS LIFE	0.00	169.50
A101	25890	07/10/14	2342 TEXAS LIFE	100	L472.736	DED:7606 TEXAS LIFE	0.00	48.00
TOTAL CHECK							0.00	217.50
A101	25891	07/10/14	1059 VALIC	100	L472.005	DED:7100 VALIC	0.00	300.00
A101	25894	07/10/14	1056 SAIF CORPORATION	100	L473.004	WORKERS' COMP INS	0.00	11,366.09
A101	25895	07/10/14	1022 U S BANK	100	L473.004	WORKERS' COMP INS	0.00	2,859.34
A101	25896	07/16/14	2373 DCBS	1002520000000000	640	WBF 2013 3RD QTR	0.00	183.74
A101	25897	07/16/14	2374 BILLIE JEAN WHEELER	1002554000000000	410	MAILBOXES	0.00	35.97
A101	25898	07/16/14	1032 CARQUEST AUTO PARTS	1002554000000000	410	VEHICLE SUPPLIES	0.00	-217.38
A101	25898	07/16/14	1032 CARQUEST AUTO PARTS	1002554000000000	410	VEHICLE SUPPLIES	0.00	210.37
A101	25898	07/16/14	1032 CARQUEST AUTO PARTS	1002554000000000	410	VEHICLE SUPPLIES	0.00	13.17
TOTAL CHECK							0.00	6.16
A101	25899	07/16/14	2146 CASCADE HEALTH SOLU	1002321000000000	640	LAB TESTS	0.00	82.00
A101	25899	07/16/14	2146 CASCADE HEALTH SOLU	1002552000000000	640	DRIVER EXAMS	0.00	84.00
TOTAL CHECK							0.00	166.00
A101	25900	07/16/14	2329 CDW GOVERNMENT	1002661000000000	480	COMPUTER HARDWARE	0.00	224.47
A101	25900	07/16/14	2329 CDW GOVERNMENT	1002661000000000	640	TECH ANNUAL FEE	0.00	12.57
A101	25900	07/16/14	2329 CDW GOVERNMENT	1002661000000000	480	COMPUTER HARDWARE	0.00	107.56
TOTAL CHECK							0.00	344.60
A101	25901	07/16/14	1914 HEYMAN'S SAFE, LOCK	1002542000000000	410	NEW KEY & BLANKS	0.00	31.95
A101	25902	07/16/14	1066 HUNGERFORD LAW FIRM	1002310000000000	382	JUNE LEGAL SVCS	0.00	281.25
A101	25903	07/16/14	1070 JERRY BROWN COMPANY	1002554000000000	411	VEHICLE FUEL	0.00	1,628.25
A101	25904	07/16/14	1071 JERRY'S BUILDING MA	1001131000550000	410	SHOP SUPPLIES	0.00	165.02
A101	25904	07/16/14	1071 JERRY'S BUILDING MA	1002542000000000	410	MAINT SUPPLIES	0.00	224.98
TOTAL CHECK							0.00	390.00
A101	25905	07/16/14	2312 LANE COUNTY SCHOOL	1002554000000000	322	VEHICLE REPAIR	0.00	3,258.15
A101	25906	07/16/14	2317 LANE FOREST PRODUCT	1002543000000000	410	GRAVEL	0.00	53.00
A101	25906	07/16/14	2317 LANE FOREST PRODUCT	1002543000000000	410	WASTE RECYCLING	0.00	4.00

SELECTION CRITERIA: transact.ck_date between '07/01/2014' and '07/31/2014'
 ACCOUNTING PERIOD: 2/15

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	BUDGET CODE	ACCNT	DESCRIPTION	SALES TAX	AMOUNT
A101	25906	07/16/14	2317 LANE FOREST PRODUCT	1002543000000000	410	GRAVEL	0.00	13.00
TOTAL CHECK							0.00	41.00
A101	25907	07/16/14	1208 OREGON EMPLOYMENT D	1002520000000000	232	UNEMPLOYMENT BENEFI	0.00	99.10
A101	25908	07/16/14	2167 SANIPAC	1002542000000000	328	JUNE GARBAGE SVC	0.00	115.70
A101	25908	07/16/14	2167 SANIPAC	1002542000000000	328	JUNE GARBAGE SVC	0.00	156.61
TOTAL CHECK							0.00	272.31
A101	25909	07/16/14	1239 SECURITY ALARM CORP	1002542000000000	329	LUNDY ALARM SERVICE	0.00	49.75
A101	25909	07/16/14	1239 SECURITY ALARM CORP	1002542000000000	329	HS ALARM SERVICE	0.00	60.75
TOTAL CHECK							0.00	110.50
A101	25910	07/16/14	2242 SQUARE DEAL LUMBER	1002542000000000	410	MAINT SUPPLIES	0.00	36.00
A101	25911	07/16/14	1267 THE REGISTER GUARD-	1002520000000000	354	BUDGET NOTICES	0.00	670.00
A101	25912	07/16/14	2301 WALT HANLINE	1002321000000000	340	BUSINESS MTG MEALS	0.00	107.90
A101	25913	07/16/14	2100 FERRELLGAS	1002542000000000	326	DRYER TANK RENTAL	0.00	65.00
A101	25914	07/16/14	1070 JERRY BROWN COMPANY	1002554000000000	411	VEHICLE FUEL	0.00	2,193.15
A101	25915	07/16/14	1071 JERRY'S BUILDING MA	1002542000000000	410	MAINT SUPPLIES	0.00	136.73
A101	25915	07/16/14	1071 JERRY'S BUILDING MA	1002542000000000	410	MAINT SUPPLIES	0.00	14.95
A101	25915	07/16/14	1071 JERRY'S BUILDING MA	1002543000000000	410	MAINT SUPPLIES	0.00	347.13
A101	25915	07/16/14	1071 JERRY'S BUILDING MA	1002542000000000	410	GENERATOR & SUPPLIE	0.00	1,389.96
A101	25915	07/16/14	1071 JERRY'S BUILDING MA	1002543000000000	410	MAINT SUPPLIES	0.00	89.95
TOTAL CHECK							0.00	1,278.72
A101	25916	07/16/14	1495 LES SCHWAB TIRE CEN	1002543000000000	322	MOWER TIRES	0.00	174.42
A101	25917	07/16/14	1209 OREGON SMALL SCHOOL	1002321000000000	640	2014-15 MEMBERSHIP	0.00	240.00
A101	25918	07/16/14	2345 PAULSEN ENVIRONMENT	1002542000000000	640	AHERA REINSPECTION	0.00	1,000.00
A101	25919	07/16/14	2370 SHERWIN-WILLIAMS	1002542000000000	410	PAINTING SUPPLIES	0.00	63.55
A101	25919	07/16/14	2370 SHERWIN-WILLIAMS	1002542000000000	410	PAINTING SUPPLIES	0.00	69.72
A101	25919	07/16/14	2370 SHERWIN-WILLIAMS	1002542000000000	410	PAINTING SUPPLIES	0.00	23.70
A101	25919	07/16/14	2370 SHERWIN-WILLIAMS	1002542000000000	410	PAINTING SUPPLIES	0.00	60.24
TOTAL CHECK							0.00	217.21
A101	25920	07/16/14	2242 SQUARE DEAL LUMBER	1002542000000000	410	MAINT SUPPLIES	0.00	12.75
A101	25921	07/16/14	2301 WALT HANLINE	1002321000000000	410	SODA REIMBURSEMENT	0.00	13.18
A101	25921	07/16/14	2301 WALT HANLINE	1002321000000000	340	CERES TRIP EXPENSES	0.00	202.38
TOTAL CHECK							0.00	215.56
A101	25922	07/18/14	2376 2G CONSTRUCTION	1002542000000000	410	SENIOR HALL SIDING	0.00	1,008.00
A101	25923	07/18/14	2329 CDW GOVERNMENT	1001131000050000	480	COMPUTER HARDWARE	0.00	53.80

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LOWELL SCHOOL DISTRICT #71
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SELECTION CRITERIA: transact.ck_date between '07/01/2014' and '07/31/2014'
 ACCOUNTING PERIOD: 2/15

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	BUDGET CODE	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
A101	25924	07/18/14	1259 COASTWIDE LABORATOR	1002542000000000	410	CUSTODIAL SUPPLIES	0.00	-30.58
A101	25924	07/18/14	1259 COASTWIDE LABORATOR	1002542000000000	410	CUSTODIAL SUPPLIES	0.00	21.42
A101	25924	07/18/14	1259 COASTWIDE LABORATOR	1002542000000000	410	CUSTODIAL SUPPLIES	0.00	30.58
A101	25924	07/18/14	1259 COASTWIDE LABORATOR	1002542000000000	410	CUSTODIAL SUPPLIES	0.00	603.37
TOTAL CHECK							0.00	624.79
A101	25925	07/18/14	2375 FITNESS GIANT	1001131000200000	460	WEIGHT ROOM EQUIP	0.00	3,362.00
A101	25926	07/18/14	1071 JERRY'S BUILDING MA	1002543000000000	410	GROUND MAINT	0.00	24.98
A101	25926	07/18/14	1071 JERRY'S BUILDING MA	1002542000000000	410	MAINT SUPPLIES	0.00	538.32
TOTAL CHECK							0.00	563.30
A101	25927	07/18/14	2370 SHERWIN-WILLIAMS	1002542000000000	410	PAINTING SUPPLIES	0.00	856.40
A101	25927	07/18/14	2370 SHERWIN-WILLIAMS	1002542000000000	410	PAINTING SUPPLIES	0.00	110.13
TOTAL CHECK							0.00	966.53
A101	25928	07/18/14	1247 SPRINGFIELD PUBLIC	1001281000320000	371	13-14 TUITION FOLCK	0.00	750.00
A101	25928	07/18/14	1247 SPRINGFIELD PUBLIC	1001281000320000	371	13-14 TUITION COLLI	0.00	6,825.00
TOTAL CHECK							0.00	7,575.00
A101	25929	07/18/14	1939 OSEA CHAPTER 118	100	L472.118	REPLACE CHECK 25506	0.00	8.00
A101	25929	07/18/14	1939 OSEA CHAPTER 118	1002520000000000	640	REPLACE PRIOR YR CH	0.00	20.00
TOTAL CHECK							0.00	28.00
A101	25931	07/23/14	2149 CENTURY LINK-LONG D	1002542000000000	351	LONG DISTANCE PHONE	0.00	10.58
A101	25932	07/23/14	2364 INTERNATIONAL PAPER	1002542000000000	328	PAPER SHREDDING SVC	0.00	122.56
A101	25933	07/23/14	1166 VERIZON	1002554000000000	351	BUS CELL PHONES	0.00	48.49
A101	25934	07/23/14	1230 CENTURY LINK	1002542000000000	351	TELEPHONE SERVICE	0.00	308.30
A101	25937	07/23/14	1817 CENTRAL PRINT & REP	1002410000000000	355	POST CARDS	0.00	76.10
A101	25938	07/23/14	2186 DE LAGE LANDEN PUBL	1002574000000000	355	COPIER SERVICE	0.00	710.53
A101	25939	07/23/14	1071 JERRY'S BUILDING MA	1002542000000000	410	BUILDING MAINTENANC	0.00	40.05
A101	25939	07/23/14	1071 JERRY'S BUILDING MA	1002543000000000	410	GROUND MAINTENANC	0.00	22.32
TOTAL CHECK							0.00	62.37
A101	25941	07/23/14	1623 WILLAMETTE ESD	1002321000000000	470	PENTAMATION SVCS	0.00	518.44
A101	25943	07/30/14	2310 KAY GRAHAM	1002410000000000	410	PLT CERES TRIP	0.00	33.45
A101	25943	07/30/14	2310 KAY GRAHAM	1002410000000000	410	TARPS FOR GRAD.	0.00	79.96
TOTAL CHECK							0.00	113.41
A101	25944	07/30/14	1973 BRIDGEWAY CONTRACTI	1002542000000000	322	PAINT ADMIN OFFICES	0.00	600.00
A101	25945	07/30/14	2329 CDW GOVERNMENT	1001111000000000	420	CHROMEBOOKS	0.00	5,745.00
A101	25945	07/30/14	2329 CDW GOVERNMENT	1001111000000000	420	CHROMEBOOKS	0.00	1,230.00
A101	25945	07/30/14	2329 CDW GOVERNMENT	1001131000050000	480	ENGLISH LAB PRINTER	0.00	53.54
A101	25945	07/30/14	2329 CDW GOVERNMENT	1002661000000000	480	COMPUTER ADAPTER	0.00	2.53

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LOWELL SCHOOL DISTRICT #71
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SELECTION CRITERIA: transact.ck_date between '07/01/2014' and '07/31/2014'
 ACCOUNTING PERIOD: 2/15

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	BUDGET CODE	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
A101	25945	07/30/14	2329 CDW GOVERNMENT	1002661000000000	480			
A101	25945	07/30/14	2329 CDW GOVERNMENT	1001131000050000	480	SPEAKER UNIT	0.00	22.13
A101	25945	07/30/14	2329 CDW GOVERNMENT	1001131000050000	480	MONITOR INSURANCE	0.00	507.78
A101	25945	07/30/14	2329 CDW GOVERNMENT	1001131000050000	480	COMPUTER INSURANCE	0.00	1,300.53
A101	25945	07/30/14	2329 CDW GOVERNMENT	1001131000050000	480	STEM LAB COMPUTERS	0.00	18,798.78
A101	25945	07/30/14	2329 CDW GOVERNMENT	1001131000050000	480	CHROMEBOOKS	0.00	4,464.00
A101	25945	07/30/14	2329 CDW GOVERNMENT	1001131000050000	480	STEM LAB CREDIT	0.00	-8,289.10
TOTAL CHECK							0.00	24,068.19
A101	25946	07/30/14	2127 DEBI MCNAMARA	1002520000000000	340	OSABO CONF TRAVEL	0.00	83.87
A101	25948	07/30/14	1901 JEFF CARDWELL	1002542000000000	322	MODULAR ROOF REPAIR	0.00	899.99
A101	25949	07/30/14	1071 JERRY'S BUILDING MA	1002542000000000	410	BUILDING MAINT	0.00	238.11
A101	25950	07/30/14	2312 LANE COUNTY SCHOOL	1002554000000000	322	VEH #8 INSPECTION	0.00	2,263.57
A101	25951	07/30/14	1225 POSTMASTER	1002574000000000	353	THE BRIDGE POSTAGE	0.00	179.24
A101	25952	07/30/14	2378 RICK'S SPRAY SERVIC	1002543000000000	322	VEGETATION SPRAY	0.00	1,280.00
A101	25953	07/30/14	2237 SAFESCHOOLS	1002321000000000	470	STAFF TRAINING SYS	0.00	45.00
A101	25954	07/30/14	2370 SHERWIN-WILLIAMS	1002542000000000	410	PAINTING SUPPLIES	0.00	679.71
A101	25954	07/30/14	2370 SHERWIN-WILLIAMS	1002542000000000	410	PAINTING SUPPLIES	0.00	217.80
TOTAL CHECK							0.00	897.51
A101	25955	07/30/14	2301 WALT HANLINE	1002321000000000	640	BUSINESS MTG MEALS	0.00	119.10
A101	25956	07/30/14	1623 WILLAMETTE ESD	1002321000000000	470	E-LEARNING FEE	0.00	216.00
TOTAL CASH ACCOUNT							0.00	166,159.61
TOTAL FUND							0.00	166,159.61

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FUND - 228 - TITLE I 13-14

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	25856	07/02/14	2233 COLLETTE ULLRICH	2281272000000000	410	SUMMER SCHOOL SUPP	0.00	21.65
A101	25856	07/02/14	2233 COLLETTE ULLRICH	2281272000000000	410	SUMMER SCHOOL SUPP	0.00	30.83
TOTAL CHECK							0.00	52.48
TOTAL CASH ACCOUNT							0.00	52.48
TOTAL FUND							0.00	52.48

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FUND - 250 - REAP 13-14

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	BUDGET CODE	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
A101	25943	07/30/14	2310 KAY GRAHAM	2501111000000000	410	CCSS NOTEBOOKS	0.00	73.43
TOTAL CASH ACCOUNT							0.00	73.43
TOTAL FUND							0.00	73.43

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FUND - 260 - YTP 13-14

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	25893	07/10/14	1022 U S BANK	2602129000000000	410	YTP SUPPLIES	0.00	528.11
TOTAL CASH ACCOUNT							0.00	528.11
TOTAL FUND							0.00	528.11

