

Lowell School District

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

Board of Director's Meeting

November 24, 2014

Professional Development Center

6:00 pm – Study Session; Executive Session to follow

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—6:00 pm Professional Development Center

- 1.1 Call to Order
- 1.2 Public Comment on Executive Session Topics

2.0 STUDY SESSION

- 2.1 Strategic Plan—Presented by Dr. Hanline (Attachment)
 - Obj. 1
 - Set up Reserves for Equipment, SPED and Maintenance and Repair
 - Investigate Tax Initiative
 - Obj. 2 Monthly facility reports
 - Master Facility Plan
 - Survey on Custodial Services
 - Crisis Response Training and Lead
 - Obj. 4 Community Business Partnerships Established (Johnnie)
 - Obj. 13 Develop a List of Comparable Districts for Salary and Health Comparisons
 - Obj. 17 Master Equipment Plan
 - Obj. 18 Develop Graduation Participation Criteria
 - Obj. 19 Update Job Descriptions
- 2.2 Food Service Project—Dr. Hanline
- 2.3 Convene to Executive Session

3.0 EXECUTIVE SESSION—Superintendent's Office Conference Room

- 3.1 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.
 - 3.1.1 Discussion of Superintendent's Annual Objectives and Evaluation Process
- 3.2 Pursuant to ORS 192.660 (2) (d).

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

3.3 Pursuant to ORS 192.660 (2)(f)

To consider records exempt by law from public inspection.

3.4 Return to Public Session

4.0 OPENING OF PUBLIC SESSION—7:00 pm Professional Development Center

4.1 Public Session Call to Order

4.2 Pledge of Allegiance

4.2.1 Led by Chairman of the Board—Mr. McCallum

4.3 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

4.4 Approval of Agenda – November 24, 2014

Recommended Action: Approval of Agenda

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

5.0 COMMUNITY/SCHOOL PRESENTATIONS

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

6.0 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.*

7.0 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.*

7.1 Board Minutes from October 27, 2014 Board Meeting (Attachment)

7.2 Ratification of Employment (Attachment)

7.3 Check Register: ##### (Attachment)

7.4 Approval of OSBA Policies BBFA, BBFB, EEACA, GBC-R,GBN_JBA, GBNA, GBNA-R, IIA, IK, IKA, IKAB, ING-R, JFCEB, JGAB, LBE

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

8.0 **ACTION DISCUSSION**

8.1 Approve Senior Class Trip—Presented by Sr. Class Representatives

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

8.2 Approve the Board Policy Adoption Process—Presented by Dr. Hanline (Attachment)

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

8.3 Approve OASB Board Policies GBC, GCAB, JFCEB

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

8.4 Approve the Lowell-Fall Creek Education Foundation by laws—Presented by Dr. Hanline (Attachment)

Recommendation is to approve the foundation by laws; the Lowell School District (Board) will be responsible for appointing the Board of Directors (2.11) and the Lowell School District (Staff) will be responsible for paperwork, minutes, communication, etc. (3.10)

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

8.5 Approve the Lowell-Fall Creek Foundation Board Members—Presented by Dr. Hanline; Information will be provided at the Board Meeting

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

8.6 Approve Purchasing and Financing of Chrome books for all students—Presented by Dr. Hanline

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

8.7 Approve Resolution 2014-15-4 for financing of Chrome Books; not to exceed \$150,000—Presented by Dr. Hanline (Resolution document will be available at the Board Meeting for review)

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

8.8 Approval of 2014-15 Lowell School Board Calendar—Presented by Dr. Hanline (Attachment)

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

8.9 Approval of 2015-16 Lowell School Board Calendar—Presented by Dr. Hanline (Attachment)

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

8.10 Approval of 2015-16 Lowell School District Calendar—Presented by Dr. Hanline (Attachment)

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

- 8.11 Approve OSBA Resolution 1—Referred by OSBA (Attachment)
MOTION: _____ 2nd: _____ AYES: _____ NOES: _____ ABSTAIN: _____
- 8.12 Approve OSBA Resolution 2—Referred by OSBA (Attachment)
MOTION: _____ 2nd: _____ AYES: _____ NOES: _____ ABSTAIN: _____
- 8.13 Approve OSBA Resolution 3—Referred by OSBA (Attachment)
MOTION: _____ 2nd: _____ AYES: _____ NOES: _____ ABSTAIN: _____

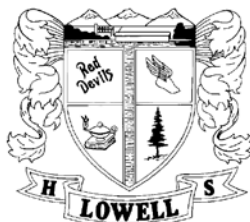
9.0 INFORMATION AND STUDY

- 9.1 1st reading of OSBA policy updates—presented by Dr. Hanline (Attachment)
- 9.2 OSBA Conference Report and Feedback—Presented by Attendees; Referred by Dr. Hanline
- 9.3 Utility Report—Referred by Ms. Weathers (Attachment)
- 9.4 Financial Report—Referred by Mr. Standridge (Attachment)
- 9.5 Student Body Representative Report—Presented by Ms. Owsley
- 9.6 Principals Report—Presented by Ms. Graham
- 9.7 Superintendent’s Report—Presented by Dr. Hanline
- 9.8 Board Members’ Report

10.0 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 #71



Strategic Plan

Board of Directors

Dennis McCallum, Chair
Suzanne Kintzley, Vice Chair
Leslie Brandt
Jim Chapman
Mike Galvin

Superintendent

Walt L. Hanline, Ed.D.

Principal

Kay Graham

STRATEGIC PLAN OVERVIEW

The **Lowell School District #71** Strategic Plan, adopted by the Board of Trustees, is the management plan for the District. The following is a description of the purpose, components, definitions, process, and timeline related to the plan.

The Strategic Plan has three main purposes. First, the plan defines the District's vision, mission, and strategic goals. Second, the plan details how the District will achieve those goals. Third, the plan serves as the common tool for managing changing priorities, as indicated by the ordering of the objectives. All District decisions should reflect the priorities of the Strategic Plan.

The components of the Strategic Plan are defined below:

- **VISION**
What the District is striving to do.
- **MISSION**
What the District will accomplish by the end of the five-year Strategic Plan.
- **STRATEGIC GOALS**
Actions to be completed by District and site staff.
- **OBJECTIVES**
Actions by District and site staff to achieve the strategic goals.
- **EVALUATION CRITERIA**
Measurement of how the school and district will assess their annual progress against the objectives.
- **ACTION PLANS and PROJECT ACTIVITIES**
Administered by the Superintendent, Action Plans are the specific plans, which must be completed by each school to achieve the specific objectives.

The implementation of the Strategic Plan follows a yearly update cycle to ensure that the plan reflects the priorities defined by the Board of Trustees. Implementation of the Strategic Plan continues throughout the year and is evaluated, analyzed, and revised annually.

Key Objectives:

Key objectives for the district will be measured against districts/schools with similar demographics.

Questions regarding the Strategic Plan should be directed to the Superintendent.

Lowell School District #71

Strategic Plan

Vision Statement:

Dedicated to educational achievement and the success of every student.

Mission Statement:

Together with families and the community, we will provide each student a challenging, quality education, in a safe and supportive small school environment. We are committed to:

- Providing rigorous standards-based teaching and learning programs that are responsive to each student's needs
- Ensuring that each student makes measurable yearly academic progress
- Preparing all students for personal success by providing college and career opportunities and programs
- Promoting diverse opportunities, in and out of the classroom
- Maintaining our unique environment that assures participation in team sports, arts, clubs, or extra-curricular activities
- Inspiring creativity, critical thinking, leadership skills, and life-long learning
- Cultivating respectful students with a strong work ethic, grit and determination, who are self-directed, responsible community members

Strategic Goals:

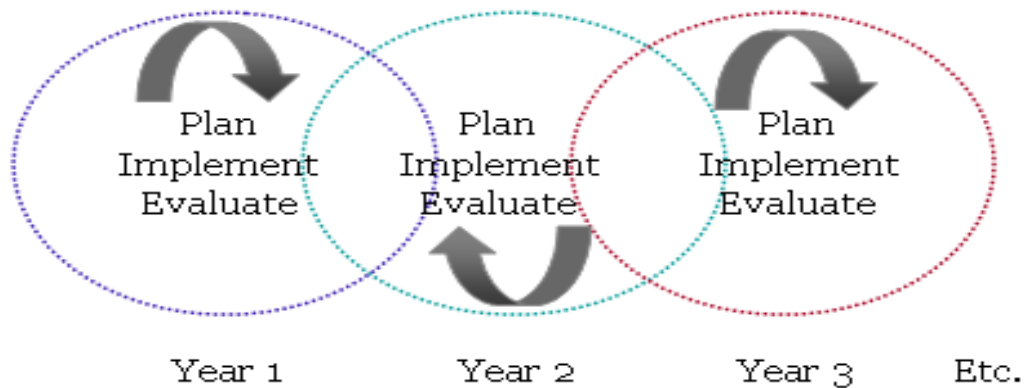
- **Curriculum and Instruction:** Continue to design, implement, evaluate, and improve instructional programs to ensure every student meets the district standards.
- **Human Resources:** Recruit, select, develop, evaluate and retain the highest quality staff.
- **Student Services:** Continue to design, implement, evaluate, and improve programs and services to support success for all students.
- **Family and Community Partnerships:** Design, implement, evaluate, and improve partnerships that support the goals and objectives of the District.
- **Facilities and Equipment:** Provide an environment that is safe, clean and attractive that promotes student learning and fosters student, staff, and community pride.
- **Alternative and Optional Educational Programs and Services:** Provide for alternative and optional educational programs and services for our students, families and communities.
- **Strategic and Financial Planning:** Continue to design, implement, evaluate, and improve the strategic planning process to ensure that the short-term and long-range human, financial and capital resources are efficiently and effectively allocated.

Lowell School District #71 Strategic Plan Timeline

		Strategic Plan Year 2013-2014	Strategic Plan Year 2014-2015	Strategic Plan Year 2015-2016
Planning	1. Approval by the Board of Trustees of Strategic Plan and Evaluation Criteria	Spring of 2014	Spring of 2015	Spring of 2016
	2. Initial Budget Study Session of the Board to Address Preliminary Budget Options	May	May	May
	3. Final Budget Study Session of the Board to Address Preliminary Budget Options	May	May	May
	4. District Budget Approved by Board of Trustees	June	June	June
	5.. Strategic Plan Implementation	July 2014- June, 2015	July 2015- June, 2016	July 2015- June, 20167
Evaluation	6. Quantitative Evaluation of Data - Collect and Organize Data	Implementation Year	Sept. - Oct.	Sept. - Oct.
	7. Annual Strategic Plan Report Submitted to the Board for Acceptance, Reflecting Qualitative and Quantitative Data	Implementation Year	February 2016	February 2017
	8. Superintendent and Principals' Evaluation Completed, Reflecting the Annual Strategic Plan Report Approved by the Board.	Implementation Year	Feb. - March 2016	Feb. - Mar. 2017

Timeline

Continuous process



Lowell School District #71
STRATEGIC PLAN
2014-2015

Name: **TBD**

Site/Division: **Business Services**

Site: **District Office**

STRATEGIC GOAL: Financial Planning

1.0 OBJECTIVE: FISCAL INTEGRITY AND ACCOUNTABILITY

Continue to design, develop, implement, and evaluate the short-term and long-range financial and human resource allocation system to ensure fiscal accountability and for the implementation of the goals and prioritized objectives of the District's strategic plan.

EVALUATION CRITERIA FOR 2014-2015:

X = MET

1.1	Create and maintain a reserve for economic uncertainties of 8% within the General Fund balance.(\$240,000)							
1.2	Create and maintain an ongoing equipment replacement fund/reserve of 3%. (\$90,000)							
1.3	Create and maintain an ongoing Special Education uncertainty reserve of \$75,000.							
1.4	Create and maintain a 3% Unrestricted General Fund contribution to routine Maintenance and Repair.							
1.5	Provide funding for the implementation of the Strategic Plan priorities, as evidenced by a balanced budget approved by the Board that is not in deficit spending, not later than July 1, 2015.							
1.6	Contribute 1% of the annual budget to the Post Retirement Benefit Reserve.							
1.7	The Superintendent shall ensure that Mountain View Charter School provides a monthly fiscal report to the Board, which will ensure that the Charter School is in a sound financial condition.							
1.8	Recognizing the need to be competitive and the requirements associated with the implementation of Oregon Core Standards, all classrooms at the K-6 level shall be grade specific classrooms (combination classrooms will not exist)							
1.9	Recognizing that the District is funded based upon average ADM, maintain the level of class size in each grade level as reflected below: <table><tr><td>Kindergarten – Third Grade</td><td>22 to 1</td></tr><tr><td>Fourth – Sixth Grade</td><td>26 to 1</td></tr><tr><td>Seventh – Twelfth Grade</td><td>28 to 1</td></tr></table>	Kindergarten – Third Grade	22 to 1	Fourth – Sixth Grade	26 to 1	Seventh – Twelfth Grade	28 to 1	
Kindergarten – Third Grade	22 to 1							
Fourth – Sixth Grade	26 to 1							
Seventh – Twelfth Grade	28 to 1							
1.10	To ensure the continued existence and financial integrity of Lowell School District #71, investigate the opportunity of placing a tax initiative before the voters.							

Lowell School District #71
STRATEGIC PLAN
2014-2015

Name: **TBD**

Site/Division: **Business Services**

Site: **District Office**

STRATEGIC GOAL: FACILITIES AND EQUIPMENT			
2.0 OBJECTIVE: SAFE, FUNCTIONAL, ACCESSIBLE, CLEAN, AND ATTRACTIVE CLASSROOMS, FACILITIES AND GROUNDS Continually improve staff and student performance and to foster community pride by providing for safe, functional, accessible, clean, and attractive classrooms, facilities and grounds.			
EVALUATION CRITERIA FOR 2014-2015:			X = MET
	2.1	On a Likert Scale survey, with a minimum of 100% return, staff will rate safe, clean, sustainable and attractive classrooms, facilities and grounds to establish baseline.	
	2.2	Report on the updated and completed projects of the Master Facility Plan will be provided to the Board on an annual basis, not later than March of each year.	
	2.3	On a Quarterly Basis, the District Site Facility Team (Composed of two Board members, Superintendent, and Principal) will be established to review and assess the status of District facilities and school sites. A rating scale will be used to establish District benchmarks.	
	2.3	Monthly Site Facility Inspection Reports of each school site to be communicated to the Board.	
	2.4	District administration will be trained in fall 2015 in Crisis Response (CR) Implementation. School sites will develop and implement CR plans by February, 2015; Board Report in April 2015.	

Lowell School District #71
STRATEGIC PLAN
2014-2015

Name: **TBD**

Site/Division: **Human Resources**

Site: **District Office**

STRATEGIC GOAL: Human Resources			
3.0 OBJECTIVE: RECRUITMENT, SELECTION, PROFESSIONAL DEVELOPMENT, EVALUATION AND RETENTION OF STAFF			
Continue to improve the processes of recruitment, selection, professional development, evaluation and retention to provide high quality staff.			
EVALUATION CRITERIA FOR 2014-2015:			X = MET
	3.1	Evaluation of classified and certificated staff will be completed within required timelines, with appropriate recommendations and commendations.	
	3.2	Provide an annual assessment of each staff member, to the Board, in February of each school year.	
	3.3	Provide a report to the Board, not later than March of 2015, on the professional development needs for certificated, classified, administrative staff and the Board..	

Lowell School District #71
STRATEGIC PLAN
2014-2015

Name: **TBD**

Site/Division: **Educational Services**

Site: **District Office**

STRATEGIC GOAL: Family and Community Partnerships			
4.0 OBJECTIVE: OUTREACH AND PARTNERSHIPS			
Continue to design, develop, implement, improve, and evaluate student, family, staff and community outreach and partnerships that provide direct and indirect support to the schools and the District.			
EVALUATION CRITERIA FOR 2014-2015:			X = MET
	4.1	Review each office area in each school site and make structural changes that would provide a welcoming reception area for students and parents.	
	4.2	Review and revise the Visitor policy and procedures to ensure that parents feel welcomed to the school and classrooms.	
	4.3	Develop and Implement a marketing program that will result in the increase of students attending Lowell School District.	
	4.4	Increase student enrollment in Lowell School District to 260 students by September of 2015.	
	4.5	Increase by 3% the overall government grants received by the Lowell School District #71.	
	4.6	Increase by 3% the overall private grants/donations received by the Lowell School District #71.	
	4.7	Increase by 3% the overall community and booster funding received by the Lowell School District #71.	
	4.8	Establish a program whereby each school site has an active community business partnership	
	4.10	Report to the Board on the degree to which families are being engaged in the academic lives of their children by qualitative and quantitative data, as well as other data points specific to the school.	
	4.10.1	Engage families in understanding and supporting District curriculum; provide a list of specific strategies to the Board.	
	4.10.2	Increase, for all families, access to specific information regarding their children's education and educational programs; provide a list of specific strategies to the Board.	
	4.10.3	Increase by 5% the number of parents and family members who volunteer at their children's schools based on 2013-2014 numbers.	
	4.10.4	Increase, by 5% over 2013-2014 parent and family attendance at parent conferences, Back to School Nights, PTA and PTSC meetings.	

Lowell School District #71
STRATEGIC PLAN
2014-2015

Name: **TBD**

Site/Division: **Business Services**

Site: **District Office**

STRATEGIC GOAL: Facilities and Equipment			
5.0 OBJECTIVE: IMPROVE TECHNOLOGY			
Continue to design, develop, implement, evaluate, and improve technology hardware, software, and infrastructure to meet administrative and instructional requirements.			
EVALUATION CRITERIA FOR 2014-2015:			X = MET
	5.1	By March 15, 2015 establish district technology standards that identify grade-level technological skills and appropriately rigorous expectations for student production in using technology to demonstrate critical thinking, problem-solving and creativity.	
	5.2	Develop a funding and purchasing plan that will ensure that each student has a personal electronic notebook in their possession by September of 2016.	
	5.3	On a 5-point Likert Scale Survey, with a minimum of 100% return, staff will rate satisfaction with information technology services to establish baseline.	

Lowell School District #71
STRATEGIC PLAN
2014-2015

Name: TBD

Site/Division: Educational Services

Site: District Office

STRATEGIC GOAL: Curriculum and Instruction			
6.0 OBJECTIVE: READING/LANGUAGEARTS PROGRAM			
Continue to design, develop, implement, evaluate, and improve the standards-based Reading/Language Arts Program			
EVALUATION CRITERIA FOR 2014-2015:			X = MET
6.1	Fully implement the common core state standards and instructional practices associated with K-12 Literacy: Reading/Writing/Language Development/Language Arts in every classroom in the District, as demonstrated by observations from Professional Peers, Principals, Vice Principals, and Educational Services Staff. Provide a report to the Board, on or before January 31, 2015, on the progress made in fully implementing the Oregon Common Core State Standards.		
6.2	Provide a report to the Board, on or before January 31, 2015, on the opportunities and programs provided to students to improve their public speaking skills.		
	<u>District wide Assessment Example:</u>		
6.3.1	Once the Oregon Core Standards assessment system is implemented the assessment criteria will be applied to Lowell School District.		

Lowell School District #71
STRATEGIC PLAN
2014-2015

Name: **TBD**

Site/Division: **Educational Services**

Site: **District Office**

STRATEGIC GOAL: Curriculum and Instruction			
7.0 OBJECTIVE: MATH PROGRAM Continue to design, develop, implement, evaluate, and improve the standards-based Math Program.			
EVALUATION CRITERIA FOR 2014-2015:			X = MET
	7.1	Fully implement the common core state standards and instructional practices associated with K-12 Math Program in every classroom in the District, as demonstrated by observations from Professional Peers, Principals, Vice Principals, and Educational Services Staff. Provide a report to the Board, on or before January 31, 2015, on the progress made in fully implementing the Oregon Common Core State Standards.	
	7.2	Board Report on K-12 Math Program implementation, including assessment outcomes, as follows:	
		<u>District-wide Assessment</u>	
	7.2.1	Once the Oregon Core Standards assessment system is implemented the assessment criteria will be applied to Lowell School District.	

Lowell School District #71

STRATEGIC PLAN

2014-2015

Name: **TBD**

Site/Division: **Educational Services**

Site: **District Office**

STRATEGIC GOAL: Curriculum and Instruction			
8.0 OBJECTIVE: SCIENCE PROGRAM			
Continue to design, develop, implement, evaluate, and improve standards-based Science Program.			
EVALUATION CRITERIA FOR 2014-2015:			X = MET
	8.1	Fully implement the common core state standards and instructional practices associated with K-12 Science Program in every classroom in the District, as demonstrated by observations from Professional Peers, Principals, Vice Principals, and Educational Services Staff. Provide a report to the Board, on or before January 31, 2015, on the progress made in fully implementing the Oregon Common Core State Standards.	
	8.2	Board Report on K-12 Science Program implementation, including assessment outcomes as follows:	
		<u>District-wide Assessment</u>	
	8.2.1	Once the Oregon Core Standards assessment system is implemented the assessment criteria will be applied to Lowell School District.	

Lowell School District #71
STRATEGIC PLAN
2014-2015

Name: **TBD**

Site/Division: **Educational Services**

Site: **District Office**

STRATEGIC GOAL: Curriculum and Instruction			
9.0 OBJECTIVE: HISTORY/SOCIAL SCIENCE PROGRAM Continue to design, develop, implement, evaluate, and improve the standards-based History/Social Science Program..			
EVALUATION CRITERIA FOR 2014-2015:			X = MET
Grades K-12:			
	9.1	Fully implement the common core state standards and instructional practices associated with K-12 History/Social Science Program in every classroom in the District, as demonstrated by observations from Professional Peers, Principals, Vice Principals, and Educational Services Staff. Provide a report to the Board, on or before January 31, 2015, on the progress made in fully implementing the Oregon Common Core State Standards.	
	9.2	Board Report on K-12 History/Social Science Program implementation, including assessment outcomes as follows:	
	9.2.1	Once the Oregon Core Standards assessment system is implemented the assessment criteria will be applied to Lowell School District.	

Lowell School District #71
STRATEGIC PLAN
2014-2015

Name: **TBD**

Site/Division: **Educational Services**

Site: **District Office**

STRATEGIC GOAL: Curriculum and Instruction			
10.0 OBJECTIVE: CAREER AND TECHNICAL EDUCATION Continue to design, develop, evaluate implement, and improve the Career and Technical Education Program.			
EVALUATION CRITERIA FOR 2014-2015:			X = MET
	10.1	Develop/Update the Career Technical Educational Plan by May 2015.	
	10.2	Increase by 5% over 2013-2014,the number of students earning a certification.	
	10.3	Increase by 5% over 2013-2014, the number of 2+2 course offerings that are articulated through Community College, inclusive of all high school students.	
	10.4	Establish a CTE Advisory Committee with representation from each industry pathway offered by January 2015.	
	10.5	The high school will expand the opportunities for students to participate in "post-secondary" informational events, including on and off site College and Career Fairs.	
	10.6	Provide a report to the Board, on or before January 31, 2015, on the progress made in fully implementing the Oregon Common Core State Standards.	

Lowell School District #71
STRATEGIC PLAN
2014-2015

Name: **TBD**

Site/Division: **Educational Services**

Site: **District Office**

STRATEGIC GOAL: Curriculum and Instruction			
11.0 OBJECTIVE: MODERN/WORLD LANGUAGE Continue to design, develop, implement, evaluate, improve, and expand the standards-based Modern/World Language opportunities for all K - 12th grade students.			
EVALUATION CRITERIA FOR 2014-2015:			X = MET
	11.1	Expand Modern Language opportunities for 7th and 8th grade students and ensure that at least <u>25</u> % of the students enrolled receive at least one quarter of Modern Language instruction.	
	11.2	9-12 Modern Language curriculum and instruction will be 100% aligned with standards in grades K-8.	
	11.4	Provide a report to the Board, on or before January 31, 2015, on the progress made in fully implementing the Oregon Common Core State Standards.	

Lowell School District #71
STRATEGIC PLAN
2014-2015

Name: **TBD**

Site/Division: **Educational Services**

Site: **District Office**

STRATEGIC GOAL: Student Services			
12.0 OBJECTIVE: EXTRA CURRICULAR ACTIVITIES			
Continue to design, develop, implement, evaluate and improve extra-curricular activities.			
EVALUATION CRITERIA FOR 2014-2015:			X = MET
	12.1	During the 2014-2015 school year, establish the baseline for the number of students participating in clubs at the 7-12 level will increase by 3% in the 2015-2016 school year.	
	12.2	The high school student leadership will develop and implement an annual student council training workshop for grades 4-8 and grades 9-12.	
	12.3	A Board Report will be presented by the high school leadership on the Annual Student Council Leadership Conference.	
	12.4	Develop and Implement a Coach/Parent/Student Athletic Handbook, which will include the evaluation process for coaches and eligibility criteria and process for students.	
	12.5	The number of students participating in athletic programs at the 7-12 level will increase by 2% over 2013-2014	

Lowell School District #71
STRATEGIC PLAN
2014-2015

Name: **TBD**

Site/Division: **Human Resources**

Site: **District Office**

STRATEGIC GOAL: Human Resources			
13.0 OBJECTIVE: COMPETITIVE SALARIES AND BENEFITS			
Provide competitive salaries and benefits for all employees as compared with districts with similar demographics.			
EVALUATION CRITERIA FOR 2014-2015:			X = MET
	13.1	Gather salary and benefit data for each group from comparable Lowell School District #71s within and outside the recruiting area and provide a recommendation to the Board and Associations for districts to be used in comparison data collection. Provide a report to the Board, not later than April of 2015	

Lowell School District #71

STRATEGIC PLAN

2014-2015

Name: TBD

Site/Division: Educational Services

Site: District Office

STRATEGIC GOAL: Curriculum and Instruction			
14.0 OBJECTIVE: PHYSICAL EDUCATION PROGRAM Continue to design, develop, implement, evaluate, and improve the standards-based Physical Education Program.			
EVALUATION CRITERIA FOR 2014-2015:			X = MET
	14.1	K-12 Physical Education Program curriculum will be 100% aligned with state frameworks, as evidenced by District audit.	
	14.2	Increase by 5% over 2013, the percent of students in grades 5, 7, & 9 passing the five Fitness Gram components as established by district and state requirements.	
	14.3	Provide a report to the Board, on or before January 31, 2015, on the progress made in fully implementing the Oregon Common Core State Standards.	

Lowell School District #71
STRATEGIC PLAN
2014-2015

Name: **TBD**

Site/Division: **Educational Services**

Site: **District Office**

STRATEGIC GOAL: Curriculum and Instruction			
15.0 OBJECTIVE: VISUAL AND PERFORMING ARTS Continue to design, develop, implement, evaluate, and improve the standards-based Visual and Performing Arts Program.			
EVALUATION CRITERIA FOR 2014-2015:			X = MET
	15.1	Board Report on a plan of action to increase opportunities and participation in Visual and Performing Arts.	
	15.1.1	100% of 4th grade elementary students will participate in choral and instrumental instruction.	
	15.1.2	Establish a baseline in 2014-2015; then in 2015-2016 increase the number of students participating in band instruction by 5%.	
	15.1.3	District will assess the performing arts current offerings within the K-12 program.	
	15.2	Provide a report to the Board, on or before January 31, 2015, on the progress made in fully implementing the Oregon Common Core State Standards.	

Lowell School District #71
**STRATEGIC PLAN
2014-2015**

Name: **TBD**

Site/Division: **Educational Services**

Site: **District Office**

Alternative and Optional Educational Programs and Services:

16.0 OBJECTIVE: ALTERNATIVE AND EDUCATIONAL OPTIONS

Continue to design, develop, implement, evaluate, and improve alternative and optional educational services and programs for students, parents, and the community.

EVALUATION CRITERIA FOR 2014-2015:

X = MET

	16.1	On or before April of 2015, review each of the educational options presently provided by the District and present a report to the Board reflecting areas for improvement and/or expansion.	
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Lowell School District #71
STRATEGIC PLAN
2014-2015

Name: **TBD**

Site/Division: **Business Services**

Site: **District Office**

STRATEGIC GOAL: Facilities and Equipment			
17.0 OBJECTIVE: NEW AND MODERNIZED EQUIPMENT Continue to design, develop, and implement a plan to maximize resources to provide new and modernized equipment that improve services to students and staff efficiency.			
EVALUATION CRITERIA FOR 2014-2015:			X = MET
	17.1	Develop and maintain a list of equipment replacement needs, as reflected within the Master Equipment Plan approved by the Board, on or before December of 2014.	

Lowell School District #71
STRATEGIC PLAN
2013-2014

Name: **TBD**

Site/Division: **Educational Services**

Site: **District Office**

STRATEGIC GOAL: Student Services

18.0 OBJECTIVE: DECISION-MAKING AND BEHAVIOR

Continue to design, develop, implement, evaluate, and improve services that promote self-confidence, positive decision making, community pride, and the skills necessary to be a respectful, self-directed, productive citizen.

EVALUATION CRITERIA FOR 2014-2015:

X = MET

18.1	Present a report to the Board, by June of 2015, of the services, activities, projects, and programs that promote positive student decision-making.	
18.2	Revise District, school-wide, and classroom management and discipline plans and present said plans to the Superintendent for approval, on or before September 1, 2014.	
18.3	Develop graduation ceremony participation criteria that reflect that a student is a balanced and well prepared to be a positive contributing member of our community and society. (The criteria shall address academic performance, leadership demonstration, community involvement and school involvement)	

Lowell School District #71
STRATEGIC PLAN
2014-2015

Name: TBD

Site/Division: Educational Services

Site: District Office

STRATEGIC GOAL: Student Services			
19.0 OBJECTIVE: PHYSICAL, MENTAL SOCIAL/EMOTIONAL HEALTH Continue to design, develop, implement, evaluate, and improve services that promote physical, mental and social/emotional health.			
EVALUATION CRITERIA FOR 2014-2015:			X = MET
	19.1	Increase by 5% over 2013-2014, the number of students participating in the Child Nutrition program.	
	19.2	100% of the students targeted as having health problems through mandatory screenings and assessments (i.e. vision, hearing, and scoliosis, nutritional or other medical conditions) will receive the necessary follow up regarding medical or health services.	
	19.3	In partnership with Lane ESD, implement an "Intern" program with local universities in the areas of mental, physical and emotional health. The program will focus on providing support services to students and families.	

Lowell School District #71
STRATEGIC PLAN
2014-2015

Name: **TBD**

Site/Division: **Human Resources**

Site: **District Office**

STRATEGIC GOAL: Human Resources

20.0 OBJECTIVE: STANDARDS AND REVIEW PROCEDURES

To ensure that each employee is paid in an equitable and fair manner, consistent with their job description.

EVALUATION CRITERIA FOR 2014-2015:

X = MET

	20.1	Review and/or update all job descriptions of the district, ensuring that each job description is up to date on the legal issues related to the position and that each individual is paid consistent with the expectations reflected in each job description.	
	20.2	On a Likert scale of 1-5, staff will rate training effectiveness as a tool to improve their job performance with an average score of 3 or higher.	
	20.3	Ensure a 100% completion rate for all personnel that are scheduled for evaluations each year.	

Lowell School District #71
STRATEGIC PLAN
2014-2015

Name: **TBD**

Site/Division: **Educational Services**

Site: **District Office**

STRATEGIC GOAL: Student Services			
21.0 OBJECTIVE: STUDENT TRANSITIONS			
Continue to design, develop, implement, evaluate, and improve services that ensure smooth transitions within the district.			
EVALUATION CRITERIA FOR 2014-2015:			X = MET
21.1	Board Report on the evaluation results of the transition activities provided for each grade level, including the following:		
21.1.1	70% of incoming kindergarten students and their parents will have successfully participated in Kindergarten "Round Up" activities.		
21.1.2	By the end of grade 8, 100% of students and their parents will have met with guidance counselors to develop their four-year and postgraduate plans.		
21.1.3	95% of students enrolled in grade 6 will participate in elementary to junior high school transition activities.		
21.1.5	95% of parents of enrolled 6 th and 7 th grade students will participate in transition activities for families.		
21.1.6	Develop and provide to the Board a specific list of activities to facilitate successful transitions from 6 th to 7 th and from 8 th to 9 th grades.		
21.1.7	Increase by 5% the percent of parents and senior students participating in post-secondary education planning activities.		
21.3	Increase by 5% over 2013-2014, the number of students going to four year universities directly from high school.		
21.4	Establish a Four-Year Educational Plan that is an integral part of the Ninth Grade Counseling program offered at the high school.		
21.5	Increase by 5% over 2013-2014, the number of students going to community college and career trade school directly from high school.		

Lowell School District #71
STRATEGIC PLAN
2014-2015

Name: **TBD**

Site/Division: **Business Services**

Site: **District Office**

STRATEGIC GOAL: Facilities and Equipment

22.0 OBJECTIVE: NEW AND MODERNIZED FACILITIES

Continue to design, develop, and implement a plan to maximize resources to provide new and modernized facilities to improve the functionality, appearance, and conditions of present facilities.

EVALUATION CRITERIA FOR 2014-2015:

X = MET

	22.1	Ensure that all timelines for the completion of new construction and modernization projects are met.	
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Lowell School District

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

Board of Director's Meeting

October 27, 2014

Professional Development Center

6:00 pm - Executive Session

7:00 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 6:06
- 1.2 Public Comment on Executive Session Topics
- 1.3 Convene to Executive Session

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

- 2.1 Pursuant to ORS 192.660 (2) (d).
To conduct deliberations with persons designated by the governing body to carry on labor negotiations.
- 2.2 Pursuant to ORS 192.660 (2)(f)
To consider records exempt by law from public inspection.

The Lowell School Board considered the items reflected on the Executive Session Agenda and no action was taken.

- 2.3 Return to Public Session

3.0 OPENING OF PUBLIC SESSION

- 3.1 Public Session Call to Order
- 3.2 Pledge of Allegiance
 - 3.2.1 Lead by Chairman of the Board—Mr. McCallum
- 3.3 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

3.4 Approval of Agenda – October 27, 2014

Recommended Action: Approval of Agenda

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

4.0 **COMMUNITY/SCHOOL PRESENTATIONS**

4.1 Presentation by Larry Sullivan and Rose Wilde regarding board issues relating to ESD and the Local Service Plan

Larry Sullivan and Rose Wilde presented information regarding the continued working relationship between Lane ESD and Lowell School District. To note is the change in from an annual service plan to a three year service plan.

***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.*

Rose Wilde addressed the board in her role as a representative of 90x30 Child Abuse Prevention Program. The January meeting will be held in Lowell.

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 September 22, 2014 Board Meeting (Attachment)

6.2 Ratification of Employment (Attachment)

6.3 Check Register: 26042-26185 (Attachment)

MOTION: Mike Galvin 2nd: Suzanne Kintzley AYES: 5 NOES: 0 ABSTAIN: 0

7.0 **ACTION DISCUSSION**

7.1 Financial Report—Referred by Mr. Standridge (Attachment)

This item was discussion only. Per the recommended change for the approval of the agenda, this item was moved up in the agenda to give the board accurate information on the financial status of the district prior to making financial decisions.

7.2 Approval of 1.5% Salary Increase for all staff—Presented by Dr. Hanline (Attachment)

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

7.3 ~~2nd Reading and Approval of OSBA updates~~ Motion to table this item—Presented by Dr. Hanline (Attachment)

2nd MOTION: Mike Galvin 2nd: Suzanne Kintzley AYES: 5 NOES: 0 ABSTAIN: 0

The original motion of approval was withdrawn and second motion to table this item due to concerns with the understanding of the process and continued concerns by Mr. Chapman on wording of certain policies.

7.4 Approval of Food Service Improvement Project Option 2—Presented Dr. Hanline and Mr. Hansen (Attachment) Billy Reid skyped into the meeting to give input on this item and to answer any questions.

MOTION: Mike Galvin 2nd: Suzanne Kintzley AYES: 4 NOES: 1 ABSTAIN: 0

Dennis McCullum—Yes

Suzanne Kintzley—Yes

Jim Chapman—No

Mike Galvin—Yes

Leslie Brandt--Yes

7.5 Approval of Resolution 2014-15-3 for Capitol Government Financing—Presented by Dr. Hanline (Reference Attachments 7.3; Resolution document will be available at the Board Meeting)

MOTION: Leslie Brandt 2nd: Suzanne Kintzley AYES: 4 NOES: 1 ABSTAIN: 0

Dennis McCullum—Yes

Suzanne Kintzley—Yes

Jim Chapman—No

Mike Galvin—Yes

Leslie Brandt--Yes

7.6 Approval of Job Description for Supervisor of Custodial/Painting Services—Presented by Dr. Hanline (Attachment)

There is an agreement for this position to last for three years

MOTION: Suzanne Kintzley 2nd: Mike Galvin AYES: 5 NOES: 0 ABSTAIN: 0

7.7 Approval of the appointment of Ben Silebi as Supervisor of Custodial/Painting Services—Presented by Dr. Hanline (Attachment) His position would begin upon his acceptance of the position offer

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

7.8 Approval of Stipend for Music Coach and Drama Coach—Presented by Dr. Hanline \$2500.00 subject to negotiations with the LEA

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

7.9 Approval of Teacher Evaluation Handbook—Presented by Dr. Hanline (Attachment)

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

7.10 Approval of Revised Board Calendar—Presented by Dr. Hanline (Attachment)

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

7.11 Approval of the Application for District Visa cards through Siuslaw Bank—Referred by Ms. McNamara (Attachment)

MOTION: Mike Galvin 2nd: Suzanne Kintzley AYES: 5 NOES: 0 ABSTAIN: 0

8.0 INFORMATION AND STUDY

8.1 Report on Gear-up program and funding—Presented by Ms. Graham

Program is a matching grant and also funds a coordinator

Both Ms. Graham and Dr. Hanline presented on this topic

8.2 Report on Data Works—Presented by Ms. Graham

Program to help keep kids engaged and align curriculum

8.3 Report on Debi McNamara's New Business Manager Institute Program and the OASBO and ASBO Professional development conference—Presented by Dr. Hanline (Attachment)

Dr. Hanline praised Ms. McNamara on her willingness to learn and grow. She has taken steps to continue to improve her professional abilities.

8.4 Student Body Representative Report—Presented by Ms. Owsley

School Spirit is increasing due to the changes in the school. Students are beginning to take pride in their school.

Great sports season: Football is in the playoffs for first place in the league; Volleyball coach was voted coach of the year in our league; multiple student-athletes were awarded 1st & 2nd, and honorable mention in the all-league honors. Upcoming UofO field trip for juniors and seniors and family night.

8.5 Principal's Report—Presented by Ms. Graham

The food service program is doing well. The local market is having sales to try to lure kids back! November 18, is Math Title night at Lundy. Site council has been convened and has been meeting. They have discussed the creation of a PTO.

8.6 Superintendent's Report—Presented by Dr. Hanline

8.7 Board Members' Report

9.0 ADJOURNMENT 9:35pm

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.

7.2	Name	Site	Position	Action	Salary	Effective
7.2a	Larry Callaway	Lowell HS	Temp. Social Studies Teacher	Change from Sub. Social Studies Teacher	Range 1; Step 2	October 28, 2014
7.2b	Tonya Byrne	Lowell SD	Part-time Sp/ed van monitor	Change from Sub. Sp/ed van monitor	Range 1; Step 1	November 17, 2014
7.2c	Judy Jones	Lowell SD	Part-time Sp/ed van driver	Change from sub. Sp/ed van driver	Range 1; Step 2	November 17, 2014

Board Secretary Signature
Approved: November 24, 2014

SUNGARD PENTAMATION
DATE: 11/19/2014
TIME: 10:47:40

LOWELL SCHOOL DISTRICT #71
CHECK REGISTER - BY FUND

PAGE NUMBER: 1
ACCTPA21

SELECTION CRITERIA: transact.ck_date between '10/01/2014' and '10/31/2014'
ACCOUNTING PERIOD: 5/15

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	BUDGETCODE	ACCNT	-----DESCRIPTION----	SALES TAX	AMOUNT
A101	26186	10/01/14	2396 FEI TESTING & INSPE	1002542000000000	640	BUILDING INSPECTION	0.00	389.00
A101	26187	10/01/14	2316 ABBEY BORKIN-RIUS	1002572000000000	460	4 CHAIRS	0.00	107.96
A101	26188	10/01/14	2408 BOOKPAL	1001131000100000	420	LANG/ARTS TEXTBOOKS	0.00	2, .03 258
A101	26189	10/01/14	1032 CARQUEST AUTO PARTS	1002554000000000	410	VEHICLE SUPPLIES	0.00	37.49
A101	26190	10/01/14	1259 COASTWIDE LABORATOR	1002554000000000	410	CUSTODIAL SUPPLIES	0.00	31.27
A101	26190	10/01/14	1259 COASTWIDE LABORATOR	1002542000000000	410	CUSTODIAL SUPPLIES	0.00	67.44
A101	26190	10/01/14	1259 COASTWIDE LABORATOR	1002542000000000	410	CUSTODIAL SUPPLIES	0.00	131.48
A101	26190	10/01/14	1259 COASTWIDE LABORATOR	1002542000000000	410	CUSTODIAL SUPPLIES	0.00	80.90
A101	26190	10/01/14	1259 COASTWIDE LABORATOR	1002542000000000	410	CUSTODIAL SUPPLIES	0.00	200.61
A101	26190	10/01/14	1259 COASTWIDE LABORATOR	1002542000000000	410	CUSTODIAL SUPPLIES	0.00	511.70
TOTAL CHECK								
A101	26191	10/01/14	1565 COLETTE ULLRICH	1002410000000000	410	OFFICE SUPPLIES	0.00	12.88
A101	26192	10/01/14	2186 DE LAGE LANDEN PUBL	1002574000000000	355	COPIER SERVICE	0.00	710.53
A101	26193	10/01/14	1914 HEYMAN'S SAFE, LOCK	1002554000000000	410	PADLOCK	0.00	10.75
A101	26194	10/01/14	1070 JERRY BROWN COMPANY	1002554000000000	410	VEHICLE FUEL	0.00	1,992.81
A101	26194	10/01/14	1070 JERRY BROWN COMPANY	1002542000000000	326	HEATING FUEL	0.00	14,260.33
TOTAL CHECK							0.00	16,253.14
A101	26195	10/01/14	1071 JERRY'S BUILDING MA	1002543000000000	410	GROUNDSKEEPING	0.00	-57.97
A101	26195	10/01/14	1071 JERRY'S BUILDING MA	1002542000000000	410	MAINT SUPPLIES	0.00	283.49
A101	26195	10/01/14	1071 JERRY'S BUILDING MA	1002542000000000	410	MAINT SUPPLIES	0.00	120.42
A101	26195	10/01/14	1071 JERRY'S BUILDING MA	1002542000000000	410	MAINT SUPPLIES	0.00	70.99
A101	26195	10/01/14	1071 JERRY'S BUILDING MA	1002543000000000	410	GROUNDSKEEPING	0.00	91.08
A101	26195	10/01/14	1071 JERRY'S BUILDING MA	1002543000000000	410	GROUNDSKEEPING	0.00	8.13
A101	26195	10/01/14	1071 JERRY'S BUILDING MA	1002543000000000	410	VEHICLE SUPPLIES	0.00	22.07
A101	26195	10/01/14	1071 JERRY'S BUILDING MA	1002554000000000	410	VEHICLE SUPPLIES	0.00	538.21
TOTAL CHECK								
A101	26196	10/01/14	2105 JOHNIE MATTHEWS	1002240000000000	340	CONFERENCE TRAVEL	0.00	44.86
A101	26197	10/01/14	2226 KANDAYCE DAY	1002410000000000	410	OFFICE SUPPLIES	0.00	125.48
A101	26197	10/01/14	2226 KANDAYCE DAY	1002554000000000	410	BATTERIES	0.00	27.88
TOTAL CHECK							0.00	153.36
A101	26198	10/01/14	2051 KAREN BRIST	1002130000000000	390	MED TRAINING	0.00	300.00
A101	26200	10/01/14	1334 LANE COMMUNITY COLL	1002574000000000	355	PRINT THE BRIDGE	0.00	267.70
A101	26201	10/01/14	1644 LANE ELECTRIC COOPE	1002554000000000	325	ELECTRICITY	0.00	82.61
A101	26201	10/01/14	1644 LANE ELECTRIC COOPE	1002542000000000	325	ELECTRICITY	0.00	1,818.14
TOTAL CHECK							0.00	1,900.75
A101	26202	10/01/14	1792 MAUREEN WEATHERS	1002574000000000	353	THE BRIDGE POSTAGE	0.00	179.24
A101	26203	10/01/14	1113 MINERS GRADUATE SER	1002410000000000	410	DIPLOMAS	0.00	11.45

SUNGARD PENTAMATION
DATE: 11/19/2014
TIME: 10:47:40

LOWELL SCHOOL DISTRICT #71
CHECK REGISTER - BY FUND

PAGE NUMBER: 2
ACCTPA21

SELECTION CRITERIA: transact.ck_date between '10/01/2014' and '10/31/2014'
ACCOUNTING PERIOD: 5/15

FUND - 100 - GENERAL FUND									
CASH ACCT	CHECK NO	ISSUE DT	VENDOR	BUDGET CODE	ACCNT	DESCRIPTION	SALES TAX	AMOUNT	
A101	26204	10/01/14 1196	NORTHWEST TEXTBOOK	1001131000180000	420	MATH TEXTBOOKS	0.00	1,813.28	
A101	26204	10/01/14 1196	NORTHWEST TEXTBOOK	1001131000180000	420	MATH TEXTBOOKS	0.00	773.95	
TOTAL CHECK							0.00	2,587.23	
A101	26205	10/01/14 1202	OETC	1001131000520000	470	CIS LICENSE	0.00	275.00	
A101	26205 V	10/01/14 1202	OETC	1001131000520000	470	CIS LICENSE	0.00	-275.00	
TOTAL CHECK							0.00	0.00	
A101	26206	10/01/14 2279	OFFICEMAX	1002410000000000	410	OFFICE SUPPLIES	0.00	22.03	
A101	26207	10/01/14 1789	OREGON DEPARTMENT O	1002410000000000	640	BACKGROUND CHECKS	0.00	65.00	
A101	26208	10/01/14 1847	PACE	1002552000000000	651	BUS INSURANCE	0.00	1,176.00	
A101	26209	10/01/14 2355	R&S INDUSTRIAL SUPP	1002542000000000	410	MAINT SUPPLIES	0.00	1.08	
A101	26210	10/01/14 2015	RANDY DOAN	1002542000000000	410	BLDG MAINTENANCE	0.00	10.00	
A101	26211	10/01/14 2110	SCHOOL MATE	1001132000000000	410	PLANNERS	0.00	148.50	
A101	26212	10/01/14 2370	SHERWIN-WILLIAMS	1002542000000000	410	PAINTING SUPPLIES	0.00	318.20	
A101	26212	10/01/14 2370	SHERWIN-WILLIAMS	1002542000000000	410	PAINTING SUPPLIES	0.00	159.10	
TOTAL CHECK							0.00	477.30	
A101	26213	10/01/14 2245	STEP FORWARD ACTIVI	1002542000000000	410	TRASH BAGS	0.00	092.30	
A101	26216	10/02/14 1022	U S BANK	1001131000050000	480	COMPUTER HARDWARE	0.00	85.74	
A101	26216	10/02/14 1022	U S BANK	10022400000000331	340	ASBO CONF TRAVEL	0.00	27.50	
A101	26216	10/02/14 1022	U S BANK	10022400000000331	340	ASBO CONF TRAVEL	0.00	70.00	
A101	26216	10/02/14 1022	U S BANK	1002410000000000	353	POSTAGE METER	0.00	300.00	
A101	26216	10/02/14 1022	U S BANK	10011110000000050	410	5TH GRADE PLANNERS	0.00	169.44	
A101	26216	10/02/14 1022	U S BANK	10011110000000060	410	6TH GRADE PLANNERS	0.00	169.44	
A101	26216	10/02/14 1022	U S BANK	10022400000000331	340	ASBO CONF TRAVEL	0.00	494.94	
A101	26216	10/02/14 1022	U S BANK	10023100000000000	410	PLC REFRESHMENTS	0.00	41.78	
A101	26216	10/02/14 1022	U S BANK	10012100000000000	410	TAG CLUB REGISTRATI	0.00	275.00	
A101	26216	10/02/14 1022	U S BANK	10011310000500000	480	COMPUTER HARDWARE	0.00	86.73	
A101	26216	10/02/14 1022	U S BANK	10011310000500000	480	COMPUTER HARDWARE	0.00	311.38	
A101	26216	10/02/14 1022	U S BANK	10025420000000000	460	IPAD COMPUTER	0.00	399.00	
A101	26216	10/02/14 1022	U S BANK	10025420000000000	410	DOOR SIGNS	0.00	161.70	
A101	26216	10/02/14 1022	U S BANK	10025200000000000	470	QUICKBOOKS PAYROLL	0.00	273.00	
A101	26216	10/02/14 1022	U S BANK	10011210001000000	420	LANG/ARTS TEXTBOOKS	0.00	109.99	
TOTAL CHECK							0.00	2,975.64	
A101	26217	10/08/14 2188	ORTOP REGISTRATION	10012100000000000	640	TOURNAMENT FEE	0.00	100.00	
A101	26219	10/08/14 1032	CARQUEST AUTO PARTS	10025540000000000	410	VEHICLE PARTS	0.00	104.41	
A101	26219	10/08/14 1032	CARQUEST AUTO PARTS	10025540000000000	410	VEHICLE PARTS	0.00	15.40	
TOTAL CHECK							0.00	119.81	
A101	26220	10/08/14 1040	CITY OF LOWELL	10025420000000000	327	SEPT WATER/SEWER	0.00	1,793.93	
A101	26224	10/08/14 1522	GLENDA GREEN	10011110000000000	410	KINDERGRTN SNACKS	0.00	16.38	

SELECTION CRITERIA: transact.ck_date between '10/01/2014' and '10/31/2014'
 ACCOUNTING PERIOD: 5/15

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	BUDGET CODE	ACCNT	DESCRIPTION	SALES TAX	AMOUNT
A101	26225	10/08/14	1070 JERRY BROWN COMPANY	1002542000000000	326	FUEL - BUILDING	0.00	1,301.79
A101	26226	10/08/14	1071 JERRY'S BUILDING MA	1002543000000000	410	GROUNDSKEEPING	0.00	180.70
A101	26226	10/08/14	1071 JERRY'S BUILDING MA	1002542000000000	410	BLDG MAINT SUPPLIES	0.00	69.14
A101	26226	10/08/14	1071 JERRY'S BUILDING MA	1002542000000000	410	NEW MAILBOX	0.00	94.02
A101	26226	10/08/14	1071 JERRY'S BUILDING MA	1002554000000000	460	TRANSPORT. EQUIP	0.00	46.48
A101	26226	10/08/14	1071 JERRY'S BUILDING MA	1002542000000000	410	BLDG MAINT SUPPLIES	0.00	48.64
A101	26226	10/08/14	1071 JERRY'S BUILDING MA	1002542000000000	410	BLDG MAINT SUPPLIES	0.00	245.45
TOTAL CHECK							0.00	684.43
A101	26227	10/08/14	2063 LANE COUNTY WASTE M	1002542000000000	328	DUMP FEES	0.00	15.50
A101	26223	10/08/14	1200 OASBO	1002240000000331	310	NBMI 3 YR PROGRAM	0.00	4,200.00
A101	26229	10/08/14	1202 OETC	1002661000000000	640	MS OFFICE SOFTWARE	0.00	566.73
A101	26230	10/08/14	2279 OFFICEMAX	1001131000050000	480	CLEANING SPRAY	0.00	11.28
A101	26231	10/08/14	1789 OREGON DEPARTMENT O	1002410000000000	640	CRIMINAL HISTORY CK	0.00	15.00
A101	26232	10/08/14	1548 PACIFIC WINDS MUSIC	1001131000133000	460	BOOKS/MOUTHPIECE	0.00	153.00
A101	26232	10/08/14	1548 PACIFIC WINDS MUSIC	1001131000133000	460	NEW INSTRUMENTS	0.00	925.00
A101	26232	10/08/14	1548 PACIFIC WINDS MUSIC	1001131000133000	460	NEW INSTRUMENT/ACC.	0.00	429.75
A101	26232	10/08/14	1548 PACIFIC WINDS MUSIC	1001131000133000	460	BOOKS/DRUMSTICKS	0.00	32.35
TOTAL CHECK							0.00	1,540.10
A101	26233	10/08/14	2015 RANDY DOAN	1002542000000000	410	NEW MAILBOX	0.00	42.50
A101	26234	10/08/14	2361 SARAH CUNNINGHAM	1002120000000000	319	MATH TUTORING	0.00	140.00
A101	26237	10/08/14	2409 TONY RIUS	1002410000000000	319	SPANISH TRANSLATION	0.00	450.00
A101	26241	10/15/14	1230 CENTURY LINK	1002542000000000	351	TELEPHONE SERVICE	0.00	308.33
A101	26242	10/15/14	1804 A-1 FIRE PROTECTION	1002542000000000	322	ANNUAL FIRE INSPECT	0.00	466.00
A101	26242	10/15/14	1804 A-1 FIRE PROTECTION	1002554000000000	322	ANNUAL FIRE INSPECT	0.00	152.50
TOTAL CHECK							0.00	618.50
A101	26243	10/15/14	2411 AGGREGATE RESOURCE	1002543000000000	410	CRUSHED ROCK	0.00	40.00
A101	26245	10/15/14	2403 BRIAN BEARD	1001131000550000	410	WOODSHOP SUPPLIES	0.00	57.54
A101	26245	10/15/14	2403 BRIAN BEARD	1001131000550000	410	WOODSHOP SUPPLIES	0.00	18.88
A101	26245	10/15/14	2403 BRIAN BEARD	1001131000550000	410	WOODSHOP SUPPLIES	0.00	40.34
A101	26245	10/15/14	2403 BRIAN BEARD	1001131000550000	410	WOODSHOP SUPPLIES	0.00	251.69
A101	26245	10/15/14	2403 BRIAN BEARD	1002542000000000	410	BLDG MAINT SUPPLIES	0.00	16.50
A101	26245	10/15/14	2403 BRIAN BEARD	1002542000000000	410	BLDG MAINT SUPPLIES	0.00	19.28
A101	26245	10/15/14	2403 BRIAN BEARD	1002542000000000	410	BLDG MAINT SUPPLIES	0.00	94.66
A101	26245	10/15/14	2403 BRIAN BEARD	1001131000550000	460	WOODSHOP TOOL SET	0.00	39.99
TOTAL CHECK							0.00	538.88
A101	26246	10/15/14	1032 CARQUEST AUTO PARTS	1002554000000000	410	VEHICLE PARTS	0.00	77.78

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FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	BUDGET CODE	ACCNT	DESCRIPTION	SALES TAX	AMOUNT
A101	26247	10/15/14	2146	CASCADE HEALTH SOLU	1002552000000000 640	BUS DRIVER TEST	0.00	63.00
A101	26248	10/15/14	2329	CDW GOVERNMENT	1001131000050000 480	CHROMEBOOK COMPUTER	0.00	3,068.36
A101	26249	10/15/14	1259	COASTWIDE LABORATOR	1002542000000000 410	CUSTODIAL SUPPLIES	0.00	552.48
A101	26249	10/15/14	1259	COASTWIDE LABORATOR	1002542000000000 410	CUSTODIAL SUPPLIES	0.00	69.82
TOTAL CHECK							0.00	622.30
A101	26251	10/15/14	2039	GOVERNMENT ETHICS C	1002310000000000 640	14/15 ANNUAL FEE	0.00	516.09
A101	26252	10/15/14	2322	J.W. PEPPER & SONS,	1001131000133000 420	MUSIC METHOD BOOKS	0.00	75.53
A101	26253	10/15/14	1071	JERRY'S BUILDING MA	1002554000000000 410	PAINTING SUPPLIES	0.00	149.94
A101	26253	10/15/14	1071	JERRY'S BUILDING MA	1002554000000000 410	PAINTING SUPPLIES	0.00	-124.95
A101	26253	10/15/14	1071	JERRY'S BUILDING MA	1002543000000000 410	PAINTING SUPPLIES	0.00	40.10
A101	26253	10/15/14	1071	JERRY'S BUILDING MA	1002542000000000 410	BLDG MAINT SUPPLIES	0.00	13.72
A101	26253	10/15/14	1071	JERRY'S BUILDING MA	1002542000000000 410	BLDG MAINT SUPPLIES	0.00	52.91
A101	26253	10/15/14	1071	JERRY'S BUILDING MA	1001131000550000 410	WOODSHOP SUPPLIES	0.00	30.98
TOTAL CHECK							0.00	162.70
A101	26255	10/15/14	2310	KAY GRAHAM	1002410000000000 410	STAFF MTG LUNCH	0.00	227.89
A101	26256	10/15/14	2413	LAURA LUCKEY	1002410000000000 640	FINGERPRINTING	0.00	15.00
A101	26258	10/15/14	1183	NATIONAL GEOGRAPHIC	1002222000000000 440	SUBSCRIPTION	0.00	39.00
A101	26259	10/15/14	2087	OLA-OREGON BATTLE O	1001111000000000 420	BATTLE OF BOOKS FEE	0.00	50.00
A101	26260	10/15/14	2279	OFFICEMAX	1002410000000000 410	OFFICE SUPPLIES	0.00	255.74
A101	26260	10/15/14	2279	OFFICEMAX	1002410000000000 410	OFFICE SUPPLIES	0.00	2.99
TOTAL CHECK							0.00	258.73
A101	26261	10/15/14	1789	OREGON DEPARTMENT O	1002410000000000 640	CRIMINAL HIST CKS	0.00	15.00
A101	26263	10/15/14	1211	OSBA	1002310000000000 640	POLICY PLUS SEP FEE	0.00	50.00
A101	26263	10/15/14	1211	OSBA	1002310000000000 640	POLICY PLUS OCT FEE	0.00	50.00
TOTAL CHECK							0.00	100.00
A101	26264	10/15/14	2126	PACIFIC OFFICE AUTO	1002574000000000 355	HS COPIES	0.00	351.30
A101	26264	10/15/14	2126	PACIFIC OFFICE AUTO	1002574000000000 355	ELEM COPIES	0.00	92.05
TOTAL CHECK							0.00	443.35
A101	26265	10/15/14	1548	PACIFIC WINDS MUSIC	1001131000133000 420	MUSIC METHOD BOOKS	0.00	19.90
A101	26265	10/15/14	1548	PACIFIC WINDS MUSIC	1001131000133000 322	INSTRUMENT REPAIR	0.00	60.00
A101	26265	10/15/14	1548	PACIFIC WINDS MUSIC	1001131000133000 410	MUSIC SUPPLIES	0.00	35.05
A101	26265	10/15/14	1548	PACIFIC WINDS MUSIC	1001131000133000 460	SAXOPHONE	0.00	475.00
TOTAL CHECK							0.00	589.95
A101	26266	10/15/14	2355	R&S INDUSTRIAL SUPP	1002542000000000 410	BLDG MAINT SUPPLIES	0.00	14.29
A101	26267	10/15/14	1056	SAIF CORPORATION	100	L473-004 WORKERS' COMP	0.00	1,243.43

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FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	BUDGET CODE	ACCNT	DESCRIPTION	SALES TAX	AMOUNT	
A101	26268	10/15/14	2167	SANIPAC	1002542000000000	328	ELEM GARBAGE SVC	0.00	154.30
A101	26268	10/15/14	2167	SANIPAC	1002542000000000	328	HS GARBAGE SVC	0.00	115.70
TOTAL CHECK							0.00	270.00	
A101	26269	10/15/14	1409	SAW SYSTEMS ENTERPR	1001131000550000	322	WOODSHOP EQUIP REPA	0.00	172.60
A101	26269	10/15/14	1409	SAW SYSTEMS ENTERPR	1001131000550000	410	WOODSHOP SUPPLIES	0.00	73.87
TOTAL CHECK							0.00	246.47	
A101	26270	10/15/14	1239	SECURITY ALARM CORP	1002542000000000	329	ELEM SECURITY ALARM	0.00	49.75
A101	26270	10/15/14	1239	SECURITY ALARM CORP	1002542000000000	329	HS SECURITY ALARM	0.00	60.75
TOTAL CHECK							0.00	110.50	
A101	26271	10/15/14	2370	SHERWIN-WILLIAMS	1002542000000000	410	PAINTING SUPPLIES	0.00	167.23
A101	26272	10/15/14	2242	SQUARE DEAL LUMBER	1001131000550000	410	WOODSHOP SUPPLIES	0.00	198.30
A101	26274	10/15/14	1022	U S BANK	1001111000000000	420	TEXTBOOKS	0.00	57.82
A101	26274	10/15/14	1022	U S BANK	1002520000000000	640	SEP PAYROLL PROC FE	0.00	20.00
A101	26274	10/15/14	1022	U S BANK	1002520000000000	410	SHELF UNIT	0.00	11.24
A101	26274	10/15/14	1022	U S BANK	1001111000000000	420	TEXTBOOKS	0.00	73.89
A101	26274	10/15/14	1022	U S BANK	1001111000000000	420	TEXTBOOKS	0.00	91.20
A101	26274	10/15/14	1022	U S BANK	1002554000000000	410	VEHICLE SUPPLIES	0.00	29.78
A101	26274	10/15/14	1022	U S BANK	1001111000000000	420	TEXTBOOKS	0.00	28.99
A101	26274	10/15/14	1022	U S BANK	1001111000000000	420	TEXTBOOKS	0.00	183.70
A101	26274	10/15/14	1022	U S BANK	1001111000000000	420	TEXTBOOKS	0.00	28.99
A101	26274	10/15/14	1022	U S BANK	1001111000000000	420	TEXTBOOKS	0.00	310.52
TOTAL CHECK							0.00	45.00	
A101	26276	10/15/14	1170	WESTERN BUS SALES	1002554000000000	410	VEHICLE PARTS	0.00	881.13
A101	26276	10/15/14	1170	WESTERN BUS SALES	1002554000000000	410	VEHICLE PARTS	0.00	19.13
A101	26276	10/15/14	1170	WESTERN BUS SALES	1002554000000000	410	VEHICLE PARTS CREDI	0.00	109.88
A101	26276	10/15/14	1170	WESTERN BUS SALES	1002554000000000	322	BUS CAMERAS LABOR	0.00	-1,750.00
A101	26276	10/15/14	1170	WESTERN BUS SALES	1002554000000000	410	VEHICLE PARTS	0.00	1,229.40
A101	26276	10/15/14	1170	WESTERN BUS SALES	1002554000000000	460	BUS CAMERAS	0.00	210.00
TOTAL CHECK							0.00	4,354.00	
A101	26277	10/15/14	2265	WOODCRAFT 515	1001131000550000	420	WOODSHOP TEXTBOOKS	0.00	44.94
A101	26278	10/17/14	2398	MOUNTAIN VIEW ACADE	1001288000000000	360	OCT MVA PAYMENT	0.00	42,763.00
A101	26279	10/22/14	2329	CDW GOVERNMENT	1001131000050000	480	CHROMEBOOK LICENSE	0.00	300.00
A101	26280	10/22/14	1259	COASTWIDE LABORATOR	1002542000000000	410	CUSTODIAL SUPPLIES	0.00	195.13
A101	26281	10/22/14	2186	DE LAGE LANDEN PUBL	1002574000000000	355	COPIER SERVICE	0.00	710.53
A101	26282	10/22/14	1522	GLENDA GREEN	1001210000000000	640	ROBOTICS FEE	0.00	275.00
A101	26282	10/22/14	1522	GLENDA GREEN	1001111000000000	410	KINDER SNACKS	0.00	14.88
TOTAL CHECK							0.00	289.88	

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A101	26283	10/22/14	2324 L D ELLISON	1002554000000000	460	CARSEATS/FILE CABIN	0.00	369.75
A101	26284	10/22/14	2063 LANE COUNTY WASTE M	1002542000000000	328	DUMP FEES	0.00	15.50
A101	26284	10/22/14	2063 LANE COUNTY WASTE M	1002542000000000	328	DUMP FEES	0.00	24.00
TOTAL CHECK							0.00	39.50
A101	26285	10/22/14	2414 MARCI MCMAHON	1002410000000000	640	FINGERPRINTING	0.00	20.00
A101	26286	10/22/14	1519 MARILYN KORDON	1002222000000000	410	BINS FOR BOOKS	0.00	12.00
A101	26287	10/22/14	1104 MCGUIRE BEARING COM	1001131000550000	410	BANDSAW PARTS	0.00	16.68
A101	26287	10/22/14	1104 MCGUIRE BEARING COM	1001131000550000	410	BANDSAW PARTS	0.00	8.34
TOTAL CHECK							0.00	25.02
A101	26289	10/22/14	1870 OREGON CAREER INFOR	1001131000520000	470	CAREER INF/SYSTEM F	0.00	275.00
A101	26290	10/22/14	1548 PACIFIC WINDS MUSIC	1001131000133000	460	TRUMPET/SAXOPHONE	0.00	820.00
A101	26291	10/22/14	2015 RANDY DOAN	1002543000000000	322	MOWER TIRE REPAIR	0.00	21.00
A101	26295	10/22/14	1166 VERIZON	1002554000000000	351	BUS PHONES	0.00	199.33
A101	26296	10/22/14	1623 WILLAMETTE ESD	1002321000000000	470	OCT PENTAMATION	0.00	518.44
A101	26297	10/29/14	2149 CENTURY LINK-LONG D	1002542000000000	351	LONG DISTANCE PHONE	0.00	12.35
A101	26298	10/29/14	1686 ABSOLUTE LAUNDRY SY	1002542000000000	322	WASHER REPAIR	0.00	215.00
A101	26299	10/29/14	2171 ALVIN RIGGS	1002542000000000	322	HS SECURITY CAMERA	0.00	150.81
A101	26300	10/29/14	2263 ANTHONY NOLAN	1002543000000000	322	MOWER TIRE REPAIR	0.00	30.10
A101	26302	10/29/14	2329 CDW GOVERNMENT	1001131000050000	480	POWER STRIPS	0.00	127.92
A101	26302	10/29/14	2329 CDW GOVERNMENT	1002554000000000	460	PRINTER & TONER	0.00	650.77
TOTAL CHECK							0.00	778.69
A101	26303	10/29/14	1259 COASTWIDE LABORATOR	1002542000000000	460	CUSTODIAL EQUIP	0.00	148.94
A101	26304	10/29/14	1146 CUMMINS NORTHWEST,	1002554000000000	410	VEHICLE PARTS	0.00	110.76
A101	26305	10/29/14	1522 GLENDA GREEN	1002661000000000	410	IPAD DOCK CONNECTOR	0.00	47.58
A101	26307	10/29/14	1066 HUNGERFORD LAW FIRM	1002310000000000	382	SEPT LEGAL SERVICES	0.00	763.75
A101	26308	10/29/14	2299 JAMES HEATING	1002542000000000	322	FILTER REPAIR	0.00	95.00
A101	26309	10/29/14	1070 JERRY BROWN COMPANY	1002554000000000	411	VEHICLE FUEL	0.00	4,000.28
A101	26310	10/29/14	1071 JERRY'S BUILDING MA	1002542000000000	410	BLDG MAINT	0.00	46.08
A101	26310	10/29/14	1071 JERRY'S BUILDING MA	1002542000000000	460	DEWALT DRILL	0.00	149.99
A101	26310	10/29/14	1071 JERRY'S BUILDING MA	1002542000000000	410	BLDG MAINT	0.00	264.01
A101	26310	10/29/14	1071 JERRY'S BUILDING MA	1002542000000000	410	BLDG MAINT	0.00	7.49

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FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	26310	10/29/14	1071 JERRY'S BUILDING MA	1002542000000000	410	BLDG MAINT		
A101	26310	10/29/14	1071 JERRY'S BUILDING MA	1002554000000000	410	TOW CHAIN	0.00	140.29
A101	26310	10/29/14	1071 JERRY'S BUILDING MA	1002542000000000	410	BLDG MAINT	0.00	37.98
TOTAL CHECK							0.00	339.84
							0.00	982.68
A101	26313	10/29/14	2279 OFFICEMAX	1002410000000000	410	OFFICE SUPPLIES	0.00	32.63
A101	26313	10/29/14	2279 OFFICEMAX	1002410000000000	410	OFFICE SUPPLIES	0.00	166.05
A101	26313	10/29/14	2279 OFFICEMAX	1002410000000000	410	OFFICE SUPPLIES	0.00	11.27
TOTAL CHECK							0.00	209.95
A101	26314	10/29/14	2126 PACIFIC OFFICE AUTO	1002574000000000	355	HS COPIES	0.00	203.02
A101	26314	10/29/14	2126 PACIFIC OFFICE AUTO	1002574000000000	355	ELEM COPIES	0.00	138.18
TOTAL CHECK							0.00	341.20
A101	26315	10/29/14	1548 PACIFIC WINDS MUSIC	1001131000133000	460	SAX MOUTHPIECE	0.00	40.00
A101	26316	10/29/14	1225 POSTMASTER	1002574000000000	353	THE BRIDGE POSTAGE	0.00	179.24
A101	26317	10/29/14	2015 RANDY DOAN	1002542000000000	410	BLDG MAINT	0.00	17.75
TOTAL CASH ACCOUNT							0.00	113,100.33
TOTAL FUND							0.00	113,100.33

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FUND - 218 - OREGON COMMUNITY GRANT

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	26210	10/02/14	1022 U S BANK	2182129000000000	480	LAPTOP COMPUTER	0.00	1,490.22
TOTAL CASH ACCOUNT							0.00	1,490.22
TOTAL FUND							0.00	1,490.22

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FUND - 219 - DISTRICT PLT

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	26196	10/01/14	2105 JOHNIE MATTHEWS	2192240000000000	342	PLT CONF TRAVEL	0.00	141.39
A101	26216	10/02/14	1022 U S BANK	2192240000000000	342	PLT CONF TRAVEL	0.00	203.82
A101	26216	10/02/14	1022 U S BANK	2192240000000000	342	PLT CONF TRAVEL	0.00	20.00
A101	26216	10/02/14	1022 U S BANK	2192240000000000	342	PLT CONF TRAVEL	0.00	25.00
TOTAL CHECK							0.00	248.82
TOTAL CASH ACCOUNT							0.00	390.21
TOTAL FUND							0.00	390.21

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FUND - 226 - TITLE I 14-15

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	26245	10/15/14	2403 BRIAN BEARD	2261272000000000	340	DATAWORKS CONF TRAV	0.00	75.90
A101	26254	10/15/14	1945 JESSICA EDGERTON	2261272000000000	340	DATAWORKS TRNG TRAV	0.00	133.58
A101	26294	10/22/14	1262 TRUDI GLANDER	2261272000000000	340	DATAWORKS TRAVEL	0.00	226.78
TOTAL CASH ACCOUNT							0.00	436.26
TOTAL FUND							0.00	436.26

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FUND - 237 - CHINTIMINI-IT'S A NATURAL

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	26320	10/29/14	1364 VERNIER	2371131000120000	410	TAG SCIENCE SUPPLIE	0.00	4,177.38
TOTAL CASH ACCOUNT							0.00	4,177.38
TOTAL FUND							0.00	4,177.38

SELECTION CRITERIA: transact.ck_date between '10/01/2014' and '10/31/2014'
 ACCOUNTING PERIOD: 5/15

FUND - 277 - EBISS DEPTH 13-14

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	26199	10/01/14 2310	KAY GRAHAM	2772120000000000	410	INCENTIVE PRIZES	0.00	108.93
A101	26216	10/02/14 1022	U S BANK	2772120000000000	410	LESSON PLANNERS	0.00	843.88
A101	26257 V	10/15/14 1103	MCGRW-HILL	2772120000000000	410	LESSON PLANNERS	0.00	-843.88
A101	26257	10/15/14 1103	MCGRW-HILL	2772120000000000	410	LESSON PLANNERS	0.00	843.88
TOTAL CHECK							0.00	0.00
A101	26311	10/29/14 2310	KAY GRAHAM	2772120000000000	410	INCENTIVE PRIZES	0.00	85.92
TOTAL CASH ACCOUNT							0.00	1,038.73
TOTAL FUND							0.00	1,038.73

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LOWELL SCHOOL DISTRICT #71
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SELECTION CRITERIA: transact.ck_date between '10/01/2014' and '10/31/2014'
ACCOUNTING PERIOD: 5/15

FUND - 295 - ATHLETICS & ACTIVITIES

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	26244	10/15/14	2000 BRAD BRADY	2951132000000720	340	DRIVER MEAL VB GAME	0.00	7.97
A101	26301	10/29/14	2000 BRAD BRADY	2951132000000720	340	DRIVER MEAL VB GAME	0.00	9.45
A101	26312	10/29/14	1081 LANE CO WRESTLING O	2951132000000740	380	WRESTLING OFFICIALS	0.00	1,565.50
TOTAL CASH ACCOUNT							0.00	1,582.92
TOTAL FUND							0.00	1,582.92

SUNGARD PENTAMATION
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SELECTION CRITERIA: transact.ck_date between '10/01/2014' and '10/31/2014'
ACCOUNTING PERIOD: 5/15

FUND - 297 - FOOD SERVICE FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	BUDGET CODE	ACCNT	DESCRIPTION	SALES TAX	AMOUNT
A101	26214	10/01/14	1776 SYSCO FOOD SERVICES	2973100000000000	450	FOOD SUPPLIES	0.00	1,192.43
A101	26214	10/01/14	1776 SYSCO FOOD SERVICES	2973100000000000	450	FOOD SUPPLIES	0.00	678.03
TOTAL CHECK							0.00	1,870.46
A101	26215	10/01/14	2193 UMPQUA DAIRY	2973100000000000	450	FOOD SUPPLIES	0.00	375.50
A101	26216	10/02/14	1022 U S BANK	2973100000000000	340	BILLY REID TRAVEL	0.00	195.20
A101	26216	10/02/14	1022 U S BANK	2973100000000000	340	BILLY REID TRAVEL	0.00	92.00
A101	26216	10/02/14	1022 U S BANK	2973100000000000	340	BILLY REID TRAVEL	0.00	43.25
A101	26216	10/02/14	1022 U S BANK	2973100000000000	340	BILLY REID TRAVEL	0.00	51.29
A101	26216	10/02/14	1022 U S BANK	2973100000000000	640	REGISTRATION FEE	0.00	122.00
TOTAL CHECK							0.00	503.74
A101	26221	10/08/14	2291 EARTH20	2973100000000000	450	BOTTLED WATER	0.00	82.00
A101	26221	10/08/14	2291 EARTH20	2973100000000000	450	BOTTLED WATER	0.00	1.00
TOTAL CHECK							0.00	83.00
A101	26230	10/08/14	2279 OFFICEMAX	2973100000000000	450	CAFE TALLY COUNTER	0.00	4.76
A101	26235	10/08/14	1949 SCHOOL OUTFITTERS	2973100000000000	460	HS CAFE TABLES	0.00	5,662.91
A101	26236	10/08/14	1776 SYSCO FOOD SERVICES	2973100000000000	450	FOOD SUPPLIES	0.00	1,650.08
A101	26236	10/08/14	1776 SYSCO FOOD SERVICES	2973100000000000	450	FOOD SUPPLIES	0.00	1,177.98
TOTAL CHECK							0.00	2,828.06
A101	26238	10/08/14	2193 UMPQUA DAIRY	2973100000000000	450	FOOD SUPPLIES	0.00	119.90
A101	26250	10/15/14	2291 EARTH20	2973100000000000	450	BOTTLED WATER	0.00	5.00
A101	26262	10/15/14	2412 OREGON SCHOOL NUTRI	2973100000000000	640	OSNA CONFERENCE FEE	0.00	100.00
A101	26273	10/15/14	1776 SYSCO FOOD SERVICES	2973100000000000	450	FOOD SUPPLIES CREDI	0.00	-28.08
A101	26273	10/15/14	1776 SYSCO FOOD SERVICES	2973100000000000	450	FOOD SUPPLIES CREDI	0.00	-65.06
A101	26273	10/15/14	1776 SYSCO FOOD SERVICES	2973100000000000	450	FOOD SUPPLIES	0.00	1,663.05
A101	26273	10/15/14	1776 SYSCO FOOD SERVICES	2973100000000000	450	FOOD SUPPLIES	0.00	880.36
TOTAL CHECK							0.00	2,450.27
A101	26274	10/15/14	1022 U S BANK	2973100000000000	640	FOOD HANDLING PERMI	0.00	10.00
A101	26275	10/15/14	2193 UMPQUA DAIRY	2973100000000000	450	FOOD SUPPLIES	0.00	72.30
A101	26275	10/15/14	2193 UMPQUA DAIRY	2973100000000000	450	FOOD SUPPLIES	0.00	384.40
A101	26275	10/15/14	2193 UMPQUA DAIRY	2973100000000000	450	FOOD SUPPLIES	0.00	206.35
A101	26275	10/15/14	2193 UMPQUA DAIRY	2973100000000000	450	FOOD SUPPLIES	0.00	100.00
A101	26275	10/15/14	2193 UMPQUA DAIRY	2973100000000000	450	FOOD SUPPLIES	0.00	36.60
TOTAL CHECK							0.00	799.65
A101	26288	10/22/14	2304 NATHAN BOWERS	2973100000000000	340	FOOD SERVICE TRAVEL	0.00	213.44
A101	26293	10/22/14	1776 SYSCO FOOD SERVICES	2973100000000000	450	FOOD SUPPLIES	0.00	842.35
A101	26299	10/29/14	2171 ALVIN RIGGS	2973100000000000	322	ELEM KITCHEN OUTLET	0.00	292.96
A101	26299	10/29/14	2171 ALVIN RIGGS	2973100000000000	322	KITCHEN OVEN OUTLET	0.00	166.89

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 ACCOUNTING PERIOD: 5/15

FUND - 297 - FOOD SERVICE FUND

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
TOTAL CHECK								
A101	26305	10/29/14	2291 EARTH20	297310000000000000	450	BOTTLED WATER	0.00	479.85
A101	26318	10/29/14	1776 SYSCO FOOD SERVICES	297310000000000000	450	FOOD SUPPLIES	0.00	28.95
A101	26318	10/29/14	1776 SYSCO FOOD SERVICES	297310000000000000	450	FOOD SUPPLIES	0.00	1,525.41
A101	26318	10/29/14	1776 SYSCO FOOD SERVICES	297310000000000000	450	FOOD SUPPLIES	0.00	1,269.97
TOTAL CHECK							0.00	1,179.70
A101	26319	10/29/14	2193 UMPQUA DAIRY	297310000000000000	450	FOOD SUPPLIES	0.00	3,975.08
A101	26319	10/29/14	2193 UMPQUA DAIRY	297310000000000000	450	FOOD SUPPLIES	0.00	72.30
A101	26319	10/29/14	2193 UMPQUA DAIRY	297310000000000000	450	FOOD SUPPLIES	0.00	302.30
TOTAL CHECK							0.00	84.65
A101	26321	10/29/14	2415 WESTERN RECYCLING T	297310000000000000	540	STYROGENIE DOWN PMT	0.00	459.25
TOTAL CASH ACCOUNT							0.00	32,919.00
TOTAL FUND							0.00	53,731.17
							0.00	53,731.17

SUNGARD PENTAMATION
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LOWELL SCHOOL DISTRICT #71
 CHECK REGISTER - BY FUND

PAGE NUMBER: 16
 ACCTPA21

SELECTION CRITERIA: transact.ck_date between '10/01/2014' and '10/31/2014'
 ACCOUNTING PERIOD: 5/15

FUND - 400 - CAPITAL PROJECTS

CASH ACCT	CHECK NO	ISSUE DT	-----VENDOR-----	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	26218	10/08/14	2376	2G CONSTRUCTION	4002540001000602 590	AUGUST PROGRESS PMT	0.00	227,203.29
A101	26222	10/08/14	2384	ENERGY LOAN PROGRAM	4002540000000000 590	LEGAL FEES	0.00	540.60
A101	26223	10/08/14	2275	FRESH AIRE ENGINEER	4002540000000000 590	MECH/SYSTM ASSESSME	0.00	1,500.00
A101	26239	10/14/14	2410	M & M CONCRETE	4002540000000000 590	ANNOUN/BOOTH CONCRE	0.00	7,200.00
A101	26239 V	10/14/14	2410	M & M CONCRETE	4002540000000000 590	ANNOUN/BOOTH CONCRE	0.00	-7,200.00
TOTAL CHECK							0.00	0.00
A101	26240	10/14/14	2410	M & M CONCRETE	4002540000000000 590	ANNOUN/BOOTH CONCRE	0.00	7,235.00
A101	26292	10/22/14	2205	RODD HANSEN ARCHITE	4002540000000000 590	FINAL ARCHITECT PMT	0.00	6,401.68
TOTAL CASH ACCOUNT							0.00	242,880.57
TOTAL FUND							0.00	242,880.57
TOTAL REPORT							0.00	418,827.79

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-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. The district's policy shall be posted in 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: **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 otherwise harms, insults or

humiliates another in a deliberate, repeated or hostile and unwanted manner under a person's true or false identity.