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FUND - 277 - EBISS DEPTH 13-14

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	BUDGET CODE	ACCNT	DESCRIPTION	SALES TAX	AMOUNT
A101	25940	07/23/14	1196 NORTHWEST TEXTBOOK	2772120000000000	410	TREASURES TEXTBOOKS	0.00	2,729.08
A101	25943	07/30/14	2310 KAY GRAHAM	2772120000000000	410	STUDENT INCENTIVES	0.00	48.04
TOTAL CASH ACCOUNT							0.00	2,777.12
TOTAL FUND							0.00	2,777.12

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FUND - 292 - BUS REPLACEMENT

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	25877	07/09/14	1482 SCHETKY NORTHWEST S	2922550000000000	564	BUS PURCHASE	0.00	104,497.00
TOTAL CASH ACCOUNT							0.00	104,497.00
TOTAL FUND							0.00	104,497.00

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FUND - 295 - ATHLETICS & ACTIVITIES

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	25862 V	07/02/14	1022 U S BANK	2951132000000790	410	THEATER SUPPLIES	0.00	-42.20
A101	25862	07/02/14	1022 U S BANK	2951132000000790	410	THEATER SUPPLIES	0.00	42.20
TOTAL CHECK							0.00	0.00
A101	25863	07/02/14	1022 U S BANK	2951132000000790	410	THEATER SUPPLIES	0.00	42.20
TOTAL CASH ACCOUNT							0.00	42.20
TOTAL FUND							0.00	42.20

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FUND - 297 - FOOD SERVICE FUND

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	25864	07/09/14	2294 CORVALLIS SCHOOL DI	2973100000000000	640	FOOD CO-OP DUES	0.00	300.00
A101	25866	07/09/14	1737 THE CLM GROUP, INC.	2973100000000000	640	MEALTIME ANNUAL FEE	0.00	1,237.00
A101	25936	07/23/14	2377 BILLY REID	2973100000000000	389	FOOD SVC CONSULTING	0.00	1,678.00
TOTAL CASH ACCOUNT							0.00	3,215.00
TOTAL FUND							0.00	3,215.00

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SELECTION CRITERIA: transact.ck_date between '07/01/2014' and '07/31/2014'
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FUND - 400 - CAPITAL PROJECTS

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	25875	07/09/14	2345 PAULSEN ENVIRONMENT	4002540000000000	591	LEAD TRAINING CLASS	0.00	1,260.00
A101	25876	07/09/14	2205 RODD HANSEN ARCHITE	4002540000000000	590	ARCHITECT MAY	0.00	7,926.70
A101	25892	07/10/14	2299 JAMES HEATING	4002540000000605	591	PDC HEAT/AIR SYSTEM	0.00	11,484.00
A101	25930	07/21/14	2376 2G CONSTRUCTION	4002540000000602	591	JUNE PROGRESS PMT	0.00	167,701.08
A101	25935	07/23/14	2171 ALVIN RIGGS	4002540002000612	590	ELECTRICAL WORK	0.00	2,515.75
A101	25942	07/30/14	2315 INNOVATIVE AIR INC.	4002540000000601	591	HEATING SYS UPGRADE	0.00	2,894.66
A101	25942	07/30/14	2315 INNOVATIVE AIR INC.	4002540000000601	591	HEATING SYS UPGRADE	0.00	14,112.00
A101	25942	07/30/14	2315 INNOVATIVE AIR INC.	4002540000000601	591	HEATING SYS UPGRADE	0.00	3,512.00
A101	25942	07/30/14	2315 INNOVATIVE AIR INC.	4002540000000601	591	HEATING SYS UPGRADE	0.00	8,230.52
A101	25942	07/30/14	2315 INNOVATIVE AIR INC.	4002540000000601	591	HEATING SYS UPGRADE	0.00	19,475.00
TOTAL CHECK							0.00	48,224.18
A101	25947	07/30/14	2299 JAMES HEATING	4002540002000605	590	HS AIR SYSTEM	0.00	11,300.00
A101	25947	07/30/14	2299 JAMES HEATING	4002540002000605	590	LUNDY AIR SYSTEM	0.00	11,585.00
TOTAL CHECK							0.00	22,885.00
TOTAL CASH ACCOUNT							0.00	261,996.71
TOTAL FUND							0.00	261,996.71
TOTAL REPORT							0.00	539,341.66

Lowell School District 71

Code: **BCBA**
Adopted: 9/26/05
Orig. Code(s): BCBA

Student Representative to the Board

The Governing Board believes that engaging the student body and seeking its input and feedback regarding the district's educational programs and activities are vital to achieving the district's mission of educating district students. To enhance communication between the Board and the student body and to encourage student involvement in district affairs, the Board shall include at least one student Board member selected by the district's high school students in accordance with procedures approved by the Board.

The term of a student Board member shall be one year, commencing on July 1 of each year. A student Board member shall have the right to attend all Board meetings except closed (executive) sessions.

A student Board member shall be seated with other members of the Board. In addition, a student Board member shall be recognized at Board meetings as a full member, shall receive all materials presented to other Board members except those related to closed sessions, and may participate in questioning witnesses and discussing issues.

A student Board member may cast **preferential votes** on all matters except those subject to closed session discussion. Preferential votes shall be cast prior to the official Board vote and shall not affect the final numerical outcome of a vote. Preferential votes shall be recorded in the Board minutes.

A student Board member may make motions that may be acted upon by the Board, except on matters dealing with employer-employee relations and to student discipline.

A student Board member shall be entitled to be reimbursed for mileage to the same extent as other members of the Board.

Student Board Member Development

As necessary, the Superintendent or designee may, at district expense, provide learning opportunities to student Board members, through trainings, workshops, and conferences, to enhance their knowledge, understanding, and performance of their Board responsibilities.

The Superintendent or designee may periodically provide an orientation for student Board members to give them an understanding of the responsibilities and expectations of Board service.

Student Board Member Election/Selection

The student Governing Board member shall be appointed by the students of Lowell High School. Ideally, the Student Board member must be a senior (juniors are permitted to serve) by the year they are to take office and must meet the requirements of those running for Student Body President. The Student Board

member must have at least a 3.0 grade point average. The GPA will be computed from the third quarter grades.

Removal and/or Vacancy

The student Board member may be removed from office upon request of the Board of Trustees or for conduct deemed inappropriate or in violation of school conduct codes of any Constitutional Amendment, statute, law or by-law of the Associated Student Body.

If, for any reason, the student Board member position becomes vacant before December 1, another student Board member shall be elected to take office at the beginning of the second semester. If the vacancy occurs after December 1, the Student Body President shall act as student Board member for the remaining term of office with the approval of the Principal.

Board Materials/Information

The Superintendent or designee's office shall provide the student Board member with full and complete agendas and copies of any materials received by the Board except those materials covered in closed session and any other confidential materials.

Student Board Member Preparation

The student Board member elect shall be coached by the Principal on Board procedures and parliamentary procedure before taking office July 1. The Principal shall serve as a mentor for the student Board member in acquiring the student body's opinion on issues, presenting information, and assisting the student Board member in fulfilling his/her duties.

Student Board Member Scholarship

At the close of their term of office, each student Board member will be provided a \$500.00 academic scholarship to the school of their choice, subject to approval of the Board President and the Superintendent.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

LOWELL SCHOOL DISTRICT #71

PERSONAL SERVICES CONTRACT

FOR

BILLY REID

This contract is made and entered into this 18th day of July, 2014, by and between the Lowell School DISTRICT #71 (hereinafter “DISTRICT”) and **Billy Reid, hereinafter (“MANAGEMENT/CONFIDENTIAL EMPLOYEE”)**.

WHEREAS, the DISTRICT desires to provide the MANAGEMENT/CONFIDENTIAL EMPLOYEE with a written employment contract in order to insure administrative stability and continuity within the DISTRICT which the DISTRICT believes generally improves the quality of the overall educational program;

NOW, THEREFORE, the DISTRICT and the MANAGEMENT/CONFIDENTIAL EMPLOYEE, for consideration herein specified, agree as follows:

I. TERM OF MANAGEMENT/CONFIDENTIAL EMPLOYEE CONTRACT

The DISTRICT hereby offers and the MANAGEMENT/CONFIDENTIAL EMPLOYEE hereby accepts employment as MANAGEMENT/CONFIDENTIAL EMPLOYEE for a one-year (1) term commencing on July 1, 2014 and ending June 30, 2015.

The MANAGEMENT/CONFIDENTIAL EMPLOYEE shall have primary responsibility to direct the Food Services Program of the District.

The MANAGEMENT/CONFIDENTIAL EMPLOYEE shall determine, with the approval of the Superintendent, his annual work calendar, including not less than one day each fiscal quarter being present in the District. On such occasions, the District agrees to provide reimbursement for travel related expenses (flight, mileage to/from airport, hotel, and meals) approved by the Superintendent.

The MANAGEMENT/CONFIDENTIAL EMPLOYEE shall abide by all applicable state and federal laws, rules and regulations of the School Board of the DISTRICT.

II. COMPENSATION/SALARY AND BENEFITS

A. ANNUAL SALARY

The MANAGEMENT/CONFIDENTIAL EMPLOYEE shall receive an annual salary of \$12,000. The salary shall be distributed in the form of a direct monthly payment of \$1,000.

B. BENEFITS

MANAGEMENT/CONFIDENTIAL EMPLOYEE will not receive District provided health benefits.

MANAGEMENT/CONFIDENTIAL EMPLOYEE will receive all other regular District provided benefits, including District contributions to the Public Employee Retirement System.

The DISTRICT will pay the MANAGEMENT/CONFIDENTIAL EMPLOYEE'S ordinary expenses in conducting DISTRICT business, within the budget for that purpose and with the approval of the Superintendent.

The DISTRICT shall reimburse the MANAGEMENT/CONFIDENTIAL EMPLOYEE for reasonable, actual and necessary expenses (e.g. meals, registration fees, and air fare) for attendance at conferences approved in advance by the Superintendent, and other functions which directly contribute to the addressing of the DISTRICT'S mission and goals.

The MANAGEMENT/CONFIDENTIAL EMPLOYEE shall be covered under the DISTRICT'S liability insurance that covers other administrative employees.

III. MODIFICATION

The Governing Board reserves the right to modify the MANAGEMENT/CONFIDENTIAL EMPLOYEE'S salary, with the mutual consent of the MANAGEMENT/CONFIDENTIAL EMPLOYEE and ratification by the Governing Board. It is further provided, however, that by so doing, it shall not be considered that a new contract has been entered into or that the termination date of the existing contract has been extended.

This contract supersedes all prior agreements and understandings between the parties. The parties may, during the term of this contract, mutually agree to modify any of its terms. Any modifications will be in writing, signed by both parties and attached to this document.

IN WITNESS WHEREOF, I affix my signature to this contract as the full and complete agreement between the parties hereto.

Dated:

Dennis McCallum
BOARD PRESIDENT
LOWELL SCHOOL DISTRICT #71

I hereby accept this offer of employment and agree to comply with the terms and conditions stated hereof in this contract, and to fulfill all the duties of employment as MANAGEMENT/CONFIDENTIAL EMPLOYEE of the Lowell School DISTRICT #71.

Date of Acceptance: _____

Billy Reid

Oregon School Boards Association Selected Sample Policy

Code: **BBFA**
Adopted:

Board Member Ethics and Conflicts of Interest

No Board member will use his/her official position or office to obtain personal financial benefit or to avoid financial detriment for him or herself, relatives or household members, or for any business with which the Board member, a household member or a relative is associated.

This prohibition does not apply to any part of an official compensation package, honorarium allowed by ORS 244.042, reimbursement of expenses, or unsolicited awards of professional achievement. Further, this prohibition does not apply to gifts from one without a legislative or administrative interest. Nor does it apply if the gift is under the annual \$50 gift limit from one who has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. District-provided meals at board meetings are acceptable under the reimbursement of expenses exception.

I. Conflicts of Interest

“Business” means any corporation, partnership, proprietorship, enterprise, association, franchise, firm, organization, self-employed individual or any legal entity operated for economic gain. This definition excludes any income-producing tax exempt 501(c) not-for-profit corporation with which a public official or a relative of the public official is associated only as a member or board director or in a nonremunerative capacity.

“Business with which a Board member or relative is associated” means any private business or closely held corporation of which a Board member or relative is a director, officer, owner, employee or agent or any private business or closely held corporation in which a Board member or relative owns or has owned stock, another form of equity interest, stock options or debt instruments worth \$1,000 or more at any point in the preceding year; any publicly held corporation in which a Board member or relative owns or has owned \$100,000 or more in stock or another form of equity interest, stock options or debt instruments at any point in the preceding calendar year; or any publicly held corporation of which a Board member or relative is a director or officer.

“Relative” means: 1) the Board member’s or candidate’s spouse¹, parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law; 2) the spouse of the Board member’s or candidate’s parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law.

“Member of the household” means any person who resides with the public official.

No Board member will solicit or receive, either directly or indirectly, any pledge or promise of future employment based on any understanding that the Board member’s vote, official action or judgment would be thereby influenced.

No Board member will attempt to use or use for personal gain any confidential information gained through his/her official position or association with the district. A Board member will respect individuals’ privacy rights when dealing with confidential information gained through association with the district.

¹The term spouse includes domestic partner.

If a Board member participates in the authorization of a public contract, the Board member may not have a direct beneficial financial interest in that public contract for two years after the date the contract was authorized.

Individual Board members and the Board as a public entity are bound by the ethics laws for public officials as stated in Oregon law.

Potential Conflict of Interest

“Potential conflict of interest” means any action or any decision or recommendation by a Board member that could result in a financial benefit or detriment for self or relatives or for a business with which the Board member or relatives are associated, unless otherwise provided by law.

A Board member must publicly declare a potential conflict of interest. A Board member may, after declaring his/her potential conflict of interest, either vote or abstain on the issue. Abstaining from a vote does not meet the legal requirement of publicly stating a potential conflict.

Actual Conflict of Interest

“Actual conflict of interest” means any action or any decision or recommendation taken by a Board member that would result in a financial benefit or detriment to self or relatives or for any business with which the Board member or relatives are associated, unless otherwise provided by law.

A Board member must publicly declare an actual conflict of interest. The Board member may not vote lawfully if an actual conflict of interest exists unless a vote is needed to meet a minimum requirement of votes to take official action. Such a vote does not allow the Board member to participate in any discussion or debate on the issue out of which an actual conflict arises.

Class Exception

It will not be a conflict of interest if the Board member’s action would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person’s relative or business with which the person or the person’s relative is associated, is a member or is engaged. For example, if a Board member’s spouse is a member of the collective bargaining unit, the Board member may vote to approve the contract, as it will affect all members of that class to the same degree. However, if the collective bargaining unit is very small, the class exception may not apply. Similarly, if the contract contains special provisions that might apply only to particular persons, then the class exception may not apply. For example, if a Board member’s spouse is the only one in the bargaining unit that has a doctorate and there is a pay differential for employees with doctorates in the collective bargaining agreement, the Board member should not vote on the contract.

II. Gifts

Board members are public officials and therefore will not solicit or accept a gift or gifts with an aggregate value in excess of \$50 from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. All gift related provisions apply to the Board member, and their relatives, and members of their household. The \$50 gift limit applies separately to the Board member and to the Board member's relatives or members of household, meaning that the Board member, each member of their household and their relative can accept up to \$50 each from the same source/gift giver.

1. "Gift" means something of economic value given to a Board member without valuable consideration of equivalent value, which is not extended to others who are not public officials on the same terms and conditions.
2. "Relative" means: a) the Board member's or candidate's spouse¹, parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law; b) the spouse of the Board member's or candidate's parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law.
3. "Member of the household" means any person who resides with the Board member.

Determining the Source of Gifts

Board members should not accept gifts in any amount without obtaining information from the gift giver as to who is the source of the gift. It is the Board member's personal responsibility to ensure that no single source provides gifts exceeding an aggregate value of \$50 in a calendar year, if the source has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. If the giver does not have a legislative/administrative interest, the ethics rules on gifts do not apply and the Board member need not keep track of it, although they are advised to do so anyway in case of a later dispute.

Determining Legislative and Administrative Interest

A legislative or administrative interest means an economic interest distinct from that of the general public, in any action subject to the decision or vote of a person acting in the capacity of a Board member. For example, everyone within a county has a general interest in the fire department, but the person who sells the uniforms to the fire department has a legislative/administrative interest in the fire department that is distinct from the general public.

Determining the Value of Gifts

The fair market value of the merchandise, goods, or services received will be used to determine benefit or value.

"Fair market value" is the dollar amount goods or services would bring if offered for sale by a person who desired, but was not obligated, to sell and purchased by one who is willing, but not obligated, to buy. Any portion of the price that was donated to charity, however, does not count toward the fair market value of the gift if the Board member does not claim the charitable contribution on personal tax returns. Below are acceptable ways to calculate the fair market value of a gift:

4. In calculating the per person cost at receptions or meals the payor of the Board member's admission or meal will include all costs other than any amount donated to a charity.

For example, a person with a legislative or administrative interest buys a table for a charitable dinner at \$100 per person. If the cost of the meal was \$25 and the amount donated to charity was \$75, the benefit conferred on the Board member is \$25. This example requires that the Board member does not claim the charitable contribution on personal tax returns.

5. For receptions and meals with multiple attendees, but with no price established to attend, the source of the Board member's meal or reception will use reasonable methods to determine the per person value or benefit conferred. The following examples are deemed reasonable methods of calculating value or benefit conferred:
 - a. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons whom the payor reasonably expects to attend the reception or dinner;
 - b. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons who actually attend the reception or dinner; or
 - c. The source calculates the actual amount spent on the Board member.
6. Upon request by the Board member, the source will give notice of the value of the merchandise, goods, or services received.
7. Attendance at receptions where the food or beverage is provided as an incidental part of the reception is permitted without regard to the fair market value of the food and beverage provided.

Value of Unsolicited Tokens or Awards: Resale value

Board members may accept unsolicited tokens or awards that are engraved or are otherwise personalized items. Such items are deemed to have a resale value under \$25 (even if the personalized item cost the source more than \$50), unless the personalized item is made from gold or some other valuable material that would have value over \$25 as a raw material.

Entertainment

Board members may not solicit or accept any gifts of entertainment over \$50 in value from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the Board member unless:

1. The entertainment is incidental to the main purpose of another event (i.e., a band playing at a reception). Entertainment that involves personal participation is not incidental to another event (such as a golf tournament at a conference); or
2. The Board member is acting in their official capacity for a ceremonial purpose.

Entertainment is ceremonial when a Board member appears at an entertainment event for a "ceremonial purpose" at the invitation of the source of the entertainment who requests the presence of the Board member at a special occasion associated with the entertainment. Examples of an appearance by a Board member at an entertainment event for a ceremonial purpose include throwing the first pitch at a baseball game, appearing in a parade and ribbon cutting for an opening ceremony.

Exceptions

The following are exceptions to the ethics rules on gifts:

3. Campaign contributions are not considered gifts under the ethics rules;
4. Gifts from “relatives” and “members of the household” are permitted in an unlimited amount; they are not considered gifts under the ethics rules;
5. Informational or program material, publications, or subscriptions related to the recipient’s performance of official duties;
6. Contributions made to a legal expense trust fund if certain requirements are met;
7. Food, lodging, and travel generally count toward the \$50 aggregate amount per year from a single source with a legislative/administrative interest, with the following exceptions:
 - a. Organized Planned Events. Board members are permitted to accept payment for travel conducted in the Board member’s official capacity, for certain limited purposes:
 - (1) Reasonable expenses (i.e., food, lodging, travel, fees) for attendance at a convention, fact-finding mission or trip, or other meeting do not count toward the \$50 aggregate amount IF:
 - (a) The Board member is scheduled to deliver a speech, make a presentation, participate on a panel, or represent the district; AND
 - i) The giver is a unit of a:
 - a) Federal, state, or local government;
 - b) An Oregon or federally recognized Native American Tribe; OR
 - c) Nonprofit corporation.
 - (b) The Board member is representing the district:
 - i) On an officially sanctioned trade-promotion or fact-finding mission; OR
 - ii) Officially designated negotiations or economic development activities *where receipt of the expenses is approved in advance by the Board.*
 - (2) The purpose of this exception is to allow Board members to attend organized, planned events and engage with the members of organizations by speaking or answering questions, participating in panel discussions or otherwise formally discussing matters in their official capacity. This exception to the gift definition does not authorize private meals where the participants engage in discussion.
8. Food or beverage, consumed at a reception, meal, or meeting IF held by an organization and IF the Board member is representing the district. Again, this exception does not authorize private meals where the participants engage in discussion;

“Reception” means a social gathering. Receptions are often held for the purpose of extending a ceremonial or formal welcome and may include private or public meetings during which guests are honored or welcomed. Food and beverages are often provided, but not as a plated, sit-down meal;

9. Food or beverage consumed by Board member acting in an official capacity in the course of financial transactions between the public body and another entity described in ORS 244.020(6)(b)(I)(i);
10. Waiver or discount of registration expenses or materials provided to Board member at a continuing education event that the Board member may attend to satisfy a professional licensing requirement;
11. A gift received by the Board member as part of the usual or customary practice of the Board member's private business, employment or position as a volunteer that bears no relationship to the Board member's holding of public office.

Honoraria

A Board member may not solicit or receive, whether directly or indirectly, honoraria for the Board member or **any** relative **or member of the household of the Board member** if the honoraria are solicited or received in connection with the official duties of the Board member.

The honoraria rules do not prohibit the solicitation or receipt of an honorarium or a certificate, plaque, commemorative token or other item with a value of \$50 or less; or the solicitation or receipt of an honorarium for services performed in relation to the private profession, occupation, avocation or expertise of the Board member or candidate.

END OF POLICY

Legal Reference(s):

[ORS 162.015](#) to -162.035
[ORS 162.405](#) to -162.425

[ORS 244.010](#) to -244.400
[ORS 332.055](#)

[OAR 199-005-0003](#) to -199-020-0020

38 OR. ATTY. GEN. OP. 1995 (1978)

OR. ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS.

Oregon School Boards Association Selected Sample Policy

Code: **BBFB**
Adopted:

Board Member Ethics and Nepotism

In order to avoid both potential and actual conflicts of interests, Board members will abide by the following rules when a Board member's relative or member of the household is seeking and/or holds a position with the district:

1. A Board member may not appoint, employ, promote, discharge, fire, or demote or advocate for such an employment decision for a relative or member of the household, unless the Board member complies with the conflict of interest requirements of ORS Chapter 244;
2. This policy does not apply to decisions regarding unpaid volunteer positions unless it is a Board member position or another Board-related unpaid volunteer position (i.e. a Board committee position);
3. A Board member may not participate as a public official in any interview, discussion, or debate regarding the appointment, employment, promotion, discharge, firing, or demotion of a relative or member of the household. A Board member may still serve as a reference or provide a recommendation.

For the purposes of this policy, a "member of the household" means any person who resides with the Board member and "relative" means:

1. The Board member's spouse¹, parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law;
2. The spouse of the Board member's parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law.

Class Exception

It will not be a conflict of interest if the Board member's action would affect to the same degree a class including the Board member's relative or household member. For example, if a Board member's spouse is a member of the collective bargaining unit, the Board member may vote to approve the contract, as it will affect all members of that class to the same degree. However, if the collective bargaining unit is very small, the class exception may not apply. Similarly, if the contract contains special provisions that might apply only to particular persons, then the class exception may not apply. For example, if a Board member's spouse is the only one in the bargaining unit that has a doctorate and there is a pay differential for employees with doctorates in the collective bargaining agreement, the Board member should not vote on the contract.

¹The term spouse includes domestic partner.

END OF POLICY

Legal Reference(s):

[ORS 244.010 to -244.400](#)
[ORS 659A.309](#)

[OAR 199-005-0003 to -199-020-0020](#)

OR. ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS.

Oregon School Boards Association Selected Sample Policy

Code: **EEACA**
Adopted:

School Bus Driver Examination and Training (Version 1)

School bus drivers must pass physical examinations administered by a medical examiner listed in the Federal Motor Carrier Safety Administration's National Registry of Certified Medical Examiners and meet other criteria as established by state and federal law and by Oregon Department of Education regulations including the requirements for a commercial driver's license (CDL).

A school bus manufacturer, school bus dealer or school bus mechanic is not required to have a school bus endorsement while operating a school bus that is not transporting students.

END OF POLICY

Legal Reference(s):

ORS 659.840	ORS 807.038	OAR 581-053-0004
ORS 659A.300	ORS 820.110	OAR 581-053-0031
ORS 659A.306		OAR 581-053-0040
ORS Chapters 801, 802, 807, 809, 811, 813	OAR 581-053-0002	OAR 581-053-0053
	OAR 581-053-0003	OAR 581-053-0060

Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. §§ 31301-31317; 49 C.F.R. Parts 40, 382, 391-395 (2006).
Federal Motor Carrier Safety Administration Regulations, 49 C.F.R. Part 391, §§ 391.42, 391.43 (2014).

Oregon School Boards Association Selected Sample Policy

Code: **GBC**
Adopted:

Staff Ethics

I. Conflict of Interest

No district employee will use his/her district position to obtain personal financial benefit or avoidance of financial detriment or financial gain or avoidance of financial detriment for relatives, household members or for any business with which the employee, household member or relative is associated.

This prohibition does not apply to any part of an official compensation package, honorarium allowed by ORS 244.042, reimbursement of expenses, or unsolicited awards of professional achievement. Further, this prohibition does not apply to gifts from one without a legislative or administrative interest. Nor does it apply if the gift is under the \$50 gift limit for one who has a legislative or administrative interest in any matter subject to the decision or vote of the district employee.

District employees will not engage in, or have a financial interest in, any activity that raises a reasonable question of conflict of interest with their duties and responsibilities as staff members. This means that:

1. Employees will not use their position to obtain financial gain or avoidance of financial detriment from students, parents or staff;
2. Any device, publication or any other item developed during the employee's paid time shall be district property;
3. Employees will not further personal gain through the use of confidential information gained in the course of or by reason of position or activities in any way;
4. No district employee may serve as a Board or budget committee member in the district[.];] [A district or charter school substitute bus driver in a district with an average daily membership of 50 or less may serve as a Board member;]
5. An employee will not perform any duties related to an outside job during his/her regular working hours or during the additional time that he/she needs to fulfill the position's responsibilities; nor will an employee use any district facilities, equipment or materials in performing outside work;
6. If an employee authorizes a public contract, the employee may not have a direct beneficial financial interest in that public contract for two years after the date the contract was authorized.

If an employee has a potential or actual conflict of interest, the employee must notify his/her supervisor in writing of the nature of the conflict and request that the supervisor dispose of the matter giving rise to the conflict.

In order to avoid both potential and actual conflicts of interests, district employees must abide by the following rules when an employee's relative or member of the household is seeking and/or holds a position with the district:

1. A district employee may not appoint, employ, promote, discharge, fire, or demote or advocate for such an employment decision for a relative or a member of the household, unless he/she complies with the conflict of interest requirements of ORS Chapter 244. This rule does not apply to employment decisions regarding unpaid volunteer position, unless it is a Board-related position;
2. A district employee may not participate as a public official in any interview, discussion, or debate regarding the appointment, employment, promotion, discharge, firing, or demotion of a relative or a member of the household. An employee may still serve as a reference, provide a recommendation, or perform other acts that are part of the normal job functions of the employee;
3. More than one member of an employee's family may be hired as a regular district employee. In accordance with Oregon law, however, the district may refuse to hire individuals, or may transfer current employees, in situations where an appointment would place one family member in a position of exercising supervisory, appointment or grievance adjustment authority over another member of the same family. [Employees who are members of the same family may not be assigned to work in the same building except by the superintendent's approval.]

In the *conflict of interest context*, a "member of household" means any person who resides with the employee and "Relative" means:

1. The employee's spouse¹, parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law;
2. The spouse of the employee's parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law.

II. Gifts

District employees must comply with the following rules involving gifts:

Employees are public officials and therefore will not solicit or accept a gift or gifts with an aggregate value in excess of \$50 from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the district employee. All gift-related provisions apply to the employee, and their relatives, and members of their household. The \$50 gift limit applies separately to the employee, and to the employee's relatives or members of household, meaning that the employee and each member of their household and relative can accept up to \$50 each from the same source/gift giver.

1. "Gift" means something of economic value given to an employee without valuable consideration of equivalent value, which is not extended to others who are not public officials on the same terms and conditions.

¹The term spouse includes domestic partner.

2. “Relative”:
 - a. The employee’s spouse¹, parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law;
 - b. The spouse of the employee’s parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law.

3. “Member of the household” means any person who resides with the employee.

Determining the Source of Gifts

Employees should not accept gifts in any amount without obtaining information from the gift giver as to who is the source of the gift. It is the employee’s personal responsibility to ensure that no single source provides gifts exceeding an aggregate value of \$50 in a calendar year, if the source has a legislative or administrative interest in any matter subject to the decision or vote of the district employee. If the giver does not have a legislative/administrative interest, the ethics rules on gifts do not apply and the employee need not keep track of it, although they are advised to do so anyway in case of a later dispute.

Determining Legislative and Administrative Interest

A “legislative or administrative interest” means an economic interest, distinct from that of the general public, in any action subject to the official decision of an employee.

A decision means an act that commits the district to a particular course of action within the employee’s scope of authority and that is connected to the source of the gift’s economic interest. A decision is not a recommendation or work performed in an advisory capacity. If a supervisor delegates the decision to a subordinate but retains responsibility as the final decision maker, both the subordinate and supervisor’s actions would be considered a “decision.”

Determining the Value of Gifts

The fair market value of the merchandise, goods, or services received will be used to determine benefit or value.

“Fair market value” is the dollar amount goods or services would bring if offered for sale by a person who desired, but was not obligated, to sell and purchased by one who is willing, but not obligated, to buy. Any portion of the price that was donated to charity, however, does not count toward the fair market value of the gift if the employee does not claim the charitable contribution on personal tax returns. Below are acceptable ways to calculate the fair market value of a gift:

3. In calculating the per person cost at receptions or meals the payor of the employee’s admission or meal will include all costs other than any amount donated to a charity.

For example, a person with a legislative or administrative interest buys a table for a charitable dinner at \$100 per person. If the cost of the meal was \$25 and the amount donated to charity was \$75, the benefit conferred on the employee is \$25. This example requires that the employee does not claim the charitable contribution on personal tax returns.

4. For receptions and meals with multiple attendees, but with no price established to attend, the source of the employee’s meal or reception will use reasonable methods to determine the per person value

or benefit conferred. The following examples are deemed reasonable methods of calculating value or benefit conferred:

- a. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons whom the payor reasonably expects to attend the reception or dinner;
 - b. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons who actually attend the reception or dinner; or
 - c. The source calculates the actual amount spent on the employee.
5. Upon request by the employee, the source will give notice of the value of the merchandise, goods, or services received.
 6. Attendance at receptions where the food or beverage is provided as an incidental part of the reception is permitted without regard to the fair market value of the food and beverage provided.

Value of Unsolicited Tokens or Awards: Resale value

Employees may accept unsolicited tokens or awards that are engraved or are otherwise personalized items. Such items are deemed to have a resale value under \$25 (even if the personalized item cost the source more than \$50), unless the personalized item is made from gold or some other valuable material that would have value over \$25 as a raw material.

Entertainment

Employees may not solicit or accept any gifts of entertainment over \$50 in value from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision of the employee unless:

7. The entertainment is incidental to the main purpose of another event (i.e., a band playing at a reception). Entertainment that involves personal participation is not incidental to another event (such as a golf tournament at a conference); or
8. The employee is acting in their official capacity for a ceremonial purpose.

Entertainment is ceremonial when an employee appears at an entertainment event for a “ceremonial purpose” at the invitation of the source of the entertainment who requests the presence of the employee at a special occasion associated with the entertainment. Examples of an appearance by an employee at an entertainment event for a ceremonial purpose include: throwing the first pitch at a baseball game, appearing in a parade and ribbon cutting for an opening ceremony.