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, shall immediately report his/her concerns to the designated district official.

Any employee or third party who has knowledge of conduct in violation of Board policy or feels he/she has been hazed, harassed, intimidated, bullied, cyberbullied or menaced in violation of Board policy or this administrative regulation 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. 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 337.260	OAR 581-021-0045
ORS 336.840	ORS 337.511	OAR 581-021-0046
ORS 337.120	ORS 339.155	OAR 581-022-1140
ORS 337.141		OAR 581-022-1520
ORS 337.150	OAR 581-011-0050 to -0117	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 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 school options.

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

1. Parents and students may be informed at least annually, of their student's progress 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 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 reporting system shall be based on Board-adopted course content and clearly show the student and parent whether the student is achieving course requirements at the student's current grade level; or course content level; shall be based on the student's progress toward 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.

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 may be annually informed of their student's progress 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 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 service animal¹.

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

2. Is the service animal required due to a disability? ☐ Yes ☐ No
3. Describe the nature of the work or task the 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 Electronic Devices and Social Media**

(Student may possess a personal electronic device)

Students may be allowed to use and possess personal 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 electronic device (PED)” is a device 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 access is approved by a district representative

The district will not be liable for personal 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 electronic devices are included in staff handbooks and student/parent handbooks, reviewed annually and updated as necessary.

END OF POLICY

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.

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: **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 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 March 1st.

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 transcripting 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;

OR

 - 3) 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;

- (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) Insurance²:
 - (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;

²Insurance 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.

Board Policy Approval Process

The basic foundation to the following Board policy adoption process is that there are no revelations or last minute surprises to either the Board or the administration. Board members are to do their homework and provide input and concerns to the administration in advance of the Board meetings.

Step	Action To Be Taken	Board Action
Step 1	Michelle and Walt receive OSBA Policy revisions and Michelle provides hard copy of the revisions, with notes and options to Walt for his review.	No action is needed
Step 2	Walt reviews policies and makes hand written changes or deletion notations on the policy, which represent his recommendation regarding the each specific policy.	No action is needed.
Step 3	Walt provides his handwritten notated policies to Michelle to place on the upcoming Board meeting.	No action is needed
Step 4	The OSBA Policies, with Walt's handwritten recommended notation, are presented in the Board Packet under the Report Section of the Agenda.	Board members are to read the policies provided in the Board Packet and to come prepared to the meeting with a written list of policies that the Board member would want to discuss at the NEXT Board meeting. The list would be provided to Michelle. The policies <u>that are not of question</u> will be brought to the next Board for approval under the Consent Agenda.
Step 5	The written list of policies that a Board member wants to discuss will be provided to Walt by Michelle. If the Board member has not expressed concerns /suggested changes to Walt, Walt will contact the Board member to determine what are the concerns or suggested changes and be prepared to address the concerns at the next Board meeting.	No action is needed
Step 6	Michelle organizes the policies into two agenda items . The policies that ARE NOT of question or concern shall be placed under the Consent Agenda as Second Reading and Approval. The policies that are of question or concern shall be placed under the Action/Discussion Agenda Items as Second Reading for Discussion/Approval .	Board approves the packet of policies either through the Consent and/or Action/Discussion Agenda (Please note that this action would take place at least 45 days after the District received the Policies. In many cases, depending upon timing, it may take up to 75 days to complete the process.)

approved; November 24, 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.
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: **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 electronic device” is a device, not issued by the district, is capable of electronically communicating, sending, receiving, storing, recording, reproducing, and/or displaying information and data.

Personal 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. 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. Computers, tablets, iPads or similar devices brought to school will be restricted to academic activities during on duty time.

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

Staff members, while on duty and off duty, will utilize social media websites, 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 electronic devices will be appropriate and professional. Communication with students using personal 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. Texting students while off duty is strongly discouraged.

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 electronic device in any manner that is illegal or violates the terms of this policy. Staff actions on social media websites, public websites; and blogs, while on or off duty, which disrupt the school environment, are subject to

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.

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 326.011](#)

[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).

Oregon School Boards Association Selected Sample Policy

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

Personal Electronic Devices and Social Media

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

1. Personal 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 school, at lunch, and after the regular school day. 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. Personal electronic 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 at 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 electronic devices brought to district property or district-sponsored events;
5. Personal electronic devices 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 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;
7. The use of personal 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 electronic devices;
9. Personal 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

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.

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 access is approved by a district representative.

BYLAWS
OF
LOWELL, FALL CREEK EDUCATION FOUNDATION
("the Corporation")

1. OFFICES

1.1. Principal Office. The principal office of the Corporation in the state of Oregon shall be located in Lowell, Oregon. The Corporation may have such other office in or out of the state of Oregon, as the Board of Directors may designate or as the business of the Corporation may require from time to time.

1.2. Registered Office. The registered office of the Corporation required by the Oregon Nonprofit Corporation Act to be maintained in the state of Oregon may be, but need not be, identical with the principal office in the state of Oregon, and the address of the registered office may be changed from time to time by the Board of Directors upon compliance with the requirements of the Oregon Nonprofit Corporation Act for change of the registered office.

2. BOARD OF DIRECTORS

2.1. General Powers. The business and affairs of the Corporation shall be managed by its Board of Directors.

2.2. Number, Tenure and Qualifications. The number of directors of the Corporation shall not be less than three (3) or more than nine (9) directors. The Superintendent or designee of Lowell School District #71 shall be an Ex-officio member of the Board of Directors. The Board is authorized to increase or decrease the number of directors serving by action of a majority of directors then serving, providing that no action to decrease the number of directors shall be effective other than at the end of a director's term of office. Directors appointed will serve a term of one year. Directors may be appointed to serve for additional terms.

2.3 Regular Meetings. A regular annual meeting of the Board of Directors shall be held during the last month of the Corporation's fiscal year, at such time and place as determined by the directors, and with appropriate notice. The Board of Directors may provide, by resolution, the time and place, either within or outside the state of Oregon, for the holding of additional regular meetings. The resolution shall set forth the notice for the meeting. In addition, the Board shall schedule quarter-annual meetings.

2.4 Special Meetings. Special meetings of the Board of Directors may be called by or at the request of the president or any two directors. The person or person authorized to call

special meetings for the Board of Directors may fix any place, either within or without the state of Oregon, as the place for holding any special meeting of the Board of Directors called by them.

2.5 Notice. Notice of any special meeting shall be given at least three days previously thereto, either orally by telephone, email or in person, or by written notice delivered personally or mailed to each director at the director's address. If mailed, such notice shall be deemed to be delivered on the second day following deposit in the United States mail. Any director may waive notice of any meeting. The attendance of a director at a meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted nor the purpose of any special meeting of the Board of Directors must be specified in the notice or waiver of notice of such meeting.

2.6 Quorum. A majority of the number of the directors in office immediately before the commencement of the meeting shall constitute a quorum for the transaction of business at any meeting of the Board of Directors.

2.7 Manner of Acting. Unless expressly provided otherwise in these Bylaws, the act of a majority of the directors present at a meeting at which a quorum is present shall be the act of the Board of Directors. Directors shall be deemed to be present at a regular or special meeting where all directors participating may simultaneously hear each other during the meeting, irrespective of whether or not they are present in the same location, as by a telephonic conference.

2.8. Presumption of Assent. A director of the Corporation who is present at a meeting of the Board of Directors at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless his dissent shall be entered in the minutes of the meeting or unless he or she shall file his or her written dissent to such action with the person acting as the secretary of the meeting before the adjournment thereof or shall forward such dissent by registered mail to the secretary of the Corporation immediately after the adjournment of the meeting. The right to dissent shall not apply to a director who voted in favor of the action.

2.09. Removal. At any meeting of the Board of Directors, any individual director may be removed from office with or without cause by a vote of two-thirds of the directors then serving.

2.10. Resignation. Any director of the Corporation may resign at any time by giving written notice to the Corporation, to the Board of Directors, or to the chair of the Board, or to the president, or to the secretary of the Corporation. Any such resignation shall take effect at the

time specified therein, or, if the time be not specified therein, upon its acceptance of the Board of Directors.

2.11. Annual Appointment of Directors. The Board of Directors shall be a self-perpetuating body. Annually, a slate of candidates will be developed by the Board. The slate of candidates will be submitted to the Lowell School Board of Directors. Each director shall be appointed annually as a director of the Corporation by the Lowell School District Board.

Directors appointed will serve a term of one year. Directors may be appointed to serve for additional terms. Should a vacancy occur as a result of death, resignation, removal, disqualification, or any other reason, the Board shall recommend the appointment of a successor for said vacancy to the Lowell School Board of Directors for appointment.

3. OFFICERS

3.1 Number. The officers of the Corporation shall be a president, vice-president, secretary and treasurer, each of who shall be elected by the Board of Directors. The Board may choose to elect one individual to serve in the position of secretary and also as treasurer. Other officers, such as additional vice-presidents or assistant officers may be elected by the Board of Directors.

3.2 Election and Term of Office. The officers shall be elected annually by the Board of Directors at the first meeting of the Board of Directors. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently may be. Each officer shall hold office until that officer's successor shall have been duly elected and shall have qualified or until that officer's death or until the officer shall resign or shall have been removed in the manner hereinafter provided.

3.3. Removal and Resignation. Any officer or agent elected or appointed by the Board of Directors may be removed by an affirmative vote of two-thirds of the directors then serving whenever in its judgment the best interests of the Corporation would be served thereby. Any officer of the Corporation may resign at any time by giving written notice to the Corporation, to the Board of Directors, or to the chair of the Board, or to the president, or to the secretary of the Corporation. Any such resignation shall take effect at the time specified therein, or, if the time be not specified therein, upon its acceptance by the Board of Directors.

3.4. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

3.5. President. The president shall be the principal executive officer of the Corporation and, subject to the control of the Board of Directors, shall in general supervise all of the business and affairs of the Corporation. The president shall preside at all meetings of the Board of Directors. The president may sign, with the secretary or any other proper officer of the Corporation authorized by the Board of Directors, any deeds, mortgages, bonds, contracts, or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these Bylaws to some other officer or agent of the Corporation, or shall be required by law to be otherwise signed or executed; and in general shall perform all duties incident to the office of president and such other duties as may be prescribed by the Board of Directors.

3.7 Vice-President. In the absence of the president or in the event of the president's death, inability or refusal to act, the vice-president (or in the event there is more than one vice-president, the vice-presidents in the order designated at the time of their election, or in the absence of any designation, then in the order of their election) shall perform the duties of the president, and when so acting, shall have all the powers of and be subject to all the restrictions upon the president. Any vice-president shall perform duties as from time to time may be assigned to the vice-president by the president or by the Board of Directors.

3.8 Secretary. The secretary shall:

3.8.1. Keep or cause to be kept at the principal office, or such other place as the Board of Directors may order, a book of minutes of all meetings of directors showing the time and place of the meeting, whether the meeting was regular or special and, if a special meeting, how authorized, the notice given, the names of those present at directors meetings, and the proceedings thereof.

3.8.2. In general perform all duties incident to the office of secretary and such other duties as from time to time may be assigned to the secretary by the president or the Board of Directors.

3.9. Treasurer. The treasurer shall:

3.9.1. Be responsible for the funds of the Corporation, cause the deposit and withdrawal of such funds in such depositories as may be authorized by the Board of Directors, ensure full and accurate accounts of receipts and disbursements in books are maintained at the Corporation's principal office, and make financial reports available to the Board of Directors at least quarterly.

3.9.2. In general perform all duties incident to the office of treasurer and such other duties as from time to time may be assigned to the treasurer by the president or the Board of Directors.

3.10 District Support. Clerical support for meeting minutes, communication of the meeting agenda, financial accounting and other duties as from time to time may be required will be provided by the Lowell School District at no cost.

4. CONTRACT, LOANS, CHECKS AND DEPOSITS

4.1. Contracts. The Board of Directors may authorize any officer or officers, agent or agents to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be in general or confined to specific instances.

4.2. Loans to Corporation. No loans shall be contracted on behalf of the Corporation and no evidences of indebtedness shall be issued in its name unless authorized by a resolution of the Board of Directors. Such authority may be general or confined to specific instances.

4.3. Checks, Drafts, Etc.. All checks, drafts, or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation, shall be signed by such officer or officers, agent or agents of the Corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors.

4.4. Deposits. All funds of the Corporation not otherwise employed shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories as the Board of Directors may select.

4.5. Execution of Documents. The Board of Directors may, except as otherwise provided in these Bylaws, authorize any officer or agent of the Corporation to enter into any contract or execute any instrument in the name of and on behalf of the Corporation. Such authority may be general or confined to specific instances. Unless so authorized by the Board of Directors, or unless inherent in the authority vested in the office under the provisions of these Bylaws, no officer, agent or employee of the Corporation shall have any power or authority to bind the Corporation by any contract or engagement, or to pledge its credit, or to render it liable for any purpose or for any amount.

4.6. Loans. The Corporation shall not lend money to, nor guarantee the obligations of, any director, officer, or employee of the Corporation.

5. FISCAL YEAR

The fiscal year of the corporation shall begin and end at such time as the Board of Directors shall provide.

6. SEAL

If the Board of Directors elects to provide a corporate seal, it shall be circular in form and shall have inscribed thereon the name of the Corporation and the state of incorporation and the words, "Corporate Seal – Oregon."

7. WAIVER OF NOTICE – FORM OF NOTICE

7.1. Waiver of Notice. Whenever any notice is required to be given to any director of the Corporation under the provisions of these Bylaws or under the provisions of the Oregon Nonprofit Corporation Act, a waiver thereof in writing, signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

7.2. Form of Notice. Whenever, under the provisions of the Oregon Nonprofit Corporation Act or these Bylaws, notice is required to be given to any director it shall not be construed to mean personal notice, but such notice may be given in writing, by mail or email addressed to such director at the address as it appears on the records of the Corporation, or at the last known business or residence address of the director prepaid, and such notice if mailed shall be deemed to be given at the time when the same shall be deposited in the United States mail (except as expressly provided for otherwise in paragraph 2.5), and if emailed shall be deemed to be given when the email is sent.

8. AMENDMENTS

These Bylaws may be altered, amended, or repealed and new Bylaws adopted by a majority of the directors of the Corporation.

9. INDEMNIZATION OF DIRECTORS AND OFFICERS

9.1. Directors and Officers. The Corporation shall indemnify to the fullest extent permitted by law, any person who is made, or threatened to be made a party to or witness in, or is otherwise involved in, any threatened, pending or completed action, suit or proceeding, whether civil, criminal administrative, investigative, or otherwise (including any action, suit or proceeding by or in the right of the Corporation) by reason of the fact that:

9.1.1. The person is or was a director or officer of the Corporation or any of its subsidiaries;

9.1.2. The person is or was serving as a fiduciary within the meaning of the Employee Retirement Income Security Act of 1974 with respect to any employee benefit plan of the Corporation or any of its subsidiaries; or

9.1.3. The person is or was serving, at the request of the Corporation or any of its subsidiaries, as a director or officer, or as a fiduciary of an employee benefit plan, of another corporation, partnership, joint venture, trust or other enterprise.

9.2. Employees of Other Agents. The Corporation may indemnify its employees and other agents to the fullest extent permitted by law.

9.3. Advances of Expenses. The expenses incurred by a director or officer in connection with any threatened, pending or completed action, suit or proceeding, whether civil, criminal administrative, investigative, or otherwise, which the director or officer is made or threatened to be made a party to or witness in, or is otherwise involved in, shall be paid by the Corporation in advance upon written request of the director or officer, if the director or officer:

9.3.1. Furnishes the Corporation a written affirmation of his or her good faith belief that he or she is entitled to be indemnified by the Corporation; and

9.3.2. Furnishes the Corporation a written undertaking to repay such advance to the extent that it is ultimately determined by a court that he or she is not entitled to be indemnified by the Corporation. Such advances shall be made without regard to the person's ability to repay such expenses and without regard to the person's ultimate entitlement to indemnification under this or otherwise.

9.4 Nonexclusivity of Rights. The rights conferred on any person by this paragraph shall be in addition to any rights to which a person may otherwise be entitled under any articles of incorporation, bylaw, agreement, statute, policy of insurance, vote of Board of Directors, or otherwise.

9.5 Survival of Rights. The rights conferred on any person by this paragraph shall continue as to a person who has ceased to be a director, officer, employee or agent of the Corporation; and shall inure to the benefit of the heirs, executors and administrators of such person.

9.6 Amendments. Any repeal of this paragraph shall be prospective only and no repeal or modification of this paragraph shall adversely affect any right or protection that is based upon this paragraph and pertains to an act or omission that occurred prior to the time of such repeal or modification.

10. TRANSACTIONS BETWEEN CORPORATION AND INTERESTED DIRECTORS

10.1. Conflict of Interest. A transaction with the Corporation in which a director of the Corporation has a direct or indirect interest is not voidable by the Corporation solely because of the director's interest in the transaction if either (1) the material facts of the transaction and the director's interest were disclosed or known to the Board of Directors or a committee of the Board of Directors, and the Board of Directors or committee authorized, approved or ratified the transaction; or (2) the transaction was fair to the Corporation. Authorization, approval or ratification occurs if a majority of the directors of the Board of Directors or on the committee, who have no direct or indirect interest in the transaction vote to authorize.

10.2. Disqualification. A director of the Corporation shall not be disqualified by the director's office from contracting with the Corporation as vendor, purchases, or otherwise; nor shall any contract or arrangement entered into by or on behalf of the Corporation in which any director is in any way interested be voided on that account, provided that such contract or arrangement shall have been approved or ratified by a majority of the Board of Directors without counting in such majority the director's so interest, although such director may be counted toward a quorum.

11. MISCELLANEOUS

11.1. Informal Action by Directors. Any action required by the Oregon Nonprofit Corporation Act to be taken at a meeting of directors or any other action which may be taken at a meeting of the directors may be taken without a meeting if a consent in writing setting forth the action so taken be signed by all the directors entitled to vote with respect to the subject matter thereof. Such consent shall have the same force and effect as the unanimous vote of such directors.

11.2. Books and Records. The Corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its Board of Directors.

12. COMMITTEES

The Board of Directors may establish special committees from time to time as they deem necessary for the effective management of the Corporation.

13. CORPORATION PURPOSE

This Corporation is intended to qualify as a tax-exempt nonprofit entity under Section 501(c)(3) of the Internal Revenue Code, as amended from time to time, and as a public benefit organization under the Oregon Nonprofit Corporation Act, as amended from time to time. Specifically, the Corporation has been established as a nonprofit corporation whose purpose is 1) to lessen the burdens of government by making gifts to the Lowell School District for the benefit of the students attending from the Fall Creek and Lowell areas to promote both the advancement of the public educational process and to provide scholarships and grants to students who are financially needy or scholastically superior for tuition or extracurricular activities, and 2) to enhance and promote education in the communities of Fall Creek and Lowell by providing financial assistance to facilitate training and instruction which will benefit well-being of the members of these communities. This stated purpose is to promote education and charitable causes as defined in Section 501(c)(3) of the Internal Revenue Code. Notwithstanding any other provisions of these Bylaws, the Corporation shall not carry on any activity not permitted to be carried on by an organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code.

ADOPTED:

Secretary

Lowell School District #71

Board Calendar 2014-2015

Regular Board Meetings are scheduled for the 4th Monday of the month, with the Public Meeting beginning at 7:00 pm. When there is holiday on the 4th Monday, normally, the meeting will be held on the Third Monday. Study Session date are tentatively scheduled to provide the opportunity for the Board to meet to study an individual aspect of the District.

July – The Board will not hold a Regular July Meeting

August 25, 2014

September 8, 2014 (Update on Educational and Students Services of 2014-2015)

September 22, 2014

~~October 6, 2014 (Study Session – Team Building – How to Be a Functional Team – 4:00 – 9:00 pm)~~ **Postponed until 2015-2016**

October 27, 2014

~~November 3, 2014 (Study Session)~~ **Canceled**

November 24, 2014

*December 15, 2014

January 26, 2015 (Common Core Standards Report)

February 2, 2015 – (Study Session – Superintendent's Evaluation Process and Product and Strategic Plan Mid-course Report Provided)

February 23, 2015 – (Closed Session - Appraisal of Each Staff Member)

March 9, 2015 (Study Session – Professional Development and Educational Change Process for 2015/2016)

~~March 23, 2015~~ **Rescheduled to March 30, due to Conflict with Spring Break**

April 15, 2015 – (First Budget Committee Meeting)

April 27, 2015

May 4, 2015 – (Second Budget Committee Meeting)

*May 18, 2015 – (Community Forum – State of the District and Budget Presentation)

June 22, 2015

*August 22 - Board Workshop

August 24, 2015 – Board Organization Meeting

*Alternative Regular Board Meeting Day – Due to scheduling conflict or holidays

For the 2015/2016 school year, recognizing that we may have a new board member, the Board committed to deferring the 2014-2015 Study Session entitled, Team Building – How to Be a Functional Team– 4:00 – 9:00 pm, for the 2015/2016 Board. If we have a new board member, we will also review the Strategic Plan and Board Operations Handbook during the year.

Revised: November 24, 2014

Revised: February 24, 2014

Revised: June 23, 2014

Approved: July 14, 2014

Lowell School District #71

Board Calendar 2015-2016

Draft (November 24, 2014)

Regular Board Meetings are scheduled for the 4th Monday of the month, with the Public Meeting beginning at 7:00 pm. When there is holiday on the 4th Monday, normally, the meeting will be held on the Third Monday. Study Session date are tentatively scheduled to provide the opportunity for the Board to meet to study an individual aspect of the District.

July – Summer Break - No meeting scheduled

*August 22, 2015 - Team Building Workshop from 8:00 – 4:00 pm

(Potential Topics include Review of Governance Handbook, Review of Strategic Plan, Impact of Leadership Styles and How to Be a Functional Team)

August 24, 2015 (Organizational and First Regular Meeting)

September 24, 2015

October 26, 2015

November 23, 2015

*December 13, 2015

January 25, 2016

February 1, 2016 – (Strategic Plan Annual Report and Superintendent's Annual Evaluation)

February 22, 2016 – (Closed Session - Appraisal of Each Staff Member)

***March 28, 2016**

April 11, 2016 – (First Budget Committee Meeting)

April 25, 2016

May 2, 2016 – (Second Budget Committee Meeting)

May 23, 2016 – (Community Forum at 6:00 pm– State of the District and Budget Presentation)

June 27, 2016 – (Annual Budget Approval)

July 25, 2016 – (Board Organization Meeting)

*Alternative Regular Board Meeting Day – Due to scheduling conflict, holiday, or Board workshop.

Approved:

2015-2016 DISTRICT CALENDAR

August '15						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

September '15						
Su	M	Tu	W	Th	F	Sa
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October '15						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

1-3 - Teacher In-service
 7 - Labor Day
 8 - Teacher In-service / Back to School / Open House
 9 - First Student Day
 18 - Teacher Work Day
 30 - Curriculum / In-service (1/2 Day)

9 - Statewide In-service
 21 - Curriculum / In-service (1/2 Day)

November '15						
Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December '15						
Su	M	Tu	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

January '16						
Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

9 - End of First Quarter
 10 - Teacher Grading Day
 11 - Veterans Day
 24 - Evening Parent Teacher Conferences
 25 - Morning Parent Teacher Conferences¹
 26-27 - Thanksgiving Break

9 - Curriculum / In-service (1/2 Day)
 21-Jan. 4 - Winter Break
 25 - Christmas Day

1 - New Year's Day
 4 - Students Return
 18 - Martin Luther King, Jr. Day

February '16						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

March '16						
Su	M	Tu	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April '16						
Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

4 - End of Semester
 5 - Teacher Grading Day
 17 - Parent Teacher Conferences (1/2 Day)
 15 - Presidents' Day

16 - Curriculum Day (1/2 Day)
 21-25 - Spring Break

14 - End of Third Quarter
 15 - Teacher Grading Day






May '16						
Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				






June '16						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July '16						
Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

11 - Curriculum Day (1/2 Day)
 27 - Senior Projects (1/2 Day)
 30 - Memorial Day

16 - Last Day of School (1/2 Day)
 17 - Curriculum / In-service (1/2 Day)²
 No school for students this day

-  Students Return
-  End of Quarter
-  Holiday or Break
-  Senior Projects
-  Parent Teacher Conferences

-  Curriculum Day
-  Teacher In-service
-  Curriculum / In-service
-  Statewide In-service
-  Teacher Grading Day

- 175 Student Contact Days
- 2 Curriculum Days
- 3 Grading Days
- 7 In-service Days
- 9 Holidays

¹ No school for students on 11/25/15

² Senior Graduation on evening of 6/17/16

Resolution to adopt the 2015 OSBA Legislative Priorities and Policies as recommended by the Legislative Policy Committee

WHEREAS, the OSBA Legislative Policy Committee is charged under the OSBA Constitution with developing the association's recommended Legislative Priorities and Policies, and

WHEREAS, the OSBA Legislative Policy Committee met on January 25-26, 2104, and April 25-26, 2014, to develop the recommended Legislative Priorities and Policies for 2015, and

WHEREAS, the OSBA Legislative Policy Committee sent the proposed 2015 Legislative Priorities and Policies out to the membership of OSBA for comment and suggested changes, and

WHEREAS, the overwhelming majority of the comments received by the membership were in support of the proposed 2015 Legislative Priorities and Policies developed by the OSBA Legislative Policy Committee, and

WHEREAS, the OSBA Legislative Policy Committee met on September 4, 2014, to review the comments received by the membership, and

WHEREAS, the OSBA Legislative Policy Committee discussed the comments from the membership and reviewed the OSBA staff's recommended changes and made minor modifications to the proposed 2015 Legislative Priorities and Policies, and

WHEREAS, the OSBA Legislative Policy Committee approved the 2015 Legislative Priorities and Policies at its September 4, 2014, meeting and urged the OSBA Board of Directors to approve the recommended 2015 Legislative Priorities and Policies and place them before the membership for approval.

THEREFORE, BE IT RESOLVED by the OSBA Board of Directors that the Recommended 2015 OSBA Legislative Priorities and Policies be placed before the membership for consideration during the 2014 OSBA election season, and

BE IT FURTHER RESOLVED that the Recommended 2015 OSBA Legislative Priorities and Policies and a copy of this resolution be forwarded to all member boards of the Association in accordance with the OSBA Board of Directors adopted elections calendar.

Submitted by: OSBA Board of Directors



OSBA PROPOSED LEGISLATIVE PRIORITIES FOR 2015
Approved by the Legislative Policy Committee on September 4, 2014

The Oregon School Boards Association (OSBA) believes funding a strong system of public education is the best investment Oregonians can make to strengthen our economy, create thriving communities and improve the quality of life for every Oregonian.

In order to accomplish these goals, OSBA will introduce and support legislation which:

- **Supports Student Achievement:**

OSBA will actively promote legislation that leads to increased academic achievement for all students in the P-20 education enterprise. OSBA will work to ensure local school boards and communities control the implementation of programs and curriculum so that every student is college or career ready upon completion of their academic program. OSBA will support efforts to increase high school completion, lower the number of drop-outs, close academic achievement gaps and provide additional services to all students who need extra supports.

- **Provides Stable and Adequate Funding:**

OSBA will actively promote legislation to increase state and federal funding for the public school system to ensure adequate and stable funding for each school district and Education Service District (ESD) so that they may provide a quality public education for every student.

OSBA believes a balanced approach is necessary to increase education funding and to provide stable and adequate funding of Oregon's public school system. OSBA will actively promote legislation that strives for this balance by advocating for the restructure of Oregon's revenue system, promoting job creation and increasing opportunities for economic development across Oregon.

- **Empowers Locally Elected School Boards and Provides for Shared Accountability:**

OSBA will actively support legislation that gives locally elected boards the ability to make decisions in the best interests of their students and communities. OSBA will highlight the need for shared accountability to improve student achievement between state and federal policy makers, the business community, locally elected board members and the voters of Oregon.

- **Opposes Mandates:**

OSBA will actively oppose any federal or state imposed mandate that does not lead to increased academic achievement for students and is not accompanied with the necessary full funding to implement the mandate.



- **Promotes Capital Construction/Capital Improvements:**

OSBA will actively promote legislation that provides additional state level resources to school districts to help pay for capital construction/capital improvement needs, as well as deferred maintenance costs for all school facilities.

- **Contains Educational System Cost-Drivers:**

OSBA will actively promote legislation that provides relief for school districts from cost drivers that are beyond the control of the local school district or school board. These cost drivers include, but are not limited to, the Public Employees Retirement System (PERS), health insurance and any state or federally mandated program or service.



OSBA PROPOSED LEGISLATIVE POLICIES FOR 2015
Approved by the Legislative Policy Committee on September 4, 2014

Section 1: Finance

PROPOSED - 1.1 Investing in Oregon's Public Schools to Ensure Adequate and Stable Funding

OSBA supports increasing state resources to K-12 school districts so that Oregon's schools are competitive nationally and globally and each school district and Education Service District (ESD) has the funds necessary to support operational, instructional and student achievement goals.

OSBA supports the role of locally elected school boards to set spending priorities and opposes using the State School Fund distribution formula to mandate specific expenditures. OSBA supports school funding equalization. OSBA supports continued funding of local option equalization grants; local option property tax revenue should not be included in the State School Fund.

OSBA supports increased funding for all levels of the P-20 education enterprise to support increased achievement for every child and student. OSBA supports the Quality Education Commission's (QEC) effort to promote best practices to improve student outcomes and encourages the Commission to work with the Oregon Education Investment Board (OEIB) to identify funding necessary to achieve the 40-40-20 goal by 2025.

PROPOSED - 1.2 Reforming Tax Policy

OSBA supports efforts to provide the revenue necessary to attain the educational goals of Oregon's P-20 system and restructure tax policy to reduce the volatility of Oregon's current system.

OSBA supports modification of the state's personal and corporate income tax "kicker" law to allow "kicker" funds to be deposited into a "rainy day" account and used in times of economic distress.

OSBA supports the authority of local districts to seek voter approval for supplemental operating revenue from a variety of additional sources, including local option levies.

OSBA supports efforts to modify the property tax system to mitigate the impacts of property tax compression.

PROPOSED - 1.3 Mandate Relief, Paperwork Reduction and Public Funds for Public Schools

OSBA advocates for mandate relief and paperwork reductions for school districts and ESDs as a means to streamline bureaucracy, remove duplicative or unnecessary reporting and get more resources into the



classroom. OSBA opposes any mechanism that diverts public funds, including tax credits and vouchers, to private, religious or for-profit schools or erodes financial support of the public school system.

PROPOSED - 1.4 State Department of Education Supporting Districts

OSBA supports funding for Oregon Department of Education programs and state level initiatives that are sustainable and provide quality technical and programmatic assistance and supports to school districts and ESDs targeted at improving student achievement.

OSBA supports providing resources and supports to school districts and education services districts to support and ensure the equitable distribution of any grant or strategic investment monies.

OSBA opposes any effort to create an accountability or intervention system that would lead to the state take-over of any local school, school district or ESD.

PROPOSED - 1.5 Financial and Program Accountability

OSBA supports a strong system of meaningful school district and ESD financial accountability for the expenditure of public funds and program accountability for student achievement and outcomes.

PROPOSED - 1.6 State Bonding for School District Capital and Infrastructure Needs

OSBA supports use of additional state resources and the issuance of state general obligation bonds to assist school districts and ESDs in providing modern, well equipped schools and academically appropriate classrooms and buildings that provide safe, structurally sound and healthy learning environments to promote student achievement.

Section 2: Programs

PROPOSED - 2.1 School Improvement

OSBA supports state-level school improvement efforts provided they are implemented in ways that grant local school officials maximum flexibility to incorporate community needs and priorities.

PROPOSED - 2.2 Special Education

OSBA supports increased categorical funding and enhanced levels of state and federal aid for the costs associated with special education programs throughout the P-20 system. OSBA supports full funding for students with the most severe low-incidence, high-cost disabilities, including those served in out-of-district or out-of-state placements.

PROPOSED - 2.3 Education Service Districts

OSBA supports the role of ESDs to assist school districts in achieving Oregon's educational goals by providing equitable, high-quality, cost-effective, locally-responsive educational services on a regional basis.



PROPOSED - 2.4 Curriculum, Technology and Online Education

OSBA supports providing a well-rounded and rigorous curriculum for all students, including opportunities for music, art, PE, world languages, STEM, career and technical education and co-curricular activities.

OSBA supports curriculum related decisions made at the district level and opposes state or federal instructional mandates.

OSBA supports the use of English Language Learner and language immersion programs as a viable way to provide needed support while integrating emerging bilingual speakers into the standard district curriculum.

OSBA supports increasing access to technology to enhance and support curriculum delivery and promote greater student achievement.

OSBA supports state level funding to support and improve the technology infrastructure available to school districts and ESDs. OSBA supports removing online education programs from the charter school statute and creating a separate section within the law for online educational programs.

OSBA supports state financial and professional development resources so districts can implement the Oregon state standards and student assessments and provide appropriate information and updates to the public. OSBA supports local control of curriculum and materials related to the Oregon state standards.

PROPOSED - 2.5 Public Charter Schools

OSBA supports public, district sponsored charter schools as an additional tool to provide innovative educational options to students.

OSBA opposes changes to the charter school law that would channel public funds to private and religious schools, allow entities other than school district boards to authorize charter schools within their boundaries, mandate direct access to the State School Fund by charter schools or decrease school district funding and oversight of charter schools.

PROPOSED - 2.6 Career and Technical Education (CTE)

OSBA supports new and continued partnerships with community colleges, higher education, apprenticeship programs, the business community and other entities to increase educational and career opportunities for students.

OSBA supports changes to teacher licensing laws to allow greater flexibility for individuals who do not hold a traditional teaching license to provide instruction in CTE courses.

PROPOSED - 2.7 Post-Secondary Opportunities for High School Students

OSBA supports increased access and opportunities for students to participate in post-secondary programs and classes while enrolled in high school at minimal or no cost to the student.



OSBA opposes use of State School Fund dollars for 5-year high school diploma programs that include a 5th year for post-secondary enrollment. OSBA believes the state should instead establish a dedicated source of funds to invest in these programs that does not dilute the State School Fund.

Section 3: Personnel

PROPOSED - 3.1 Collective Bargaining and Management Rights

OSBA supports local control of collective bargaining and opposes statewide bargaining and the creation of a statewide salary schedule. OSBA supports changing the collective bargaining structure to eliminate “status quo” bargaining and establish shorter bargaining time lines. OSBA supports the right of districts to look for ways to contain costs by contracting with outside providers for services.