Exceptions

The following are exceptions to the ethics rules on gifts that apply to employees:

9. Gifts from “relatives” and “members of the household” are permitted in an unlimited amount; they are not considered gifts under the ethics rules;
10. Informational or program material, publications, or subscriptions related to the recipient’s performance of official duties;

11. Food, lodging, and travel generally count toward the \$50 aggregate amount per year from a single source with a legislative/administrative interest, with the following exceptions:
 - a. Organized Planned Events. Employees are permitted to accept payment for travel conducted in the employee's official capacity, for certain limited purposes:
 - (1) Reasonable expenses (i.e., food, lodging, travel, fees) for attendance at a convention, fact-finding mission or trip, or other meeting do not count toward the \$50 aggregate amount IF:
 - (a) The employee is scheduled to deliver a speech, make a presentation, participate on a panel, or represent the district; AND
 - i) The giver is a unit of a:
 - a) Federal, state, or local government;
 - b) An Oregon or federally recognized Native American Tribe; OR
 - c) Nonprofit corporation.
 - (b) The employee is representing the district:
 - i) On an officially sanctioned trade-promotion or fact-finding mission; OR
 - ii) Officially designated negotiations or economic development activities where receipt of the expenses is approved in advance by the superintendent.
 - (2) The purpose of this exception is to allow employees to attend organized, planned events and engage with the members of organizations by speaking or answering questions, participating in panel discussions or otherwise formally discussing matters in their official capacity. This exception to the gift definition does not authorize private meals where the participants engage in discussion.
12. Food or beverage, consumed at a reception, meal, or meeting IF held by an organization and IF the employee is representing the district.

“Reception” means a social gathering. Receptions are often held for the purpose of extending a ceremonial or formal welcome and may include private or public meetings during which guests are honored or welcomed. Food and beverages are often provided, but not as a plated, sit-down meal;
13. Food or beverage consumed by employee acting in an official capacity in the course of financial transactions between the public body and another entity described in ORS 244.020(6)(b)(I)(i);
14. Waiver or discount of registration expenses or materials provided to employee at a continuing education event that the employee may attend to satisfy a professional licensing requirement;
15. A gift received by the employee as part of the usual or customary practice of the employee's private business, employment or position as a volunteer that bears no relationship to the employee's district employment;
16. Reasonable expenses paid to employee for accompanying students on an educational trip.

Honoraria

An employee may not solicit or receive, whether directly or indirectly, honoraria for the employee or any relative or member of the household of the employee if the honoraria are solicited or received in connection with the official duties of the employee.

The honoraria rules do not prohibit the solicitation or receipt of an honorarium or a certificate, plaque, commemorative token, or other item with a value of \$50 or less; or the solicitation or receipt of an honorarium for services performed in relation to the private profession, occupation, avocation, or expertise of the employee.

END OF POLICY

Legal Reference(s):

[ORS 244.010](#) to -244.400
[ORS 332.016](#)

[ORS 659A.309](#)

[OAR 199-005-0003](#) to -199-020-0020
[OAR 584-020-0040](#)

OR. ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS.

Oregon School Boards Association Selected Sample Policy

Code: **GBC-AR**
Revised/Reviewed:

Staff Ethics

District employees are allowed financial benefits as identified in ORS 244.040(2), such as their official compensation package, reimbursed expenses, limited honoraria and unsolicited awards for professional achievement. District employees are prohibited from using or attempting to use his/her district position to obtain a financial gain or to avoid a financial detriment for the district employee, a relative or member of the household of the employee, or any business with which the employee or a relative or member of the household of the employee is associated, if the opportunity for financial gain or avoidance of a financial detriment would not otherwise be available but for the employee's position with the district. Specifically, this means that:

1. Employees will not use district equipment for personal use, unless it is available to a significant segment of the general public. This includes, but is not limited to, the personal use of the district's:
 - a. Fax machine¹;
 - b. Phones to make long distance personal calls;
 - c. District vehicles;
 - d. Professional technology equipment (e.g., wood shop, automotive shop, CAD); and
 - e. Athletic facilities (e.g., pool or weight room).

Further, the district's supplies, facilities, equipment, employees, records or any other public resources are not to be used to engage in private business interests. For example, the district's computer cannot be used to sell products on an auction website during school hours.

2. When employees are traveling on official district business, any gift given because of this travel must be either declined or passed on to the district for use for future district travel. For example, if the hotel where the employee is staying gives the employee a free night's stay on a future visit, this must be declined or given back to the district for future district travel. The frequent flyer miles earned when traveling on official district business can only be used for district travel. If the employee's spouse is traveling with the employee, the employee is responsible for all additional charges (i.e., additional room charge).
3. Employees may not use personal credit cards for district travel or other district business and receive incentives such as cash reimbursements, frequent flyer miles and other benefits based upon the dollar amount of purchases made.
4. Employees may not use discounts offered by private companies for the employee's personal benefit if the discount is only offered because of the employee's official position. For example, an office supplies store provides all teachers a 10 percent discount. Because the teachers are receiving this discount only because of their official position, they cannot use the discount to purchase personal items. Teachers may use the discount to purchase items for district use. Employees can also accept

¹The district could establish a fee schedule that would allow only district employees to pay for the personal use of the district fax machines. If the district established a fee schedule for the use of fax machines the fee schedule must be equal to or exceed the prevailing rates offered at commercial businesses.

the discount if it is also available to a substantial segment of the population who are not public officials.

5. Employees may accept free passes to district extracurricular events if they are attending these events in their official capacity (i.e., chaperoning, ticket sales or managing concession sales). In order to promote employee participation in extracurricular activities, the district may include free passes in employees' official compensation packages or employees may be reimbursed by the district for the cost of admission.
6. The employee's district position is not to be used to take official action that could have a financial impact on a private business with which, the employee, ~~or~~ a relative or member of the employee's household are associated. For example, if the employee's brother owns a pest-control business which is seeking a contract with the district, the employee must declare an actual conflict of interest in writing, describing the nature of the employee's conflict, and provide this to the employee's supervisor.
7. Confidential information gained as a district employee is not to be used to obtain a financial benefit for the employee, a relative or member of the public official's household or a business with which any are associated. For example, the employee should not use the information that a student in his/her class is falling behind in math to provide the parents a referral to the employees' sister's tutoring business.
8. District employees who mentor student teachers may not receive direct payments from sponsoring colleges or universities. The payment may be provided by the college or university to the district, which can then distribute the compensation to the teachers as an element of their official compensation package.
9. District employees must follow Oregon Government Ethics Commission guidelines for outside employment if the employee acts as a chaperone for student group trips on personal time and the district employee accepts compensation in the form of travel expenses from a private business or organization. Specifically, district employees must conduct all activities related to the trip on personal time and cannot use the classroom or school environment to plan the off-campus trip. Employees may use district facilities for this purpose only if they comply with the district's public use of facilities policy. It is not an ethics violation to accept reasonable expenses for accompanying students on an education trip.

These restrictions do not apply if the teacher is chaperoning students on a fact-finding mission that is officially sanctioned by the Board. The definition of a "fact-finding mission" is, in part, any activity related to a cultural or educational purpose. *See* OAR 199-005-0020(3)(a). The district employee must be directly and immediately associated with the event or location being visited. If a district employee only acts as a chaperone and does not provide instruction or guidance for the students in language usage or cultural events, the trip may not meet the requirements of ORS 244.020(6)(H)(i). Further, the employee can only accept the reimbursement of reasonable travel expenses from the private company, not any further compensation.

These restrictions do not apply if the district compensates the district employee for chaperoning the trip.

Oregon School Boards Association Selected Sample Policy

Code: **GBN/JBA**
Adopted:

Sexual Harassment

The Board is committed to the elimination of sexual harassment in district schools and activities. Sexual harassment is strictly prohibited and shall not be tolerated. This includes sexual harassment of students, staff or third parties by other students, staff, Board members or third parties. "Third parties" include, but are not limited to, school volunteers, parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at interdistrict and intradistrict athletic competitions or other school events. "District" includes: district facilities; district premises and nondistrict property if the student or employee is at any district-sponsored, district-approved or district-related activity or function, such as field trips or athletic events, where students are under the control of the district; or where the employee is engaged in district business. The prohibition also includes off duty conduct which is incompatible with district job responsibilities.

Sexual harassment of students and staff shall include, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature when:

1. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits;
2. Submission to or rejection of the conduct or communication is used as the basis for educational decisions affecting a student or employment or assignment of staff;
3. The conduct or communication is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student's educational performance or with an employee's ability to perform his/her job; or creates an intimidating, offensive or hostile educational or working environment. Relevant factors to be considered will include, but not be limited to, did the individual view the environment as hostile; was it reasonable to view the environment as hostile; the nature of the conduct; how often the conduct occurred and how long it continued; age and sex of the complainant; whether the alleged harasser was in a position of power over the student or staff member subjected to the harassment; number of individuals involved; age of the alleged harasser; where the harassment occurred; and other incidents of sexual harassment at the school involving the same or other students or staff.

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

All complaints about behavior that may violate this policy shall be promptly investigated. Any student or employee who has knowledge of conduct in violation of this policy or feels he/she is a victim of sexual harassment must immediately report his/her concerns to the principal, compliance officer or superintendent, who has overall responsibility for all investigations. A student may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate district official. The student and the student's parents or staff member who initiated the complaint shall be notified of the findings of the investigation and, if appropriate, that remedial action has been taken.

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

It is the intent of the Board that appropriate corrective action will be taken by the district to stop the sexual harassment, prevent its recurrence and address negative consequences. Students in violation of this policy shall be subject to discipline up to and including expulsion and/or counseling or sexual harassment awareness training, as appropriate. The age and maturity of the student(s) involved and other relevant factors will be considered in determining appropriate action. Employees in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional sexual harassment awareness training, as appropriate. Other individuals whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or Board.

Additionally, the district may report individuals in violation of this policy to law enforcement officials. Licensed staff, staff registered with the Teacher Standards and Practices Commission (TSPC) and those participating in practicum programs, as specified by Oregon Administrative Rules, shall be reported to TSPC.

The superintendent shall ensure appropriate periodic sexual harassment awareness training or information is provided to all supervisors, staff and students and that annually, the name and position of district officials responsible for accepting and managing sexual harassment complaints, business phone numbers, addresses or other necessary contact information is readily available. This policy as well as the complaint procedure will be made available to all students, parents of students and staff [in student/parent and staff handbooks]. The district's policy shall be posted in all [grade 6 through 12] schools. Such posting shall be by a sign of at least 8 1/2" by 11".

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

END OF POLICY

Legal Reference(s):

[ORS 243.706](#)

[ORS 342.700](#)

[ORS 342.704](#)

[ORS 342.708](#)

[ORS 342.850](#)

[ORS 342.865](#)

[ORS 659.850](#)

[ORS 659A.006](#)

[ORS 659A.029](#)

[ORS 659A.030](#)

[OAR 581-021-0038](#)

[OAR 584-020-0040](#)

[OAR 584-020-0041](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2006).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2006); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2006).

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

Oregon School Boards Association Selected Sample Policy

Code: **JBA/GBN**
Adopted:

Sexual Harassment

The Board is committed to the elimination of sexual harassment in district schools and activities. Sexual harassment is strictly prohibited and shall not be tolerated. This includes sexual harassment of students, staff or third parties by other students, staff, Board members or third parties. "Third parties" include, but are not limited to, school volunteers, parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at interdistrict and intradistrict athletic competitions or other school events. "District" includes: district facilities; district premises and nondistrict property if the student or employee is at any district-sponsored, district-approved or district-related activity or function, such as field trips or athletic events, where students are under the control of the district; or where the employee is engaged in district business. The prohibition also includes off duty conduct which is incompatible with district job responsibilities.

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1. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits;
2. Submission to or rejection of the conduct or communication is used as the basis for educational decisions affecting a student or employment or assignment of staff;
3. The conduct or communication is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student's educational performance or with an employee's ability to perform his/her job; or creates an intimidating, offensive or hostile educational or working environment. Relevant factors to be considered will include, but not be limited to, did the individual view the environment as hostile; was it reasonable to view the environment as hostile; the nature of the conduct; how often the conduct occurred and how long it continued; age and sex of the complainant; whether the alleged harasser was in a position of power over the student or staff member subjected to the harassment; number of individuals involved; age of the alleged harasser; where the harassment occurred; and other incidents of sexual harassment at the school involving the same or other students or staff.

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All complaints about behavior that may violate this policy shall be promptly investigated. Any student or employee who has knowledge of conduct in violation of this policy or feels he/she is a victim of sexual harassment must immediately report his/her concerns to the principal, compliance officer or superintendent, who has overall responsibility for all investigations. A student may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate district official. The student and the student's parents or staff member who initiated the complaint shall be notified of the findings of the investigation and, if appropriate, that remedial action has been taken.

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

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Additionally, the district may report individuals in violation of this policy to law enforcement officials. Licensed staff, staff registered with the Teacher Standards and Practices Commission (TSPC) and those participating in practicum programs, as specified by Oregon Administrative Rules, shall be reported to TSPC.

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END OF POLICY

Legal Reference(s):

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

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

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

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2006).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2006); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2006).

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

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

Oregon School Boards Association Selected Sample Policy

Code: GCAB
Adopted:

Personal ~~Communication~~ Electronic Devices and Social Media - Staff **

Staff possession or use of personal ~~communication~~ electronic devices on district property, in district facilities during the work day and while the staff is on duty in attendance at district-sponsored activities may be permitted subject to the limitations set forth in this policy and consistent with any additional school rules as may be established by the superintendent. At no time, whether on duty or off duty, will a personal ~~communication~~ electronic device be used in a manner that interferes with staff duty and responsibility for the supervision of students.

[A “personal ~~communication~~ electronic device” is a device, not issued by the district, ~~which emits an audible signal, vibrates, displays a message or otherwise summons or delivers a communication to the possessor of the device~~ is capable of electronically communicating, sending, receiving, storing, recording, reproducing, and/or displaying information and data. ~~These devices include, but are not limited to, walkie talkies, long or short range portable radios, portable scanning devices, cellular telephones, pagers, personal digital assistants (PDAs), laptop computers and similar devices with wireless capability. This also includes other digital audio and video devices such as, but not limited to, iPods, radios and TV.~~

Personal ~~cellular telephones/pagers and other digital audio and video devices~~ electronic devices shall be silenced during instructional [or class] time, while on duty or at any other time where such use of the device would cause a disruption of school activities or interfere with work assignment. ~~Cellular telephones~~ Devices which have the capability to take photographs or record video or audio shall not be used for such purposes while on district property or while a staff member is on duty in district-sponsored activities, unless as expressly authorized by the principal or designee for a use directly related to and consistent with the employee’s assigned duties. ~~Laptop eComputers, and PDAs~~ tablets, iPads or similar devices brought to school will be restricted to ~~classroom or instructional related~~ academic activities only during on duty time.

The district will not be liable for loss or damage to personal ~~communication~~ electronic devices brought to district property and district-sponsored activities.

Staff members, while on duty and off duty, will utilize social ~~network~~ media websites (e.g., Facebook, MySpace and Twitter), public websites and blogs, judiciously by not posting confidential information about students, staff or district business.¹ Staff may not post images of district facilities, staff, students, volunteers or parents without written authorization from persons with authority to grant such a release. Staff members, while on duty and off duty, will treat fellow employees, students and the public with respect while posting on social media websites, etc., in order to prevent substantial disruption in school. Communication with students using personal ~~communication~~ electronic devices will be appropriate and professional. Communication with students using personal ~~communication~~ electronic devices regarding nonschool-related matters is prohibited during work hours and strongly discouraged at all other times. If communicating with students electronically regarding school-related matters, staff should use district e-mail using mailing lists to a group of students rather than individual students. Texting students during work hours is [discouraged] [prohibited]. Texting students while off duty is strongly discouraged.

¹Nothing in this policy is intended in any form to limit the right of employees to engage in protected labor activities via the use of social media.

Exceptions to the prohibitions set forth in this policy may be made for health, safety or emergency reasons with superintendent or designee approval.

Staff are subject to disciplinary action up to and including dismissal for using a personal ~~communication~~ electronic device in any manner that is illegal or violates the terms of this policy. Staff actions on social network media websites, public websites, and blogs and other social media, while on or off duty, which disrupt the school environment, are subject to disciplinary action up to and including dismissal. A “disruption”¹ for purposes of this policy includes, but is not limited to, one or more parent threatens to remove their children from a particular class or particular school, actual withdrawal of a student or students from a particular class or particular school and/or a threatened or actual negative impact on the learning environment. The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs, will be reported to law enforcement and/or other appropriate state or federal agencies.

Licensed staff are subject at all times to the Standards of Competent and Ethical Performance for Teachers. (See Board policy GCAA)

The superintendent shall ensure that this policy is available to all employees.

END OF POLICY

Legal Reference(s):

[ORS 167.057](#)
[ORS 163.432](#)
[ORS 163.433](#)
[ORS 163.684](#)
[ORS 163.686](#)
[ORS 163.687](#)

[ORS 163.688](#)
[ORS 163.689](#)
[ORS 163.693](#)

[ORS 163.700](#)
[ORS 163.011](#)

[ORS 326.051](#)
[ORS 332.072](#)
[ORS 332.107](#)
[ORS 336.840](#)

U.S. CONST. amend. XVIII, § 1466A

U.S. CONST. amend. XVIII, § 1470

U.S. CONST. amend. XX, § 7906

U.S. CONST. amend. XX, § 6777

Copyrights, Title 17, as amended, United States Code; 19 CFR Part 133 (2001).

Melzer v. Bd. Of Educ., City of New York, 336 F.3d 185 (2d Cir. 2003).

Ross v. Springfield Sch. Dist., No. FDA 80-1, aff'd, 56 Or. App. 197, rev'd and remanded, 294 Or. 357 (1982), order on remand (1983), aff'd, 71 Or. App. 111 (1984), rev'd and remanded, 300 Or. 507 (1986), order on second remand (1987), revised order on second remand (1988).

HR6/12/14PH

Oregon School Boards Association Selected Sample Policy

Code: **GBNA**
Adopted:

Hazing/Harassment/Intimidation/Bullying/Menacing/Cyberbullying – Staff

The Board is committed to providing a positive and productive learning and working environment. Hazing, harassment, intimidation, bullying, menacing, and acts of cyberbullying of staff, students or third parties by staff, students or third parties is strictly prohibited and shall not be tolerated in the district. Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is also strictly prohibited.

Staff whose behavior is found to be in violation of this policy will be subject to discipline, up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or Board.

Individuals may also be referred to law enforcement officials. Licensed staff will be reported to Teacher Standards and Practices Commission, as provided by OAR 584-020-0041.

The superintendent is directed to develop administrative regulations to implement this policy. Regulations shall include descriptions of prohibited conduct, reporting and investigative procedures and provisions to ensure [annual] notice of this policy is provided to students, staff and third parties.

END OF POLICY

Legal Reference(s):

[ORS 163.190](#)

[ORS 163.197\(2\)](#)

[ORS 166.065](#)

[ORS 166.155 to -166.165](#)

[ORS 332.072](#)

[ORS 332.107](#)

[ORS 659A.030](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).

Oregon School Boards Association Selected Sample Policy

Code: **GBNA-AR**
Revised/Reviewed:

Hazing/Harassment/Intimidation/Bullying/Menacing/Cyberbullying Complaint Procedures – Staff

The following definitions and procedures shall be used for reporting, investigating and resolving complaints of hazing, harassment, intimidation, bullying, menacing and acts of cyberbullying.

Definitions

1. “Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at interdistrict and intradistrict athletic competitions or other school events.
2. “District” includes district facilities, district premises and nondistrict property if the employee is at any district-sponsored, district-approved or district-related activity or function, such as field trips, athletic events or where the employee is engaged in district business.
3. “Hazing” includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student/staff member for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored work activity, work group or work assignment, grade level attainment, (i.e., personal servitude, sexual stimulation/sexual assault, forced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a student/staff); requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article; assignment of pranks to be performed or other such activities intended to degrade or humiliate regardless of the person’s willingness to participate.
4. “Harassment” includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature on the basis of age, race, religion, color, national origin, disability or sexual orientation.
5. “Intimidation” includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another’s property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the basis of race, color, religion, national origin, or sexual orientation.
6. “Cyberbullying” means the use of any electronic communication device to [convey a message in any form (text, image, audio or video) that intimidates, harasses or is otherwise intended to harm],

insults or humiliates another in a deliberate, repeated or hostile and unwanted manner under a person's true or false identity.] [harass, intimidate or bully.]

7. "Menacing" includes, but is not limited to, any act intended to place a district employee, student or third party in fear of imminent serious physical injury.

Retaliation/False Charges

Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Complaint Procedures

[Principals and the superintendent] have responsibility for investigations concerning hazing, harassment, intimidation, bullying, menacing and acts of cyberbullying. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

Any employee who has knowledge of conduct in violation of Board policy JFCF - [Hazing/]Harassment/Intimidation/Bullying/[Menacing/]Cyberbullying/Teen Dating Violence – Student shall immediately report his/her concerns to the designated district official.

Any employee or third party who has knowledge of conduct in violation of ~~this~~ Board policy or feels he/she has been hazed, harassed, intimidated, bullied, cyberbullied or menaced in violation of ~~this~~ Board policy or this administrative regulation [shall] [is encouraged to] immediately report his/her concerns to the designated district official.

Complaints will be promptly investigated in accordance with the following procedures:

- Step 1 Any hazing, harassment, intimidation, bullying, menacing or acts of cyberbullying information (complaints, rumors, etc.) shall be presented to [the principal or superintendent]. Complaints against the principal shall be filed with the superintendent. Information may be presented anonymously. Complaints against the superintendent shall be filed with the Board chair. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.
- Step 2 The district official receiving the complaint shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The district official will arrange such meetings as may be necessary with all concerned parties within [five] working days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The district official(s) conducting the investigation shall notify the complainant and parents as appropriate, [in writing,] when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

[A copy of the notification letter or the date and details of notification to the complainant, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the superintendent.]

Step 3 If the complainant is not satisfied with the decision at Step 2, he/she may submit a written appeal to the superintendent or designee. Such appeal must be filed within [10] working days after receipt of the Step 2 decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant's appeal within [10] working days.

Step 4 If the complainant is not satisfied with the decision at Step 3, a written appeal may be filed with the Board. Such appeal must be filed within [10] working days after receipt of the Step 3 decision. The Board shall, within [20] working days, conduct a hearing at which time the complainant shall be given an opportunity to present the complaint. The Board shall provide a written decision to the complainant within [10] working days following completion of the hearing.

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.

Documentation related to the incident may be maintained as a part of the employee's personnel file. [Additionally, a copy of all hazing, harassment, intimidation, bullying, menacing or acts of cyberbullying complaints and documentation will be maintained as a confidential file in the district office.]

Oregon School Boards Association Selected Sample Policy

Code: **IIA**
Adopted:

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 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 recognition of minority groups and women by placing them frequently in positions of leadership and example. There will be no discrimination or bias or prejudice toward sex, sexual orientation, race, religion, national origin, marital status, disability or age.

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

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

No Child Left Behind Act of 2001, 20 U.S.C. §§ 6311-6322 (2006).

Oregon School Boards Association Selected Sample Policy

Code: **IK**
Adopted:

Academic Achievement**

The Board believes it is important that teachers have as much accurate knowledge of student achievement as possible to assess students' needs and growth; thus, a sharing of information among parent, teacher and student is essential.

The district shall ensure that all students have the opportunity to demonstrate progress toward becoming proficient in the mastery of the knowledge and skills of the student's current grade level or course content level. Students who have not yet met or who exceed all of the standards at any grade level, will be offered additional services or alternative educational or public education school options.

The Board directs staff to follow these guidelines in measuring and reporting determining student progress:

1. Parents and students [may] be informed [at least annually,] of their student's progress to meet or exceed grade level toward achieving the academic content standards, including but not limited to:
 - a. Information on progress in each subject area to meet or exceed the academic content standards at the student's current grade level or course content level, including major goals used to determine the information;
 - b. Specific evidence of student progress on the toward mastery of a continuum of academic knowledge and skills (academic content standards) of a subject area, upon request from a parent;
 - c. [Evidence of the student's progress in a continuum of knowledge and skills that are not academic and that may include student behaviors that are defined by the district;]
 - d. Student scores on all state and local assessments indicating any of the requirements that have been waived for the district or the individual and time periods for the waiver; and
 - e. Student progress toward completion of diploma requirements to parents of students in grades 9-12, including credits earned, demonstration of extended application and demonstration of the Essential Skills.
2. Parents will be alerted and conferred with as soon as possible when a student's performance or attitude becomes unsatisfactory or shows marked or sudden deterioration;
3. Grades and/or portfolio content assessment will be based upon academic performance and will not include student attitude or behavior. Grades will not be used for disciplinary purposes. Absenteeism or misconduct shall not be the sole criterion for the reduction of a student's grade[.] [;] [Behavior performance shall be reported separately;]
4. At comparable levels, the school system will strive for consistency in grading and reporting except when this consistency is inappropriate for certain classes or certain students;

5. When no grades are given but the student is evaluated in terms of progress, the school staff will also provide a realistic appraisal of the student's standing in relation to his/her peers;
6. The staff will take particular care to explain to parents the meaning of marks and symbols used to reflect student performance.

END OF POLICY

Legal Reference(s):

[ORS 107.154](#)

[ORS 329.485](#)

[ORS 343.295](#)

[OAR 581-021-0022](#)

[OAR 581-022-1660](#)

[OAR 581-022-1670](#)

Oregon School Boards Association Selected Sample Policy

Code: **IKA**
Adopted:

Grading and Reporting System**

The district's grading reporting system shall be based on Board-adopted course content and is designed to enable clearly show the student and parent to clearly know how well whether the student is achieving course requirements at the student's current grade level; or course content level; and shall be based on the student's progress toward becoming proficient in mastery of a continuum of academic knowledge and skills; and may be based on the student's progress in a continuum of knowledge and skills that are not academic and that may include student behaviors that are defined by the district. Absenteeism or misconduct shall not be the sole criterion for the reduction of a student's grades. Behavioral performance shall be reported separately.

[Letter grades will be used in the district.]

Grading will be conducted on a [nine-week] basis. The [nine-week] grade will be based on many factors, such as: basic assignments, both oral and written; class participation; special assignments; research; activities of various types and kinds; and special contributions.

At the beginning of the grading period students and parents will be informed regarding the basis of the grades and the methods to be used in determining them.

END OF POLICY

Legal Reference(s):

[ORS 329.485](#)

[OAR 581-021-0022](#)

[OAR 581-022-1670](#)

Oregon School Boards Association Selected Sample Policy

Code: **IKAB**
Adopted:

Student Progress Reports to Parents**

Parents shall ~~may~~ be [annually] informed of their student's progress ~~to meet or exceed grade level toward achieving the~~ academic content standards, including but not limited to:

1. Information on progress in each subject area ~~to meet or exceed the academic content standards of the student's current grade level or course content level~~, including major goals used to determine the information;
2. Specific evidence of student progress ~~on the~~ toward mastery of a continuum of ~~academic~~ knowledge and skills (academic content standards) of a subject area, upon request from a parent;
3. [Evidence of the student's progress in a continuum of knowledge and skills that are not academic and that may include student behaviors that are defined by the district;]
4. Student scores on all state and local assessments indicating any of the requirements that have been waived for the district or the individual and time periods for the waiver; and
5. Student progress toward completion of diploma requirements to parents of students in grades 9-12, including credits earned, demonstration of extended application and demonstration of the Essential Skills.

The school will report a student's progress to the student and to his/her parents. The report will be clear, concise and accurate, and will provide a basis of understanding among teachers, parents and students for the benefit of the individual student. [The Board directs the administration to develop progress report forms or cards in accordance with this policy.]

In an effort to promote effective communications with individuals with disabilities, the school will provide progress reports in an alternative format upon request and with appropriate advance notice.

Full consideration will be given to the requests of the person with a disability in the selection of appropriate auxiliary aids and services.

END OF POLICY

Legal Reference(s):

[ORS 107.154](#)

[ORS 329.485](#)

[OAR 581-022-1670](#)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2011); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2011).

Protection of Pupil Rights, 20 U.S.C. § 1232h (2006); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2006).

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).
Americans with Disabilities Act Amendments Act of 2008.

Oregon School Boards Association Selected Sample Policy

Code: **ING-AR**
Revised/Reviewed:

Animals in District Facilities

Please provide the following information about the ~~assistance~~ **service** animal¹.

1. Parent/Staff and/or emergency contact information: _____

2. ~~Type of assistance animal (breed, age, and history):~~ _____

3. ~~Insurance company insuring the assistance animal:~~ _____

~~Attached proof of insurance:~~ Received Not Received
~~Agent name and address:~~ _____
~~Phone number:~~ _____
4. ~~Proof of current and proper vaccinations:~~ Received Not Received
2. ~~5-~~ Is the ~~assistance~~ **service** animal required due to a disability? Yes No
6. ~~Is the student/staff able to independently care for the assistance animal's needs (i.e., bathroom, feeding, cleaning up messes, hygiene, etc.)~~ Yes No
3. ~~7-~~ Describe the nature of the work or task the ~~assistance~~ **service** animal is trained, or is being trained to do or perform to² meet the student's/staff's individual needs:

6/12/14 | RS

¹The American with Disabilities Act definition of "service animal" means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition. The law and its regulations also make an allowance for miniature horses.

²The district may request this information if the nature of the work or task the assistance animal is trained, or is being trained to do or perform, is not readily apparent.

Oregon School Boards Association Selected Sample Policy

Code: **JFCEB**
Adopted:

Personal Communication Electronic Devices and Social Media** (Version 1) (Student may possess a personal electronic device)

Students may be allowed to use and possess personal ~~communication~~ **electronic** devices on district property and at district-sponsored activities provided such devices are not used in any manner that may disrupt the learning environment or district-sponsored activities, or violate Board policies, administrative regulations, school or classroom rules, state and federal law.¹

[As used in this policy, a “personal ~~communication~~ **electronic device (PED)**” is a device that ~~emits an audible signal, vibrates, displays a message or otherwise summons or delivers a communication to the possessor of the device.~~ **This includes other digital devices such as but not limited to iPods is capable of electronically communicating, sending, receiving, storing, recording, reproducing and/or displaying information and data.**]

If the district implements a curriculum that uses technology, students may be allowed to use their own personal electronic devices to access the curriculum. Students who are allowed to use their own devices to access the curriculum will be granted access to any application or electronic materials when they are available to students who do not use their own devices, or provided free of charge to students who do not use their own devices for curriculum.

Students may not access social media ~~websites~~ using district equipment, while on district property or at district-sponsored activities unless the ~~posting access~~ is approved by a district representative. ~~Social media websites are websites such as, but not limited to, Facebook, MySpace and Twitter.~~

The district will not be liable for personal ~~communications~~ **electronic** devices brought to district property and district-sponsored activities. The district will not be liable for information ~~or~~ comments posted by students on social media websites when the student is not engaged in district activities and not using district equipment.

The superintendent is directed to develop administrative regulations and/or approve school rules as necessary to ensure that student use of such devices is consistent with this policy. Administrative regulations may include grade- or age-level possession and/or use restrictions by students on district property and at district-sponsored activities; ~~consequences for violations;~~ a process for responding to a student’s request to use a personal electronic device, including an appeal process if the request is denied; and such other provisions as the superintendent may deem necessary. The superintendent is responsible for ensuring that pertinent provisions of Board policies, administrative regulations and school rules governing personal ~~communications~~ **electronic** devices are included in **staff handbooks and student/parent handbooks**, reviewed annually and updated as necessary.

¹The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 336.840](#)

Copyrights, 17 U.S.C. §§ 101- 1332; 19 C.F.R. Part 133 (2006).

Oregon School Boards Association Selected Sample Policy

Code: **JFCEB-AR**
Revised/Reviewed:

Personal ~~Communication~~ **Electronic** Devices and Social Media

Students may use and possess personal ~~communication~~ **electronic** devices on district grounds subject to the following:

1. Personal ~~communication~~ **electronic** devices shall not be used in a manner that disrupts the educational process, school programs or activities, or in a manner that violates law, Board policy, administrative regulation or school rules;¹
2. **[Unless as authorized in advance by the [principal] or designee for health or safety reasons, or in the event of an emergency situation that involves imminent physical danger, devices shall be turned on and operated only before and after the regular school day. Personal ~~communication~~ **electronic** devices may be used during the student’s lunch break. They may not be used at any time in the proximity of any class, school activity or event that may be in session or in progress during those times;]**
- ~~3. At no time will any personal communication device which allows for a wireless, unfiltered connection to the Internet be allowed to be used for such purposes while on district property or while the student is engaged in school-sponsored activities;~~
3. **Cell phones** Personal **electronic** devices which have the capability to take “photographs” or “~~moving pictures~~” **record video or audio** shall not be used for such purposes while on district property or at ~~school~~ **district-sponsored** events unless as expressly authorized in advance by the [principal] or designee;
4. **The district shall not be responsible for loss, theft or damage to personal ~~communication~~ **electronic** devices brought to district property or ~~school~~ **district-sponsored** events;**
- ~~5. Personal communication devices must not be displayed in plain view during prohibited times of use;~~
5. **Personal ~~communication~~ **electronic** devices such as Palm Pilots, personal digital assistants (PDAs) and laptop computers,** may be used as electronic study aids during the school day if provided as a part of a student’s individualized education plan (IEP); or if permission is received from the student’s teacher;
6. **The use of personal ~~communication~~ **electronic** devices in any way to send or receive messages, data or information that would pose a threat to academic integrity, contribute to or constitute academic dishonesty is strictly prohibited;**

¹The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.