PROPOSED - 3.2 Employee Rights and Benefits

OSBA supports determination and definition of school employee rights and benefits through the collective bargaining process at the local level. OSBA supports an actuarially-sound statewide retirement program for school employees that balances benefit adequacy for employees against costs for employers. OSBA supports local school boards working with employee groups to provide the most cost effective health insurance plans, including Oregon Educators Benefit Board (OEBB) opt out.

PROPOSED - 3.3 Teacher and Administrator Licensing

OSBA supports licensing requirements that assure a level of preparation necessary to teach to rigorous academic standards, recognize licenses from other states and understand the challenges districts face attracting and retaining qualified personnel. OSBA supports working collaboratively with the Teacher Standards and Practices Commission (TSPC) and the teacher preparation programs within higher education to prepare educators to increase student achievement and address the needs of all students in Oregon.

OSBA supports additional flexibility to allow more teachers to provide college-level instruction in public high schools.

OSBA supports changes to teacher licensing laws to allow greater flexibility for individuals who do not hold a traditional teaching license to provide instruction in CTE courses.

PROPOSED - 3.4 Teacher and Administrator Quality

OSBA recognizes that teacher and administrator quality is one of the most important factors in improving student achievement. OSBA supports local and state programs to provide professional development, mentoring and training for teachers and administrators that is rigorous and leads to a system of continuous improvement and growth in student achievement. OSBA supports rigorous, quality, ongoing evaluations of teachers and administrators, which include consideration of student achievement and growth. OSBA supports efforts to attract more diverse and multi-lingual school employees.



Section 4: Governance and Operations

PROPOSED - 4.1 Oregon Education Investment Board (OEIB)

OSBA supports the continuation of OEIB under the following conditions:

OSBA strongly supports the appointment of educators and stakeholders that work directly with students and school districts, including public school board members and parents, to serve on the OEIB.

OSBA supports a sustainable and seamless P-20 education system in Oregon from pre-kindergarten through post-secondary that improves student achievement and student outcomes at all levels.

OSBA believes increased state and federal expectations for student outcomes must be accompanied by increased state and federal investments necessary to increase student achievement and support the state's 40-40-20 goals.

OSBA supports the use of the Achievement Compacts as a locally created tool to measure student achievement and local district outcomes and to set educational goals for school districts. OSBA opposes the use of the Achievement Compacts as a tool to justify state mandated interventions or state take-over of local schools, schools districts or ESDs.

PROPOSED - 4.2 State Board of Education

OSBA supports a state Board of Education as the appropriate state-level policy-making body for elementary and secondary schools.

PROPOSED - 4.3 Local Governance

OSBA members believe that locally elected school district and ESD boards are best equipped to make decisions in the best interests of their students and communities and will strongly advocate for Oregon's tradition of democratically elected, local governance of school districts. OSBA opposes measures that would place additional restrictions on local voters' ability to govern their school districts.

PROPOSED - 4.4 School Safety and Student Wellness

OSBA supports local measures that promote safety and wellness in the school environment for students, staff, parents, patrons and the community as a whole.

Resolution to amend the OSBA Constitution to modify the process for the adoption of OSBA's Legislative Policies

WHEREAS, the Oregon School Boards Association (OSBA) was formed in 1946 as a volunteer association of locally-elected public school boards, and

WHEREAS, the Legislative Policy Committee of OSBA develops and proposes the legislative policies of the Association, and

WHEREAS, the Constitution of OSBA has amended numerous times by the membership of the association, and

WHEREAS, some of the previous modifications to the OSBA Constitution have created some internal inconsistencies within the Constitution, and

WHEREAS, the OSBA Board of Directors appointed a Governance Committee of the Board to review the Constitution and recommend suggested amendments to the OSBA Constitution to correct any inconsistencies, and

WHEREAS, the Governance Committee met and reviewed the OSBA Constitution and recommended amending the OSBA Constitution, and

WHEREAS, after reviewing the recommended amendments to the OSBA Constitution as proposed by the Governance Committee the OSBA Board of Directors approved the recommended amendments attached to this Resolution at its June 2014 Board meeting.

THEREFORE, BE IT RESOLVED by the OSBA Board of Directors that the proposed amendment to the OSBA Constitution be placed before the membership for consideration during the 2014 OSBA election season, and

BE IT FURTHER RESOLVED that the proposed amendment to the OSBA Constitution and a copy of this resolution be forwarded to all member boards of the Association in accordance with the OSBA Board of Directors adopted elections calendar.

Submitted by: OSBA Board of Directors

Article 7: Committees

Section 1: **Executive Committee:** The executive committee shall consist of five officers of the board of directors: the president as chairman, the president-elect, the vice president, the secretary-treasurer and the immediate past president. The executive committee may act, pursuant to delegation of authority to such committee by the board of directors, in place and instead of the board of directors between board meetings on all matters except those specifically reserved to the board by this constitution. Actions of the executive committee shall be reported to the board by mail, email or at the next board meeting.

Section 2: **Legislative Policy Committee:** The legislative policy committee (LPC) shall be composed of the voting members of the board of directors of the association and regional representatives elected by procedures outlined in Articles 9 and 10. The vice president of the board shall chair the committee.

~~The LPC shall develop legislative policies which are recommended to and approved by the membership at the annual meeting and may act on behalf of the association in accordance with those policies.~~ ***Proposed New Language: The LPC shall develop legislative policies which are recommended to and approved by the membership as a resolution proposed by the Board of Directors and voted on by the membership in accordance with Article 11.***

Section 3: The LPC also advises the executive director and staff during legislative sessions. Subject to the approval of the board and consistent with this constitution, the president may create and appoint members of such committees as the president deems necessary to carry out the business of the association.

Section 4: **Finance Committee:** The finance committee shall be appointed by the president and shall be composed of members from Oregon public school districts with boards that meet all criteria to be OSBA voting members. The members shall include, but are not limited to, the OSBA secretary/treasurer and vice president, one OSBA board member from the PACE board, one district business official and one at-large board member.

The finance committee shall operate within the guidelines of the association's investment policy and the Finance Committee Operating Manual.

Article 8: Membership Meetings

Section 1: There shall be held an annual meeting of the association. The date, time and place of the annual meeting shall be set by the Board of Directors. Special meetings shall be called at such time and place as the president may deem necessary.

Section 2: All member boards shall be officially notified of the place and time of all meetings by written notice, mailed via U.S. mail or electronic mail to either the chairman or the clerk of all member boards at least 30 days prior to the date of the meeting. The board of directors shall cause such notice to be mailed.

**Resolution to amend the OSBA Constitution to allow
appointment of OSBA Board and Legislative Policy Committee
members from a contiguous region if certain conditions are met**

WHEREAS, the Oregon School Boards Association (OSBA) was formed in 1946 as a volunteer association of locally-elected public school boards, and

WHEREAS, elections for the Board of Directors of OSBA, the Legislative Policy Committee of OSBA are governed by the OSBA Constitution, and

WHEREAS, the OSBA Board of Directors appointed a Governance Committee of the Board to review the regional structure of the Association as outlined in the Constitution, and

WHEREAS, the Governance Committee recognized that from time to time the OSBA Board of Director and the OSBA Legislative Policy Committee do not have members seeking election or appointment to these bodies from the regions as required by the OSBA Constitution, and

WHEREAS, the Governance Committee met and recommended amending the OSBA Constitution to allow a school board member to be appointed to fill vacant positions on the OSBA Board of Directors and the OSBA Legislative Policy Committee from an adjacent region if no member from that region either sought election or appointment to the OSBA Board of Directors or the OSBA Legislative Policy Committee, and

WHEREAS, after reviewing the recommended amendments to the OSBA Constitution as proposed by the Governance Committee the OSBA Board of Directors approved the recommended amendments attached to this Resolution at its June 2014 Board meeting.

THEREFORE, BE IT RESOLVED by the OSBA Board of Directors that the proposed amendments to the OSBA Constitution be placed before the membership for consideration during the 2014 OSBA election season, and

BE IT FURTHER RESOLVED that the proposed amendments to the OSBA Constitution and a copy of this resolution be forwarded to all member boards of the Association in accordance with the OSBA Board of Directors adopted elections calendar.

Submitted by: OSBA Board of Directors

Article 10: Election Procedures; Board of Directors and Legislative Policy Committee

- Section 1: Election of officers, board of director members and regional members of the legislative policy committee shall take place according to the following schedules:
- (a) Officers: By September 30;
 - (b) Board of directors: Regional elections in accordance with the elections calendar adopted by the board;
 - (c) Legislative policy committee: In conjunction with board regional elections in odd-numbered years in accordance with the elections calendar adopted by the board.
- Section 2: The terms of office for officers shall be one calendar year and shall commence on January 1st. The terms of office for board of director members shall be staggered and shall be for two calendar years and until their successors are elected and qualified. The terms of office for regionally elected members of the legislative policy committee shall be two calendar years. No officer except the secretary-treasurer shall serve two consecutive terms in the same office unless the director completed a term for another officer who was unable to complete a term and is then voted into the same position the following year. The secretary-treasurer may serve up to two consecutive one-year terms.
- Section 3: Eligibility for office termination. No person shall be eligible for election to serve as an officer or a board of director member or a member of the legislative policy committee who is not an active member of an Oregon public school board which is a dues paying member of this association except as provided in Article 10, Section 4(a).
- Section 4: Vacancies on the board of directors
- (a) In the event that any officer or member or the board of directors, other than the immediate past president, ceases during his/her term of office as such to be a member of an Oregon public school board belonging to this association, such member shall continue to serve until the following January 1st, at which time such service as an officer or board of director member shall terminate. At that meeting, a successor will be seated to fill the unexpired term. The immediate past president may serve regardless of whether he/she continues service on a school district board.
 - (b) In the event that an officer or director resigns from his/her office, the remaining officers and directors shall appoint an interim officer or director to fill the unexpired term of office until the next scheduled board member election.
- Section 5: Nomination and election of the OSBA board of directors. Each regional candidate for a director position shall be nominated by a member board of that region by means of a nomination form.
- (a) Notice of position vacancies, candidate information packets, and official nomination forms shall be distributed to all incumbent directors and boards in eligible regions.
 - (b) To nominate one or more of its members in its region the school board must send

OSBA a formal resolution or motion of the board and timely submission of the nomination form(s) to the office of the OSBA. Nominations in regions where there is more than one representative position shall indicate the numbered position for which the nomination is being submitted. Nominations will be closed by a date identified in the elections calendar adopted by the board.

- (c) Each regional director shall be elected by the member boards of that region. Such ballot shall be distributed to the member boards and shall be returned to the OSBA offices by dates identified in the elections calendar adopted by the board.
- (d) Each member board in the appropriate region shall have one vote in the regional elections for members of the board of directors. If a member district, Education Service District or Community College's boundaries span more than one OSBA region, that member board must declare in which region it intends to vote and vote only in that region. The person receiving a majority of the votes cast for a position on the board of directors shall be elected. In cases where there are more than two candidates nominated for any position, and none receives a majority of the votes cast, a second ballot shall be required between the two candidates receiving the highest number of votes. The one receiving a majority of the votes cast shall be declared elected.
- (e) Newly elected regional directors of the OSBA board shall take office on January 1.

Section 6: Nomination and election of regional members of the legislative policy committee (LPC). In odd-numbered years, each regional candidate for an LPC position shall be nominated by a member board of that region by means of a nomination form.

- (a) The nomination form shall be distributed to all incumbent directors and boards in eligible regions.
- (b) A school board may nominate one or more of its members to the LPC and shall do so by formal resolution of the board and timely submission of the nomination form(s) to the office of the OSBA. Nominations in regions where there is more than one representative position shall indicate the numbered position for which the nomination is being submitted. Nominations will be closed by a date identified in the elections calendar adopted by the board.
- (c) Each regional member of the LPC shall be elected by the member boards of that region. Such ballots shall be distributed to the member boards and shall be returned to the OSBA offices by dates identified in the elections calendar adopted by the board.
- (d) Each member board in the appropriate region shall have one vote in the regional elections for members of the LPC. If a member district, Education Service District or Community College's boundaries span more than one OSBA region, that member board must declare in which region it intends to vote and vote only in that region. The person receiving a majority of the votes cast for any position on the LPC shall be elected. In cases where there are more than two candidates nominated for any position, and none receives a majority of the votes cast, a second ballot shall be required between the two candidates receiving the highest

number of votes. The one receiving a majority of the votes cast shall be declared elected.

- (e) Newly elected regional members of the LPC shall take office on January 1.
- (f) In the event that a regional member of the LPC resigns from his/her office, the OSBA board of directors shall appoint an interim member to fill the unexpired term of office until the next regional election at which time an election for a successor member shall be conducted.

Proposed New Language

Section 7: Unfilled Regional Representation on the Board of Directors or LPC.

- (a) *If no one files for election from a region for either the Board of Directors or LPC, the Board of Directors shall recruit an individual from the region where the unfilled regional seat is located to serve in the position.*
- (b) *If the Board of Directors cannot recruit an individual from the region to serve on the Board of Directors or LPC, the Board of Directors may appoint a member from a contiguous region to serve in the unfilled seat of the Board or the LPC.*
- (c) *An individual appointed to the Board from a contiguous region would not be eligible to serve as an officer of the Board.*
- (d) *An individual appointed to either the Board of Directors or the LPC would serve until the next regularly scheduled election for that seat.*

~~Section 7~~ ***Section 8:*** Election of officers of the OSBA.

- (a) Election of officers shall be made by the currently seated board of directors from their own membership at least 10 days prior to the November membership meeting. The nominations for the slate of officers may include more than one candidate for any officer position except for the president and past president.
- (b) The person receiving a majority of the votes cast for an officer position shall be elected. In cases where there are more than two candidates nominated for any position, and none receives a majority of the votes cast, a second ballot shall be required between the two candidates receiving the highest number of votes. The one receiving a majority of the votes cast shall be declared elected.

BIDDING REQUIREMENTS, SPECIAL PROCUREMENTS AND EXEMPTIONS FROM COMPETITIVE BIDDING

Summary

Senate Bill 254 and House Bill 2212 created new requirements related to exemptions from competitive bidding that went into effect July 1, 2014. The revised rules outline the findings the district must make in identifying an exemption from competitive bidding, and affecting sample administrative regulation DJC-AR and sample policy DJC, Version 2 only.

There is no need to modify sample policy DJC, Version 1 as result of these changes.

Legal Reference

None

Collective Bargaining Impact

None

Local District Responsibility

If the district has highly recommended sample policy DJC - Bidding Requirements, Version 2, consider adding new language and adopt, then update and review the administrative regulation, DJC-AR - Special Procurements and Exemptions from Competitive Bidding, to include the new rules and law effective July 1, 2014.

Policy Implications

DJC - Bidding Requirements (Version 2) (Highly Recommended)
DJC-AR - Special Procurements and Exemptions from Competitive Bidding (Highly Recommended)

SAFETY DATA SHEET

Summary

Oregon OSHA has re-named the Material Safety Data Sheet (MSDS) to Safety Data Sheet (SDS). Board policy EBB - Integrated Pest Management and GBE - Staff Health and Safety (Version 2) reference the SDS and are being updated to reflect that change.

Legal Reference

None

Collective Bargaining Impact

None

This publication is designed to provide accurate and authoritative information regarding the subject matter covered. It is furnished with the understanding that policies should be reviewed by the district's legal counsel.

Local District Responsibility

If the district has the required policy EBB - Integrated Pest Management or highly recommend policy GBE - Staff Health and Safety (Version 2) in its policy manual, review the new language and adopt.

Policy Implications

EBB - Integrated Pest Management (Required)

GBE - Staff Health and Safety (Version 2) (Highly Recommended)

STUDENT TRANSPORTATION AND SCHOOL BUS DRIVER PHYSICAL EXAMINATION

Summary

At the August 2014 meeting, the State Board of Education added language to OAR 581-053-0004, Administration of Pupil Transportation, requiring aides or assistants who ride on school buses, to be trained on emergency procedures and their role in the safety of all students riding the bus.

In addition, the revision requires districts or transportation contractors to verify that a school bus driver's physical examination was certified by a medical examiner whose certificate was listed on the National Registry of Certified Medical Examiners, as of the date of issuance of the medical examiner's certificate.

Legal Reference

None

Collective Bargaining Impact

None

Local District Responsibility

Edit required policy EEA - Student Transportation Services to include the new language and adopt.

If the district has highly recommended board policy EEACA - School Bus Driver Examination and Training in its policy manual, edit and include the new language and adopt.

Policy Implications

EEA - Student Transportation Services (Required)

EEACA - School Bus Driver Examination and Training (Highly Recommended)
(Versions 1 and 2)

WELLNESS AND NUTRITION

Summary

In consultation with the Oregon Department of Education (ODE), the attached wellness and nutrition policies and administrative regulations have been revised. Oregon SMART Snacks

Policy Update - October 2014

3-8

Attachment 9.1

was revised June 2014 by ODE and included revisions from Federal Smart Snacks and Oregon School Nutrition Standards, setting new minimums and requirements for snacks and beverages served or sold throughout the day on school property.

In addition, optional language was added related to School Employee Wellness in sample policy EFA - Local Wellness Program and its accompanying administrative regulation. This new language is optional and not required by state and federal law.

Legal Reference

Add: ORS 329.496 to EFA

Collective Bargaining Impact

None

Local District Responsibility

Review the suggested changes in the policies and administrative regulations and adopt. Oregon statute requires an administrative regulation related to student nutrition (EFAA-AR) to be board adopted.

Policy Implications

EFA - Local Wellness Program (Required)

EFA-AR - Local Wellness Program (Optional)

EFAA - District Nutrition and Food Services (Required if district operates a reimbursable meal program)

EFAA-AR - Reimbursable School Meals and Milk Programs (Required to accompany policy EFAA)

ELECTRONIC COMMUNICATIONS

Summary

In light of the increased use of personal electronic devices by staff in the classroom or otherwise, OSBA has added additional language related to personal electronic devices and their use when related to educational purposes and student records.

Legal Reference

None

Collective Bargaining Impact

None

Local District Responsibility

Review the recommended changes to the policy and administrative regulation for Electronic Communications System and consider adopting the policy and complete a board review of the administrative regulation.

Policy Implications

IIBGA - Electronic Communications System (Required)

IIBGA-AR - Electronic Communications System (Required)

INTERDISTRICT TRANSFER/OPEN ENROLLMENT/TUITION

Summary

The State Board revised rules related to FAPE, now placing the responsibility on the attending district of a qualifying student. The related policies and administrative regulations have been updated to reflect this change along with some other minor changes.

Legal Reference

None

Collective Bargaining Impact

None

Local District Responsibility

Review the additional changes to the policy and administrative regulation related to Admission of Nonresident Students and adopt or review as necessary. The update to interdistrict transfer related forms, released again in September 2014, have been included for convenience in this update.

Policy Implications

JECB - Admission of Nonresident Students (Highly Recommended)

JECB-AR(1) - Admission of Nonresident Students (Optional)

JECB-AR(2) - Mutual Agreement – “Resident Pupil” (Optional)

JECB-AR(3) - Application for Nonresident Student Admission – Open Enrollment (Optional)

JECB-AR(4) - Application for Nonresident Student Admission – Interdistrict Transfer (Optional)

JECB-AR(5) - Application for Nonresident Student Admission – Tuition Students (Optional)

JECB-AR(6) - Request for Interdistrict Transfer Out of Resident District (Optional)

JECF - Interdistrict Transfer of Resident Students (Optional)

JECF-AR - Interdistrict Transfer of Resident Students (Optional)

PRESCRIPTION/NONPRESCRIPTION MEDICATION

Summary

Subsequent to Senate Bill 611 from the 2013 Legislative session, the State Board of Education adopted revisions to Oregon Administrative Rule (OAR) 581-021-0037. The revision clarified: the instruction or training school district personnel are required to receive; the content and need for appropriate permissions from parents/guardians or other qualified individuals that includes instructions for administering medication; the district personnel that may be designated to administer prescription or nonprescription medication to a student; and when a district may allow self-administration of medication by a student.

It further adds that a designated staff member of a district may administer a premeasured dose of epinephrine to a student or other individual on school premises when the district staff believe, in good faith, the student or individual is experiencing a severe allergic reaction and is unable to self-medicate, regardless if that student or individual has a prescription for epinephrine.

Legal Reference

Policy JHCD - Add: ORS 339.866 to -339.871; **delete:** ORS 339.867, ORS 339.869 and ORS 339.870, and ORS 475.005 to -475.285

Policy JHCDA - Add: ORS 339.866 to -339.871, ORS 475.005 to -475.285, OAR 166-400-0010(17), OAR 166-400-0060(29), OAR 333-055-0000 to -0035, OAR 581-021-0037 and OAR 581-022-0705; **delete:** ORS 339.866, ORS 339.870 and ORS 339.871

Collective Bargaining Impact

None

Local District Responsibility

Review the new requirements, add or delete recommended language and readopt policy; the accompanying administrative regulation must be reviewed.

Policy Implications

JHCD - Nonprescription Medication **/* (Required)

JHCDA - Prescription Medication **/* (Required)

JHCD/JHCDA-AR - Nonprescription/Prescription Medication **/* (Required)

COMPLAINT PROCEDURES

Summary

All public complaint procedures are required to have a timeline for each step that includes a resolution, as stated in Oregon Administrative Rule 581-022-1941 (2).

Legal Reference

None

Collective Bargaining Impact

None

Local District Responsibility

If your district's complaint procedures do not have a timeline identified at each step, the board should consider including them as recommended, and a review of the resolution. Review the sample language provided in the sample policy and sample administrative regulations provided, and revise your policy and/or administrative regulation(s) in the affected policies and administrative regulations noted below.

Policy Implications

KL - Public Complaints (Version 5) (Highly Recommended)
KL-AR - Public Complaint Procedure (Current Version 2) (Recommend Delete)
KL-AR - Public Complaint Procedure (New Version 2) (Optional)
KL-AR - Public Complaint Procedure (Version 3) (Optional)
KL-AR - Public Complaints – Athletic Complaint Procedure (Optional)
KL-AR - Review of Administrative Decision (Form) (Optional)

PUBLIC CHARTER SCHOOL

Summary

House Bill (HB) 2150 from the 2013 Legislative session, amended charter school proposal requirements including the number of days a district must respond to a resubmitted proposal.

In addition, the Oregon Department of Education revised Division 20 to move language related to public charter schools into Division 26.

Legal Reference

None

Collective Bargaining Impact

None

Local District Responsibility

Review the suggested changes in the policy and adopt, and review the administrative regulation.

Policy Implications

LBE - Public Charter Schools (Highly Recommended)
LBE-AR - Public Charter Schools (Highly Recommended)

ABOUT POLICY UPDATE

Policy Update is a quarterly subscription newsletter providing a brief discussion of current policy issues of concern to Oregon school districts.

Sample policies reflecting these issues and changes in state and federal law, if applicable, are part of this newsletter. These samples are offered as a starting point for drafting local policy and may be modified to meet particular local needs. They do not replace district legal counsel advice.

2014-15 STAFF/STUDENT HANDBOOKS AND KEY DATES CALENDAR (Available Online):

OSBA's Model Staff and Student Handbooks and Key Dates Calendar are revised annually to reflect recent legislation and other changes.

Samples and online ordering of these tools for purchase can be found on the OSBA website through this link:
www.osba.org/policyservices
(Publications)

To make the best use of *Policy Update*, we suggest you discuss the various issues it presents and use the sample policies to determine which policies your district should develop or revise, get ideas for what a policy should contain, and as a starting point for editing, modifying and discussing your district's policy position.

If you have questions about *Policy Update*, sample policies or policy in general, call OSBA Policy Services, 800-578-6722.

TRY OUR ONLINE POLICY DEMO

OSBA's [online policy service](#) has a demo site for districts interested in a public online policy manual. This service saves time, resources and reams of paper. With one centrally-located policy manual updated electronically, you have instant access to current district policies.

Go to policy.osba.org and select "Policy Online Demo." The online manual includes a subscription to [Policy Update and policy manual maintenance service](#) to help keep policies current.

OSBA offers several options. Contact Policy Services to determine the best option for you, 800-578-6722 or 503-588-2800.

Oregon School Boards Association Selected Sample Policy

Code: DJC
Adopted:

Bidding Requirements (Version 2)

The Board declares its intention to purchase competitively without prejudice and to seek maximum educational value for every dollar expended. All public contracts for goods or services shall be based upon applicable competitive procurement provisions of Oregon Revised Statutes and adopted public contracting rules except:

1. Contracts between contracting agencies or between contracting agencies and the federal government;
2. Insurance and services contracts as provided for under state law;
3. Contracts for the procurement or distribution of textbooks;
4. Energy savings performance contracts;
5. Contracts made with qualified nonprofit agencies providing employment opportunities for disabled individuals;
6. Public improvement contracts exempted by the Local Contract Review Board (LCRB) upon findings that the award would not encourage favoritism or substantially diminish competition and would result in substantial cost savings and other substantial benefits to the contracting agency;
7. Special procurements exempted by the LCRB upon findings that the award would not encourage favoritism or substantially diminish competition and would result in substantial cost savings to the contracting agency;
8. Emergency contracts;
9. Any other public contract specifically exempted from the code by another provision or law.

The [Board] will serve as the LCRB for the district. All district purchasing shall be conducted in accordance with the [Board's] adopted rules¹.

The Board acting as its own LCRB adopts² [the *Oregon Attorney General's Model Public Contract Rules* OAR Chapter 137, Divisions 046 through 049,] [its own rules of procedure that will govern district

¹The Board may contract with another public agency to serve as its LCRB.

²Purchases shall be governed by ORS Chapter 279, 279A, 279B and 279C. Additionally, the Board may, as provided by ORS 279, 279A.065, adopt the Oregon Attorney General's Model Public Contract Rules, OAR Chapter 137 governing purchasing/bid procedures. The Board may also adopt the Oregon Department of Administrative Services rules governing Public Contract Exemptions, OAR Chapter 125. The Board may adopt portions of those rules or adopt its own rules. A Board that creates its own LCRB but has not established its own rules of procedure for public contracts is subject to the model rules (OAR Chapter 137) adopted by the Attorney General.

purchasing. Consequently, the model rules adopted by the Attorney General shall not apply to the district. The district's rules may include portions of the *Oregon Attorney General's Model Public Contract Rules* OAR Chapter 137, Division 046 through 049,] in effect at the time this policy is adopted. These rules govern purchasing procedures, and other matters subject to public contracting provisions of law.

The district shall procure the construction manager/general contractor services in accordance with model rules the Attorney General adopts under ORS 279A.065(3).

Additionally, the Board may include as part of its rules portions of the Oregon Department of Administrative Services rules governing Public Contract Exemptions, OAR Chapter 125, Divisions 246 through 249 in effect at the time this policy is adopted.

Where necessary, the Board has made the written findings required by law for exemptions from competitive bidding. Such findings shall be maintained by the district and made available on request.

The district shall review its rules each time the Attorney General adopts a modification of the model rules, as required by ORS 279A.065 (5)(b), to determine whether any modifications need to be made to district rules to ensure compliance with statutory changes. [Modifications will be made only following review by the district's legal counsel.] New rules, as necessary, will be adopted by the Board. In the event it is unnecessary to adopt new rules, Board minutes will reflect that the review process was completed as required. The Board recognizes that a public contracting agency that has not established its own rules of procedure as required by ORS 279A.065 (5) is subject to the model rules adopted by the Attorney General, including all modifications to the model rules that the Attorney General may adopt.

Opportunity will be provided to all responsible suppliers to do business with the district. The [business manager] will develop and maintain lists of potential vendors for various types of materials, equipment and supplies. Such lists may be used to develop a mailing list for distribution of specifications and solicitations for bids or proposals. Any supplier may be included in the list upon request.

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

Records of bids, proposals and specifications will be kept in the district administration office and will conform with Oregon Revised Statutes and applicable records retention provisions of the *Oregon Attorney General's Model Public Contract Rules*.

END OF POLICY

Legal Reference(s):

ORS Chapters 279A, 279B and 279C

OAR Chapter 125, Divisions 246-249

OR. DEP'T OF JUSTICE, OR. ATT'Y GENERAL'S MODEL PUBLIC CONTRACT RULES MANUAL.

HR10/23/14 | RS

Oregon School Boards Association Selected Sample Policy

Code: DJC-AR
Revised/Reviewed:

Special Procurements and Exemptions from Competitive Bidding

SPECIAL PROCUREMENTS

The district shall submit a written request to the Board, acting as the Local Contract Review Board (LCRB), that describes the contracting procedure, the goods and services or class of goods and services that are the subject of the special procurement and circumstances that justify the use of a special procurement under the standards as follows: the special procurement is unlikely to encourage favoritism in the awarding of a public contract or to substantially diminish competition for public contracts and, (A) is reasonably expected to result in substantial cost savings to the district or to the public, or (B) otherwise substantially promote the public interest in a matter that could not practicably be realized by complying with requirements that are applicable under ORS 279B.055, 279B.060, 279B.065, 279B.070 or under any related rules. Public notice of the approval of a special procurement must be given in the same manner as provided in ORS 279B.055(4). If the district intends to award a contract through special procurements that calls for competition among prospective contractors, the district shall award the contract to the contractor it determines to be most advantageous to the district. When the LCRB approves a class special procurement the district may award contracts to acquire goods and services within the class of goods and services in accordance with the terms of the approval without making a subsequent request for a special procurement.

1. Brand Names or Products, "Or Equal," Single Seller and Sole Source

- a. The district may purchase brand names or products from a single seller or sole source without competitive bidding subject to the limitations of this rule.
- b. Solicitation specifications for public contracts of the district shall not expressly or implicitly require any product of any particular manufacturer or seller except as expressly authorized in subsections c. and d. of this rule.
- c. The district may specify a particular brand name or equal specification when the use of a brand name or equal specification is advantages to the district, because the brand name describes the standard of quality, performance, functionality and other characteristics of the product needed by the district.
 - (1) The district is entitled to determine what constitutes a product that is equal or superior to the product specified, and any such determination is final;
 - (2) The district is not prohibited from specifying one or more comparable products as examples of the quality, performance, functionality or other characteristics of the product needed by the district;
 - (3) A brand name specification may be prepared and used only if the district determines for a solicitation or class of solicitations that only the identified brand name specification will meet the needs of the district based on one or more of the following written determinations:
 - (a) The use of a brand name specification is unlikely to encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts; or

- (b) Specification of the brand name, mark or product would result in cost savings to the district; or
 - (c) There is only one manufacturer or seller of the product of the quality, performance or functionality required; or
 - (d) The efficient utilization of existing goods requires the acquisition of compatible goods and services.
- d. The district may award a contract for goods or services without competition when the LCRB determines in writing that the goods or services, or the class of goods or services, are available from only one source. The determination of the source must be based upon written findings that shall include:
 - (1) A brief description of the contract or contracts to be covered, including contemplated future purchases;
 - (2) Description of the product or service to be purchased; and
 - (3) The reasons the district is seeking this procurement method, which shall include any of the following:
 - (a) That the efficient utilization of existing goods requires the acquisition of compatible goods or services; or
 - (b) That the goods or services required for the exchange of software or data with other public or private agencies are available from only one source; or
 - (c) That the goods or services are for use in a pilot or an experimental project; or
 - (d) To the extent reasonably practical, the contracting agency shall negotiate with the sole source to obtain contract terms advantageous to the contracting agency.
- e. The district may specify a product or service available from only one manufacturer but available through multiple sellers after complying with subsection c. above documenting the procurement file with the following information:
 - (1) If the total purchase is over \$10,000 5,000 but does not exceed \$150,000, and a comparable product or service is not available under an existing Mandatory Use Contract, the district must obtain informal competitive quotes, bids or proposals and document this process in the procurement file;
 - (2) If the purchase does not exceed \$150,000, and the supplies or services are not available under an existing price agreement for information technology with competing products or Mandatory Use Contract, the district must first request and obtain prior written authorization from the LCRB to proceed with the acquisition.
- f. If the district intends to make several purchases of brand name-specific supplies and services from a particular manufacturer or seller for a period not to exceed five years, the district must so state this in the procurement file and in the solicitation document, if any, or a public notice of a solicitation. If the total purchase amount is estimated to exceed \$150,000, this shall be stated in the advertisement for bids or proposals.

Findings of Fact/Conclusion of Compliance with Law (OAR 125-247-0275)

The district shall submit a written request to the local contract review board that describes the contracting procedure, goods and services subject of the special procurement and the circumstances that justify the use of the special procurement.

- a. It is unlikely that this special procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts and is reasonably expected to result in substantial cost savings to the district which could not be realized under ORS 279B.055, 279B.060, 279B.065 or 279B.070 as required by ORS 279B.085(4).
- b. Public notice of the approval must be given in the same manner as provided in ORS 279B.055(4).
- c. This rule requires the districts to make a good faith effort to determine that no other sources are available for the specified products.
- d. The district maintains open lists from which vendors are contacted for quotations and utilizes electronic means of determining new vendors on an ongoing basis.
- e. The awarding of a contract as described in this special procurement should result in substantial cost savings by virtue of the ability to reduce solicitation costs when it is known that comparable products are not available, or when specifying another product solely to meet a competition requirement might lead to lower initial cost but longer lifetime cost.
- f. When the local review board approves a class special procurement the district may award contracts to acquire goods and services within the class of goods and services in accordance with the terms of the approval without making a subsequent request for procurement.

2. Advertising Contracts, Purchase of

- a. The district may purchase advertising in any media, regardless of a dollar amount, without competitive bidding.
- b. The Board acting as the LCRB of the district must use competitive methods whenever possible to achieve best value and must document in the procurement file the reasons why a competitive process was deemed impractical and the resulting contract must be in writing.
- c. If the anticipated purchase exceeds \$10,000 5,000 and a competitive method is used, the district must post notice on the Oregon Procurement Information Network (ORPIN).

Findings of Fact

The district traditionally purchases advertising in newspapers. The following findings relate primarily to newspapers and written publications; however, the district may also purchase advertising for student activities or educational programs in other media, such as radio or television, where these findings apply:

- a. By their nature, media sources are generally unique. Advertisements are placed in a particular source because of the specific audience that source serves;
- b. Competition to furnish advertising space in daily newspapers of general, trade or business circulation in the vicinity of the district is limited;
- c. Cost savings are difficult to quantify where the sources are unique and not interchangeable;
- d. Advertisements may be placed to satisfy legal notice or Board policy requirements;
- e. Other published advertisements or notices, such as routine public notices, personnel recruitment information, etc., are placed in one or more of the publications of general circulation in the local area and other publications, as appropriate;

- f. The communities served by the district rely upon its use of the local daily newspaper as a central source of news and information regarding district activities;
- g. It is unknown whether contracts for advertisements placed with radio, television or other broadcast media are going to result in cost savings if not placed for competitive bid or request for proposal (RFP). If possible savings could be obtained through competitive means, the district would attempt to obtain competitive quotes or bids, as appropriate.

Conclusion of Compliance with Law

Due to limited competition and unique nature of sources, it is unlikely that this class special procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts. Further, any contracts awarded under this class special procurement would result in a cost savings available to the district where the district can achieve volume savings through contracts for advertising with a particular media source, or otherwise substantially promote the public interest.

3. Advertising Contracts, Sale of

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

Findings of Fact

Sales of advertising for student activities are generally other fund revenues, where student groups solicit advertisements from local businesses to help with the cost of the activity itself. A common example is the sale of advertising in school newspapers and yearbooks. The circulation of the newspaper and yearbook is limited to the students, teachers, parents and interested members of the community associated with the activities of that particular school. Due to the limited circulation and audience, the businesses that participate by purchasing advertising do so partly in the spirit of good will. Any business is welcome to place an advertisement in the school newspaper or yearbook; all it needs to do is to contact any district school department which publishes one. The district itself would not achieve any increased revenue to the General Fund by seeking competitive bids or proposals for such advertising. This holds true for other student activities, such as athletics, drama or music events and the like.

Conclusion of Compliance with Law

These findings indicate that it is unlikely that this special procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts. Any business or individual who wishes to advertise in this manner may do so by simply contacting the student group responsible for the activity.

The sale of advertising for student activities such as school newspapers, yearbooks, athletic, drama or music programs would not benefit from competitive procurement. Such a requirement would place an unnecessary burden on the student group's activity and there is no financial advantage to the district in doing so. Consequently, the cost savings test is not an issue.

4. Equipment Repair and Overhaul

- a. The district may enter into a public contract for equipment repair or overhaul without competitive bidding, subject to the following conditions:
 - (1) Service or parts required are unknown and the cost cannot be determined without extensive preliminary dismantling or testing; or
 - (2) Service or parts required are for sophisticated equipment for which specially trained personnel are required and such personnel are available from only one source; and
 - (3) The purchase is made within the limits and pursuant to the methods in subsection b. of this rule.
- b. The following limitations apply to this rule:
 - (1) If the contract is less than or equal to \$150,000, the school or department shall submit in writing to the [superintendent] or designee the reasons why competitive bids or quotes are deemed to be impractical. The [superintendent] or designee will accordingly document in its procurement file and may enter directly into the contract;
 - (2) If the school or department official thinks the contract may exceed \$150,000, he/she shall submit in writing to the [superintendent] or designee the reasons why competitive bidding is deemed to be impractical and a description of the cost savings to be obtained by a special procurement. The [superintendent] or designee may prepare a specific request for the anticipated contract to be obtained through special procurement procedures to submit to the LCRB for approval.

Findings of Fact

- a. The need for equipment repair or overhaul cannot be anticipated by district staff. If a piece of equipment is broken or not working properly, the district incurs cost of downtime, possible replacement equipment rental fees, staff time and other inconveniences or liabilities to its programs.
- b. Generally, there are a limited number of vendors who are able to perform repair or overhaul on a particular piece of equipment because of its make or manufacture. Sophisticated equipment may require specially trained personnel available from only one source. Often, a piece of equipment will have a partial warranty in place which will guarantee some savings to the district in the parts and/or labor needed to do the repair or overhaul. This warranty savings may only be achieved if the original manufacturer or provider of the equipment performs the necessary repair or overhaul.
- c. The dollar limits on the use of this special procurement procedure ensure that when the cost of the equipment repair or overhaul is expected to exceed \$150,000, the district will either seek formal competitive bids or, if that is not practical or cost effective, obtain a specific special procurement procedure from the LCRB to proceed with the purchase of the needed repair or overhaul.

Conclusion of Compliance with Law

It is unlikely that this special procurement procedure will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts because the dollar limits incorporated into this special procurement when the anticipated costs exceed \$150,000, insure the district will seek formal competitive bids and proposals. If the formal process is not practical, the district will obtain a specific exemption from the LCRB to proceed with the purchase of the needed repair or overhaul.