7. The use of personal ~~communication~~ **electronic** devices in any manner that would violate the confidentiality or privacy rights of another individual is strictly prohibited;
8. Students shall comply with any additional school rules as established by the principal and classroom rules as approved by the principal concerning the appropriate use of personal ~~communication~~ **electronic** devices;
9. Personal ~~communication~~ **electronic** devices used in violation of law, Board policy, administrative regulation or approved school rules will be confiscated, turned in to the school office and returned to the student or parent following parent notification, conference, detention, suspension, expulsion and/or referral to law enforcement officials as appropriate;
10. Students may not access social media **websites** using district equipment, while on district property or at district-sponsored activities unless the ~~posting~~ **access** is approved by a district representative.

Oregon School Boards Association Selected Sample Policy

Code: **JGAB**
Adopted:

Use of Restraint and Seclusion

The Board is dedicated to the development and application of best practices within the district's public educational/behavioral programs. It is the intent of the Board to establish a policy that defines the circumstances that must exist and the requirements that must be met prior to, during and after the use of physical restraint and/or seclusion as an intervention with district students.

Definitions

1. "Physical restraint" means the restriction of a student's movement by one or more persons holding the student or applying physical pressure upon the student. "Physical restraint" does not include touching or holding a student without the use of force for the purpose of directing the student or assisting the student in completing a task or activity. The definition of "physical restraint" does not include the use of mechanical, chemical or prone restraint of a student as these methods are prohibited by Oregon law.
2. "Seclusion" means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving.

Seclusion does not include the removal of a student for a short period of time to provide the student with an opportunity to regain self-control, in a setting from which the student is not physically prevented from leaving.

3. "Serious bodily injury" means any significant impairment of the physical condition of a person, as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else.
4. "Mechanical restraint" means a device used to restrict the movement of a student or the movement or normal function of a portion of the body of a student.

Mechanical restraint does not include:

- a. A protective or stabilizing device ordered by a licensed physician; or
 - b. A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.
5. "Chemical restraint" means a drug or medication that is used on a student to control behavior or restrict freedom of movement that has not been prescribed by a licensed health professional or other qualified health care professional acting under the professional's scope of practice.
 6. "Prone restraint" means a restraint in which a student is held face down on the floor.

The use of physical restraint and/or seclusion is only permitted as a part of a behavioral support plan when other less restrictive interventions would not be effective and the student's behavior poses a threat of imminent, serious physical harm to the student or others.

Except in the case of an emergency, only staff current in the required training in accordance with the district-designated physical restraint and seclusion training program will implement physical restraint or seclusion with a student. In an emergency, physical restraint and/or seclusion may also be used by a school administrator, teacher or other school employee [or volunteer] as necessary when the student's behavior imposes a reasonable threat of imminent, serious bodily injury to the student or to others. The use of physical restraint or seclusion under these circumstances is only allowed so long as the student's behavior poses a threat of imminent, serious physical harm to themselves or to others. Any student being restrained or secluded within the district whether in an emergency or as a part of a plan shall be constantly monitored by staff for the duration of the intervention. Any room used for seclusion of a student must allow staff full view of the student in all areas of the room and be free of potentially hazardous conditions such as unprotected light fixtures and electrical outlets meet the standards as outlined in OAR 581-021-0568.

The district shall utilize the [] training program of physical restraints and seclusion for use in the district. As required by state regulation, the selected program shall include: behavioral support, prevention, de-escalation and crisis response techniques. Any program selected by the district must be in compliance with state and federal law with respect to the use of restraint and/or seclusion.

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

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

7. The total number of incidents of physical restraint;
8. The total number of incidents of seclusion;
9. The total number of seclusions in a locked room;
10. The total number of students placed in physical restraint;
11. The total number of students placed in seclusion;
12. The total number of incidents that resulted in injuries or death to students or personnel as a result of the use of physical restraint or seclusion;
13. The total number of students placed in physical restraint and/or seclusion more than 10 times in a school year and an explanation of what steps have been taken by the district to decrease the use of physical restraint and seclusion for each student;
14. The total number of physical restraint and seclusion incidents carried out by untrained individuals;

15. The demographic characteristics of all students upon whom physical restraint and/or seclusion was imposed;
16. The total number of rooms available for use by the district for seclusion of a student and a description of the dimensions and design of the rooms.

This report shall be made available to the Board and to the public at the district's main office and on the district's website.

At least once each school year the public shall be notified as to how to access the report.

The district shall investigate all complaints regarding the use of restraint and/or seclusion practices according to the procedures outlined in Board policy KL and KL-AR - Public Complaints.

The superintendent shall develop administrative regulations to carry out the requirements set forth in this policy and to meet any additional requirements established by law related to the use, reporting and written documentation of the use of physical restraint or seclusion by district personnel.

END OF POLICY

Legal Reference(s):

[ORS 161.205](#)
[ORS 339.250](#)
[ORS 339.288](#)
[ORS 339.291](#)

[OAR 581-021-0061](#)
[OAR 581-021-0550](#)
[OAR 581-021-0553](#)
[OAR 581-021-0556](#)
[OAR 581-021-0559](#)

[OAR 581-021-0563](#)
[OAR 581-021-0566](#)
[OAR 581-021-0568](#)
[OAR 581-021-0569](#)
[OAR 581-021-0570](#)

Oregon School Boards Association Selected Sample Policy

Code: **LBE-AR**
Revised/Reviewed:

Public Charter Schools

1. Definitions

- a. “Applicant” means any person or group that develops and submits a written proposal for a public charter school to the district.
- b. “Public charter school” means an elementary or secondary school offering a comprehensive instructional program operating under a written agreement entered into between the district and an applicant.
- c. “Virtual Public Charter School” means a public charter school that provides online courses, but does not primarily serve students in a physical location.
 - (1) For the purpose of this definition, an “online course” is a course in which instruction and content are delivered on a computer using the internet, other electronic network or other technology such as CDs or DVDs; the student and teacher are in different physical locations for the majority of instructional time; the student is not required to be in a physical location of a school while participating in the course; and the online instruction is integral to the academic program of the charter school.
 - (2) For the purpose of this definition, “primarily serving students in a physical location” means that more than 50 percent of the core courses offered are not online courses; more than 50 percent of the total number of students attending the school are not receiving instructional services in an online course; and more than 50 percent of the school’s required instructional hours are not through an online course.
- d. “Remote and necessary school district” means a school district that offers kindergarten through grade 12 and has: (a) an average daily membership (ADM), as defined in ORS 327.006, in the prior fiscal year of less than 110; and (b) a school that is located, by the nearest traveled road, more than 20 miles from the nearest school or from a city with a population of more than 5,000.
- e. “Sponsor” means the district Board.

2. Proposal Process

- a. The public charter school applicant shall submit the proposal to the district no later than [180 days prior to the proposed starting date] [by the date determined by the district][insert district’s identified date]¹.

¹The date shall be at least 180 days prior to the date that the public charter school would begin operating and give a reasonable period of time for the school district board to complete the approval process and the public charter school to begin operating by the beginning of the school year.

- b. To be considered complete, the proposal for a public charter school shall include the following:
- (1) The identification of the applicant;
 - (2) The name of the proposed public charter school;
 - (3) A description of the philosophy and mission of the public charter school [and how it differs from the district's current program and philosophy];
 - (4) A description of any distinctive learning or teaching techniques to be used;
 - (5) A description of the curriculum of the public charter school;
 - (6) A description of the expected results of the curriculum and the verified methods of measuring and reporting results that will allow comparisons with district schools;
 - (7) The governance structure [public charter school board membership, selection, duties and responsibilities];
 - (8) The projected enrollment including the ages or grades to be served;
 - (9) The target population of students the public charter school is designed to serve;
 - (10) The legal address, facilities and physical location of the public charter school [and applicable occupancy permits and health and safety approvals];
 - (11) A description of admission policies and application procedures;
 - (12) The statutes and rules that shall apply to the public charter school;
 - (13) The proposed budget and financial plan including evidence that the proposed budget and financial plan are financially sound;
 - (14) A financial management system that includes:
 - (a) A description of a financial management system for the public charter school. The financial management system must include a budget and accounting system that:
 - (i) Is compatible with the budget and accounting system of the sponsor of the school; and
 - (ii) Complies with the requirements of the uniform budget and accounting system adopted by the State Board of Education under OAR 581-023-0035.
 - (b) A plan for having the financial management system in place at the time the school begins operating.
 - (15) The standards for behavior and the procedures for the discipline, suspension or expulsion of students;
 - (16) The proposed school calendar, including the length of the school day and length of the school year;
 - (17) A description of the proposed school staff and required qualifications of teachers [including a breakdown of professional staff who hold a valid teaching license issued by the Teacher Standards and Practices Commission (TSPC) and those who do not hold a license but are registered with the TSPC] (At least one-half of the full-time equivalent teaching and administrative staff of the public charter school shall be licensed.);
 - (18) The date upon which the public charter school would begin operating;
 - (19) The arrangements for any necessary special education and related services for students with disabilities who qualify under the Individuals with Disabilities Education Act (IDEA) and special education or regular education and related services for students who qualify under Section 504 of the Rehabilitation Act of 1973 who may attend the public charter school;

- (20) Information on the manner in which community groups may be involved in the planning and development process of the public charter school;
- (21) The term of the charter;
- (22) The plan for performance bonding or insuring the public charter school, including buildings and liabilities;
- (23) A proposed plan for the placement of public charter school teachers, other employees and students upon termination or nonrenewal of a charter;
- (24) The manner in which the public charter school program review and fiscal audit will be conducted;
- (25) In the case of a district school's conversion to charter status, the following additional criteria must be addressed:
 - (a) The alternate arrangements for students who choose not to attend the public charter school and for teachers and other school employees who choose not to participate in the public charter school;
 - (b) The relationship that will exist between the public charter school and its employees including terms and conditions of employment.
- (26) The district will not complete the review required under ORS 338.055 of an application that does not contain the required components listed in ORS 338.045 (2)(a) - (x). A good faith determination of incompleteness is not a denial for purposes of requesting state board review under ORS 338.075;
- (27) In addition to the minimum requirements enumerated in ORS 338.045 (2)(a) - (x), the district, under ORS 338.045 (3), may require the applicant to submit any of the following information as necessary to add detail or clarity to the minimum requirements or that the Board considers relevant to the formation or operation of the public charter school:
 - (a) Curriculum, Instruction and Assessment
 - (i) [Description of a curriculum for each grade of students, which demonstrates in detail alignment with Oregon's academic content standards;
 - (ii) Description of instructional goals in relationship to Oregon's academic content standards and benchmarks;
 - (iii) A planned course statement for courses taught in the program, including related content standards, course criteria, assessment practices and state required work samples that will be collected;
 - (iv) Documentation that reflects consideration of credits for public charter school course work a student may perform at any other public school;
 - (v) Explanation of grading practices for all classes and how student performance is documented;
 - (vi) Explanation of how the proposed academic program will be aligned with that of the district. (If an applicant is proposing an elementary level public charter school, please describe how the curriculum is aligned at each grade level with the district's curriculum, including an explanation of how a student in the public charter school will be adequately prepared to re-enter the district's public school system after completing the charter school's program.);
 - (vii) Description of the student assessment system, including how student academic progress will be measured at each grade level and any specific assessment instruments that will be used;

- (viii) Description of the plan for reporting student progress to parents, students and the community;
- (ix) Description of policies and procedures regarding diplomas and graduation;
- (x) Description of policies and practices for meeting the needs of students who are not successful in the regular program;
- (xi) Identification of primary instructional materials by publisher, copyright date, version and edition for each academic content area in each grade;
- (xii) Identification of major supplementary material in core academic content areas and the criteria for use with students;
- (xiii) Description of how the public charter school will meet the unique learning needs of students working above and below grade level, including but not limited to, talented and gifted students;
- (xiv) Description of how the public charter school staff will identify and address students' rates and levels of learning;
- (xv) Description of strategies the public charter school staff will use to create a climate conducive to learning and positive student engagement;
- (xvi) Documentation that demonstrates improvements in student academic performance over time (both individual and program/grade level) from any private alternative school operated by the public charter school applicant, if applicable;
- (xvii) Description of how teachers will utilize current student knowledge and skills to assist in the design of appropriate instruction;
- (xviii) Identification of how the public charter school will provide access to national assessments such as PSAT, SAT and ACT, if applicable;
- (xix) Description of parental involvement, content of planned meetings and how the school will adjust any meeting to meet the needs of working parents;
- (xx) Description of distance learning options available to students, including the grade levels and amount of instruction offered to students, if applicable.]

(b) State and Federal Mandates/Special Education

- (i) [Description of how the public charter school will meet any and all requirements of No Child Left Behind, which also specifically addresses adequate yearly progress (AYP) and the safe schools aspects of the law;
- (ii) Description of how the public charter school will collect AYP information on all subgroup populations in the school;
- (iii) Description of specific program information regarding curriculum and how specially designed instruction is delivered for special education students. (Include methodologies, data collection systems and service delivery models used.);
- (iv) Description of how the public charter school will serve the needs of talented and gifted students, including screening, identification and services;
- (v) Description of how the public charter school will deliver services and instruction to English Language Learners (ELL), including descriptions of curriculum, methodology and program accommodations;
- (vi) Description of how the public charter school will work with the district to comply with Section 504 accessibility requirements and nondiscrimination requirements in admissions and staff hiring;
- (vii) Explanation of how the public charter school will work with the district to implement Child Find requirements;

- (viii) Explanation of how the public charter school will work with the district to manage IDEA 2004 mandates regarding eligibility, individual education program (IEP) and placement meetings;
 - (ix) Explanation of how the public charter school will work with the district in which the public charter school is located to implement accommodations and modifications contained in the IEP or Section 504 plan;
 - (x) Explanation of how the public charter school will work with the district to include parents in implementing IEPs;
 - (xi) Explanation of how the public charter school intends to work with the district in which the public charter school is located to provide special education services for eligible students.]
- (c) Teacher Certification
- (i) [Identification regarding the training and/or certification of staff, including areas of industry training, endorsements and the TSPC licensure;
 - (ii) Explanation of how the public charter school will meet the federal mandate of “highly qualified” teachers contained in No Child Left Behind;
 - (iii) Identification of which teachers are Oregon Proficiency-based Admission Standards System (PASS) trained by content areas and year of training or re-training, if applicable;
 - (iv) Explanation of how the public charter school will comply with the TSPC requirements for all staff, including all TSPC Oregon Administrative Rules pertaining to its staff.]
- (d) Professional Development
- (i) [Provide the public charter school’s plan for comprehensive professional development for all staff;
 - (ii) Identification of how the public charter school’s licensed staff will obtain their required Continuing Professional Development units for licensure renewal.]
- (e) Budget
- (i) [Explanation of projected budget item for the Public Employees Retirement System (PERS) contributions that would be required of the public charter school;
 - (ii) Description of planned computer and technology support;
 - (iii) Description of planned transportation costs, if applicable;
 - (iv) Explanation of projected budget items for teaching salaries and other personnel contracts;
 - (v) Explanation on facilities costs, including utilities, repairs, and rent;
 - (vi) Copies of municipal audits for any other public charter school operated by the public charter school applicant, if applicable.]

(f) Policy

[Copies of any policy that the public charter school intends to adopt:

- (i) Which address expectations of academic standards for students and transcribing of credits;
- (ii) On student behavior, classroom management, suspensions and expulsions, which must contain an explanation of how the charter school will handle a student expelled from another district for reasons other than a weapons violation;
- (iii) Regarding corporal punishment including descriptions;
- (iv) Regarding dispensing of medication to students who are in need of regular medication during school hours;
- (v) Regarding reviewing and selecting instructional materials;
- (vi) Regarding solicitation/advertising/fundraising by nonschool groups;
- (vii) Regarding field trips;
- (viii) Regarding student promotion and retention;
- (ix) Regarding student publications;
- (x) Regarding staff/student vehicle parking and use;
- (xi) Regarding diplomas and graduation, and also participation in graduation exercises;
- (xii) Regarding student/parent/public complaints;
- (xiii) Regarding visitors;
- (xiv) Regarding staff discipline, suspension or dismissal.]