The awarding of public contracts under this special procurement will result in a cost savings to the district, as required by ORS 279B.085, because the district incurs direct and indirect costs from the moment equipment breaks down or becomes unusable. This special procurement only applies to equipment already owned by the district and does not provide for the purchase of new equipment. The district must be able to purchase necessary services and parts as quickly as possible in order to minimize equipment downtime and potential costs during that downtime.

5. Copyrighted Materials

The district may, without competitive bidding and regardless of a dollar amount, purchase copyrighted materials where there is only one known supplier available for such goods. Examples of copyrighted materials covered by this special procurement procedure may include, but are not necessarily limited to, newly adopted textbooks/instructional materials, workbooks, curriculum kits, reference materials, audio and visual media and non-mass-marketed software from a particular publisher or their designated distributor.

Findings of Fact

- a. By their nature, copyrighted materials are protected for the use of a single owner. Copyrighted materials may not be duplicated by others without the copyright owner's permission or license. Copyrights are established and regulated under federal law.
- b. Often, copyrighted materials are produced by only one supplier who may be the owner of the copyright or his/her licensee. Textbooks/Instructional materials are examples of copyrighted materials that the district purchases through a sole source. Textbooks/Instructional materials are adopted through a statewide process under the authority of the Oregon Department of Education. A textbook/instructional material adoption defines the various materials which the district will purchase for use in its educational programs.

The district purchases its textbooks/instructional materials through the Northwest Textbook Depository. This practice enables the regional textbook depository to purchase and warehouse textbooks/instructional materials in conformance with adoptions made in the states of their region. The result is that savings are achieved through the depository's combined purchases on behalf of member districts. Freight costs for individual districts are reduced by the bulk purchases of the depository and the depository takes on the cost of stocking and warehousing enough to meet each member district's needs.

The system of textbook/instructional materials distribution enables the district to participate in the largest possible bulk purchasing activity of adopted textbooks/instructional materials in the region. This ensures a cost savings to the district. A savings that would be jeopardized if the district was to act as an individual purchaser.

Conclusion of Compliance with Law

This special procurement will not encourage favoritism or substantially diminish competition in the awarding of public contracts. The production and distribution of copyrighted materials is controlled

by the owner of the copyright and may only be permitted through a sole source. The district has no control over this.

The awarding of contracts pursuant to this special procurement will result in a cost savings to the district when it needs to purchase copyrighted materials and there is only one known supplier for such goods, or otherwise substantially promote the public interest.

6. Product Prequalification

- a. When specific design or performance specifications must be met or such specifications are impractical to create or reproduce for a type of product to be purchased, the district may specify a list of approved or qualified products by reference to the prequalified product(s) of particular manufacturers or vendors in accordance with the following product prequalification procedure:
 - (1) The district will make reasonable efforts to notify all known manufacturers and vendors of competing products of the district's intent to compile a list of prequalified products. The notice will explain the opportunity manufacturers and vendors of competing products will have to apply to have their product(s) included on the district's list of prequalified products. At its discretion, the district may provide notice by advertisement in a trade paper of general statewide circulation or other appropriate trade publication; or instead of advertising, the district may provide written notice to those manufacturers and vendors appearing on the appropriate list maintained by the district; and
 - (2) The district will accept manufacturer and vendor applications to include products in the district's list of prequalified products up to 15 calendar days prior to the initial advertisement for bids or proposals for the type of product to be purchased, unless otherwise specified in the advertisement or in the district's written notice.
- b. If the district denies an application for including a product on a list of prequalified products, the district shall promptly provide the applicant with a written notice of the denial and include the reason for denial. The applicant may submit a written appeal within 7 calendar days to the district business manager to request review and reconsideration of the denial.

Findings of Fact

- a. There are occasions when the district needs to establish a list of prequalified products before it invites bids or proposals to furnish the products. The district may have a specific performance or design need, but it is impractical for the district to create a specification for the type of products to be purchased. An example is audiovisual equipment. There is a tremendous variety of audiovisual products offered in the market. The equipment technology is complex and constantly changing. It would be very burdensome and time consuming for the district to generate nonbrand name, generic performance specifications for such equipment every time it wants to make a purchase.

Also, competition would be poorly served because bidders and proposers would not know in advance whether their offered product would meet the general specification substantially enough to be considered a responsive offer. The decision to make an award would be slow, because each product offered would have to be analyzed against the district's specification. Slowdown in the award process affects both bidders, who are asked to hold their bids open until award is made, and district programs, because staff are not able to order the equipment they need until the contract is awarded.

In this case, it might be more cost effective and efficient for the district to prequalify products and establish a list of approved products before invitations to bid are sent out. The prequalification process can be done some time before the need for a new contract. Once the prequalified product list is established, the bidding and contract award process can go quickly and smoothly.

- b. A second occasion when prequalification of products will be useful is when the specific design or performance specifications for a product are so exacting that the district must have time to carefully consider what is offered in the market that may or may not meet the specifications and, if necessary, reconsider its options before issuing an invitation to bid.
- c. This rule sets out a process of prequalification which requires the use of advertisement or other appropriate means to notify vendors of competing products of their opportunity to submit items for prequalification. The district maintains vendor mailing lists which are open to all interested vendors. The district uses these lists routinely to notify vendors of its intentions to prequalify products or to invite bids on products.
- d. This includes a 15-day time limit between the closure of a prequalification list and a related invitation to bid. This time factor ensures that vendors have a reasonable time to apply to include their products on a prequalified product list.
- e. Subsection b., of this rule provides vendors with an appeal process to follow if their application for prequalification is denied.

Conclusion of Compliance with Law

Where prequalification of products is appropriate, it is unlikely that this special procurement will encourage favoritism in the awarding of public contracts or diminish competition for such contracts. There are several safeguards in the rule to prevent this, including notice, advertising, time and appeal process requirements to ensure that vendors are given a fair and open opportunity to participate in the prequalification process.

The prequalification of products process is a time-consuming effort for the district. It is not a shortcut procurement method. The district would use this method only after balancing cost-saving considerations, such as the ability of the district to create or generate nonbrand name generic specifications for types of products or the need for lengthy product evaluation prior to a contract award. If the prequalification method is chosen, it will result in a cost savings to the district because the normal method of product selection is too cumbersome and costly to pursue, or otherwise substantially promote the public interest.

7. Requirements Contracts (Blanket Purchase Orders, Price Agreements)¹

- a. The business manager, on behalf of the district, may establish requirements contracts for the purposes of minimizing paperwork, achieving continuity of product, securing a source of supply, reducing inventory, combining district requirements for volume discounts, standardization among school and departments and reducing lead time for ordering.
- b. The district may enter into a requirements contract (also known as a blanket purchase order or price agreement) whereby it is agreed to purchase goods or services for an anticipated need at a predetermined price or price discount from a price list, provided the contract is let by a competitive procurement process pursuant to the requirements of the public contracting code and these rules.
- c. Once a requirements contract is established, schools and departments may purchase the goods and services from the awarded contractor without first undertaking additional competitive solicitation.
- d. School and departments shall use requirements contracts established by the district, unless otherwise specified in the contract, allowed by law or these rules or specifically authorized by the [superintendent] or designee.
- e. Under the authority of ORS 279A.025 and 279B.085, the district may use the requirements contracts entered into by another Oregon public agency when:
 - (1) The original contract met the requirements of public contracting code; and
 - (2) The original contract allows other public agency usage of the contract; and
 - (3) The original public contracting agency concurs and this is documented by a written interagency agreement between the district and the agency.
- f. The term of any district requirements contract, including renewals, shall not exceed five years unless otherwise permitted under the public contracting code.

Findings of Fact

- a. This rule permits the district to enter into a requirements contract, in which the vendor agrees to provide specified goods and services over the term of the contract at the bid price or discount rate. A requirements contract is useful when the purchase of the goods or services are routine and repetitive. For example, school, office, custodial and facilities maintenance supplies are customarily purchased through requirements contracts.
- b. Requirements contracts are a common method of minimizing paperwork, achieving continuity of product, securing a source of supply, reducing inventory, obtaining volume discounts, standardizing usage among schools and departments and reducing lead time for ordering.
- c. The district establishes a requirements contract as a result of open competitive bidding or RFP processes, unless otherwise permitted under the public contracting code.
- d. The district limits the term of a requirements contract, including all renewal options, to a maximum of five years before competitive rebidding must be done, unless otherwise permitted under the public contracting code.
- e. The district may use the requirements contracts established by other public agencies, subject to certain conditions of state law, Board policy and administrative regulation.

¹The Oregon Procurement Information Network (ORPIN) allows authorized members to utilize the state's price agreement/contracts to purchase goods and services. Authorized ORCPP members can legally attach to a state price agreement and forego the competitive bid process. Access to hundreds of competitive price contracts for a wide variety of goods and services: vehicles, computers, furniture, copiers, fax machines, travel, pharmaceuticals, office products, etc., is available. Counties, cities, schools, municipalities or their public corporate entities having local governing authority, a United States governmental agency or American Indian tribe or agency are eligible to participate.

Conclusion of Compliance with Law

It is unlikely that this special procurement will result in favoritism in the awarding of public contracts or diminish competition for such contracts. The district will only enter into requirements contracts which result from open competitive bidding processes. This condition applies also to the use of requirements contracts established by other public contracting agencies.

The awarding of district requirements contracts will result in a cost savings to the district, or otherwise substantially promote the public interest. It would be costly and inefficient to make routine, repetitive purchases of goods and services through individual transactions. Also, the guaranteed volume of a requirements contract allows the district to get better prices from bidders.

8. Used Personal Property or Equipment, Purchase²

- a. Subject to the provisions of this rule, the district may purchase used property or equipment without obtaining competitive bids or quotes, if the district has determined that the purchase will result in cost savings to the district and will not diminish competition or encourage favoritism. "Used personal property or equipment" is property or equipment which has been placed in its intended use by a previous owner or user for a period of time recognized in the relevant trade or industry as qualifying the personal property or equipment as "used" at the time of district purchase. Used personal property or equipment generally does not include property or equipment if the district was the previous user, whether under a lease, as part of a demonstration, trial or pilot project or similar arrangement.
- b. For purchases of used personal property or equipment costing less than or equal to \$150,000, the district shall, where feasible, obtain three competitive quotes unless the district has determined and documented that a purchase without obtaining competitive quotes will result in cost savings to the district and will not diminish competition or encourage favoritism.
- c. For purchases of used personal property or equipment totaling \$150,000 or more, the district shall attempt to obtain three competitive quotes. The district will keep a written record of the source and amount of quotes received. If three quotes are not available, a written record must be made of the attempt to obtain quotes.

Findings of Fact

- a. The district is responsible to manage expenditures in the best interests of the public. Cost savings can be achieved through the procurement of used property and equipment. The district purchases used property and equipment when it meets the district's needs and is cost effective. Considerations include type, quality, quantity and estimated useful life of the used item.
- b. Used equipment and property becomes available sporadically and without notice. Used equipment and property is generally sold on a first-come, first-served basis. When used property or equipment does become available, the district must be able to respond immediately in order to obtain the property or equipment.
- c. Some types of property or equipment may not be readily available in the new goods market. The district may have to look for used items to fill the need.
- d. Competition to provide used property and equipment may be very limited and inconsistent, depending on the type of product.

²When contracting with another governmental entity, a district has a statutory exception under ORS 279A.025. The district may purchase state/federal surplus property through the Department of Administrative Services, State Services Division for Surplus Property. For more information on this program, contact DAS at 503-378-4714.

- e. The district maintains vendor lists which include information on whether a vendor provides used property or equipment. These lists are open to all vendors.

Conclusion of Compliance with Law

It is unlikely that this special procurement will encourage favoritism in the award of public contracts or substantially diminish competition for such contracts. The purchase of used property or equipment depends on an inconsistent, sporadic market. When a used item is available, there is often little competition available. Sources for used items of the type, quality and quantity required by the district are inconsistent. This rule requires the district to attempt to obtain and document quotes as appropriate to the dollar amount of the purchase. If the anticipated purchase is over \$150,000, the district will advertise its need.

The use of this special procurement will result in a cost savings to the district, or otherwise substantially promote the public interest. The cost of used equipment or property is generally substantially less than that of new. Savings of 20 percent to 50 percent are not uncommon. Used equipment can provide good value to the district and help ensure the continuation of district services and programs.

9. Information Technology Contracts

The district may enter into a contract to acquire information technology hardware and software without competitive bidding subject to the following conditions:

- a. If the contract amount does not exceed \$150,000, the district shall attempt to obtain three competitive quotes pursuant to the rules governing Intermediate Procurements. The district shall keep a written record of the sources of the quotes or proposals received. If three quotes or proposals are not reasonably available, fewer will suffice, but the district shall make a written record of the effort made to obtain the quotes or proposals.
- b. If the contract amount exceeds \$150,000, the district shall determine and use the best procurement method, pursuant to the public contracting code and these rules, and shall solicit written proposals in accordance with the requirements of the *Attorney General's Model Public Contract [and LCRB] Rules*. The district shall document the evaluation and award process, which will be part of the public record justifying the award;
- c. If the amount of the contract is estimated to exceed [\$150,000], the district shall provide proposers an opportunity to review the evaluation of their proposals before final selection is made.

Findings of Fact

- a. Rapid changes in technology make it necessary for the district to be able to purchase needed computer equipment quickly.
- b. Pricing for high-technology equipment also changes rapidly. It is frequently possible to take advantage of frequent price changes in the marketplace in the purchase of computer equipment.
- c. There is generally sufficient competition among vendors of information technology hardware and software for district business.
- d. The district will follow rules governing special procurements and obtain at least three informally solicited quotes for purchases less than or equal to \$150,000.
- e. If the district requires a brand name or sole source product, the district will follow its rule governing Brand Names or Products, "Or Equal," Single Seller and Sole Source, Section 1. under Special Procurements, to procure it.

Conclusion of Compliance with Law

It is unlikely that this special procurement will encourage favoritism in the award of district contracts or substantially diminish competition for district contracts. The purchase of information technology hardware and software will be made in accordance with other competitive bidding rules contained in this administrative regulation. If the anticipated purchase is over \$150,000, the district will advertise its need.

The use of this special procurement will result in a cost savings to the district, or otherwise substantially promote the public interest. Competition will be encouraged at all dollar levels of purchase of information technology hardware and software. This rule gives the district some flexibility in selecting the method of competitive procurement but requires adherence to the rule on brand name or sole source acquisitions if those situations occur.

10. Telecommunications Systems - Hardware and Software Contracts

- a. The district may enter into a contract to acquire telecommunications system hardware and software, without competitive bidding, subject to the following conditions:
 - (1) If the contract amount does not exceed \$150,000, the district shall attempt to obtain three competitive quotes pursuant to the rules governing Intermediate Procurements. The district shall keep a written record of the sources of the quotes or proposals received. If three quotes or proposals are not reasonably available, fewer will suffice, but the district shall make a written record of the effort made to obtain the quotes or proposals.
 - (2) If the contract amount exceeds \$150,000, the district shall determine and use the best procurement method, pursuant to the public contracting code and these rules and shall solicit written proposals in accordance with the requirements of Chapter 137, Divisions 047 and 049 of the *Attorney General's Model Public Contract [and LCRB] Rules*. The district shall document the evaluation and award process, which will be part of the public record justifying the award.
- b. The telecommunications solicitation authorized in subsection 10.a.(1) of these rules shall:
 - (1) State the contractual requirements in the solicitation document;
 - (2) State the evaluation criteria to be applied in awarding the contract and the role of any evaluation committee. Criteria that would be used to identify the proposal that best

- meets the district's needs may include, but are not limited to, cost, quality, service and support, compatibility, product or system reliability, vendor viability and financial stability, operating efficiency and expansion potential;
- (3) State the provisions made for bidders or proposers to comment on any specifications which they feel limit competition; and
 - (4) Be advertised in accordance with applicable provisions of the public contracting code.

Findings of Fact

- a. Rapid changes in technology make it necessary for the district to be able to purchase needed telecommunications hardware and software quickly.
- b. Since deregulation, there is generally adequate competition among vendors of telecommunication hardware and software to allow the district to make competitive purchases.
- c. Pricing for telecommunications hardware and software also changes frequently. It is important for the district to take advantage of price competition in the marketplace.
- d. The district will follow procedures governing special procurements and document reasonable efforts to obtain at least three informally solicited quotes for purchases over \$10,000 but less than or equal to \$150,000.
- e. If a purchase of telecommunications hardware or software is expected to cost more than \$150,000, the district will use a formal competitive bidding or proposal process in accordance with these rules and the *Attorney General's Model Public Contract [and LCRB] Rules*.
- f. There are also times when the district needs to purchase specific items that are compatible with current equipment. On these occasions, the district will follow its rule governing Brand Names or Products, "Or Equal," Single Seller and Sole Source, Section 1. under Special Procurements, to make the purchase.

Conclusion of Compliance with Law

It is unlikely that this special procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts. The purchase of telecommunications hardware and software will be made in accordance with other competitive bidding rules herein. If the anticipated purchase is over \$150,000, the district will advertise its need.

The use of this special procurement will result in a cost savings to the district, or otherwise substantially promote the public interest. Competition will be encouraged at all dollar levels of purchase of telecommunications hardware and software. This rule gives the district some flexibility in selecting the method of competitive procurement but requires adherence to the rule on brand name or sole source acquisitions if those situations occur.

11. Telecommunications Services

- a. The district shall secure the most competitive, cost-effective telecommunications services of the quality needed to meet all service performance requirements while minimizing administrative and service delivery costs. The district will use routine purchasing procedures whenever possible, but if necessary, the district can consider alternative procurement methods in accordance with this rule.

The district will generally follow the normal competitive procurement processes in obtaining telecommunications services. This process will only be used if necessary where there is a lack of sufficient competition to furnish needed services.

- b. In determining the appropriate procurement method for telecommunications services, the district shall comply with the requirements of ORS 291.038 and determine whether competition exists. In determining whether competition exists, the district may consider the following factors:
- (1) The extent to which alternative providers exist in the relevant geographic and service market; the greater area of [Insert Name] County;
 - (2) The extent to which alternative services offered are comparable or substitutable in technology, service provided and performance. For example, if the district requires digital services, analog services are not comparable or substitutable. If the district requires fiber optic technology, then copper, microwave or satellite transmission technology may not be comparable or substitutable;
 - (3) The extent to which alternative providers can respond to the district's interest in consistency and continuity of services throughout its service area, volume discounts, equitable service for all users, centralized management and limiting district liability. For example, to be considered as the district's long-distance service provider, any long-distance service vendor must be able to meet, support and interface with the district's centralized automated billing requirements. The district must document for the record, its findings on these factors or any other factors used in determining whether competition exists. In developing its findings, the district may solicit the information either through informal telephone or written contacts or through a formal solicitation such as a RFP.
- c. If the district determines that competition does not exist in the area for the relevant service, the district may proceed to secure the service on a sole source basis, as described in the district's rule governing Brand Names or Products, "Or Equal," Single Seller and Sole Source, Section 1. under Special Procurements.

Findings of Fact

- a. Since deregulation, there is generally adequate competition among vendors of telecommunication services to allow the district to make competitive procurements.
- b. Since there is competition, price competition exists in the marketplace. It is important for the district to take advantage of existing competition.
- c. The district will follow its rules governing special procurements and document reasonable efforts to obtain at least three informally solicited quotes for purchases less than or equal to \$150,000. The district shall keep a written record of the sources of the quotes or proposals received. If three quotes or proposals are not reasonably available, fewer will suffice, but the district shall make a written record of the effort made to obtain the quotes or proposals.
- d. If a purchase of service is expected to cost more than \$150,000, the district will use a formal competitive bidding or proposal process in accordance with these rules and the *Attorney General's Model Public Contract [and LCRB] Rules*.
- e. There may be occasions where there is limited competition that can furnish telecommunications services of the quality and extent required by district operations. In such instances, the district will follow this rule and also its rule governing Brand Names or Products, "Or Equal," Single Seller and Sole Source, Section 1. under Special Procurements, to procure needed services from the sole source.

Conclusion of Compliance with Law

It is unlikely that this special procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts. Routinely, the purchase of telecommunications services will be made in accordance with other competitive bidding rules contained in this administrative regulation. If the anticipated purchase is over \$150,000, the district will advertise its need, issue a written solicitation document and invite written bids or proposals to be furnished in response.

There may be circumstances, however, where sufficient competition does not exist in the relevant geographic and service market area. In such cases, the district will follow this rule in determining whether sufficient competition exists to make a competitive procurement.

The use of this special procurement will result in a cost savings to the district, or otherwise substantially promote the public interest. Competition will be encouraged at all dollar levels of purchase of telecommunications hardware and software. This rule gives the district some flexibility in selecting the method of competitive procurement but requires adherence to the rule on brand name or sole source acquisitions if those situations occur. The rule also states the steps to be taken to document situations where sufficient competition may not exist and a sole source purchase needs to be made.

12. Hazardous Material Removal; Oil Cleanup

- a. The district may enter into public contracts without competitive bidding, regardless of a dollar amount, when ordered to clean up oil or hazardous waste pursuant to the authority granted to the Oregon Department of Environmental Quality (DEQ) under ORS Chapter 466, especially ORS 466.605 through 466.680. In exercising its authority under this exemption, the district shall:
 - (1) To the extent reasonable under the circumstances, encourage competition by attempting to make informal solicitations or to obtain informal quotes from potential suppliers of goods and services;
 - (2) Make written findings describing the circumstances that require the cleanup or maintain a copy of the DEQ order for the cleanup;
 - (3) Record the measures taken under A.1. of this rule to encourage competition, the amount of the quotes or proposals obtained, if any, and the reason for selecting the contractor to whom award is made.
- b. The district shall not contract pursuant to this special procurement in the absence of an order from the DEQ to clean up a site which includes a time limit that would not allow the district to hire a contractor under normal competitive bidding procedures. Goods and services to perform other hazardous material removal or cleanup will be purchased in accordance with normal competitive bidding procedures as described in Board policy with this administrative regulation.

Findings of Fact

- a. When the DEQ orders a public agency to remove or clean up hazardous material or oil, the public agency must respond within a very short time, which is stated in the DEQ order. This time period does not generally allow the agency to take the time necessary to solicit written bids or proposals for the work to be performed. The district would be liable for any delay in responding to DEQ orders to perform hazardous material removal or cleanup.
- b. This exemption will not be used in those situations where there is no DEQ order to remedy the situation. Routine competitive procurement methods will be used where there is no DEQ order to act immediately. The district maintains open lists of vendors who are interested in providing hazardous material removal and cleanup services. Whenever it needs hazardous material removal or disposal, the district makes use of these lists to solicit quotes, bids or proposals as needed, in addition to advertising the procurement as required.
- c. Cost savings are achieved through this exemption because the district can be liable for DEQ penalties and fines if it does not timely remove hazardous materials or oil as ordered. There is also serious risk in these situations, that property damage or personal injury could result if the district is slow to act.

Conclusions of Compliance with Law

It is unlikely that this special procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts as required by ORS 279B.085 (3)(a). If it is under DEQ order to act immediately, the district will still attempt to obtain competitive quotes for the work to be performed as it has the ability and time to do so. Unless the district is faced with the quasi-emergency situation of a DEQ order to remove or clean up hazardous waste or oil, it will follow normal competitive procedures to obtain these services.

The award of public contracts pursuant to this special procurement will result in a cost savings to the district in these situations, as required by ORS 279B.085 (3)(b), because the district must comply with the law and avoid and minimize risk to persons and property. Where possible, it will seek competitive quotes for the work to be performed and will award the contract to the lowest, responsive and responsible bidder.

13. Renegotiation of Existing Contracts with Incumbent Contractors

- a. The district may amend or renegotiate contracts with existing vendors, service providers or other parties subject to the limitations of this rule.
- b. The district has determined that [value engineering,] [specialized expertise required,] [public safety] [and technical complexity], generally do not apply to this special procurement procedure.
- c. The renegotiated contract falls within a current special procurement procedure, but if not the LCRB must approve a separate special procurement.
- d. The district may renegotiate certain terms, but they must not unreasonably alter the scope of the original contract.

Findings of Fact

- a. The LCRB may amend contracts when it is in the best interest of the district. The [superintendent] and/or other designee, acting on behalf of the LCRB, may renegotiate certain provisions, including:

- (1) Price;
- (2) Term;
- (3) Delivery and shipping;
- (4) Order size;
- (5) Substitution;
- (6) Warranties;
- (7) On-line ordering systems;
- (8) Price adjustments;
- (9) Produce availability;
- (10) Product quality;
- (11) Reporting requirements; or
- (12) Discounts.

Any contract amendment will be supported by legal consideration when necessary to validate the amended provision.

- b. The amended terms must be within a reasonable scope of the original contract, but not fundamentally alter the agreement or nature of goods or services. Districts may, however, request functionally equivalent substitutes for goods or services in the original contract.
- c. The contract as a whole must be more favorable to the individual needs of the district to justify renegotiation. Cost may be a factor in determining what is a favorable change to the original contract, but the district may use factors other than cost that demonstrate that the amended contract is more favorable to the unique needs of the district.

Conclusion of Compliance with Law

This special procurement will not encourage favoritism or substantially diminish competition in awarding public contracts because it already exists as a contract awarded in compliance with the district's special procurement and public contracting code.

The awarding of contracts under this special procurement will result in cost savings to the district when it needs to renew its original contract with vendors, service providers or other parties, or otherwise substantially promote the public interest.

EXEMPTIONS FROM COMPETITIVE BIDDING

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

1. Contracts which have been specifically exempted under ORS 279A.025 and 279C.335; and
2. Contracts covered by the class exemptions in the following set of rules developed pursuant to ORS 279C.335 (2) and (5) and based on Oregon Administrative Rules, Chapter 425137, Divisions 246 through 249.

The Board, acting as the Local Contract Review Board (LCRB) for the district, has made the findings required by ORS 279C.330, ORS 279C.335 and ORS 279C.345, and determined that awarding a contract

under this exemption is unlikely to encourage favoritism or substantially diminish competition for the public contract and will likely result in a substantial cost savings and other substantial benefits to the district. The findings required to justify each exemption includes information regarding: (1) operational, budget and financial data; (2) public benefits; (3) value engineering; (4) specialized expertise required; (5) public safety; (6) market conditions; (7) technical complexity; and (8) funding sources.

In approving a finding under this section, the local contract review board shall consider the type, cost and amount of the contract and, to the extent applicable to the particular public improvement contract or class of public improvement contracts, the following:

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

Only these findings are required for each class or individual contract exemption, unless the LCRB specifically excludes a finding or includes an additional finding.

Promulgation of these exemptions can only occur after public notification and a public hearing to receive testimony pertaining to the draft exemptions and findings, pursuant to ORS 279C.335.

1. Brand Names or Products, “Or Equal,” Single Seller and Sole Source

- a. The district may purchase brand names or products from a single seller or sole source without competitive bidding subject to the limitations of this rule.
- b. The district has determined that [value engineering,] [specialized expertise required,] [public safety] [and technical complexity], generally do not apply to this exemption.
- c. Solicitation specifications for public contracts of the district shall not expressly or implicitly require any product of any particular manufacturer or seller except as expressly authorized in subsections d. and e. of this rule.
- d. The district may specify a particular brand name, make or product suffixed by “or equal,” “or approved equal,” “or equivalent,” “or approved equivalent” or similar language if there is no other practical method of specification after documenting the procurement file with the following:
 - (1) A brief description of the solicitation(s) to be covered, including contemplated future purchases;
 - (2) Description of the brand name, mark or product to be specified; and
 - (3) A brand name specification may be prepared and used only if the district determines for a solicitation or class of solicitations that only the identified brand name specification will meet the needs of the district based on one or more of the following written determinations:
 - (a) The use of the brand name specification is unlikely to encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts; or
 - (b) Specification of the brand name, mark or product would result in substantial cost savings to the district; or
 - (c) There is only one manufacturer or seller of the product of the quality, performance or functionality required; or
 - (d) The efficient utilization of existing goods requires the acquisition of compatible goods and services.
 - (4) The district shall make reasonable effort to notify all known suppliers of the specified product and invite such vendors to submit competitive bids or proposals.
- e. The district may purchase a particular product or service available from only one source, after documenting the procurement file with the district’s findings of current market research to support the determination that the product is available from only one seller or source. The district’s findings shall include:
 - (1) A brief description of the contract or contracts to be covered, including contemplated future purchases;
 - (2) Description of the product or service to be purchased; and
 - (3) The reasons the district is seeking this procurement method, which shall include any of the following:
 - (a) That the efficient utilization of existing equipment, supplies or services requires the acquisition of compatible equipment, supplies or services; or

- (b) That the goods or services required for the exchange of software or data with other public or private agencies are available for only one source; or
 - (c) That the goods or services are for use in a pilot or an experimental project; or
 - (d) Other findings that support the conclusion that the goods or services are available from only one source.
- (4) To the extent reasonably practical, the contracting agency shall negotiate with the sole source to obtain contract terms advantageous to the contracting agency.
- f. The district may specify a product or service available from only one manufacturer but available through multiple sellers, after documenting the procurement file with the following information:
 - (1) If the total purchase is over \$10,000 5,000 but does not exceed \$100,000, and a comparable product or service is not available under an existing state cooperative purchasing contract, competitive quotes shall be obtained by the district and retained in the procurement file; or
 - (2) If the amount of the purchase exceeds \$100,000, the product or service shall be obtained through competitive bidding unless a specific exemption is granted by the LCRB.
- g. If the district intends to make several purchases of the product of a particular manufacturer or seller for a period not to exceed five years, the district will so state in the solicitation file and in the solicitation document, if any. Such documentation shall be sufficient notice as to subsequent purchases. If the total purchase amount is estimated to exceed \$100,000, this shall be stated in the advertisement for bids or proposals.

Findings of Fact/Conclusion of Compliance with Law

It is unlikely that this process will encourage favoritism in the award of public contracts or substantially diminish competition for such contracts, as required by ORS 279C.335 (2)(a).

This class exemption applies only to contracts under a limited dollar amount, and then, only after efforts to obtain competitive quotes are made, or other methods have been employed to ensure that competitive means are used if available. The district maintains open lists from which vendors are contracted for quotations. In addition, as required by ORS 279C.335 (2)(b) award of a public contract subject to the above described exemption should likely result in substantial cost savings or other substantial benefits to the district by virtue of the ability to reduce solicitation costs when it is known that comparable products are not available, or when specifying another product solely to meet a competition requirement might lead to lower initial cost but longer lifetime cost.

2. Product Prequalification

- a. When specific design or performance specifications must be met or such specifications are impractical to create or reproduce for a type of product to be purchased, the district may specify a list of approved or qualified products by reference to the prequalified product(s) of particular manufacturers or vendors in accordance with the following product prequalification procedure:
 - (1) The district will make reasonable efforts to notify all known manufacturers and vendors of competing products of the district's intent to compile a list of prequalified products. The notice will explain the opportunity manufacturers and vendors of competing products will have to apply to have their product(s) included on the district's list of prequalified products. At its discretion, the district may provide notice by advertisement in a trade paper of general statewide circulation or other appropriate trade publication; or instead of advertising, the district may provide written notice to those manufacturers and vendors appearing on the appropriate list maintained by the district; and
 - (2) The district will accept manufacturer and vendor applications to include products in the district's list of prequalified products up to 15 calendar days prior to the initial advertisement for bids or proposals for the type of product to be purchased, unless otherwise specified in the advertisement or in the district's written notice.
- b. The district has determined that special expertise required, generally, does not apply to this rule.
- c. If the district denies an application for inclusion of a product on its list of prequalified products, the district shall promptly provide the applicant with a written notice of the denial and include the reason for denial. The applicant may submit a written appeal within [7] calendar days to the district business manager to request review and reconsideration of the denial.

Findings of Fact

- a. There are occasions when the district needs to establish a list of prequalified products before it invites bids or proposals to furnish the products. The district may have a specific performance or design need, but it is impractical for the district to create a specification for the type of products to be purchased. An example is audiovisual equipment. There is a tremendous variety of audiovisual products offered in the market. The equipment technology is complex and constantly changing. It would be very burdensome and time consuming for the district to generate nonbrand name, generic performance specifications for such equipment every time it wants to make a purchase.

Also, competition would be poorly served because bidders and proposers would not know in advance whether their offered product would meet the general specification substantially enough to be considered a responsive offer. The decision to make an award would be slow, because each product offered would have to be analyzed against the district's specification. Slowdown in the award process affects both bidders, who are asked to hold their bids open until award is made, and district programs, because staff are not able to order the equipment they need until the contract is awarded.

In this case, it might be more cost effective and efficient for the district to prequalify products and establish a list of approved products before invitations to bid are sent out. The prequalification process can be done some time before the need for a new contract. Once the

prequalified product list is established, the bidding and contract award process can go quickly and smoothly.

- b. A second occasion when prequalification of products will be useful is when the specific design or performance specifications for a product are so exacting that the district must have time to carefully consider what is offered in the market that may or may not meet the specifications and, if necessary, reconsider its options before issuing an invitation to bid.
- c. This rule sets out a process of prequalification which requires the use of advertisement or other appropriate means to notify vendors of competing products of their opportunity to submit items for prequalification. The district maintains vendor mailing lists which are open to all interested vendors. The district uses these lists routinely to notify vendors of its intentions to prequalify products or to invite bids on products.
- d. This includes a 15-day time limit between the closure of a prequalification list and a related invitation to bid. This time factor ensures that vendors have a reasonable time to apply to include their products on a prequalified product list.
- e. Subsection c. of this rule provides vendors with an appeal process to follow if their application for prequalification is denied.

Conclusion of Compliance with Law

Where prequalification of products is appropriate, it is unlikely that this exemption will encourage favoritism in the awarding of public contracts or diminish competition for such contracts as required by ORS 279C.335 (2)(a). There are several safeguards in the rule to prevent this, including notice, advertising, time and appeal process requirements to ensure that vendors are given a fair and open opportunity to participate in the prequalification process.

The prequalification of products process is a time-consuming effort for the district. It is not a shortcut procurement method. The district would use this method only after balancing cost-saving considerations, such as the ability of the district to create or generate nonbrand name generic specifications for types of products or the need for lengthy product evaluation prior to a contract award. If the prequalification method is chosen, it will likely result in a substantial cost savings and other substantial benefits to the district as required by ORS 279C.335 (2)(b) because the normal method of product selection is too cumbersome and costly to pursue.

3. Requirements Contracts (Blanket Purchase Orders, Price)³

- a. The business manager, on behalf of the district, may establish requirements contracts for the purposes of minimizing paperwork, achieving continuity of product, securing a source of supply, reducing inventory, combining district requirements for volume discounts, standardization among schools and departments and reducing lead time for ordering.
- b. The district has determined that [value engineering,] [specialized expertise required] [and technical complexity,] generally, do not apply to this rule.
- c. The district may enter into a requirements contract (also known as a blanket purchase order or price agreement) whereby it is agreed to purchase goods or services for an anticipated need at a predetermined price or price discount from a price list, provided the contract is let by a competitive procurement process pursuant to the requirements of the public contracting code and these rules.

³The Oregon Procurement Information Network (ORPIN) allows authorized members to utilize the state's price agreement/contracts to purchase goods and services. Authorized ORCPP members can legally attach to a state price agreement and forego the competitive bid process. Access to hundreds of competitive price contracts for a wide variety of goods and services: vehicles, computers, furniture, copiers, fax machines, travel, pharmaceuticals, office products, etc., is available.

- d. Once a requirements contract is established, schools and departments may purchase the goods and services from the awarded contractor without first undertaking additional competitive solicitation.
- e. Schools and departments shall use requirements contracts established by the district, unless otherwise specified in the contract, allowed by law or these rules or specifically authorized by the [superintendent] or designee.
- f. Under the authority of ORS 279A.025 and 279C.335, the district may use the requirements contracts entered into by another Oregon public agency when:
 - (1) The original contract met the requirements of the public contracting code; and
 - (2) The original contract allows other public agency usage of the contract; and
 - (3) The original public contracting agency concurs and this is documented by a written interagency agreement between the district and the agency.
- g. The term of any district requirements contract, including renewals, shall not exceed five years unless otherwise exempted pursuant to ORS 279C.335.

Findings of Fact

- a. This rule permits the district to enter into requirements contracts, in which the vendor agrees to provide specified goods and services over the term of the contract at the bid price or discount rate. A requirements contract is useful when the purchase of the goods or services are routine and repetitive. For example, school, building, office, custodial and facilities maintenance supplies are customarily purchased through requirements contracts.
- b. Requirements contracts are a common method of minimizing paperwork, achieving continuity of product, securing a source of supply, reducing inventory, obtaining volume discounts, standardizing usage among schools, buildings and departments and reducing lead time for ordering.
- c. The district establishes requirements contracts as a result of open competitive bidding or RFP processes, unless otherwise exempted.
- d. The district limits the term of a requirements contract, including all renewal options, to a maximum of five years before competitive rebidding must be done, unless otherwise exempted.
- e. The district may use the requirements contracts established by other public agencies, subject to certain conditions of state law, Board policy and administrative regulation.

Conclusion of Compliance with Law

It is unlikely that this exemption will result in favoritism in the awarding of public contracts or diminish competition for such contracts, as required by ORS 279C.335 (2)(a). The district will only enter into requirements contracts which result from open competitive bidding processes. This condition applies also to the use of requirements contracts established by other public contracting agencies.

The awarding of district requirements contracts will likely result in a substantial cost savings and other substantial benefits to the district, as required by ORS 279C.335 (2)(b). It would be costly and inefficient to make routine, repetitive purchases of goods and services through individual transactions. Also, the guaranteed volume of a requirements contract allows the district to get better prices from bidders.

4. Waiver of Bid Security Requirements (Public Improvement Contracts under \$100,000)

The LCRB may, at its discretion, waive the bid security requirements of ORS 279C.390, if the amount of the contract for the public improvement is less than \$100,000. Although the bid security requirements of ORS 279C.390 are waived for public improvement contracts under \$100,000, the district may impose a bid or quote security requirements for projects under \$100,000, when deemed to be in the best interest of the district.

Findings of Fact/Conclusion of Compliance with Law

This rule allows the LCRB to waive bid security requirements for certain public improvement contracts. Waiver of the bid security is provided for by statute without a requirement for findings.

5. Waiver of Performance and Payment Security Requirements (Public Improvement Contracts under \$100,000)

The LCRB may, at its discretion, waive the performance/payment security requirements of ORS 279C.390 if the amount of the contract for the public improvement is less than \$100,000. Although the performance/payment security requirements of ORS 279C.390 are waived for public improvement contracts less than \$100,000, the district may impose a performance/payment security requirement for projects less than \$100,000 when deemed to be in the best interest of the district.

Findings of Fact/Conclusion of Compliance with Law

This rule allows the LCRB to waive performance/payment security requirements for certain public improvement contracts. Waiver of the performance/payment security is provided for by statute without a requirement for findings.

6. Projects with Complex Systems or Components

- a. For contracts for public improvements with significant components that are inherently complex and are also complex to procure through competitive bid, the district may, at its discretion, use RFP competitive procurement methods subject to the conditions described in ORS 279C.400 and conditions enumerated in this exemption.
- b. Definitions. For purposes of this exemption only: "Complex Systems" are defined as those systems which incorporate the procurement of materials or other components which are difficult, if not impossible, to create in an "equal" specifications basis for competitive bid. Examples of such systems include but are not limited to, contracts for supplying and installing computerized controls for building heating, venting, air conditioning systems; and contracts for artificial surface outdoor multipurpose athletic fields. "Significant" is intended to mean something more than de minimus, but not necessarily the majority of the project as determined by cost.

Finding of Fact/Conclusion of Compliance with the Law

It is unlikely that this exemption will encourage favoritism in the awarding of the public contracts or substantially diminish competition for such contracts as required by ORS 279C.335 (2)(a). Contracts for public improvements occasionally incorporate the procurement of systems, materials, or other components (complex systems) for which it is extremely difficult to design bid specifications. In these situations, utilization of a RFP process where each of the systems can be evaluated utilizing a number of factors, in addition to price, will likely result in substantial cost savings and other substantial benefits to the district as required by ORS 279C.335 (2)(b).

ORS 279C.400 enumerates how RFP's are to be used if authorized by the LCRB. This criteria, ensures that competitive means will be used and selection will be fair and impartial. As a result, it is unlikely that this process will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts as required by ORS 279C.335 (2)(a). The awarding of contracts pursuant to this process will result in optimal value to the district based on selection by the district of the best competitive proposal that meets the stated evaluative criteria.

This class exemption is intended to be used for the types of procurements describe in the findings, where the specific system, materials or components represent a significant portion of the project. This class exemption is **not** intended to be used for construction manager/general contractor (CM/GC) projects or other methods of alternative procurement unless these projects meet the requirements of this class exemption. The CM/GC and others, not meeting the requirements of this class exemption, may still be procured by RFP, provided that a project or contract specific exemption is promulgated by the LCRB.

Oregon School Boards Association Selected Sample Policy

Code: **EBB**
Adopted:

Integrated Pest Management

To ensure the health and safety concerns of student, staff and community members, the district shall adopt an integrated pest management plan (IPM)¹ which emphasizes the least possible risk to students, staff and community members and shall adopt a list of low-impact pesticides for use with the IPM plan.

The IPM plan is a proactive strategy that:

1. Focuses on the long-term prevention or suppression of pest problems through economically sound measures that:
 - a. Protect the health and safety of students and staff;
 - b. Protect the integrity of district buildings and grounds;
 - c. Maintain a productive learning environment; and
 - d. Protect local ecosystem health.
2. Focuses on the prevention of pest problems by working to reduce or eliminate conditions of property construction, operation and maintenance that promote or allow for the establishment, feeding, breeding and proliferation of pest populations or other conditions that are conducive to pests or that create harborage for pests;
3. Incorporates the use of sanitation, structural remediation or habitat manipulation or of mechanical, biological and chemical pest control measures that present a reduced risk or have a low-impact and, for the purpose of mitigating a declared pest emergency, the application of pesticides that are not low-impact pesticides;
4. Includes regular monitoring and inspections to detect pests, pest damage and unsanctioned pesticide usage;
5. Evaluates the need for pest control by identifying acceptable pest population density levels;
6. Monitors and evaluates the effectiveness of pest control measures;
7. Excludes the application of pesticides on a routine schedule for purely preventive purposes, other than applications of pesticides designed to attract or be consumed by pests;
8. Excludes the application of pesticides for purely aesthetic purposes;
9. Includes school staff education about sanitation, monitoring, inspection and pest control measures;
10. Gives preference to the use of nonchemical pest control measures;

¹See Model Integrated Pest Management Plan for Oregon Schools at
http://www.ipmnet.org/tim/IPM_in_Schools/Model_School_IPM_Plan_Main_Page.html

11. Allows the use of low-impact pesticides if nonchemical pest control measures are ineffective; and
12. Allows the application of a pesticide that is not a low-impact pesticide only to mitigate a declared pest emergency or if the application is by, or at the direction or order of, a public health official.

The district shall designate the [Ben Scribner] as the Integrated Pest Management Plan Coordinator[s] give them the authority for overall implementation and evaluation of the IPM plan.

Integrated Pest Management Plan Coordinator

The IPM Plan Coordinator[s] shall:

13. Attend not less than six hours of IPM training each year. The training shall include at least a general review of integrated pest management principles and the requirements of IPM as required by Oregon statute;
14. Ensure appropriate prior notices are given and posted warnings have been placed when pesticide applications are scheduled;
15. Oversee pest prevention efforts;
16. Ensure identification and evaluation of pest situation;
17. Determine the means of appropriately managing pest damage that will cause the least possible hazard to people, property and the environment;
18. Ensure the proper use and application of pesticide applications when non-pesticide controls have been unsuccessful;
19. Evaluate pest management results; and
20. Keep for at least four years following the application date, records of applied pesticides that include:
 - a. A copy of the label;
 - b. A copy of the ~~Material Data~~ Safety Data Sheet (SDS);
 - c. The brand name and USEPA² registration number of the product;
 - d. The approximate amount and concentration of pesticide applied;
 - e. The location of where the pesticide was applied;
 - f. The type of application and whether the application was effective;
 - g. The name(s) of the person(s) applying the pesticide;
 - h. The pesticide applicator's license numbers and pesticide trainee or certificate numbers of the person applying the pesticide;
 - i. The dates and times for the placement and removal of warning signs; and
 - j. Copies of all required notices given, including the dates the IPM Coordinator[s] gave the notices.
21. Respond to inquiries about the IPM plan and refer complainants to [Board policy KL - Public Complaints];
22. Conduct outreach to district staff about the district's IPM plan.

²U.S. Environmental Protection Agency

END OF POLICY

Legal Reference(s):

ORS 634.116

ORS 634.700 to-750

Oregon School Boards Association Selected Sample Policy

Code: EEA
Adopted:

Student Transportation Services *

School transportation services will be provided for students to and from school [and for] [transporting students to and from curricular and extracurricular activities sponsored by the district] [transporting from one school or facility to another] [school-sponsored field trips that are extensions of classroom learning experiences]. Transportation will be provided for homeless students to and from the student's school of origin¹ as required by the No Child Left Behind Act of 2001 (NCLBA). These services shall be provided throughout the regularly scheduled year and during the regular school day as determined by the [Board].

[Elementary students [grades K-8] who live more than one mile from school will be transported. Secondary students [grades 9-12] who live more than one and one-half miles from school will be transported. Mileage exceptions for health, safety or disability will be made in accordance with the district's approved supplemental plan.]

OR

[Students living within specified attendance boundaries shall receive transportation services to their respective schools. In addition, students, including those receiving special education, may be eligible for transportation for health or safety reasons.]

Miles from school will be determined by the [transportation supervisor] in accordance with OAR 581-023-0040 (1)(c).

[The district may use Type 10 School Activity Vehicles to transport students from home to school, school to home and from district-sponsored activities.]

The district may also provide transportation using federal funds² or through cooperative agreements with local victims assistance units for a student to attend a safe district school³ out of the student's attendance area for any student who is a victim of a violent criminal offense occurring in or on the grounds of the school the student attends or the student attends a school identified as persistently dangerous.

If there are no other schools within the district a student may transfer to, the district may establish a cooperative agreement with other districts in the area for a transfer. Transportation for students who transfer for such purposes will be provided in accordance with the agreement.

¹"School of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

²Federal funds means funds available through Title IV, Part A, and Title V, Part A.

³If there is not another school in the district to which students can transfer, districts are encouraged, but not required, to explore other appropriate options, i.e., an agreement with a neighboring district.

Students attending any private, parochial or public charter school under the compulsory school attendance laws will, where the private, parochial or public charter school is along or near the bus route, be provided equally the riding privileges given to public school students.

Preschool students with disabilities who have transportation as a related service and children from birth to age three who are enrolled in an eligible program shall be provided home to school transportation.

A seat that fully supports each person and meets the minimum standards and specifications of law will be provided at all times. A person who weighs 40 pounds or less must be properly secured with a child safety system that meets the minimum standards and specifications established by the Oregon Department of Transportation under ORS 815.055. A person over 40 pounds or who has reached the upper weight limit for the forward-facing car seat must use a booster seat until he/she is four feet nine inches tall or age eight and the adult belt properly fits.⁴ A person who is taller than four feet nine inches or eight years of age or older must be properly secured with a safety belt or harness that meets the requirements under ORS 815.055. In accordance with ORS 811.210 and 811.215 vehicles in excess of 10,000 pounds used for student transportation are exempt from statutory requirements unless they have been equipped with lap belts. Vehicles in excess of 10,000 pounds that have been equipped with lap belts must meet child car seat requirements as set forth in law.

School buses carrying students will be considered extensions of the school experience. All students using school transportation will abide by the code of conduct posted in each school bus [or school activity vehicle]. Violations of such code, as well as other conduct which is improper or which jeopardizes the safety of self or others, will be reported by the school bus [or vehicle] driver to [the supervisor]. [The transportation supervisor] will, as soon as possible, inform the appropriate principal of such occurrence. Violators may be denied use of transportation for a period of time as deemed proper by the principal [and/or] transportation supervisor.

The [principal] or designee shall ensure transportation officials and drivers receive notification of students having special medical or behavioral protocols identified in student records.

Appropriate training related to specific protocols, including confidentiality requirements, will be provided to drivers.

The school bus [or vehicle] driver will be responsible for the school bus [or vehicle] at all times from departure until return. The driver will not participate in any activities that might impair his/her driving abilities.

Aides or assistants that ride a school bus shall receive training on emergency procedures and their role in the safe transportation of all students on the bus.

⁴“Proper fit” means the lap belt of the safety belt or safety harness is positioned low across the thighs and the shoulder belt is positioned over the collarbone and away from the neck.

The district will comply with all state and federal laws and regulations pertaining to school bus transportation.

END OF POLICY

Legal Reference(s):

<u>ORS 327.006</u>	<u>ORS 815.055</u>	<u>OAR 581-053-0031</u>
<u>ORS 327.033</u>	<u>ORS 815.080</u>	<u>OAR 581-053-0040</u>
<u>ORS 327.043</u>	<u>ORS 820.100 to-820.190</u>	<u>OAR 581-053-0053</u>
<u>ORS 332.405</u>		<u>OAR 581-053-0060</u>
<u>ORS 332.415</u>	<u>OAR 581-021-0050 to-0075</u>	<u>OAR 581-053-0070</u>
<u>ORS 339.240 to-339.250</u>	<u>OAR 581-022-1530</u>	<u>OAR 581-053-0210</u>
<u>ORS 343.155 to-343.246</u>	<u>OAR 581-023-0040</u>	<u>OAR 581-053-0220</u>
<u>ORS 343.533</u>	<u>OAR 581-053-0002</u>	<u>OAR 581-053-0230</u>
<u>ORS 343.155 to-343.243</u>	<u>OAR 581-053-0003</u>	<u>OAR 581-053-0240</u>
<u>ORS 811.210</u>	<u>OAR 581-053-0004</u>	<u>OAR 735-102-0010</u>
<u>ORS 811.215</u>	<u>OAR 581-053-0010</u>	

No Child Left Behind Act of 2001, 20 U.S.C. §§ 6315, 7912.

Elementary and Secondary Education Act (ESEA) Flexibility Waiver, July 18, 2012.

McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42 U.S.C. §§ 11431-11435 (2005).

Oregon School Boards Association Selected Sample Policy

Code: EEACA
Adopted:

School Bus Driver Examination and Training (Version 1)

The district or transportation provider shall verify that a school bus drivers' ~~must pass~~ physical examinations ~~administered~~ were certified by a medical examiner whose certificate was listed in the Federal Motor Carrier Safety Administration's National Registry of Certified Medical Examiners as of the date of the issuance of the school bus driver's examination certificate, and meets 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 659A.300

ORS 659A.306

ORS Chapters 801, 802, 807, 809, 811, 813

ORS 807.038

ORS 820.110

OAR 581-053-0002

OAR 581-053-0003

OAR 581-053-0004

OAR 581-053-0031

OAR 581-053-0040

OAR 581-053-0053

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: **EEACA**
Adopted:

School Bus Driver Examination and Training (Version 2)

School bus driver selection procedures will be developed to ensure acceptance of drivers whose capabilities are commensurate with job responsibilities. Each new school bus driver will be selected for his/her potential for improving the fleet's record and performance.

1. School bus driver selection will be based on: investigating application references; a motor vehicles report from the department of motor vehicles; a criminal records check; a drug [and alcohol] test; verification that a physical examination administered was certified by a medical examiner whose certificate was listed in the Federal Motor Carrier Safety Administration's National Registry of Certified Medical Examiners as of the date of the issuance of the bus driver's examination certificate; and other physical requirements, planned oral interview, tests and a driver-training program.
2. No school bus driver shall be placed on a route or in any vehicle transporting students without a school bus [permit] or [certificate] issued by the Oregon Department of Education (ODE).
3. No school bus driver shall be placed in any vehicle subject to commercial driver's license requirements or permitted to perform any other safety-sensitive functions who does not comply with applicable provisions of the Omnibus Transportation Employee Testing Act of 1991.
4. In emergencies, only school bus drivers who are on the ODE emergency drivers' list will be used.

All school bus drivers are required to inform the district within 15 days of any change in their driving or criminal records that could affect their eligibility to maintain the necessary ODE approval for licensing.

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 659A.300
ORS 659A.306
ORS Chapters 801, 802, 807, 809,
811, 813

ORS 807.038
ORS 820.110
OAR 581-053-0002
OAR 581-053-0003

OAR 581-053-0004
OAR 581-053-0031
OAR 581-053-0040
OAR 581-053-0053
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).

HR10/23/14 | RS

Oregon School Boards Association Selected Sample Policy

Code: EFA
Adopted:

Local Wellness Program

The Board recognizes that childhood obesity has become an epidemic in Oregon as well as throughout the nation. Research indicates that obesity and many diseases associated with obesity are largely preventable through diet and regular physical activity. Additional research indicated that healthy eating patterns and increased physical activity are essential for students to achieve their academic potential, full physical and mental growth and lifelong health and well-being.

To help ensure students possess the knowledge and skills necessary to make healthy choices for a lifetime, the superintendent shall prepare and implement a comprehensive district nutrition program consistent with state and federal requirements for districts sponsoring the National School Lunch Program (NSLP) and/or the School Breakfast Program (SBP). The program shall reflect the Board's commitment to providing adequate time for instruction that promotes healthy eating through nutrition education, serving healthy and appealing foods at district schools, developing food-use guidelines for staff and establishing liaisons with nutrition service providers, as appropriate.

The input of staff (including but not limited to, physical education and school health professionals), students, parents, the public, representatives of the school food authority and public health professionals will be encouraged. The superintendent [or designee] will develop [administrative regulations] [guidelines] as necessary to implement the goals of this policy throughout the district.

Nutrition Promotion and Nutrition Education

Nutrition promotion supports the integration of nutrition education throughout the school environment. Nutrition education topics shall be integrated within the sequential, comprehensive health education program taught at every grade level, prekindergarten through grade 12, and coordinated with the district's nutrition and food services operation.

Nutrition Guidelines

It is the intent of the Board that district schools take a proactive effort to encourage students to make nutritious food choices. All food and beverage items (except those as part of the United States Department of Agriculture's National School Lunch Program and/or School Breakfast Program or at times when the school is being used for school-related events or nonschool-related events for which parents and other adults are a significant part of an audience or are selling food or beverage items before, during, or after the event such as a sporting event, interscholastic activity, a play, band or choir concert), sold in a K-12 public school as part of the regular or extended school day shall meet the minimum state and federal standards as set forth in state law. Exceptions to this requirement include items that are part of the USDA National School Lunch Program or School Breakfast Program. Other exceptions are foods and beverages provided in the following instances.

1. When the school is the site of school-related events or events for which parents and other adults are a significant part of an audience, or
2. The sale of food or beverage items before, during or after a sporting event, interscholastic activity, a play, band or choir concert

Although the Board believes that the district's nutrition and food services operation should be financially self-supporting, it recognizes, ~~however,~~ that the nutrition program is an essential educational and support activity. Therefore, budget neutrality or profit generation must not take precedence over the nutrition needs of its students. In compliance with federal law, the district's NSLP [and SBP] shall be nonprofit.

The superintendent is directed to develop administrative regulations to implement this policy, ~~including such provisions as may be necessary to~~ that address all food and beverages items sold and/or served to students at in district schools, including provisions for staff development, family and community involvement and program evaluation. These food and beverage items include (i.e., competitive foods, snacks and beverages sold from vending machines, and school stores, and similar food and beverage items from fund-raising activities and refreshments that are made available at school parties, celebrations and meetings), ~~including provisions for staff development, family and community involvement and program evaluation.~~

Physical [Education/]Activity

The Board realizes that a quality physical education program is an essential component for all students to learn about and participate in physical activity. [Every public school student in kindergarten through grade 8 shall participate in physical education for the entire school year. Students in kindergarten through grade 5 shall participate for a least 150 minutes during each school week and students in grades 6 through 8 for at least 225 minutes per school week. At least 50 percent of the weekly physical education class time shall be devoted to actual physical activity. Instruction, provided by adequately prepared teachers, will meet the state adopted academic content standards for physical education, ORS 329.045. Teachers of physical education shall regularly participate in professional development activities.

Students with disabilities shall have suitably adapted physical education incorporated as part of the individualized education program (IEP) developed for the student under ORS 343.151. A student who does not have an IEP but has chronic health problems, other disabling conditions or other special needs that preclude them from participating in regular physical education instruction, shall have suitably adapted physical education incorporated as part of an individualized health plan developed for the student by the district or public charter school.^{1]}

Physical activity should be included in a school's daily education program ~~from~~for grades pre-K through 12. Physical activity should include regular instructional physical education as well as co-curricular activities, and recess. The district will develop and assess student performance standards [and program minute requirements]¹ in order to meet the Oregon Department of Education's physical education content standards [and state law]¹.

Reimbursable School Meals

The district may enter into an agreement with the Oregon Department of Education (ODE) to operate reimbursable school meal programs. The superintendent will develop administrative regulations as necessary to implement this policy and meet the requirements of state and federal law. These guidelines shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to subsections (a) and (b) of section 10 of the Child Nutrition Act (42 U.S.C. 1779) and section 9(f)(1) and 17(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(f)(1), 1766(a)(0).

¹HB 3141 (effective 2017-2018 school year)

[School Employee Wellness]²

The district encourages school staff to pursue a healthy lifestyle that contributes to their improved health status, improved morale and a greater personal commitment to the school's overall wellness program. Many actions and conditions that affect the health of school employees may also influence the health and learning of students. The physical and mental health of school employees is integral to promoting and protecting the health of students and helps foster their academic success. The district's employee wellness program will promote health and reduce risk behaviors of employees and identify and correct conditions in the workplace that can compromise the health of school employees, reduce their levels of productivity, impede student success and contribute to escalating health-related costs such as absenteeism.

The district will work with community partners to identify programs/services and resources to compliment and enrich employee wellness endeavors.]

Other School-Based Activities

The district will promote district and community-based activities that foster healthy eating and create environments that promote physical activity. Families and the community will be encouraged to provide healthy food choices in all situations where food is served. Educational workshops, screenings and literature related to healthy food choices and physical activity may be offered to families.

Evaluation of the Local Wellness Policy

The Board will involve staff (including but not limited to, physical education and school health professionals), parents, students, representatives of the school food authority, public health professionals, school administrators and the public in the development, implementation and periodic review and yearly update of this policy. [The Board shall establish a Wellness Advisory Committee to advise the district in the creation of the local wellness policy. The policy will be reviewed every [one year] [two years] [three years].]In an effort to measure the implementation of this policy the Board designates the [superintendent, district principals] as the [person, people] who will be responsible for ensuring each school meets the goals outlined in this policy. The district will make available to the public annually, an assessment of the implementation, including the extent to which the schools are in compliance with policy, how the policy compares to model policy and a description of the progress being made in attaining the goals of this policy.

END OF POLICY

²[This language is optional and is not required by state or federal law.]

Legal Reference(s):

ORS 329.496

ORS 332.107

ORS 336.423

OAR 581-051-0100

OAR 581-051-0305

OAR 581-051-0310

OAR 581-051-0400

National School Lunch Program, 7 C.F.R. Part 210 (2006).

School Breakfast Program, 7 C.F.R. Part 220 (2006).

Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296 Section 204.

Oregon School Boards Association Selected Sample Policy

Code: EFA-AR
Reviewed/Revised:

Local Wellness Program

The district's comprehensive age-appropriate nutrition program will be implemented in district schools in accordance with the following requirements:

Definitions

1. "Accompaniment foods" means food items served along with another food to enhance palatability such as butter, jelly, cream cheese, salad dressing, croutons and condiments.
2. "Combination foods" means products that contain two or more components representing two or more of the recommended food groups: fruit, vegetable, dairy, protein, or grains.
3. "Competitive foods" means any food or drink sold in competition with the National School Lunch Program (NSLP) and/or School Breakfast Program (SBP) in food service areas during the meal periods during the school day.
4. "Dietary Guidelines for Americans" means the current set of recommendations of the federal government that are designed to help people choose diets that will meet nutrient requirements, promote health, support active lives and reduce chronic disease risks.
5. "Entree item" means an item that is either:
 - a. A combination food of meat or meat alternate and whole grain rich food; or
 - b. A combination food of vegetable or fruit and meat or meat alternate; or
 - c. A meat or meat alternate alone with the exception of yogurt, low-fat or reduced fat cheese, nuts, seeds and nut or seed butters and meat snacks (such as dried beef jerky); or
 - d. Grains only when served in the SBP.
6. "Nutrition education" means a planned sequential instructional program that provides knowledge and teaches skills to help students adopt and maintain lifelong healthy eating habits;
7. "Foods of minimal nutritional value (FMNV)" means:
 - a. In the case of artificially sweetened foods, a food which provides less than five percent of the Reference Daily Intakes (RDI) for each of eight specified nutrients per serving; and
 - b. In the case of all other foods, a food which provides less than five percent of the RDI for each of eight specified nutrients per 100 calories and less than five percent of the RDI for each of eight specified nutrients per serving. The eight nutrients to be assessed for this purpose are—protein, vitamin A, vitamin C, niacin, riboflavin, thiamine, calcium and iron;
 - c. Food that is classified into four categories:
 - (1) Carbonated soft drinks;

- ~~(2) Chewing gum;~~
- ~~(3) Water ices; and~~
- ~~(4) Certain candies made predominantly from sweeteners such as hard candy, licorice, jelly beans, gum drops, marshmallows, fondant, cotton candy and candy-coated popcorn.~~

6. "Food service area" means any area on school premises where NSLP or SBP meals are both served and eaten, as well as any areas in which NSLP or SBP meals are either served or eaten.

7. "Meal period" means the period(s) during which breakfast or lunch meals are served and eaten, and as identified on the school schedule.

8. "Nutrition education" means a planned sequential instructional program that provides knowledge and teaches skills to help students adopt and maintain lifelong healthy eating habits.

9. "Oregon Smart Snacks"¹ means the minimum nutrition standards for competitive foods and beverages.

a. Food items, including accompaniment foods, must

- (1) Be a grain product that contains 50 percent or more whole grains by weight or have as the first ingredient a whole grain (e.g., flour, flake or meal), or
- (2) Have as the first ingredient, one of the non-grain major food groups: fruits; vegetables, dairy or protein foods (e.g., meat, beans, poultry, seafood, eggs, nuts, seeds), or
- (3) Be a combination food that contains one-quarter cup of fruit and/or vegetable, or
- (4) Have one of the food items above as a second ingredient if water is the first ingredient, or
- (5) Contain 10 percent of the Daily Value of a nutrient of public health concern based on the most recent *Dietary Guidelines for Americans* (e.g., calcium, potassium, vitamin D or dietary fiber)², and
- (6) Meet all the competitive food nutrient standards.

(a) Calories:

(i) Snacks contain no more than

- 1) 150 calories as packaged or served for elementary level,
- 2) 180 calories as packaged or served for middle school level,
- 3) 200 calories as packaged or served for high school level

(ii) Entrees contain no more than 350 calories as packaged or served.

(b) Total fat: contains 35 percent or less of total calories from fat per item as packaged or served.

¹Oregon Department of Education, www.ode.state.or.us

²Effective for the period through June 30, 2016. Effective July 1, 2016, this criterion is obsolete and may not be used to qualify as a competitive food.

- (i) Exemptions to the total fat standard are granted for reduced fat cheese and part-skim mozzarella cheese, nuts, seeds, nut or seed butters, products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fat and seafood with no added fat
- (c) Saturated fat: contains no more than 10 percent of total calories from saturated fat per item as packaged or served
 - (i) Exemptions to the saturated fat standard are granted for reduced fat cheese and part-skim mozzarella cheese, nuts and products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fat
- (d) Transfat: contains 0 grams of trans fat per item as packaged or served
- (e) Sugar must be no more than 35 percent by weight.
 - (i) Exempt from the sugar standard are:
 - 1) Dried whole fruits or vegetables,
 - 2) Dried whole fruit or vegetable pieces;
 - 3) Dehydrated fruits or vegetables with no added nutritive sweeteners, and
 - 4) Dried fruits with nutritive sweeteners that are required for processing and/or palatability purposes (i.e., cranberries, blueberries, tart cherries)
- (f) Sodium
 - (i) Snacks contain no more than 230 mg sodium³ per item as packaged or served.
 - (ii) Entrees contain no more than 480 mg sodium per item as packaged or served
- (g) Caffeine free, except for naturally occurring trace amounts, for elementary and middle school level
- (h) Exempt from all nutrients standards on any day are:
 - (i) Fresh, canned and frozen fruits or vegetables with no added ingredients except water
 - (ii) Fruit packed in 100 percent juice, extra light or light syrup.
 - (iii) Canned vegetables that contain a small amount of sugar for processing purposes
 - (iv) [Sugar-free chewing gum.]
- (i) Entrees in same or smaller portion served on the day or the day following in the National School Lunch or School Breakfast Programs:
 - (i) Are exempt from the nutrient standards for:

³On July 1, 2016, the sodium standard will move to 200 mg per item as packaged or served

- 1) Saturated fat,
- 2) Transfat,
- 3) Sodium, and
- 4) Sugar

(ii) Must contain:

- 1) Calories not to exceed 450 per item as packaged or served, and
- 2) Total fat not to exceed 36 percent of total calories or 4 grams per 100 calories per item as packaged or served.

b. Beverages must be:

(1) For elementary level students:

- (a) Plain water, carbonated or uncarbonated, with portion size unlimited,
- (b) Lowfat milk (unflavored), with portion size not to exceed 8 ounces and 150 calories,
- (c) Nonfat milk (including flavored), with portion size not to exceed 8 ounces and 150 calories.
- (d) Nutritionally equivalent milk alternatives, portion size not to exceed 8 ounces and 150 calories;
- (e) Full strength fruit or vegetable juices, portion size not to exceed 8 ounces and 120 calories,
- (f) Caffeine free, except for naturally occurring trace amounts.

(2) For middle school level students:

- (a) Plain water, carbonated or uncarbonated, with portion size unlimited,
- (b) Lowfat milk (unflavored), portion size not to exceed 10 ounces and 190 calories,
- (c) Nonfat milk (including flavored), portion size not to exceed 10 ounces and 190 calories;
- (d) Nutritionally equivalent milk alternatives, portion size not to exceed 10 ounces and 190 calories;
- (e) Full strength fruit or vegetable juices, portion size not to exceed 10 ounces and 150 calories,
- (f) Caffeine free, except for naturally occurring trace amounts.

(3) For high school level students:

- (a) Plain water, carbonated or uncarbonated, with portion size unlimited;
- (b) Lowfat milk (unflavored), portion size not to exceed 12 ounces and 225 calories;
- (c) Nonfat milk (including flavored), portion size not to exceed 12 ounces and 225 calories,
- (d) Nutritionally equivalent milk alternatives, portion size not to exceed 12 ounces and 225 calories,

- (e) Full strength fruit or vegetable juices, portion size not to exceed 12 ounces and 180 calories.
 - (f) Low or no calorie beverage is less than 5 calories per 8 ounce serving or less than or equal to 10 calories per 20 fluid ounces, portion size not to exceed 20 ounce serving.
 - (g) Other beverages are not to exceed 40 calories per 8 fluid ounces (or 60 calories per 12 fluid ounces) with portion size not to exceed 12 ounces.
- c. Use the nutrient standard for the lowest grade group when mixed grades have open access to competitive foods
10. "School day" means a student education day beginning at midnight and ending at the conclusion of afternoon student activities, such as athletic, music or drama practices, clubs, academic support and enrichment activities.
11. "Snack" means a food that is generally regarded as supplementing a meal and includes, but is not limited to, chips, crackers, onion rings, nachos, french fries, doughnuts, cookies, pastries, cinnamon rolls and candy.

Nutrition Promotion and Nutrition Education

Nutrition promotion and nutrition education shall focus on students' eating behaviors, be based on theories and methods proven effective by research and be consistent with state and local district health education standards. Nutrition education at all levels of the district's curriculum shall include, but not be limited to, the following essential components designed to help students learn:

1. Age-appropriate nutritional knowledge, including the benefits of healthy eating, essential nutrients, nutritional deficiencies, principles of healthy weight management, the use and misuse of dietary supplements, safe food preparation, handling and storage and cultural diversity related to food and eating;
2. Age-appropriate nutrition-related skills, including, but not limited to, planning a healthy meal, understanding and using food labels and critically evaluating nutrition information, misinformation and commercial food advertising; and
3. How to assess one's personal eating habits, set goals for improvement and achieve those goals.

In order to reinforce and support district nutrition education efforts, the principal is responsible for ensuring:

4. Nutrition instruction is closely coordinated with the school's nutrition and food services operation and other components of the school health program to reinforce messages on healthy eating and includes social learning techniques. To maximize classroom time, nutrition concepts shall be integrated into the instruction of other subject areas where possible;
5. Links with nutrition service providers (e.g., qualified public health and nutrition professionals) are established to: provide screening, referral and counseling for nutritional problems; inform families about supplemental nutritional services available in the community (e.g., food stamps, SNAP, local

food pantries, summer food services program, child and adult care food program), and implement nutrition education and promotion activities for school staff, Board members and parents;

6. In keeping with the district's nutrition program goals, all classroom reward or incentive programs involving food items are reviewed for approval to ensure that the foods served meet the requirements of the district's nutrition policy and regulation (i.e., all foods served fit in a healthy diet as recommended in the *Dietary Guidelines for Americans*, and contribute to the development of lifelong healthy eating habits for the district's students);
7. Child Nutrition Staff support nutrition education by marketing healthy meals and providing nutrition information to students and families.

Physical [Education]/Activity

In order to insure students are afforded the opportunity to engage in physical activity in the school setting, the following guidelines apply:

1. Physical activity will be integrated across curricula and throughout the school day. Movement will be made a part of science, math, social studies and language arts;
2. Physical education will be a course of study that focuses on students' development of motor skills, movement forms and health related fitness;
3. Physical education courses will be the environment where students learn, practice and are assessed on developmentally appropriate motor skills, social skills and knowledge;
4. All physical education classes will be taught by highly qualified physical education instructors[;]
[and]
5. A daily recess period will be provided which will not be used as a punishment or a reward[; and][.]
6. [Physical education instruction shall be a sequential, developmentally appropriate curriculum that is designed, implemented and evaluated to help students develop the knowledge, motor skills, self management skills, attitudes and confidence needed to adopt and maintain physical activity throughout their lives.]

Nutrition Guidelines and Food Services Operation

In order to support the school's nutrition and food services operation as an essential partner in the educational mission of the district and its role in the district's comprehensive nutrition program, the principal is responsible for ensuring:

1. The school encourages all students to participate in the school's NSLP [and SBP] meal opportunities;
2. The school notifies families of need-based programs for free or reduced-price meals and encourages eligible families to apply;

3. The school's NSLP [,] [and] [SBP] [Special Milk Program (SMP)] maintains the confidentiality of students and families applying for or receiving free or reduced-priced meals [or free milk] in accordance with the National School Lunch Act;
4. The school's NSLP [,] [and] [SBP] [SMP] operates to meet dietary specifications in accordance with the Healthy, Hunger-Free Kids Act of 2010 and applicable state laws and regulations;
5. The school sells or serves varied and nutritious food choices consistent with the applicable federal government *Dietary Guidelines for Americans*. Schools contracting out the food service part of their NSLP and SBP shall form a nutrition advisory committee comprised of teachers, students and parents to assist in menu planning. A nutrition committee comprised of students, family members and school personnel will be encouraged to provide input in menu planning for districts operating their own food service component of the NSLP and SBP (i.e., food services purchasing, menu planning, food production and meal service). Cultural norms and preferences will be considered;
6. Food prices set by the district are communicated to students and parents. District pricing strategies will encourage students to purchase full meals and nutritious items;
7. Procedures are in place for providing to families, on request, information about the ingredients and nutritional value of the foods served;
8. Modified meals are prepared for students with special food needs:
 - a. The district will provide substitute foods to students with disabilities upon written parental permission and a medical statement by a physician that identifies the student's disability, states why the disability restricts the student's diet, identifies the major life activity affected by the disability, and states the food or foods to be omitted and the food or choice of foods that must be substituted;
 - b. Such food substitutions will be made for students without disabilities on a case-by-case basis when the parent submits a signed request that includes a medical statement signed by a physician, physician assistant, registered dietitian or nurse practitioner. The medical statement must state the medical condition or special dietary need that restricts the student's diet and provide a list of food(s) that may be substituted in place of the lunch or breakfast menu being served.
9. Food service equipment and facilities meet applicable local and state standards concerning health, safe food preparation, handling and storage, drinking water, sanitation and workplace safety;

10. Students are provided adequate time and space to eat meals in a pleasant and safe environment. School dining areas will be reviewed to ensure:
 - a. Tables and chairs are of the appropriate size for students;
 - b. Seating is not overcrowded;
 - c. Students have a relaxed environment;
 - d. Noise is not allowed to become excessive;
 - e. Rules for safe behavior are consistently enforced;
 - f. Tables and floors are cleaned between meal periods;
 - g. The physical structure of the eating area is in good repair;
 - h. Appropriate supervision is provided.
11. The guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to subsections (a) and (b) of section 10 of the Child Nutrition Act (42 U.S.C. 1779) and sections 9(f)(1) and 17(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(f)(1), 1766(a)), as those regulations and guidance apply to schools.

[School Employee Wellness⁴

The district's school employee wellness program [may][shall] include the following:

1. Health education and health promoting activities that focus on skill development and lifestyle behavior that change along with awareness building, information dissemination, access to facilities, and preferably are tailored to employee's needs and interests;
2. Safe, supportive social and physical environments including organizational expectations about healthy behavior and implementation of policy that promote health and safety and reduce the risk of disease;
3. Linkage to related programs such as employee assistance programs, emergency care and programs that help employees balance work life and family life;
4. Education and resources to help employees make decisions about health care;
5. Nutrition and fitness educational opportunities that may include, but are not limited to, the distribution of educational and informational materials, and the arrangement of presentations and workshops that focus on healthy lifestyles, health assessments, fitness activities and other appropriate nutrition and physical activity related topics.

The district encourages participation from all employees, employees are not limited to instructional staff (i.e., teachers and instructional assistants) but include administrators and all support staff. The following groups are seen as essential for establishing, implementing and sustaining an effective school employee wellness program: school personnel who implement existing wellness programs in the district, i.e., school employee wellness committee and they may be the district personnel who implement health programs for

⁴[This language is optional and not required by state or federal law.]

students such as, but not limited to, school health coordinator, school nurses, psychologist, health and physical educators, nutrition professionals, counselors and other school staff. These groups may include decision makers who have the authority to approve policy and provide administrative support essential for a school wellness program such as, but not limited to, board members, superintendents, human resource administrators, fiscal services administrators and building principals.]

Other School-Based Activities

The district will provide the following activities and encourage the following practices which promote local wellness:

1. [Scoliosis screenings;
2. Intramural sports;
3. Foodless fund raisers;
4. Monthly/Weekly school walks;
5. Assemblies which focus on wellness issues such as obesity and obesity-related diseases, healthy eating and the benefits of physical exercise;
6. The use of alternates to food as rewards in the classroom;
7. Limit the amount of foods with no nutritional value that are sold in vending machines; and
8. Support groups for overweight students.]

Foods of Minimal Nutritional Value (FMNV) and Competitive Food Sales

In keeping with federal regulations, the district controls the sale of ~~FMNV~~ and all competitive foods.

~~Though federal regulations permit FMNV to be sold in food service areas before and after school meal periods, and outside of food service areas at any time, district schools shall meet minimum state requirements.~~

Accordingly, the district will select ~~from the following nutritional~~ food items⁵ ~~offered or included in all such sales;~~ that meet the Oregon Smart Snacks nutrition standards

1. ~~Canned fruits;~~
2. ~~Fresh fruit (e.g., apples and oranges);~~
3. ~~Fresh vegetables (e.g., carrots);~~
4. ~~Fruit juice and vegetable juice and bottled water[,] [within established state requirements];~~

⁵[This is a suggested list only.] Modify as necessary following nutrition committee input and state law.

5. ~~Low fat crackers and cookies, such as fig bars and ginger snaps;~~
6. ~~Pretzels;~~
7. ~~Bread products (e.g., bread sticks, rolls, bagels and pita bread);~~
8. ~~Ready to eat, low sugar cereals;~~
9. ~~Granola bars made with unsaturated fat;~~
10. ~~Low fat (one percent) or skim milk;~~
11. ~~Low fat or nonfat yogurt;~~
12. ~~Snack mixes of cereal and dried fruit with a small amount of nuts and seeds;~~
13. ~~Raisins and other dried fruit;~~
14. ~~Low fat crackers.~~

The sale of all other foods, other than FMNV, in competition with the district's NSLP [and SBP] meals shall be permitted in school food service areas during school meal periods only when all income from the food sales accrues to the benefit of the district's nutrition and food services operation or a school or student organization as approved by the Board.

Other Foods Offered or Sold

~~The district recognizes that federal government standards requiring schools to provide NSLP [and SBP] meals consistent with applicable Dietary Guidelines for Americans do not apply to competitive foods sold or served outside the food service areas as defined in this regulation.~~

Foods offered in classrooms or school-sponsored activities and food and beverages items sold after the school day as part of an approved school fund-raising events shall meet minimum state requirements unless otherwise exempt by state law.