(g) Other Information

- (i) [Plans for use of any unique district facilities including, but not limited to, gymnasiums, auditoriums, athletic fields, libraries, cafeterias, computer labs and music facilities;
- (ii) Plans for child nutrition program(s);
- (iii) Plans for student participation in extracurricular activities pursuant to Oregon School Activities Association and Board policy, regulations and rules;
- (iv) Plans for counseling services;
- (v) Explanation of contingency plans for the hiring of substitute professional and classified staff;
- (vi) Description of how the public charter school will address the rights and responsibilities of students;
- (vii) Description of how the public charter school will handle situations involving student, possession, use or distribution of illegal drugs, weapons, flammable devices and other items that may be used to injure others;
- (viii) Description of procedures on how the public charter school will handle disciplinary referrals and how they will impact student promotion and advancement;
- (ix) Copies of program reviews conducted by other school districts that may have referred students to another public charter school operated by the public charter school applicant, if applicable;
- (x) Description of the typical school day for a student, including a master schedule, related activities, breaks and extracurricular options;

- (xi) Description of how student membership will be calculated, including a description of the type of instruction and location of instruction that contributes to ADM;
- (xii) Documentation and description of how long most students remain in the program, and documentation of student improvement in academic performance, disciplinary referrals, juvenile interventions, or any other disciplinary action while in the program;
- (xiii) Explanation of the legal relationship between the public charter school and any other public charter school, if applicable. (Please provide any contracts or legal documents that will create the basis of the relationship between the entities. Please also provide all financial audits and auditor's reports.);
- (xiv) If a public charter school applicant is operating any other public charter school, documentation that the public charter school applicant has established a separate Oregon nonprofit corporation, legally independent of any other public charter school in operation;
- (xv) If a public charter school applicant has not secured a facility at the time of submitting a public charter school proposal, a written and signed declaration of intent that states:

If given any type of approval (conditional or unconditional), the public charter school applicant promises to provide to the school district liaison, at least [sixty (60)] days before the intended date to begin operation of the public charter school, proof that it will be able to secure, at least [thirty (30)] days before the intended date to begin operation of the public charter school, a suitable facility, occupancy and safety permits and insurance policies with minimum coverages required by the school district in school board policy and administrative regulation LBE that sets forth the requirements and process for the school board in reviewing, evaluating and approving a public charter school.

If the public charter school applicant fails to provide proof of an ability to secure a facility and all necessary occupancy and safety permits and insurance that is required by the school district as a condition of approval by the due date, it will withdraw its application to begin operation of a public charter school for the upcoming school year.

By signing this document, I affirm that I am authorized to make the promises stated above on behalf of the public charter school applicant. I understand that failure to fulfill the conditions listed above will result in an approval becoming void, and will automatically revoke any type of approval that the school board previously granted to the public charter school applicant.

Name

Date

On behalf of the [ADD APPLICANT'S NAME]]

The public charter school applicant will organize and label all information required in section 27 to correspond to the requested numbers.

- (28) Each member of the proposed public charter school’s governing body must provide an acknowledgment of understanding of the standards of conduct and the liabilities of a director of a nonprofit organization in ORS 65.

3. Proposal Review Process

- a. [The superintendent may appoint an advisory committee to review public charter school proposals and submit a recommendation to the Board. The committee will consist of district representatives, community members and others as deemed appropriate.]
- b. Within 30 business days of receipt of a proposal, the district will notify the applicant as to the completeness of the proposal and identify the specific elements of the proposal that are not complete. The district shall provide the applicant with a reasonable opportunity to complete the proposal. Proposals that minimally address or leave out any of the required components are not complete and [may] [will] be returned to the applicant.
- c. Within 60 days after the receipt of a completed proposal that meets the requirements of law and the district, the Board shall hold a public hearing on the provisions of the public charter school proposal.
- d. The Board must evaluate a proposal in good faith using the following criteria:
 - (1) The demonstrated sustainable support for the proposal by teachers, parents, students and other community members, including comments received at the public hearing;
 - (2) The demonstrated financial stability of the proposed public charter school including the demonstrated ability of the school to have a sound financial management system that:
 - (a) Is in place at the time the school begins operating;
 - (b) Is compatible with the budget and accounting system of the sponsor of the school; and
 - (c) Complies with the requirements of the uniform budget and accounting system adopted by the State Board of Education under OAR 581-023-0035.
 - (3) The capability of the applicant in terms of support and planning to provide comprehensive instructional programs;
 - (4) The capability of the applicant in terms of support and planning to provide comprehensive instructional programs to students identified by the applicant as academically low achieving;
 - (5) The adequacy of the information provided as required in the proposal criteria;
 - (6) Whether the value of the public charter school is outweighed by any directly identifiable, significant and adverse impact on the quality of the public education of students residing in the district[.];[;]

[A “directly identifiable, significant and adverse impact” is defined as an adverse loss or reduction in staff, student, program or funds that may reduce the quality of existing district educational programs. This may include, but not be limited to, the following current data as compared to similar data from preceding years:

- (a) Student enrollment;
- (b) Student teacher ratio;
- (c) Staffing with appropriately licensed or endorsed personnel;

- (d) Student learning and performance;
 - (e) Specialty programs or activities such as music, physical education, foreign language, talented and gifted and English as a second language;
 - (f) Revenue;
 - (g) Expenditure for maintenance and upkeep of district facilities.]
- (7) Whether there are arrangements for any necessary special education and related services;
 - (8) Whether there are alternative arrangements for students, teachers and other school employees who choose not to attend or be employed by the public charter school if the public charter school is converting an existing district school;
 - (9) The prior history, if any, of the applicant in operating a public charter school or in providing educational services.
- e. The Board must either approve or deny the proposal within 30 days of the public hearing.
 - f. Written notice of the Board's action shall be sent to the applicant. If denied, the notice must include the reasons for the denial with suggested remedial measures. The applicant may then resubmit the proposal. The Board must either approve or deny the resubmitted proposal within 20 days. The Board may, with good cause, request an extension in the approval process timelines from the State Board of Education.

4. Terms of the Charter Agreement

- a. Upon Board approval of the proposal, the Board will become the sponsor of the public charter school. The district and the applicant must develop a written charter agreement, subject to Board approval, which shall act as the legal authorization for the establishment of the public charter school.
- b. The charter agreement shall be legally binding and must be in effect for a period of not more than five years but may be renewed by the district.
- c. The district and the public charter school may amend a charter agreement through joint agreement.
- d. It is the intent of the Board that the charter agreement be detailed and specific to protect the mutual interests of the public charter school and the district. The agreement shall incorporate the elements of the approved proposal and will address additional matters, statutes and rules not fully covered by law or the proposal that shall apply to the public charter school including, but not limited to, the following:
 - (1) [Sexual harassment (ORS 342.700, 342.704);]
 - (2) [Pregnant and parenting students (ORS 336.640);]
 - (3) [Special English classes for certain children (ORS 336.079);]
 - (4) [Student conduct (ORS 339.250);]
 - (5) [Alcohol and drug abuse program (ORS 336.222);]
 - (6) [Student records (ORS 326.565);]
 - (7) [Oregon Report Card (ORS 329.115);]
 - (8) [Recovery of costs associated with property damage (ORS 339.270);]
 - (9) [Use of school facilities (ORS 332.172);]
 - (10) Employment status of public charter school employees:

- (a) Public charter school law requires the following:
 - (i) Employee assignment to a public charter school shall be voluntary;
 - (ii) A public charter school or the sponsor of the public charter school may be considered the employer of any employees of the public charter school;
 - (iii) If the Board is not the sponsor of the public charter school, it shall not be the employer and shall not collectively bargain with the employees;
 - (iv) A public charter school employee may be a member of a labor organization or organize with other employees to bargain collectively. The bargaining unit may be separate from other bargaining units of the district;
 - (v) The public charter school governing body shall control the selection of employees at the public charter school;
 - (vi) The Board shall grant a leave of absence to any employee who chooses to work in the public charter school. The length and terms of the leave of absence shall be set by collective bargaining agreement or by Board policy; however, the length of leave of absence may not be less than two years unless:
 - 1) The charter of the public school is terminated or the public charter school is dissolved or closed during the leave of absence; or
 - 2) The employee and the Board have mutually agreed to a different length of time.
 - (vii) An employee of a public charter school operating within the district who is granted a leave of absence and returns to employment with the district shall retain seniority and benefits as an employee, pursuant to the terms of the leave of absence.
- (b) The terms and conditions of employment addressed in the agreement may include, but not limited to, the following provisions:
 - (i) A proposed plan for the placement of teachers and other school employees upon termination or nonrenewal of the charter;
 - (ii) Arrangements for employees who choose not to be employed or participate in the public charter school, if a district school has been converted to a public charter school;
 - (iii) [Salary for professional staff or wages for classified staff;]
 - (iv) [Health benefits;]
 - (v) [Leaves, including timing, commencement and duration of leave; voluntary and involuntary termination and return to work; whether the leave is paid or unpaid; and a description of benefits upon termination of leave (i.e., same, similar or available position and salary schedule placement);]
 - (vi) [Work year;]
 - (vii) [Working hours;]
 - (viii) [Discipline and dismissal procedures;]
 - (ix) [Arrangements to secure substitutes;]
 - (x) [Arrangements to ensure that 50 percent of the total full-time equivalent teaching and administrative staff are licensed;]
 - (xi) [Hiring practices;]
 - (xii) [Evaluation procedures.]

(11) Student enrollment, application procedures and whether the public charter school will admit nonresident students and on what basis:

(a) Public charter school law requires the following:

(i) Student enrollment shall be voluntary. If the number of applicants exceeds the capacity, students shall be selected through a lottery process. [All resident applicants will have their names written on a uniform-sized card to be placed in a covered container. Names will be drawn individually until all available slots are filled. If slots remain after resident applicants are placed, the remaining slots may be filled by nonresident applicants using an identical process. The drawing shall be made in the presence of at least two employees of the public charter school and two employees of the district.] If the public charter school has been in operation one or more years, priority enrollment will be given to those students who:

- 1) Were enrolled in the public charter school the prior year;
- 2) Have siblings who are presently enrolled in the public charter school and who were enrolled the prior year;
- 3) [²][Only when the public charter school is party to a cooperative agreement for the purpose of forming a partnership to provide educational services, reside in:
 - a) The public charter school's sponsoring district; or
 - b) A district which is a party to the cooperative agreement.]

i) [OR]

3) [²][Reside in the public charter school's sponsoring district or a district which is a party to a cooperative agreement with the sponsoring district.]

(ii) A public charter school may not limit student admission based on ethnicity, national origin, race, religion, disability, sex, sexual orientation, income level, proficiency in the English language or athletic ability but may limit admission within a given age group or grade level.

(12) Transportation of students:

(a) Public charter school law requires the following:

(i) The public charter school shall be responsible for providing transportation for its students and may negotiate with the district for the provision of transportation services;

²[District should choose one of the options presented as "3)" above.]

- (ii) The district shall provide transportation for public charter school students pursuant to ORS 327.043. Resident public charter school students will be transported under the same conditions as students attending private or parochial schools located along or near established district bus routes. The district shall not be required to add or extend existing bus routes;
 - (iii) Public charter school students who reside outside the district may use existing bus routes and transportation services of the district in which the public charter school is located;
 - (iv) Any transportation costs incurred by the district shall be considered approved transportation costs.
- (13) The plan for performance bonding or insuring the public charter school sufficient to protect the district. Documentation shall be submitted prior to agreement approval.
- (a) [Insurance³:
- (i) Commercial General Liability Insurance in an amount of not less than \$1,000,000 combined single limit per occurrence/\$3,000,000 annual aggregate covering the public charter school, the governing board, employees and volunteers against liability for damages because of personal injury, bodily injury, death or damage to property including the loss of use thereof. Coverage to include, but not limited to, contractual liability, advertisers' liability, employee benefits liability, professional liability and teachers' liability;
 - (ii) Liability Insurance for Directors and Officers in an amount not less than \$1,000,000 each loss/\$3,000,000 annual aggregate covering the public charter school, the governing board, employees and volunteers against liability arising out of wrongful acts and employment practices. Continuous "claims made" coverage will be acceptable, provided the retroactive date is on the effective date of the charter;
 - (iii) Automobile Liability Insurance in an amount not less than \$1,000,000 combined single limit covering the public charter school, the governing board, employees and volunteers against liability for damages because of bodily injury, death or damage to property, including the loss of use thereof arising out of the ownership, operation, maintenance or use of any automobile. The policy will include underinsured and uninsured motorist vehicle coverage at the limits equal to bodily injury limits;
 - (iv) Workers' Compensation Insurance shall also be maintained pursuant to Oregon laws (ORS Chapter 656). Employers' liability insurance with limits of \$100,000 each accident, \$100,000 disease each employee and \$500,000 each policy limit;
 - (v) Honesty Bond to cover all employees and volunteers. Limits to be determined by the governing board, but no less than \$25,000. Coverage shall include faithful performance and loss of moneys and securities;

³Insurance requirements for individual public charter schools may vary and should be reviewed by legal counsel and an insurance representative.

- (vi) Property Insurance shall be required on all owned or leased buildings or equipment. The insurance shall be written to cover the full replacement cost of the building and/or equipment on an “all risk of direct physical loss basis,” including earthquake and flood perils.
- (b) Additional requirements:
- (i) The district shall be an additional insured on commercial general and automobile liability insurance. The policies shall provide for a 90-day written notice of cancellation or material change. A certificate evidencing all of the above insurance shall be furnished to the district;
 - (ii) The public charter school shall also hold harmless and defend the district from any and all liability, injury, damages, fees or claims arising out of the operations of the public charter school operations or activities;
 - (iii) The district shall be loss payee on the property insurance if the public charter school leases any real or personal district property;
 - (iv) The coverage provided and the insurance carriers must be acceptable to the district.]
- e. If the district and the public charter school enter a cooperative agreement with other school districts for the purpose of forming a partnership to provide educational services, then the agreement must be incorporated into the charter of the public charter school.
- f. In addition to any other terms required to be in the charter agreement, a virtual public charter school must have in the charter of the school, a requirement that the school:
- (1) Monitor and track student progress and attendance; and
 - (2) Provide student assessments in a manner that ensures that an individual student is being assessed and that the assessment is valid.

5. Public Charter School Operation

- a. The public charter school shall operate at all times in accordance with the public charter school law, the terms of the approved proposal and the charter agreement.
- b. Statutes and rules that apply to the district shall not apply to the public charter school except the following, as required by law, shall apply:
 - (1) Federal law, including applicable provisions of the No Child Left Behind Act of 2001;
 - (2) Public records law (ORS 192.410 to 192.505);
 - (3) Public meetings law (ORS 192.610 to 192.690);
 - (4) ORS Chapters 279A, 279B and 279C (Public Contracting Code);
 - (5) ORS 326.565, 326.575 and 326.580 (student records);
 - (6) Municipal audit law (ORS 297.405 to 297.555 and 297.990);
 - (7) Criminal records check (ORS 181.534, 326.603, 326.607, 342.223 and 342.232);
 - (8) Textbooks (ORS 337.150);
 - (9) ORS 339.119 (considerations for educational services);
 - (10) ORS 336.840 (use of personal electronic devices);
 - (11) Tuition and fees (ORS 339.141, 339.147 and 339.155);
 - (12) Discrimination (ORS 659.850, 659.855 and 659.860);
 - (13) Tort claims (ORS 30.260 to 30.300);
 - (14) ORS Chapter 657 (Employment Department law);

- (15) Health and safety statutes and rules;
- (16) Any statute or rule listed in the charter;
- (17) The statewide assessment system developed by the Oregon Department of Education (ODE) for Mathematics, Science and English under ORS 329.485 (2);
- (18) The academic content standards and instruction (ORS 329.045);
- (19) Any statute or rule that establishes requirements for instructional time;
- (20) Prohibition of infliction of corporal punishment (ORS 339.250 (12));
- (21) Reporting of suspected abuse of a child and sexual conduct, and training on prevention and identification of abuse and sexual conduct (ORS 339.370, 339.372, 339.388 and 339.400);
- (22) Diploma, modified diploma, extended diploma and alternative certificate standards (ORS 329.451);
- (23) Statutes and rules that expressly apply to public charter schools;
- (24) Statutes and rules that apply to special government body ORS 174.117, or public body ORS 174.109;
- (25) ORS Chapter 338.

- c. The public charter school may employ as a teacher or administrator a person who is not licensed by the TSPC; however, at least one-half of the total full-time equivalent teaching and administrative staff at the public charter school shall be licensed by the commission, pursuant to ORS 342.135, 342.136, 342.138 or 342.140.
- d. A board member of the school district in which the public charter school is located may not serve as a voting member of the public charter school's board, yet may serve in an advisory capacity.
- e. The public charter school shall participate in the PERS.
- f. The public charter school shall not violate the Establishment Clause of the First Amendment to the United States Constitution or Section 5, Article I of the Oregon Constitution, or be religion based.
- g. The public charter school shall maintain an active enrollment of at least 25 students, unless the public charter school is providing educational services under a cooperative agreement entered into for the purpose of forming a partnership to provide educational services.
- h. The public charter school may sue or be sued as a separate legal entity.
- i. The public charter school may enter into contracts and may lease facilities and services from the district, education service district, state institution of higher education, other governmental unit or any person or legal entity.
- j. The public charter school may not levy taxes or issue bonds under which the public incurs liability.
- k. The public charter school may receive and accept gifts, grants and donations from any source for expenditure to carry out the lawful functions of the school.
- l. The district shall offer a high school diploma, modified diploma, extended diploma, alternative certificate to any public charter school student located in the district who meets the district's and state's standards for a high school diploma, modified diploma, extended diploma, alternative certificate.
- m. A high school diploma, modified diploma, extended diploma, alternative certificate issued by a public charter school shall grant to the holder the same rights and privileges as a high school diploma, modified diploma, extended diploma, alternative certificate issued by a nonchartered public school.
- n. Upon application by the public charter school, the State Board of Education may grant a waiver of certain public charter school law provisions if the waiver promotes the development of programs by providers, enhances the equitable access by underserved families to the public education of their choice, extends the equitable access to public support by all students or

permits high quality programs of unusual cost. This waiver request must specify the reasons the public charter school is seeking the waiver and further requires the public charter school to notify the sponsor if a waiver is being considered.

6. Virtual Public Charter School Operation

- a. In addition to the other requirements for a public charter school, a virtual public charter school must have:
 - (1) A plan for academic achievement that addresses how the school will improve student learning and meet academic content standards required by ORS 329.045;
 - (2) Performance criteria the school will use to measure the progress of the school in meeting the academic performance goals set by the school for its first five years of operation;
 - (3) A plan for implementing the proposed education program of the school by directly and significantly involving parents and guardians of students enrolled in the school and involving the professional employees of the school;
 - (4) A budget, business plan and governance plan for the operation of the school;
 - (5) An agreement that the school will operate using an interactive, Internet-based technology platform that monitors and tracks student progress and attendance in conjunction with performing other student assessment functions;
 - (6) An agreement to employ only licensed teachers who are highly qualified as described in the Federal No Child Left Behind Act of 2001;
 - (7) A plan that ensures:
 - (a) All superintendents, assistant superintendents and principals of the schools are licensed by the TSPC to administrate; and
 - (b) Teachers who are licensed to teach by the TSPC and who are highly qualified as described in the federal No Child Left Behind Act of 2001 teach at least 95 percent of the school's instructional hours.
 - (8) A plan for maintaining student records and school records, including financial records, at a designated central office of operations;
 - (9) A plan to provide equitable access to the education program of the school by ensuring that each student enrolled in the school:
 - (a) Has access to and use of a computer and printer equipment as needed;
 - (b) Is offered an Internet service cost reimbursement arrangement under which the school reimburses the parent or guardian of the student, at a rate set by the school, for the costs of obtaining Internet service at the minimum connection speed required to effectively access the education program provided by the school; or
 - (c) Has access to and use of computer and printer equipment and is offered Internet service cost reimbursement.
 - (10) A plan to provide access to a computer and printer equipment and the Internet service cost reimbursement as described in (8) above by students enrolled in the school who are from families that qualify as low-income under Title I of the federal Elementary and Secondary Education Act of 1965 (20 USC 6301 et seq);
 - (11) A plan to conduct school-sponsored optional educational events at least six times each school year at locations selected to provide convenient access to all students in the school who want to participate;

- (12) A plan to conduct biweekly meetings between teachers and students enrolled in the school, either in person or through the use of conference calls or other technology;
 - (13) A plan to provide opportunities for face-to-face meetings between teachers and students enrolled in the school at least six times each school year;
 - (14) A plan to provide written notice to both the sponsoring district and the district in which the student resides upon enrollment or withdrawal for a reason other than graduation from high school:
 - (a) If notice is provided due to enrollment, then the notice must include the student's name, age, address and school at which the student was formerly enrolled;
 - (b) If notice is provided due to withdrawal for a reason other than graduation from high school, then notice must include the student's name, age, address, reason for withdrawal (if applicable) and the name of the school in which the student intends to enroll (if known).
 - (15) An agreement to provide a student's education records to the student's resident school district or to the sponsor upon request of the resident school district or sponsor.
- b. The sponsor of a virtual public charter school or a member of the public may request access to any of the documents described in a. above.
 - c. If a virtual public charter school or the sponsor of a virtual public charter school contracts with a for-profit entity to provide educational services through the virtual public charter school, the for-profit entity may not be the employer of any employees of the virtual public charter school.
 - d. The following limitations apply:
 - (1) School board members of the virtual public charter school's sponsoring district may not be:
 - (a) An employee of the virtual public charter school;
 - (b) A member of the governing body of the virtual public charter school;
 - (c) An employee or other representative of any third-party entity with which the virtual public charter school has entered into a contract to provide educational services.
 - (2) Members of the governing body of the virtual public charter school may not be an employee of a third-party entity with which the virtual public charter school intends to enter or has entered into a contract to provide educational services;
 - (3) If a third-party entity contracts with a virtual public charter school to provide educational services to the school, then:
 - (a) No third-party entity's employee or governing board member may attend an executive session of the sponsoring district's school board;
 - (b) No virtual public charter school employee may promote the sale or benefits of private supplemental services or classes offered by the third-party entity;
 - (c) The educational services must be consistent with state standards and requirements;

- (d) The virtual public charter school must have on file the third-party entity's budget for the provision of educational services, including itemization of:
 - (i) The salaries of supervisory and management personnel and consultants who are providing educational or related services for a virtual public charter school in this state; and
 - (ii) The annual operating expenses and profit margin of the third-party entity for providing educational services to a virtual public charter school in this state.

7. Charter Agreement Review

- a. The public charter school shall report at least annually on the performance of the school and its students to the State Board of Education and the district.
- b. The Board or designee shall visit the public charter school at least annually to assure compliance with the terms and provisions of the charter.
- c. The public charter school shall be audited annually in accordance with the Municipal Audit Law. After the audit, the public charter school shall forward a copy of the audit to ODE and the following to the sponsoring district:
 - (1) A copy of the annual audit;
 - (2) Any statements from the public charter school that show the results of operations and transactions affecting the financial status of the charter school during the preceding annual audit period for the school; and
 - (3) Any balance sheet containing a summary of the assets and liabilities of the public charter school and related operating budget documents as of the closing date of the preceding annual audit period for the school.
- d. The sponsoring district may request at any time an acknowledgment from each member of the public charter school governing body that the member understands the standards of conduct and liabilities of a director of a nonprofit organization.
- e. [The public charter school shall submit to the Board quarterly financial statements that reflect the school's financial operations. The report shall include, but not be limited to, revenues, expenditures, loans and investments.]

8. Charter School Renewal

- a. The first renewal of a charter shall be for the same time period as the initial charter. Subsequent renewals of a charter shall be for a minimum of five years but may not exceed 10 years.
- b. The Board and the public charter school shall follow the timeline listed below, unless a different timeline has been agreed upon by the Board and the public charter school:
 - (1) The public charter school shall submit a written renewal request to the Board for consideration at least 180 days prior to the expiration of the charter;
 - (2) Within 45 days after receiving a written renewal request from a public charter school, the Board shall hold a public hearing regarding the renewal request;
 - (3) Within 30 days after the public hearing, the Board shall approve the charter renewal or state in writing the reasons for denying charter renewal;
 - (4) If the Board approves the charter renewal, the Board and the public charter school shall negotiate a new charter within 90 days unless the Board and the public charter school

- agree to an extension of the time period. Notwithstanding the time period specified in the charter, an expiring charter shall remain in effect until a new charter is negotiated;
- (5) If the Board does not renew the charter, the public charter school may address the reasons stated for denial of the renewal and any remedial measures suggested by the Board and submit a revised request for renewal to the Board;
 - (6) If the Board does not renew the charter based on the revised request for renewal or the parties do not negotiate a charter contract within the timeline established in this policy, the public charter school may appeal the Board's decision to the State Board of Education for a review of whether the Board used the process required by Oregon law in denying the charter renewal.
 - (a) If the State Board of Education finds that the Board used the appropriate process in denying the request for renewal, it shall affirm the decision of the Board. A public charter may seek judicial review of this order.
 - (b) If the State Board of Education finds that the Board did not use the appropriate process in denying the request for renewal, it shall order the Board to reconsider the request for renewal. If after reconsideration the Board does not renew the charter, the public charter school may seek judicial review of the Board's decision.
 - (7) The Board shall base the charter renewal decision on a good faith evaluation of whether the public charter school:
 - (a) Is in compliance with all applicable state and federal laws;
 - (b) Is in compliance with the charter of the public charter school;
 - (c) Is meeting or working toward meeting the student performance goals and agreements specified in the charter or any other written agreements between the Board and the public charter school;
 - (d) Is fiscally stable and used the sound financial management system described in the proposal submitted under ORS 338.045 and incorporated into the written charter agreement; and
 - (e) Is in compliance with any renewal criteria specified in the charter of the public charter school.
 - (8) The Board shall base the renewal evaluation described above primarily on a review of the public charter school's annual performance reports, annual audit of accounts and annual site visit and review and any other information mutually agreed upon by the public charter school and the Board;
 - (9) For purposes of this section, the phrase "good faith evaluation" means an evaluation of all criteria required by this section resulting in a conclusion that a reasonable person would come to who is informed of the law and the facts before that person.

9. Charter School Termination

- a. The public charter school may be terminated by the Board for any of the following reasons:
 - (1) Failure to meet the terms of an approved charter agreement or any requirement of ORS Chapter 338 unless waived by the State Board of Education;
 - (2) Failure to meet the requirements for student performance as outlined in the charter agreement;
 - (3) Failure to correct a violation of federal or state law;
 - (4) Failure to maintain insurance;
 - (5) Failure to maintain financial stability;
 - (6) On or after July 1, 2011: failed to maintain, for two or more consecutive years, a sound financial management system described in the proposal submitted under ORS 338.045 and incorporated into the written charter under ORS 338.065;
 - (7) Failure to maintain the health and safety of the students.

- b. If a public charter school is terminated by the Board for any reason listed in sections a. (1) through a. (7), the following shall occur:
 - (1) The district shall give the public charter school a 60-day written notification of its decision;
 - (2) If the grounds for termination include failure to maintain financial stability or failure to maintain a sound financial management system, the sponsor and the public charter school may agree to develop a plan to correct deficiencies. The plan to correct deficiencies will follow the process as per ORS 338.105;
 - (3) The district shall state the grounds for termination and deliver notification to the business office of the public charter school;
 - (4) The public charter school may request a hearing by the district. The request must be made in writing and delivered to the business address of the sponsor;
 - (5) Within 30 days of receiving the request for a hearing, the sponsor must provide the public charter school with the opportunity for a hearing on the proposed termination;
 - (6) The public charter school may appeal the decision to terminate to the State Board of Education;
 - (7) If the public charter school appeals the decision to terminate to the State Board of Education, the public charter school will remain open until the State Board issues its final order;
 - (8) If the State Board's final order upholds the decision to terminate and at least 60 days have passed since the notice of intent to terminate was received by the public charter school, the district's sponsorship of the public charter school will terminate;
 - (9) The final order of the State Board may be appealed under the provision of ORS 183.484;
 - (10) Throughout the ORS 183.484 judicial appeals process the public charter school shall remain closed;
 - (11) If terminated or dissolved, assets of the public charter school purchased by the public charter school with public funds, shall be given to the State Board of Education.

- c. If the public charter school is terminated by the Board for any reason related to student health or safety as provided in section a. (7), the following shall occur:
- (1) If the district reasonably believes that a public charter school is endangering the health or safety of the students enrolled in the public charter school, the district may act to immediately terminate the approved charter and close the public charter school without providing the notice required in section b. (1);
 - (2) A public charter school closed due to health or safety concerns may request a hearing by the sponsor. Such a request must be made in writing and delivered to the business address of the district;
 - (3) Within 10 days of receiving the request for a hearing, the district must provide the public charter school with the opportunity for a hearing on the termination;
 - (4) If the district acts to terminate the charter following the hearing, the public charter school may appeal the decision to the State Board of Education;
 - (5) The State Board will hold a hearing on the appeal within 10 days of receiving the request;
 - (6) The public charter school will remain closed during the appeal process unless the State Board orders the district not to terminate and to re-open the public charter school; and
 - (7) The final order of the State Board may be appealed under the provisions of ORS 183.484.
- d. If the public charter school is terminated, closed or dissolved by the governing body of the public charter school, it shall be done only at the end of a semester and with 180 days' notice to the district, unless the health and safety of the students are in jeopardy. Such notice must be made in writing and be delivered to the business address of the sponsor.

Assets of a terminated, closed or dissolved public charter school that were obtained with grant funds will be dispersed according to the terms of the grant. If the grant is absent any reference to ownership or distribution of assets of a terminated, closed or dissolved public charter school, all assets will be given to the State Board of Education for disposal.

10. District Immunity

The district, members of the Board and employees of the district are immune from civil liability with respect to the public charter school's activities.

Lowell School District #71
2014-15 General Fund Financial Summary
 July 31, 2014

	Budget	Actual: Jul		Projected: Aug-Jun		Projected for Year	Over/(Under) Budget	
Resources								
State School Fund	2,855,000	432,423	15.2%	2,410,634	84.8%	2,843,057	(11,943)	-0.4%
Property Tax	871,400	-	0.0%	871,400	100.0%	871,400	-	0.0%
Miscellaneous/Local Revenues	40,000	-	0.0%	40,000	100.0%	40,000	-	0.0%
Common School Funds	28,000	-	0.0%	28,000	100.0%	28,000	-	0.0%
Rent	27,000	-	0.0%	27,000	100.0%	27,000	-	0.0%
Small High School Grant	14,000	-	0.0%	14,000	100.0%	14,000	-	0.0%
Indirect Fees on Grants	5,000	-	0.0%	5,000	100.0%	5,000	-	0.0%
County School Funds	4,000	-	0.0%	4,000	100.0%	4,000	-	0.0%
Interest	3,400	296	8.5%	3,200	91.5%	3,496	96	2.8%
Total Revenues	3,847,800	432,719	11.3%	3,403,234	88.7%	3,835,953	(11,847)	-0.3%
Beginning Fund Balance	245,000	351,000	100.0%	-	0.0%	351,000	106,000	43.3%
Total Resources	4,092,800	783,719	18.7%	3,403,234	81.3%	4,186,953	94,153	2.3%
Requirements								
Salaries	1,407,399	40,998	2.9%	1,368,987	97.1%	1,409,985	2,586	0.2%
Benefits	980,030	28,227	2.9%	952,125	97.1%	980,352	322	0.0%
Purchased Services	417,010	6,899	1.7%	408,840	98.3%	415,739	(1,271)	-0.3%
Supplies and Materials	275,325	40,107	14.5%	235,879	85.5%	275,986	661	0.2%
Capital Outlay	10,000	-	-	10,000	100.0%	10,000	-	-
Other	70,560	59,841	82.4%	12,809	17.6%	72,650	2,090	3.0%
Charter School Payments	538,000	-	0.0%	537,892	100.0%	537,892	(108)	0.0%
Transfers	228,539	-	0.0%	228,539	100.0%	228,539	-	0.0%
Total Expenditures	3,926,863	176,072	4.5%	3,755,071	95.5%	3,931,143	4,280	0.1%
Contingency/Carryover	165,937	-	0.0%	-	0.0%	255,810	89,873	54.2%
Total Requirements	4,092,800	176,072	4.2%	3,755,071	89.7%	4,186,953	94,153	2.3%