Staff Development

Ongoing pre-service and professional development training opportunities for staff will be encouraged. Staff responsible for nutrition education will be encouraged to participate in professional development activities to effectively deliver the nutrition education program as planned. Nutrition and food services personnel receive opportunities to participate in professional development activities that address strategies for promoting healthy eating behavior, food safety, maintaining safe, orderly and pleasant eating

environments and other topics directly relevant to the employee's job duties. The principal is responsible to ensure such training is made available including, but not limited to, the following:

1. Personnel management;
2. Financial management and record keeping;
3. Cost- and labor-efficient food purchasing and preparation;
4. Sanitation and safe food handling, preparation and storage;
5. Planning menus for students with special needs and students of diverse cultural backgrounds;
6. Customer service and student and family involvement;
7. Marketing healthy meals;
8. Principles of nutrition education, including selected curriculum content and innovative nutrition teaching strategies; and
9. Assessment by staff of their own eating practices and increased awareness of behavioral messages staff provide as role models.

Family and Community Involvement

In order to promote family and community involvement in supporting and reinforcing nutrition education in the schools, the principal is responsible for ensuring:

10. Nutrition education materials and cafeteria menus are sent home with students;
11. Parents are encouraged to send healthy snacks/meals to school;
12. Parents and other family members are invited to periodically eat with their student in the cafeteria;
13. Families are invited to attend exhibitions of student nutrition projects or health fairs;
14. Nutrition education workshops and screening services are offered;
15. Nutrition education homework that students can do with their families is assigned (e.g., reading and interpreting food labels, reading nutrition-related newsletters, preparing healthy recipes, etc.);
16. School staff are encouraged to cooperate with other agencies and community groups to provide opportunities for student volunteer or paid work related to nutrition, as appropriate;
17. School staff encourages and provides support for parental involvement in their children's physical education[;][.]
18. [Materials promoting physical activity are sent home with students[; and][.]

19. [Physical activity is a planned part of all school-community events.]

Program Evaluation

In order to evaluate the effectiveness of the local wellness program in promoting healthy eating, increased physical activity among students and to implement program changes as necessary to increase its effectiveness, the superintendent or designee is responsible for ensuring:

- 20. Board policy and this administrative regulation are implemented as written;
- 21. All building, grade-level nutrition education curricula and materials are assessed for accuracy, completeness, balance and consistency with state and local district educational goals and standards;
- 22. Nutrition education is provided throughout the student's school years as part of the district's age-appropriate, comprehensive nutrition program;
- 23. Teachers deliver nutrition education through age-appropriate, culturally relevant, participatory activities that include social learning strategies and activities;
- 24. Teachers and school nutrition and food services personnel have undertaken joint project planning and action;
- 25. Teachers have received curriculum-specific training;
- 26. [Teachers provide physical activity instruction and programs that meet the needs and interests of all students;]
- 27. Families and community organizations are involved, to the extent practicable, in nutrition education; and
- 28. [One or more persons] within the district or at each school, as appropriate, will be charged with the operational responsibility of ensuring that the policy and administrative regulations are followed and will develop an evaluation plan to be used to assess the district's level of compliance with state and federal requirements.

Oregon School Boards Association Selected Sample Policy

Code: EFAA
Adopted:

District Nutrition and Food Services

The district may enter into an agreement with the Oregon Department of Education (ODE) to operate the National School Lunch Program (NSLP) and the Commodity Food Distribution Program (CFDP) by signing a permanent Sponsor-ODE Agreement entitling the district to receive reimbursement for all meals that meet program requirements and to earn ~~commodity food~~ **USDA Food** entitlement based on the number of lunches served.

The permanent agreement shall be signed by the superintendent or other school official with authority to obligate the district to legally binding contracts, subject to annual ODE renewal and will include, at the district's option, an agreement to operate the School Breakfast Program (SBP), Summer Food Service Program (SFSP), the Child and Adult Care Food Program (CACFP) and the Special Milk Program (SMP). The district recognizes that meals and snacks served by the district will not be eligible for reimbursement until the annual program update is received and approved by ODE.

The permanent Sponsor-ODE Agreement shall include assurances by the district that it will follow all NSLP regulations regarding:

1. Free and reduced price process (updated annually);
2. Financial management of the nonprofit school food service;
3. Civil rights and confidentiality procedures;
4. **Meal pattern and** Nutrition content of meals served;
5. Use and control of commodity foods;
6. Accuracy of reimbursement claims;
7. Food safety and sanitation inspections.

The superintendent will develop administrative regulations as necessary to implement this policy and meet the requirements of state and federal law. The regulation(s) will be reviewed and adopted by the Board as required by law.

END OF POLICY

Legal Reference(s):

ORS 327.520 to -327.535

OAR 581-051-0305

OAR 581-051-0310

OAR 581-051-0100

OAR 581-051-0400

Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance, 7 C.F.R. Part 15b (2001).

U.S.D.A., ELIGIBILITY GUIDANCE FOR SCHOOL MEALS MANUAL.

U.S.D.A., FNS INSTRUCTION 765-7 REV. 2: HANDLING LOST, STOLEN AND MISUSED MEAL TICKETS.

Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. 1751 §§ 203, 205.

Oregon School Boards Association Selected Sample Policy

Code: EFSA-AR
Adopted:

Reimbursable School Meals and Milk Programs (National School Lunch Program, School Breakfast Program, Special Milk Program)

The district's nutrition and food services will be operated in accordance with the following requirements:

Meal Pricing Procedures

1. The district may operate the Special Milk Program (SMP) at schools where students do not have access to program meals. Under SMP, the district will choose one of the following options:
 - a. Nonpricing (serve SMP milk at no charge to all students);
 - b. Pricing programs without a free option (charge all students for SMP milk); or
 - c. Pricing programs with a free option (distribute confidential applications for free milk and charge only those students for SMP milk who do not qualify for free milk based on the household's application or direct certification from Supplemental Nutrition Assistance Programs (SNAP)).
2. Reimbursable meals [and snacks] will be priced as a unit.
3. Reimbursable meals ~~[,]~~ [and] ~~[milk]~~ [snacks] will be served free or at a reduced price to all children who are determined by the district to be eligible for free or reduced price meals ~~[and free milk]~~.
4. Annually, the district will establish prices for reimbursable student meals ~~[,]~~ [and] [snacks] ~~[milk]~~. The price charged to students who do not qualify for free or reduced price meals ~~[or free milk]~~ will be established annually by the district in compliance with state and federal laws.¹
5. The price charged to students who qualify for reduced price meals will be established annually by the district in compliance with state and federal laws.²
6. ~~[The district will offer SMP [with the free option] [without the free option] [at no charge] to students who are not able to participate in the district's lunch or breakfast programs.]~~ *WORKING*
7. ~~[The district will implement claiming alternative Provision 2 at the following schools under its jurisdiction: _____ (List schools) _____]~~
8. ~~[The district will implement claiming alternative Community Eligibility at the following schools under its jurisdiction: _____ (List schools) _____]~~

Application Procedures

Lundy Elementary School

¹The new requirement under Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. 1751 §§ 205 establishes new criteria for equity in school lunch pricing.

²According to Direct Certification and Certification of Homeless, Migrant and Runaway Children for Free School Meals, 7 C.F.R Part 245 (2011).

9. Households receiving SNAP or Temporary Assistance to Needy Families (TANF) benefits as identified by Oregon Department of Education (ODE), will be automatically eligible for free meals[,] [and] [snacks] [~~milk~~] for the students listed on the official document. Districts must access this document at least three times per year.
10. Households that submit a confidential application will be notified of their student's eligibility for free or reduced price meals [~~or free milk~~]. Households that are denied free or reduced price benefits will be notified in writing using the ODE template letter distributed to the district annually.
11. On a case-by-case basis, when a student is known to be eligible for free or reduced price meal [~~or free milk~~] benefits and the household fails to submit a confidential application, the superintendent or designee may complete an application for the student documenting how he/she knows the household income qualifies the student for free or reduced price meal benefits. Parents of a student approved for free or reduced price benefits, when application is made for the student by a school official, will be notified of the decision and given the opportunity to decline benefits.
12. Students who do not qualify for free or reduced price meals [or free milk] are eligible to participate in the [~~SMP~~] National School Lunch Program (NSLP) [and School Breakfast Program (SBP)] and will be charged "paid" meal[,] [and] [snack] [~~milk~~] prices set by the district. "Paid" category students will be treated equally to students receiving free or reduced price benefits in every aspect of the district's NSLP[,] [and] [~~SMP~~] [SBP].
13. The district has established a fair hearing process under which a household can appeal a decision with respect to the household's application for benefits or any subsequent reduction or termination of benefits.
14. In the event of major employers contemplating large layoffs in the attendance area of the district, the district will provide confidential applications and eligibility criteria for free and reduced price meals [~~or free milk~~] to the employer for distribution to affected employees.

Financial Management of the Nonprofit School Food Service

1. The district will maintain a nonprofit school nutrition and food service operation.
2. Revenues earned by the school nutrition and food services will be used only for the operation or improvement of NSLP[,] [and] [~~SMP~~] [SBP].
3. Lunch and breakfast meals served to teachers, administrators, custodians and other adults not directly involved with the operation of the district's nutrition and food services will be priced to cover all direct and indirect cost of preparing and serving the meal.³
4. District nutrition and food services revenues will not be used to purchase land or buildings.
5. The district will limit its nutrition and food services net cash resources to an amount that does not exceed three months average expenditures.

³For meals with portion sizes equivalent to student meals, the adult meal price will be no less than the amount of reimbursement for a free-eligible meal, plus the value of commodity foods used in the meal preparation.

6. The district will maintain effective control and accountability for, and adequately safeguard, all nutrition and food services' cash, real and personal property, equipment and other assets, and ensure they are used solely for nutrition and food services purposes.
7. The district will meet the requirements for allowable NSLP[-] [and] ~~[SMP]~~ [SBP] costs as described in the Office of Management and Budget (OMB) circular A-87 2 C.F.R. 200.
8. In purchasing nutrition and food services goods or services, the district will not accept proposals or bids from any party that has developed or drafted specifications, requirements, statements of work, invitations for bids, requests for proposals, contract terms and conditions or other documents for proposals used to conduct the procurement.
9. All procurement transactions for nutrition and food services goods and services will be conducted according to state, federal and district procurement standards using the applicable cost thresholds.
10. In the operation of its nutrition and food services program, the district will purchase food products that are produced in the United States, whenever possible.
11. [The district may use facilities, equipment and personnel supported with nutrition and food services revenue to support a nonprofit nutrition program for the elderly.]

Civil Rights and Confidentiality Procedures

1. The district will not discriminate against any student because of his/her eligibility for free or reduced price meals.
2. The district will not discriminate against any student or any nutrition and food services employee because of race, color, national origin, sex, sexual orientation, religion, age or disability.
3. The district will assure that all students and nutrition and food services employees are not subject to different treatment, disparate impact or a hostile environment.
4. Established district procedures will be followed for receiving and processing civil rights complaints related to applications for NSLP[-] [and] ~~[SMP]~~ [SBP] benefits and services, and employment practices with regard to the operation of its NSLP[-] [and] ~~[SMP]~~ [SBP]. The district will forward any civil rights complaint regarding the district's nutrition and food services to ODE's civil rights coordinator within three days of receiving the complaint.
5. The district will make written or oral translations of all nutrition and food services materials available to all households who do not read or speak English.
6. The district will maintain strict confidentiality of all information on the confidential application for free and reduced price meals ~~for free milk~~, including students' eligibility for free or reduced price meals and all household information. The district's NSLP[-] [and] ~~[SMP]~~ [SBP] operators are not required to release any information from a student's confidential application for free or reduced price meals ~~for free milk~~. No information may be released from a student's confidential application for free or reduced price meals ~~for free milk~~ without first obtaining written permission from the student's parent or legal guardian/adult household member signing the application, except as follows:

- a. An individual student's name and eligibility status may be released without written consent only to persons who operate or administer federal education programs; persons who operate or administer state education or state health programs at the state level; persons evaluating state, education assessment; or persons who operate or administer any other NSLP, SBP, SMP, Summer Food Service Program (SFSP), Child and Adult Care Food Program (CACFP) or the Food Stamp Program;
- b. Any other confidential information contained in the confidential application for free and reduced price meals [or free milk] (e.g., family income, address, etc.) may be released without written consent only to persons who operate or administer NSLP, SBP, SMP, CACFP, SFSP and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC); the Comptroller General of the United States for audit purposes; and federal, state or local law enforcement officials investigating alleged violation of any of the programs listed above.

Nutrition and Menu Planning

1. Meals and snacks served for reimbursement will meet the recommendations of the most current *Dietary Guidelines for Americans*.
2. Meals [and snacks] served for reimbursement will meet at least the minimum NSLP [and SBP] requirements for food items and quantities.
3. Meals served for reimbursement will:
 - a. Meet all ~~minimum and maximum~~ caloric range requirements by grade level;
 - b. Meet the maximum standards set for saturated fat;
 - c. Meet the maximum standards set for sodium by grade level⁴; and
 - d. Meet the requirement for zero grams of trans fats.
4. The district will use the offer versus serve option when serving NSLP lunches to senior high school students. High school students must take at least three of five different food items including one-half cup of fruit or vegetable offered in program lunches.
5. [The district will use the offer versus serve option when serving program breakfasts to senior high school students. High school students must take at least three of four food items, including one-half cup of fruit or vegetable offered in program breakfasts.⁵]
6. [The district will use the offer versus serve option when serving program lunches to students below senior high school grades. Students below high school grades will be required to take three of the five food items, including one-half cup of fruit or vegetable offered in program lunches.]
7. [The district will use the offer versus serve option when serving program breakfasts to students below senior high school grades. Students below high school grades will be required to take three of the four food items, including one-half cup of fruit offered in program breakfasts.⁵]

⁴~~Implementation by the 2014-2015 school year.~~

⁵~~Implementation by the 2014-2015 school year.~~

8. A copy of the Board minutes adopting the offer versus serve policy for students below high school grades for program lunches and/or for all students in the district for program breakfasts, as applicable, will be made available upon request.⁶

Use and Control of Commodity Foods

9. The district will accept and use commodity foods in as large a quantity as may be efficiently utilized in the reimbursable lunch [and breakfast] program.
10. The district will maintain necessary safeguards to prevent theft or spoilage of commodity foods.
11. The value of commodity foods used for any food production other than NSLP, SBP or snacks shall be replaced in the food service inventory.

Accuracy of Reimbursement Claims

1. The district will claim reimbursement only for reimbursable meals[,] [and] [snacks] ~~[milk]~~ served to eligible children.
2. All meals[,] [and] [snacks] ~~[milk]~~ claimed for reimbursement will be counted at each dining site at a "point of service" where it can be accurately determined that the meal[,] [and] [snack] ~~[milk]~~ meets NSLP[,] [and] ~~[SMP]~~ [SBP] requirements for reimbursement.
3. The person responsible for determining reimbursability of meals [and snacks] will be trained to recognize a reimbursable meal [and snack] under the menu planning approach used at the school.
4. The district official signing the claim for reimbursement will review and analyze monthly meal[,] [and] [snack] ~~[milk]~~ counts to ensure accuracy of the claim, before submitting the claim to ODE.
5. Annually, by November 15, the district will verify a random sample of applications according to NSLP verification requirements. Instructions for completing the verification process will be sent by ODE to the district in October each year.

Food Safety and Sanitation Inspections

6. The district will maintain necessary facilities for storing, preparing and serving food and milk.
7. Semiannually, the district will schedule food safety inspections with the county Environmental Health Department or Oregon Department of Human Resources for each school or dining site under its jurisdiction.
8. The district will maintain health standards in compliance with all applicable state food safety regulations at each school or dining site under its jurisdiction.

General USDA NSLP/SBP/SMP Requirements

1. The district will ensure that no student is denied a meal as a disciplinary action.

⁶Modify the language of this item to be reflective of the options the district has selected for offer versus serve.

2. Breakfast will be served in the morning hours, at or near the beginning of the student's school day.
3. Lunch will be served between the hours of 10 a.m. and 2 p.m.
4. The district will provide substitute foods for students who are determined by a licensed physician to be legally disabled and whose disability restricts their diet. Substitutions will be provided only when a medical statement from the licensed physician is on file at the school. The medical statement must state the nature of the child's disability and how the disability affects the child's nutrition needs, and it must provide a medical prescription for substitute foods or texture modification. The district will not charge more than the price of the school meal, as determined by the child's eligibility status, for substitute meals or foods.
5. The district will control the sale of the following foods of minimal nutritional value (FMNV): carbonated beverages, water ices, chewing gum, hard candy, jelly and gum candies, marshmallow candy, fondant (candy corn type), licorice, cotton candy, and candy-coated popcorn competitive foods.
6. ~~The district will ensure that soda pop vending machines and sales of other FMNV will not be allowed in any school's dining site(s) during the time(s) when NSLP lunch meals or SBP breakfast meals are served or eaten. Dining sites are cafeterias and any other place where NSLP lunch meals or SBP breakfast meals are served or eaten.~~
6. The district will ensure that potable [drinking] water will be available to students, free of charge for consumption in the place where meals are served during meal service.⁷
7. The district ~~[allows no meal charges]~~ [will notify all households of its meal charge requirements early in the school year]. [The district's meal charging requirements are as follows:

A charge account for students paying full or reduced price for meals may be established with the district. Students may charge no more than [two] meals. Any student failing to keep his/her account current as required by the district shall not be allowed to charge the price of further meals until the account has been paid in full [but will be allowed to purchase a meal if the student pays for the meal when it is received]. At least one written warning shall be provided to a student ~~before the parent is notified~~ prior to denying meals for exceeding the district's charge limit. ~~Payment is due to the [district office] on the [] of each month.~~ Students or parents of students may prepay meal costs.⁸

8. The sale of foods (other than FMNV) in competition with the district's lunch (NSLP) or breakfast (SBP) programs will be allowed in dining sites during lunch and breakfast periods with Board approval only when all income from the food sales accrues to the benefit of the district's nutrition and food services or accrues to a school or student organization approved by the Board. A copy of the Board minutes approving and defining competitive food sales will be made available upon request.
9. ~~The district will not use nutrition and food services funds to purchase FMNV for sale unless the proceeds from the sale of these foods is deposited into the Nutrition and Food Services account in an~~

At least one written or one verbal warning will be provided to a student's parent prior to denying meals for exceeding the district's charge limit.

⁷New requirement under Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. 1751 §§ 203.

⁸[Language is suggested only.]Revise to reflect district's meal charging requirements and ensure information is communicated to students and parents.

amount sufficient to cover all direct and indirect costs relating to the purchase and service of the foods.

10. ~~Soda pop and any other FMNV will not be offered "at no additional cost" with NSLP lunch meals or SBP breakfast meals in any district school.~~

Record Keeping

9. All currently approved and denied confidential applications for free and reduced price meals, ~~free milk~~, and all current direct certification documents will be maintained for three years after the current school year. Records will be maintained longer in the event of an unresolved audit(s), until the audit(s) has been completed.
10. All currently approved and denied confidential applications for free and reduced price meals, ~~free milk~~, and all current direct certification documents will be readily retrievable by school or site and made available to state or federal reviewers upon request.
11. The district will maintain financial records that account for all revenues and expenditures of the nonprofit school nutrition and food services programs for a period of three years after the school year to which they pertain.

RJ023/04 [PH]

Oregon School Boards Association Selected Sample Policy

Code: GBE
Adopted:

Staff Health and Safety * (Version 2)

The Board directs the superintendent to take appropriate means to provide for the health and safety of all employees while engaged in the performance of their duties. The input of staff will be encouraged in the development of district health and safety plans.

The superintendent will develop a district plan for dealing with hazardous chemicals in the workplace. This plan will include proper labeling, storage and disposal of all such materials.

The superintendent will develop districtwide training activities to deal with the use of hazardous chemicals. Training will include the identification, use, storage and disposal techniques needed to assure safety of staff and students.

In meeting the requirements of the law, employees will be trained to recognize and respond appropriately to the presence of hazardous chemicals. All personnel who may be exposed to hazardous materials during the performance of their duties or in an emergency will be so informed and trained to appropriately deal with these materials.

The superintendent will provide staff members with the Material Safety Data Sheets (MSDS), which must accompany any hazardous substance used in the school setting.

END OF POLICY

Legal Reference(s):

ORS 243.650
ORS 329.095
ORS 453.001 - 453.275

OAR 437-001-0760
OAR 437-002-0020 to -0075

OAR 437-002-0140
OAR 437-002-0144
OAR 437-002-0145
OAR 437-002-0180 to -0182
OAR 437-002-0360
OAR 437-002-0368

OAR 437-002-0377
OAR 437-002-0390
OAR 437-002-0391
OAR 581-022-1420

Oregon School Boards Association Selected Sample Policy

Code: **IIBGA**
Adopted:

Electronic Communications System

The Board is committed to the development and establishment of a quality, equitable and cost-effective electronic communications system. The system's sole purpose shall be for the advancement and promotion of learning and teaching.

The district's system will be used to provide statewide, national and global communications opportunities for staff and students.

The superintendent will establish administrative regulations for the use of the district's system including compliance with the following provisions of the Children's Internet Protection Act:

1. Technology protection measures, installed and in continuous operation, that protect against Internet access by both adults and minors to visual depictions that are obscene, child pornography or, with respect to the use of the computers by minors, harmful to minors;
2. Educating minors about appropriate online behavior, including cyberbullying awareness and response, and how to interact with other individuals on social networking sites and in chat rooms;
3. Monitoring the online activities of minors;
4. Denying access by minors to inappropriate matter on the Internet and World Wide Web;
5. Ensuring the safety and security of minors when using e-mail, social media, chat rooms and other forms of direct electronic communications;
6. Prohibiting unauthorized access, including so-called "hacking" and other unlawful activities by minors online;
7. Prohibiting unauthorized disclosure, use and dissemination of personal information regarding minors;
8. Installing measures designed to restrict minors' access to materials harmful to minors.

The superintendent will establish administrative regulations for use of the district's system by staff using their own personal electronic devices to download and store district proprietary information including personally recognizable information about the district students or staff. Regulations shall insure compliance with privacy rights under applicable federal and state laws and regulations, including but not limited to the Age Discrimination in Employment Act of 1967 (ADEA), the Americans with Disabilities Act (ADA), the Genetic Information Nondiscrimination Act of 2008 (GINA) and the Health Insurance Portability and Accountability Act of 1996 (HIPPA).

The administrative regulations will be consistent with sound guidelines as may be provided by the education service district, the Oregon Department of Education and/or the Oregon Government Ethics Commission and will include a complaint procedure for reporting violations.

The superintendent will also establish administrative regulations for use of the district's electronic communications system to comply with copyright law.

Failure to abide by district policy and administrative regulations governing use of the district's system may result in the suspension and/or revocation of system access. Additionally, student violations will result in discipline up to and including expulsion. Staff violations will also result in discipline up to and including dismissal. Violations of law will be reported to law enforcement officials and may result in criminal or civil sanctions. Fees, fines or other charges may also be imposed.

END OF POLICY

Legal Reference(s):

<u>ORS 30.765</u>	<u>ORS 167.080</u>	<u>ORS 339.270</u>
<u>ORS 133.739</u>	<u>ORS 167.087</u>	
<u>ORS 163.435</u>	<u>ORS 167.090</u>	<u>OAR 581-021-0050</u>
<u>ORS 164.345</u>	<u>ORS 167.095</u>	<u>OAR 581-021-0055</u>
<u>ORS 164.365</u>	<u>ORS Chapter 192</u>	<u>OAR 584-020-0040</u>
<u>ORS 167.060</u>	<u>ORS 332.107</u>	<u>OAR 584-020-0041</u>
<u>ORS 167.065</u>	<u>ORS 336.222</u>	
<u>ORS 167.070</u>	<u>ORS 339.250</u>	

Children's Internet Protection Act, 47 U.S.C. Sections 254 (h) and (l) (2008); 47 CFR Section 54.520 (2001).
Copyrights, Title 17, as amended, United States Code; 19 CFR Part 133 (2000).
Oregon Attorney General's Public Records and Meetings Manual, pp. 24-26, Appendix H, Department of Justice (2001).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. Sections 7101-7117.
Drug-Free Workplace Act of 1988, 41 U.S.C. Sections 701-707; 34 CFR Part 85, Subpart F.
Controlled Substances Act, 21 U.S.C. Section 812, schedules I through V, 21 CFR 1308.11-1308.15 (2000).
Drug-Free Schools and Communities Act Amendments of 1989, P.L. 101-226, 103 Stat. 1928.
Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).
Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 CFR Part 99 (2000).
Oregon Government Standards and Practices Commission, Advisory Opinion No. 98A-1003 (July 9, 1998).
No Child Left Behind Act of 2001, P.L. 107-110, Title II, Section 2441.
Americans with Disabilities Act Amendments Act of 2008.

Oregon School Boards Association Selected Sample Policy

Code: IIBGA-AR
Revised/Reviewed:

Electronic Communications System

Definitions

1. "Technology protection measure," as defined by the Children's Internet Protection Act (CIPA), means a specific technology that blocks or filters Internet access to visual depictions that are:
 - a. Obscene, as that term is defined in Section 1460 of Title 18, United States Code;
 - b. Child pornography, as that term is defined in Section 2256 of Title 18, United States Code; or
 - c. Harmful to minors.
2. "Harmful to minors," as defined by CIPA, means any picture, image, graphic image file or other visual depiction that:
 - a. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex or excretion;
 - b. Depicts, describes or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 - c. Taken as a whole, lacks serious literary, artistic, political or scientific value to minors.
3. "Sexual act; sexual contact," as defined by CIPA, have the meanings given such terms in Section 2246 of Title 18, United States Code.
4. "Minor," as defined by CIPA, means an individual who has not attained the age of 17. For the purposes of Board policy and this administrative regulation, minor will include all students enrolled in district schools.
5. "Inappropriate matter," as defined by the district, means material that is inconsistent with general public education purposes, the district's mission and goals.¹
6. "District proprietary information" is defined as any information created, produced or collected by district staff for the business or education purposes of the district including but not limited to student information, staff information, parent or patron information, curriculum, forms and like items used to conduct the district's business.
7. "District software" is defined as any commercial or staff developed software acquired using district resources.

¹As inappropriate matter is not defined in the CIPA or regulations, districts should define the scope of what it will regard as inappropriate matter. The language provided in #5. is intended as a guide only.

General District Responsibilities

The district will:

1. Designate staff as necessary to ensure coordination and maintenance of the district's electronic communications system which includes all district computers, e-mail and Internet access;
2. Provide staff training in the appropriate use of the district's system including copies of district policy and administrative regulations. Staff will provide similar training to authorized system users;
3. Provide a system for authorizing staff use of personal electronic devices to download or access district proprietary information, that insures the protections of said information and insures its removal from the device when its use is no longer authorized;
4. Provide a system for obtaining prior written agreement from staff for the recovery of district proprietary information downloaded to staff personal electronic devices as necessary to accomplish district purposes, obligations or duties, and when the use on the personal electronic device is no longer authorized, to insure verification that information downloaded has been properly removed from the personal electronic device;
5. Cooperate fully with local, state or federal officials in any investigation relating to misuse of the district's system;
6. Use only properly licensed software, audio or video media purchased by the district or approved for use by the district. The district will comply with the requirements of law regarding the use, reproduction and distribution of copyrighted works and with applicable provisions of use or license agreements;
7. [Install and use desktop and/or server virus detection and removal software;]
8. Provide technology protection measures that protect against Internet access by both adults and minors to visual depictions that are obscene, child pornography, or with respect to the use of computers by minors, harmful to minors. A supervisor or other individual authorized by the principal may disable the technology protection measures to enable access for bona fide research or other lawful purposes, as deemed appropriate;
9. Prohibit access by minors, as defined by CIPA and this regulation, to inappropriate matter on the Internet and World Wide Web;
10. Provide staff supervision to monitor the online activities of students to prevent unauthorized access, including "hacking" and other unlawful activities online, and ensure the safety and security of minors when authorized to use e-mail, social media, chat rooms and other forms of direct electronic communication;
11. Provide student education about appropriate online behavior, including cyberbullying awareness and response, and how to interact with other individuals on social networking and social media websites and in chat rooms;
12. Determine which users and sites accessible as part of the district's system are most applicable to the curricular needs of the district and may restrict user access, accordingly;

13. [Determine which users will be provided access to the district's e-mail system;]
14. [Program its computers to display a message reinforcing key elements of the district's Electronic Communications System policy and regulation when accessed for use;]
15. Notify appropriate system users that:
 - a. The district retains ownership and control of its computers, hardware, software and data at all times. All communications and stored information transmitted, received or contained in the district's information system are the district's property and are to be used for authorized purposes only. Use of district equipment or software for unauthorized purposes is strictly prohibited. To maintain system integrity, monitor network etiquette and ensure that those authorized to use the district's system are in compliance with Board policy, administrative regulations and law, the school administrators may routinely review user files and communications;
 - b. Files and other information, including e-mail, sent or received, generated or stored on district servers are not private and may be subject to monitoring. By using the district's system, individuals consent to have that use monitored by authorized district personnel. The district reserves the right to access and disclose, as appropriate, all information and data contained on district computers and district-owned e-mail system;
 - c. [The district may establish a retention schedule for the removal of e-mail;]
 - d. [E-mail sent or received by a Board member or employee in connection with the transaction of public business may be a public record and subject to state archivist rules for retention and destruction;]
 - e. Information and data entered or stored on the district's computers and e-mail system may become discoverable evidence if a public records request is made or a lawsuit is filed against the district. "Deleted" or "purged" data from district computers or e-mail system may be retrieved for later public records disclosure or disciplinary purposes, as deemed necessary by the district;
 - f. [The district may set quotas for system disk usage. The district may allow system users to increase their quota by submitting a written request to the supervising teacher or system coordinator stating the need for the increase;]
 - g. Passwords used on the district's system are the property of the district and must be provided to their supervisor or designated district personnel, as appropriate. Passwords that have not been provided to the district are prohibited;
 - h. Transmission of any materials regarding political campaigns is prohibited.
16. Ensure all student[, staff] and nonschool system users complete and sign an agreement to abide by the district's electronic communications policy and administrative regulations. All such agreements will be maintained on file in the [school office];
17. Notify users of known copyright infringing activities and deny access to or remove the material.

System Access

1. Access to the district's system is authorized to:

Board members, district employees, students in grades [K-12], with parent approval and when under the direct supervision of staff, [and district volunteers, district contractors or other members of the public as authorized by the system coordinator or district administrators consistent with the district's policy governing use of district equipment and materials].

2. [Students, staff and Board members may be permitted to use the district's system to conduct business related to the management or instructional needs of the district or to conduct research related to education. Personal use of district computers including Internet and e-mail access by students and Board members is strictly prohibited. Personal use of district computers including Internet access and e-mail by staff is restricted. Any personal use by staff is limited to such uses as deemed permissible under the Oregon Government Ethics Commission (OGE) guidance (e.g., occasional use to type a social letter to a friend or family member, preparation of application materials for another position in the district, or computer games which may serve to improve the individual's keyboard proficiency and software component familiarity). Such use is restricted to the employee's own time.]

OR (Choose one of these options for #2)

2. [Students, staff, Board members, volunteers, district contractors and other members of the public may be permitted to use the district's system for personal use, in addition to official district business, consistent with Board policy, general use prohibitions/guidelines/etiquette and other applicable provisions of this administrative regulation. Personal use of district-owned computers including Internet and e-mail access by employees is prohibited during the employee's work hours. Additionally, Board member and employee use of district-owned computers may be permitted only when such use does not violate the provisions of ORS 244.040 and use is under the same terms and conditions that access is provided to the general public under the district's policy governing use of district equipment and materials.]

General Use Prohibitions/Guidelines/Etiquette

Operation of the district's system relies upon the proper conduct and appropriate use of system users. Students, staff and others granted system access are responsible for adhering to the following prohibitions and guidelines which require legal, ethical and efficient utilization of the district's system.

1. Prohibitions

The following conduct is strictly prohibited:

- a. Attempts to use the district's system for:
 - (1) Unauthorized solicitation of funds;
 - (2) Distribution of chain letters;
 - (3) Unauthorized sale or purchase of merchandise and services;
 - (4) Collection of signatures;
 - (5) Membership drives;
 - (6) Transmission of any materials regarding political campaigns.

- b. Attempts to upload, download, use, reproduce or distribute information, data, software, or file share music, videos or other materials on the district's system in violation of copyright law or applicable provisions of use or license agreements;
- c. Attempts to degrade, disrupt or vandalize the district's equipment, software, materials or data or those of any other user of the district's system or any of the agencies or other networks connected to the district's system;
- d. Attempts to evade, change or exceed resource quotas or disk usage quotas;
- e. Attempts to send, intentionally access or download any text file or picture or engage in any communication that includes material which may be interpreted as:
 - (1) Harmful to minors;
 - (2) Obscene or child pornography as defined by law or indecent, vulgar, profane or lewd as determined by the district;
 - (3) A product or service not permitted to minors by law;
 - (4) Harassment, intimidation, menacing, threatening or constitutes insulting or fighting words, the very expression of which injures or harasses others;
 - (5) A likelihood that, either because of its content or the manner of distribution, it will cause a material or substantial disruption of the proper and orderly operation of the school or school activity;
 - (6) Defamatory, libelous, reckless or maliciously false, potentially giving rise to civil liability, constituting or promoting discrimination, a criminal offense or otherwise violates any law, rule, regulation, Board policy and/or administrative regulation.
- f. Attempts to gain unauthorized access to any service via the district's system which has a cost involved or attempts to incur other types of costs without specific approval. The user accessing such services will be responsible for these costs;
- g. Attempts to post or publish personal student contact information unless authorized by the system coordinator or teacher and consistent with applicable Board policy pertaining to student directory information and personally identifiable information. Personal contact information includes photograph, age, home, school, work or e-mail addresses or phone numbers or other unauthorized disclosure, use and dissemination of personal information regarding students;
- h. Attempts to arrange student meetings with anyone on the district's system, unless authorized by the system coordinator or teacher and with prior parent approval;
- i. Attempts to use the district's name in external communication forums such as chat rooms without prior district authorization;
- j. Attempts to use another individual's account name or password, failure to provide the district with individual passwords or to access restricted information, resources or networks to which the user has not been given access.

2. Guidelines/Etiquette

[System users will:

- a. Adhere to the same standards for communicating online that are expected in the classroom and consistent with Board policy and administrative regulations;
- b. Respect other people's time and cyberspace. Use real-time conference features such as talk/chat/Internet relay chat only as approved by the supervising teacher or system coordinator. Avoid downloading excessively large files. Remain on the system long enough to get needed information then exit the system. Act as though every byte sent costs somebody time and money, because it does;
- c. Take pride in communications. Check spelling and grammar;
- d. Respect the privacy of others. Do not read the mail or files of others without their permission;
- e. Cite all quotes, references and sources;
- f. Adhere to guidelines for managing and composing effective e-mail messages:
 - (1) One subject per message - avoid covering various issues in a single e-mail message;
 - (2) Use a descriptive heading;
 - (3) Be concise - keep message short and to the point;
 - (4) Write short sentences;
 - (5) Use bulleted lists to break up complicated text;
 - (6) Conclude message with actions required and target dates;
 - (7) Remove e-mail in accordance with established guidelines;
 - (8) Remember, there is no expected right to privacy when using e-mail. Others may read or access mail;
 - (9) Always sign messages;
 - (10) Always acknowledge receipt of a document or file.
- g. Protect password confidentiality. Passwords are the property of the district and are not to be shared with others. Using another user's account or password or allowing such access by another may be permitted with supervising teacher or system coordinator approval only. No system user may use a password on the district's computers, e-mail system or Internet access which is unknown to the district;
- h. Communicate only with such users and/or sites as may be authorized by the district;
- i. Be forgiving of the mistakes of others and share your knowledge. Practice good mentoring techniques;
- j. Report violations of the district's policy and administrative regulation or security problems to the supervising teacher, system coordinator or administrator, as appropriate.]

OR (Choose one of these bracketed options for #2)

[Appropriate system use etiquette is expected of all users and is explained in district training sessions.]

Complaints

Complaints regarding use of the district's Electronic Communications System may be made to the teacher, principal, employee's supervisor or system coordinator. The district's established complaint procedure will be used for complaints concerning violations of the district's Electronic Communications System policy and/or administrative regulation. See Board policy [KL - Public Complaints [and accompanying administrative regulation]].

Violations/Consequences

1. Students

- a. Students who violate general system user prohibitions shall be subject to discipline up to and including expulsion and/or revocation of district system access up to and including permanent loss of privileges.
- b. Violations of law will be reported to law enforcement officials and may result in criminal or civil sanctions.
- c. Disciplinary action may be appealed by parents, students and/or a representative in accordance with established district procedures.

2. Staff

- a. Staff who violate general system user prohibitions shall be subject to discipline up to and including dismissal in accordance with Board policy, collective bargaining agreements and applicable provisions of law.
- b. Violations of law will be reported to law enforcement officials and may result in criminal or civil sanctions.
- c. Violations of applicable Teacher Standards and Practices Commission (TSPC), Standards for Competent and Ethical Performance of Oregon Educators will be reported to TSPC as provided by OAR 584-020-0041.
- d. Violations of ORS 244.040 will be reported to OGEC.

3. Others

- a. Other guest users who violate general system user prohibitions shall be subject to suspension of system access up to and including permanent revocation of privileges.
- b. Violations of law will be reported to law enforcement officials or other agencies, as appropriate, and may result in criminal or civil sanctions.

Telephone/Membership/Other Charges

1. The district assumes no responsibility or liability for any membership or phone charges including, but not limited to, long distance charges, per minute (unit) surcharges and/or equipment or line costs incurred by any home usage of the district's system.
2. Any disputes or problems regarding phone services for home users of the district's system are strictly between the system user and their local phone company and/or long distance service provider.

Information Content/Third Party Supplied Information

1. System users and parents of student system users are advised that use of the district's system may provide access to materials that may be considered objectionable and inconsistent with the district's mission and goals. Parents should be aware of the existence of such materials and monitor their student's home usage of the district's system accordingly.
2. Opinions, advice, services and all other information expressed by system users, information providers, service providers or other third-party individuals are those of the providers and not the district.
3. System users may, with supervising teacher or system coordinator approval, order services or merchandise from other individuals and agencies that may be accessed through the district's system. These individuals and agencies are not affiliated with the district. All matters concerning merchandise and services ordered including, but not limited to, purchase terms, payment terms, warranties, guarantees and delivery are solely between the seller and the system user. The district makes no warranties or representation whatsoever with regard to any goods or services provided by the seller. District staff and administration shall not be a party to any such transaction or be liable for any costs or damages arising out of, either directly or indirectly, the actions or inactions of sellers.
4. The district does not warrant that the functions or services performed by or that the information or software contained on the system will meet the system user's requirements or that the system will be uninterrupted or error-free or that defects will be corrected. The district's system is provided on an "as is, as available" basis. The district does not make any warranties, whether express or implied including, without limitation, those of merchantability and fitness for a particular purpose with respect to any services provided by the system and any information or software contained therein.

Sample Parent Letter

Dear Parents:

Your student has [requested] [been selected] to participate in the district's electronic communications program and needs your permission to do so. Your student will be able to communicate with other schools, colleges, organizations and individuals around the world through the Internet and other electronic information systems/networks.

The Internet is a system which links networks creating a large and diverse communications network. Internet access allows your student the opportunity to reach out to many other people to share information, learn concepts and research subjects by the sending and receiving of messages using a computer, modem and phone lines.

With this educational opportunity also comes responsibility. It is important that you and your student read the enclosed district policy, administrative regulation and agreement form and discuss these requirements together. Inappropriate system use will result in discipline up to and including expulsion from school, suspension or revocation of your student's access to the district's system and/or referral to law enforcement officials.

Although the district is committed to practices that ensure the safety and welfare of system users, including the use of technology protection measures such as Internet filtering, please be aware that there may still be material or communications on the Internet that district staff, parents and students may find objectionable. While the district neither encourages nor condones access to such material, it is not possible for us to eliminate that access completely.

Attached to this letter are the following important documents:

1. An agreement for your student to read and sign stating his/her agreement to follow the district's Electronic Communications System policy and administrative regulation. This agreement requires your signature. It must be signed and renewed each year and will be kept on file at the school;
2. The district's Electronic Communications System policy and administrative regulation.

Please review these materials carefully with your student and return the attached agreement form to the [school office] indicating your permission or denial of permission for your student to participate in the district's electronic communications system.

Sincerely,

[System Coordinator/Administrator]

Student Agreement for an Electronic Communications System Account
Academic Year [2014-2015]

Student agreement must be renewed each academic year.

Student Section

Student Name _____ Grade _____

School _____

I have read the district's Electronic Communications System policy and administrative regulation and agree to abide by their provisions. I understand that violation of these provisions will result in discipline up to and including expulsion from school and/or suspension or revocation of system access and related privileges and/or referral to law enforcement officials.

Student Signature _____ Date _____

Sponsoring Parent

I have read the district's Electronic Communications System policy and administrative regulation. I will monitor my student's use of the system and his/her potential access to the Internet and will accept responsibility for supervision in that regard if and when my student's use is not in a school setting. In consideration for the privilege of using the district's Electronic Communications System and in consideration for having access to the public networks, I hereby release the district, its operators and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my, or my student's use, or inability to use, the system including, without limitation, the type of damages identified in the district's policy and administrative regulation.

- ☐ I give my permission to issue an account for my student and certify that the information contained on this form is correct.
- ☐ I do not give my permission for my student to participate in the district's communications system.

Signature of Parent _____

Home Address _____

Date _____ Home Phone Number _____

This space reserved for System Coordinator

Assigned Username: _____ Assigned Password: _____

**Agreement for an Electronic Communications System Account
(Nonschool System User)**

I have read the district's Electronic Communications System policy and administrative regulation and agree to abide by their provisions. I understand that violation of these provisions will result in suspension or revocation of system access and related privileges and/or referral to law enforcement officials.

In consideration for the privilege of using the district's Electronic Communications System and in consideration for having access to the public networks, I hereby release the district, its operators and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my use or inability to use the system including, without limitation, the type of damages identified in the district's policy and administrative regulation.

Signature _____

Home Address _____

Date _____ Home Phone Number _____

This space reserved for System Coordinator

Assigned Username: _____ Assigned Password: _____

Agreement for an Electronic Communications System Account
(Staff System User)

I have read the district's Electronic Communications System policy and administrative regulation and agree to abide by their provisions. I understand that violation of these provisions will result in suspension or revocation of system access and related privileges, and may include discipline, up to and including dismissal and/or referral to law enforcement officials.

I understand that I may use my personal electronic device (PED) for education related purposes and that certain district proprietary information may be downloaded to my PED. I agree that any district proprietary information downloaded on my PED will only be as necessary to accomplish district purposes, obligations or duties, and will be properly removed from my PED when the use on my PED is no longer authorized. I insure that the personal electronic device in use is owned by me, and I am in complete control of the device at all times.

In consideration for the privilege of using the district's Electronic Communications System and in consideration for having access to the public networks, I hereby release the district, its operators and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my use or inability to use the system including, without limitation, the type of damages identified in the district's policy and administrative regulation.

Signature _____

Home Address _____

Date _____ Home Phone Number _____

This space reserved for System Coordinator

Assigned Username: _____ Assigned Password: _____

Oregon School Boards Association Selected Sample Policy

Code: JECB
Adopted:

Admission of Nonresident Students

The district may enroll nonresident students as follows:

1. **Interdistrict Transfer Agreement.** By written consent of the affected school boards. The student becomes a “resident pupil” of the attending district thereby allowing the attending district to receive State School Fund moneys;
2. **Open Enrollment.** By written consent from the school board with which the student has made application for admission. The student becomes a “resident pupil” of the attending district thereby allowing the attending district to receive State School Fund moneys;
3. **Tuition Paying Student.** By ~~unilaterally admitting with tuition~~ a nonresident student with tuition, whereby neither ~~affected districts is~~are eligible for State School Fund moneys;
4. **Court placement.** If a juvenile court determines it is in the student’s best interest, a student placed in a substitute care program outside the district will continue to be considered a resident student and allowed to attend the school the student attended prior to placement. The public agency placing the student in a substitute care program will be responsible for the transportation of the student, if public agency funds are available.

The Board shall deny regular school admission to nonresident students who are under expulsion from another district for a weapons policy violation. The Board ~~[will]~~ ~~[will not]~~ [may, based on district criteria,] deny [regular school] [alternative education program] admission to nonresident students who are under expulsion from another district for reasons other than a weapons policy violation.

Admission by Consent of Both the Affected Boards of a Nonresident Student by Interdistrict Transfer or Consent for Admission of a Tuition Paying Student

[Annually, by [date to be set by the Board¹], the Board shall establish the number of student transfer requests into the district, and out of the district, to which consent will be given for the upcoming school year.]

The Board reserves the right to accept/reject nonresident students based upon the availability of space, and resources, ~~personnel and appropriate programs~~. The Board may not consider nor ask for any information from the student about race, religion, sex, sexual orientation, ethnicity, national origins, disability, health, whether a student has an individual education program (IEP) or the terms of that IEP, identified as talented and gifted, income level, residence, proficiency in English, athletic ability or academic records. The Board

¹The district must annually make this determination by a date set by the Board. Insert the date set by the Board.

may not request or require the student to participate in an interview, tour any of the schools or facilities, or otherwise meet with any representatives of the school or district prior to the district deciding whether to give consent.

The Board may ask for the student's name, contact information, date of birth, grade level and whether the student is currently expelled.

If the number of students seeking consent exceeds the number of spaces, the Board will use an equitable lottery selection process. The process may give priority to students who have siblings currently enrolled in the district. [For the 2014-2015 school year only, this process may also give priority to nonresident students who received consent from the Board for the 2013-2014 school year.]

The Board may revise the maximum number of students to whom consent will be given at a time other than the annual date established by the Board if there are no pending applications for consent.

If the Board decides not to give consent to a student the Board must provide a written explanation to the student.

The Board may determine the length of time the consent is given. Any limitations in length of time must be applied consistently among all students to whom consent is given.

The district is not required to provide transportation outside the boundaries of the district. The student will be allowed to use existing bus routes and transportation services of the district. Transportation will be provided if required by federal law. The attending district is responsible for a free appropriate public education for those students on an IEP.

Consent by the Nonresident District Board for which the Student has applied for Admission (Open Enrollment)

Annually, by March 1, the Board shall establish the number of students to whom consent will be given for the upcoming school year. The Board may choose to limit consent based on school, grade or the combination of both. The Board may decide not to give consent to any person under this process.

Applications for consent shall be submitted to the district no later than April 1, for the following school year.

The Board may not deny consent, give priority nor request student information related to race, religion, sex, sexual orientation, ethnicity, national origin, disability, health, whether a student has an individual education program (IEP) or the terms of that IEP, income level, residence, proficiency in the English language, athletic ability, academic records or eligibility or participation in talented and gifted programs.

If the number of students seeking consent exceeds the number of students the Board has determined will be given consent, consent will be based on an equitable lottery selection process.

The district is not required to provide transportation outside the boundaries of the district. The student will be allowed to use existing bus routes and transportation services of the district. Transportation will be provided if required by federal law.

By May 1, the district shall provide written notification of admission of a nonresident student into the district, to the district of the student's legal residence.

END OF POLICY

Legal Reference(s):

ORS 109.056
ORS 327.006
ORS 329.485

ORS 335.090
ORS 339.115 to -339.133
ORS 339.141

ORS 339.250
ORS 343.221
ORS 433.267

Letter Opinions, Office of the OR Attorney General (March 15, April 18, June 30 1988).
OR. DEP'T OF EDUC., ODE EXECUTIVE MEMORANDA 23-1988-89, 42-1994-95.

Oregon School Boards Association Selected Sample Policy

Code: JECB-AR(1)
Revised/Reviewed:

Admission of Nonresident Students

By [January 15] of each year, the principals will establish an approximate number of nonresident students their respective buildings can accommodate for the following school year.

Nonresident students ~~will not~~ may be admitted without tuition, with the exception of students who become "resident pupils" by one of the following methods:

1. By written consent of affected school boards (~~interdistrict transfer~~);
2. By written consent of the district board with which the student has made application for admission (~~open enrollment~~); and
3. A foreign exchange students attending a district schools on a J-1 Visa, or
4. A court order.

The amount of tuition will be established by [July 1] of each year. Each admitted tuition paying student will be charged the same amount of tuition.

The district is not required to provide transportation outside the boundaries of the district. The student will be allowed to use existing bus routes and transportation services of the district. Transportation will be provided if required by federal law.

[A written appeal for a denied request may be made to the Board whose decision, based upon review, will be final.]

~~Admission by Consent of Both the Affected Boards of a Nonresident Student by Interdistrict Transfer or Consent for Admission of a Tuition-Paying Student~~

5. The ~~petition~~ application for admission must go through the [principal's office], which will then submit the petition to the [superintendent's office].
6. ~~Initial a~~ Admission [and annual renewal] must be approved by the superintendent.
7. Students receiving consent for admission may remain in the district [for the school year [2014-2015]] [until they finish the highest grade level in the school] [until graduation]¹. The student will not need to seek permission more than once from the same district of origin, to transfer to this district.

¹The receiving district determines the length of time granted for a student of an interdistrict transfer by mutual agreement. The length of time determined by the receiving district must be applied the same for all students receiving consent by mutual agreement. The bracketed language represents only examples the district may consider. The district may insert whatever length of time they decide.

Consent for Admission of a Tuition Paying Student

1. The application for admission must go through the [principal's office], which will then submit the petition to the [superintendent's office].
2. Admission [and annual renewal] must be approved by the superintendent.
3. Admission of students paying tuition will result in a mutual tuition agreement between the parties and will be filed with the business office for billing and payment control.
4. The business manager shall prepare semester bills for all tuition paying students, and any student whose tuition remains unpaid [15] days after presentation of bills shall be excluded; the superintendent may grant additional time for payment should circumstances warrant it.
5. [Students receiving consent may remain in the district [for the school year [2014-2015]] [until they finish the highest grade level in the school] [until graduation]².] ~~The student will not need to seek permission more than once from the district of origin, to transfer to this district.~~

Consent by the Nonresident District Board for which the Student has applied for Admission (Open Enrollment)

6. By March 1, the Board shall establish the number of students, if any, that will be given admission for the following school year under this process. Resident students will have first opportunity to request an intradistrict transfer prior to the placement ~~for~~ of a nonresident student [to a specific school].
7. Nonresident students must make application no later than April 1, for admission in the following school year to the district they desire to attend. Applications must be submitted to the [district office].
8. If the number of applications exceeds the number of admissions to be given, an equitable lottery process will be used to determine admission. This lottery process may give priority to applicants who currently have siblings enrolled in the district. Priority cannot be given to a nonresident student over an intradistrict transfer request from a resident student. If the district determines that admission will not be given to any students under this process there is no district obligation to give admission to siblings.
9. Once the student has been given admission, the student is considered a resident for all educational programs and remains a resident of the district until the student:
 - a. Graduates from high school;
 - b. Is no longer required to be admitted to the school district under ORS 339.115; or
 - c. Enrolls in a school in a different district.
10. By May 1, the district shall provide written notification of admission of a nonresident student into the district, to the district of the student's legal residence.

10/23/14/PH

²Ibid p. 1

Oregon School Boards Association Selected Sample Policy

Code: JECB-AR(2)
Revised/Reviewed:

Mutual Agreement - "Resident Pupil" **

[(This form cannot be used as an application form for an interdistrict transfer request; it is presented for use as an *Interdistrict Transfer Agreement* after consent by both affected boards has been established.)]

"Resident pupil" shall be defined as a student whose legal residence is not within the boundaries of the district reporting the student but who attends school in the district with written consent of the affected school district boards.

Resident District

The _____ (name of sending district) hereby agrees to allow _____
(name of receiving district) effective _____ (date).

Attending District

The _____ (name of receiving district) hereby agrees to accept _____
_____.

During such time as the "resident pupil" is given admission to the attending district, the attending district shall have all responsibility for ensuring that the parents and the student are afforded all special education rights and procedural safeguards under state and federal law.

Resident District

Superintendent or designee

_____ Date

Attending District

Superintendent or designee

_____ Date

Parent/Guardian

_____ Date

9/05/14 | PH

Use

Oregon School Boards Association Selected Sample Policy

Code: JECB-AR(3)
Revised/Reviewed:

Application for Nonresident Student Admission – Open Enrollment (Consent by Nonresident District only)

School Year _____

For Office Use Only
Student ID# _____

Student Information

Legal Last Name _____ Legal First Name _____ Legal Middle Name _____

Mailing Address _____ Apartment # _____

City _____ State _____ Zip _____

Date of Birth _____ (MM/DD/YY) Student Grade Level in [2014-2015] _____

Primary Phone of Parent/Guardian _____ Secondary Phone _____

Email Address _____

Parent/Guardian Name (Person in Parental Relationship) _____

Is the student currently under expulsion? ☐ Yes ☐ No

If yes, what was the reason? _____

[Is there a sibling of this applicant currently attending in this district? ☐ Yes ☐ No

If yes, name of sibling and school attending: _____]

If my child is admitted, I hereby authorize the release of the student educational records to _____
(name of district) and certify that I am the parent or guardian in legal custody of the student.

Signature of Parent/Guardian _____ Date _____

For Office Use Only:

Final Action of Nonresident District: ☐ Approved ☐ Denied ☐ Lottery number _____

Reason for denial or comments: _____

Superintendent/Designee: _____ Date _____

9/05/14|PH

Request for Nonresident Student Admission – Open Enrollment - JECB-AR(3)

1-1

Attachment 9.1

Oregon School Boards Association Selected Sample Policy

Code: JECB-AR(4)
Revised/Reviewed:

U/S

Application for Nonresident Student Admission – Interdistrict Transfer

Transfer requested for School Year _____

For Office Use Only

Student ID# _____

Student Information

Legal Last Name _____ Legal First Name _____ Legal Middle Name _____

Mailing Address _____ Apartment # _____

City _____ State _____ Zip _____

Date of Birth _____ (MM/DD/YY) Student Grade Level in [2014-2015] _____

Primary Phone of Parent/Guardian _____ Secondary Phone _____

E-mail Address _____

Parent/Guardian Name (Person in Parental Relationship) _____

Is the student currently under expulsion? ☐ Yes ☐ No

If yes, what was the reason? _____

[Is there a sibling of this applicant currently attending in this district? ☐ Yes ☐ No

If yes, name of sibling and school attending: _____]

[Does the student currently have a transfer for the 2013-2014 school year? ☐ Yes ☐ No]

Signature of Parent/Guardian _____ Date _____

For Office Use Only:

Final Action of Nonresident District: ☐ Approved ☐ Denied ☐ Lottery number _____

Reason for denial: _____

Superintendent/Designee: _____ Date _____

5/14/14/PH

Request for Nonresident Student Admission – Interdistrict Transfer - JECB-AR(4)

1-1

Attachment 9.1

Oregon School Boards Association Selected Sample Policy

Code: JECB-AR(5)
Revised/Reviewed:

Use

Application for Nonresident Student Admission – Tuition Students

School Year _____

For Office Use Only

Student ID# _____

Nonresident District _____

Resident District _____

Student Information

Legal Last Name _____ Legal First Name _____ Legal Middle Name _____

Mailing Address _____ Apartment # _____

City _____ State _____ Zip _____

Date of Birth _____ (MM/DD/YY) Student Grade Level in [2014-2015] _____

Primary Phone of Parent/Guardian _____ Secondary Phone _____

Email Address _____

Parent/Guardian Name (Person in Parental Relationship) _____

Is the student currently under expulsion? ☐ Yes ☐ No

If yes, what was the reason? _____

If my child is admitted, I hereby authorize the release of the student educational records to _____
(name of district) and certify that I am the parent or guardian in legal custody of the student.

Signature of Parent/Guardian _____ Date _____

For Office Use Only:

Final Action of Nonresident District ☐ Approved ☐ Denied

Reason for denial or comments: _____

Superintendent/Designee: _____ Date _____

9/05/14|PH

Oregon School Boards Association Selected Sample Policy

Code: JECB-AR(6)
Revised/Reviewed:

Use

Request for Interdistrict Transfer Out of Resident District

School Year _____

For Office Use Only

Student ID# _____

Student Information

Legal Last Name _____ Legal First Name _____ Legal Middle Name _____

Mailing Address _____ Apt # _____

City _____ State _____ Zip _____

Date of Birth _____ (MM/DD/YY) Student Grade Level in [2014-2015] _____

Primary Phone of Parent/Guardian _____ Secondary Phone _____

E-mail address _____

Parent/Guardian Name (Person in Parental Relationship) _____

Signature of Parent/Guardian _____ Date _____

Granting the request does not guarantee acceptance to another district.

For Office Use Only:

Final Action of Resident District: ☐ Approved ☐ Denied

Reason for denial: _____

Superintendent/Designee: _____ Date _____

5/14/14|PH

Request for Interdistrict Transfer Out of Resident District - JECB-AR(6)

1-1

Attachment 9.1

Oregon School Boards Association Selected Sample Policy

Code: JECF
Adopted:

Interdistrict Transfer of Resident Students**

Interdistrict Transfer

The district offers a variety of programs and services designed to meet the individual needs of its students. Nevertheless, the Board recognizes there may be circumstances that arise in which a resident student may benefit from attendance in another public school in the state. Consequently, a student who resides within district boundaries may be released to attend school in another district that agrees to accept the student. The agreement will be by written consent of the affected school boards or designees whereby the student becomes a "resident student" of the attending district, allowing the attending district to receive State School Fund moneys. Any additional fees or tuition costs are the responsibility of the parent.

When the resident district approves the release of a resident student to another school district, the student or his/her parent(s) will be solely responsible for transportation unless federal or state law requires transportation to be provided by the district. When a resident student, who is on an individualized education plan (IEP), is accepted to another district by an interdistrict transfer, the attending district becomes responsible for a free appropriate public education (FAPE). ~~District consideration of transfer requests by students under IDEA will meet the requirements of state and federal law.~~

Additionally, an interdistrict transfer of a resident student will be permitted, as appropriate, to meet the requirements to provide a safe public school choice in the No Child Left Behind Act of 2001 (NCLBA).

The resident district may not impose any limitations on the length of time for which consent is given to the student requesting release to another district.

The resident district shall not require a student to receive consent more than one time when the student requests admission to the same receiving district, regardless of any time limitations imposed by the receiving district.

The district shall allow the student whose legal residence changes to a different district during the school year, to complete the school year in the district if the student chooses to do so.

Open Enrollment

A student who resides within district boundaries may make a request to attend school in another district that agrees to accept the student. The agreement will be by written consent of the attending district only whereby the student becomes a "resident student" of the attending district, allowing the attending district to receive State School Funding. When the attending district approves the admission of the student, the attending district shall notify the district in which the student resides no later than May 1. The student or his/her parent(s) will be solely responsible for transportation to the attending/receiving district unless federal or state law requires transportation to be provided by the attending/receiving district. Students under the Individuals with Disabilities Act (IDEA) will become the primary responsibility of the attending district.

Safe Public School Choice Transfer Requests

Interdistrict Transfer of Resident Students** - JECF

1-2

An interdistrict transfer¹ may be permitted in the event a student has been a victim of a violent criminal offense occurring in or on the grounds of a school the student attends, or the student attends a school identified as persistently dangerous and all other district schools the student may transfer to are also identified as persistently dangerous or there is no other district school to which the student may transfer. The transfer must be to a safe school.

Homeless Student

A homeless student residing in the district and the student's parent, or in the case of an unaccompanied student, the district's liaison for homeless students, may request that the student attend his/her school of origin², located out-of-district. The request will be considered based on the best interest of the student. The student may continue in his/her school of origin for the duration of the student's homelessness when the student's family becomes homeless during or between an academic year, or for the remainder of the academic year if the student becomes permanently housed during the school year. Transportation to an out-of-district school will be provided through an interdistrict agreement.

The superintendent is directed to establish procedures for the review of any student request to attend school in another district.

END OF POLICY

Legal Reference(s):

ORS 109.056
ORS 327.006
ORS 329.485
ORS 332.107
ORS 335.090

ORS 339.115 to -339.133
ORS 339.141
ORS 339.250
ORS 343.221
ORS 433.267

OAR 581-021-0019
OAR 581-022-0705

Illegal Immigration and Immigration Reform Act of 1996, 8 U.S.C. §§ 1101, 1221, 1252, 1324, 1363, 1367 (2006).
McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42 U.S.C. §§ 11431-11435 (2006).
No Child Left Behind Act of 2001, 20 U.S.C. §§ 6316, 7912.
Elementary and Secondary Education Act (ESEA) Flexibility Waiver; July 18, 2012.

10/23/14 | PH

¹Districts are encouraged, but not required, to explore other appropriate options such as an agreement with a neighboring district to accept transfer students, if there is not another school in the district in which the student legally resides for the transferring student.

²"School of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

Oregon School Boards Association Selected Sample Policy

Code: JECF
Adopted:

Interdistrict Transfer of Resident Students (Version 2)

The Board recognizes there may be circumstances that arise under the No Child Left Behind Act of 2001, when it is necessary to release a student who resides within the boundaries of the district to attend school in another district that agrees to accept the student. A student who resides within district boundaries may make a request to attend school in another district that agrees to accept the student. [Interdistrict transfers of resident students for other purposes may be permitted, subject to criteria established by the district.]

The superintendent will develop administrative regulations, as needed, to implement this policy.

END OF POLICY

Legal Reference(s):

ORS 109.056
ORS 327.006
ORS 329.485
ORS 332.107

ORS 335.090
ORS 339.115 - 339.133
ORS 339.141
ORS 339.250

ORS 343.221
ORS 433.267

Illegal Immigration and Immigration Reform Act of 1996, 8 U.S.C. §§ 1101, 1221, 1252, 1324, 1363, 1367 (2006).
McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42 U.S.C. §§ 11431-11435 (2006).
No Child Left Behind Act of 2001, 20 U.S.C. §§ 6316, 7912 (2006).

Oregon School Boards Association Selected Sample Policy

Code: JECF-AR
Revised/Reviewed:

Interdistrict Transfer of Resident Students

General Parent/Student Requests for Interdistrict Transfer (Requiring the consent of both districts)

The following procedure will govern consideration of a request by a student who resides within district boundaries and who is requesting district approval for a transfer to attend school in another district:

1. A parent will request the release of his/her student by completing the appropriate district form;
2. The completed form must be submitted to the district office;
3. The Board chair or superintendent or designee will grant or deny the request for release according to established Board policy criteria and notify the parent in writing of his/her decision within [15] calendar days;
4. If the release is granted by mutual consent of the resident and nonresident districts, the resident district will make necessary arrangements for the transfer of the student's education records;
5. If the request for release is denied, parents will be notified of the reason for denial and the right to appeal the decision to the Board by sending a written request to the superintendent or designee within [10] calendar days;
6. The Board will hear the appeal at its next regularly scheduled Board meeting;
7. A final decision will be made by the Board within [20] calendar days following the Board hearing. The Board's decision will be communicated to the parent in writing.

Requests for Admission of a Nonresident Student (Open Enrollment – Requiring the consent of only the attending district)

A student who resides within district boundaries may make a request to attend school in another district that agrees to accept the student. The agreement will be by written consent of the attending district only whereby the student becomes a "resident student" of the attending district, allowing the attending district to receive State School Funding. The student who resides within the district must complete the application process in the district in which the student wishes to attend.

Safe Public School Choice Transfer Requests

In the event a district school is identified by ODE as persistently dangerous, or a student has been a victim of a violent criminal offense while in or on the grounds of a school the student attends, and there is not another school in the district for the student to transfer to, the district may develop an agreement with a neighboring district to accept transfer students. The development of such agreements is at the discretion of

the district. Transfer approval will be in accordance with established Board policy and administrative regulation.

Record Keeping

A file of all interdistrict transfer requests will be maintained at the district office.

Oregon School Boards Association Selected Sample Policy

Code: JHCD
Adopted:

Administering Noninjectable Medicines to Students Nonprescription Medication **/*

The district recognizes that administering of nonprescription medication to students and/or self-medication may be necessary when the failure to take such medication would jeopardize the health of the student or the student would not be able to attend school if medication was not made available during school hours, would prevent the student from attending school. Consequently, students may be permitted to take noninjectable prescription or nonprescription medication at school, on a temporary or regular basis.

The district reserves the right to reject a request to administer [or allow self administration of] a nonprescription medication when such medication is not necessary for the student to remain in school.

~~When directed by a physician or other licensed health care professional, students grades K-12 will be allowed to self administer medication. A medical protocol regarding each student who self administers medication will be developed, signed by a physician or other licensed health care professional [and parent] and kept on file. Permission for self-administered medication may be revoked at any time if the student violates policy or medical protocol.~~

~~All requests for the district to administer medication to a student shall be made by the parent in writing. Requests shall include the written instructions of the physician for the administration of a prescription medication to a student or the written instructions of the parent for the administration of a nonprescription medication to a student. A prescription label will be deemed sufficient to meet the requirements for written physician instructions.~~

~~[A request to the district to allow a student to self medicate with a nonprescription medication shall include written permission and instruction from a parent or guardian, and shall include an assurance from the parent or guardian that the student has received appropriate instruction for its use.]~~

~~A request to the district to administer a nonprescription medication shall include written permission and instruction from a parent or guardian~~

The district shall designate staff authorized to administer medication to students. Training shall be provided as required by law.

~~The district reserves the right to reject a request to administer prescription or nonprescription medication when such medication is not necessary for the student to remain in school.~~

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

The superintendent shall develop administrative regulations as needed to meet the requirements of law, Oregon Administrative Rules and for the implementation of this policy. ~~Regulations will include provisions for student self-medication.~~

END OF POLICY

Legal Reference(s):

ORS 109.640

~~ORS 339.866 to -339.871~~

~~ORS 339.867~~

~~ORS 339.869~~

~~ORS 339.870~~

~~ORS 433.800 to -433.830~~

~~ORS 475.005 to -475.285~~

~~OAR 166-100-0010(17)~~

~~OAR 166-400-0060(29)~~

~~OAR 581-021-0037~~

~~OAR 581-022-0705~~

R10/23/14 | PH

Oregon School Boards Association Selected Sample Policy

Code: JHCD/JHCDA-AR
Revised/Reviewed:

Administering Noninjectable/Injectable Medicines to Students Prescription/Nonprescription Medication **/*

Students may, subject to the provisions of this regulation, have ~~noninjectable/injectable~~ prescription or nonprescription medication administered by designated, trained staff. Self-medication by students will also be permitted in accordance with this regulation and state law.

1. Definitions

- a. "Prescription medication" means any ~~noninjectable/injectable~~ drug, chemical compound, suspension or preparation in suitable form for use as a curative or remedial substance taken either internally or externally by a student under the written direction of a physician. Prescription medication includes any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student's Oregon licensed health care professional for asthma or severe allergies. Prescription medication does not include dietary food supplements.
- b. "Nonprescription medication" means only commercially prepared, nonalcohol-based medication to be taken at school that is necessary for the student to remain in school. This shall be limited to eye, nose and cough drops, cough suppressants, analgesics, decongestants, antihistamines, topical antibiotics, anti-inflammatories and antacids that do not require written or oral instructions from a physician. Nonprescription medication does not include dietary food supplements.
- c. "Physician" means a doctor of medicine or osteopathy, a physician assistant licensed to practice by the Board of Medical Examiners for the state of Oregon, a nurse practitioner with prescriptive authority licensed by the Oregon State Board of Nursing, a dentist licensed by the Board of Dentistry for the state of Oregon, an optometrist licensed by the Board of Optometry for the state of Oregon or a naturopathic physician licensed by the Board of Naturopathy for the state of Oregon.
- d. "Student self-medication" means a student must be able to administer medication to himself/herself without requiring a trained staff member to assist in the administration of the medication.
- e. "Age-appropriate guidelines" means the student must be able to demonstrate the ability, developmentally and behaviorally, to self-medicate with permission from parent or guardian, administrator and in the case of a prescription medication, a physician.
- f. "Training" means yearly instruction, by a qualified trainer, to be provided to designated staff on the administration of prescription and nonprescription medication, based on requirements set out in guidelines approved by the Oregon Department of Education (ODE), including discussion of applicable district policies, procedures and materials.
- g. "Qualified trainer" means a person who is familiar with the delivery of health services in a school setting and who is a registered nurse licensed by the Oregon State Board of Nursing, a physician, or a pharmacist licensed by the State Board of Pharmacy for the state of Oregon.

~~Administering Noninjectable/Injectable Medicines to Students~~ Prescription/
Nonprescription Medication **/* - JHCD/JHCDA-AR

- h. "Severe allergy" means a life-threatening hypersensitivity to a specific substance such as food, pollen or dust
- i. "Asthma" means a chronic inflammatory disorder of the airways that requires ongoing medical intervention
- j. "Designated staff" means the staff person who is designated by the building principal to administer prescription or nonprescription medication.

2. Designated Staff/Training

- a. The principal will designate trained staff authorized to administer prescription or nonprescription medication to students within individual school buildings and while participating at school-sponsored activities on or off district property while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before- or after-school care programs on school-owned property and in transit to or from school or school-sponsored activities. The principal will supervise and ensure building and activity practices and procedures are consistent with the requirements of law, rules and this regulation.
- b. The principal will ensure the training required by law and Oregon Administrative Rules is provided. Training must be conducted by a qualified trainer.
- c. Training will provide an overview of applicable provisions of Oregon law, administrative rules, district policy and administrative regulations and include, but not be limited to, the following: safe storage, handling, monitoring medication supplies, disposing of medications, record keeping and reporting of medication administration and errors in administration, emergency medical response for life-threatening side effects and allergic reactions, and student confidentiality. Materials as recommended and/or approved by the ODE will be used.
- d. Training will be provided yearly to designated staff authorized to administer medication to students.
- e. A copy of the district's policy and administrative regulation will be provided to all staff authorized to administer medication to students and others, as appropriate.
- f. [A statement that the designated staff member has received the required training will be signed by the staff member and filed in the district office.]

3. Administering Premeasured Doses of Epinephrine to a Student or Other Individual

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

4. Administering Medications to Students

- a. A Requests for designated staff to administer medication to a students may be approved by the district as follows and subject to the following:
 - (1) A written request for the district designated staff to administer prescription medication to a student, if because of the prescribed frequency for the medication, the medication must be given while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in before- or after-school care programs on school-

owned property and in transit to or from school or school-sponsored activities, must be submitted to the school office ~~to~~ and shall include:

- (a) The written signed permission of the parent or guardian;
- (b) The written instruction from the physician, physician assistant or nurse practitioner for the administration of the prescription medication to the student including:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) ~~Route~~ Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration; and
 - (vi) Other special instruction, if any.

The prescription label will be considered to meet this requirement if it contains the information listed in (a)-(fvi) above.

- (2) A written request for the district to administer nonprescription medication must be submitted to the school office ~~to~~ and shall include:

- (a) The written signed permission of the parent or guardian;
- (b) The written instruction from the parent or guardian for the administration of the nonprescription medication to the student including:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) ~~Route~~ Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instruction, if any.

- b. Medication is to be submitted in its original container;
- c. Medication is to be brought to and returned from the school by the parent;
- d. It is the parent's responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
- e. It is the parent's responsibility to ensure that the school is informed in writing of any changes in medication instructions;
- f. In the event a student refuses medication, the parent will be notified immediately. No attempt will be made to administer medication to a student who refuses district-administered medication;
- g. Any error in administration of medication will be reported to the parent immediately [and documentation made on the district's Accident/Incident Report form]. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dose, ~~time~~ frequency of administration, ~~route~~ method of administration, etc.;
- h. Medication shall not be administered or self-medication allowed until the necessary permission form and written instructions have been submitted as required by the district.

5 Student Self-medication of a Prescription [or Nonprescription] Medication

- a. Student Self-medication of prescription and nonprescription medication for by K-12 students, including students with asthma or severe allergies, will be allowed subject to the following:
- (1) A parent (or guardian) signed permission form and other documentation requested by the district must be submitted for self-medication of all prescription and nonprescription medications. In the case of prescription medications, permission from the physician or other licensed health care professional is also required. Such permission may be indicated on the prescription label.
 - (2) A prescription written by an Oregon licensed health care professional that includes Aa written treatment plan from a licensed health care professional for the managing of the student's asthma, diabetes and/or severe allergy, and will be required for use of medication by the student during school hours while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in before- or after-school care programs on school-owned property and in transit to or from school or school-sponsored activities, and acknowledgment the student has been instructed in the correct and responsible use of the medication,
 - (3) Principal permission is required for all self-medication of prescription medicine requests; is required
- b. [Student self-medication of nonprescription medication by K-12 students may be allowed subject to the following:
- (1) A parent or guardian permission form and other documentation requested by the district must be submitted for self-medication of all nonprescription medications. The signed form from the parent or guardian will ensure the student has received proper instruction for use[,] [.]
 - (2) [[Principal] permission for all self-medication of nonprescription medicine requests is required.]]
- c. Students who are developmentally and/or behaviorally unable to self-medicate will be provided assistance by designated school staff. A permission form and written instructions will be required as provided in Section 34.a. and b. above;
- d. All prescription and nonprescription medication must be kept in its appropriately labeled, original container, as follows:
- (1) Prescription labels must specify the name of the student, name of the medication, dosage, route method of administration and frequency or time of administration and any other special instruction including student permission for the student to self-medicate;
 - (2) Nonprescription medication must have the student's name affixed to the original container.
- e. The student may have in his/her possession only the amount of medication needed for that school day, except for manufacture's packaging that contains multiple dosage, the student may carry one package, such as but not limited to, autoinjectable epinephrine or bronchodilators/inhalers;
- f. Sharing and/or borrowing of any medication with another student is strictly prohibited;

- g. [Any medication required for use longer than [10] school days will be permitted only upon the written request of the parent;]
- h. For students who have been prescribed bronchodilators or epinephrine, staff will request from the parent or guardian, that the parent or guardian provide backup medication for emergency use by that student. Backup medication, if provided by the parent or guardian, will be kept at the student's school in a location to which the student has immediate access in the event the student has an asthma and/or severe allergy emergency;
- i. Upon written parent request and with a physician's written statement that the lack of immediate access to a backup autoinjectable epinephrine may be life threatening to a student, and the location the school stores backup medication is not located in the student's classroom, a process shall be established to allow the backup autoinjectable epinephrine to be kept in a reasonably secure location in the student's classroom;
- j. Permission to self-medicate may be revoked if the student violates the Board's policies ~~JHCD – Administering Noninjectable Medicines to Student and JHCDA – Administering Injectable Medicines to Students~~ policy and/or these regulations. Additionally, students may be subject to discipline, up to and including expulsion, as appropriate.

6. Handling, Storage, Monitoring Medication Supplies

- a. Medication administered by designated staff ~~and~~ or self administered by the student, ~~medication~~ must be delivered by the parent to the school, in its original container, accompanied by the permission form and written instructions, as required above.
- b. Medication in capsule or tablet form and categorized as a sedative, stimulant, anticonvulsant, narcotic analgesic or psychotropic medication will be counted by designated staff in the presence of another district employee upon receipt, documented in the student's medication log and routinely monitored during storage and administration. Discrepancies will be reported to the principal immediately and documented in the student's medication log. For such medication not in capsule or tablet form, standard measuring and monitoring procedures will apply.
- c. Designated staff will follow the written instructions of the physician and parent and training guidelines as may be recommended by ODE for administering all forms of ~~noninjectable/injectable~~ prescription and/or nonprescription medications.
- d. Medication will be secured as follows:
 - (1) Nonrefrigerated medications will be stored in a locked cabinet, drawer or box [used solely for the storage of medication];
 - (2) Medications requiring refrigeration will be stored in a [locked box in a refrigerator] [separate refrigerator used solely for the storage of medication];
 - (3) Access to medication storage keys will be limited to the principal and designated school staff.
- e. Designated staff will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering and that the medication container is properly sealed and returned to storage.
- f. In the event medication is running low or an inadequate dosage is on hand to administer the medication, the designated staff will notify the parent immediately.

7. Emergency Response

- a. Designated staff will notify 911 or other appropriate emergency medical response systems and administer first aid, as necessary, in the event of life-threatening side effects that result from district-administered medication or from student self-medication or allergic reactions. The parent[, school nurse] and principal will be notified immediately.
- b. Minor adverse reactions that result from district-administered medication or from student self-medication will be reported to the parent immediately.

8. Disposal of Medications

- a. Medication not picked up by the parent at the end of the school year or within [five] school days of the end of the medication period, whichever is earlier, will be disposed of by designated staff in a nonrecoverable fashion as follows:
 - (1) Medication in capsule, tablet and liquid form will be removed from their original container (destroy any personal information). Crush solid medications, mix or dissolve in water (this applies to liquid as well) and mix with an undesirable substance such as coffee grounds, kitty litter, flour etc., and place it in impermeable non-descriptive containers such as empty cans or sealable bags, placing these containers in the trash. Flush prescriptions down the toilet **only** if the accompanying patient information specifically instructs it is safe to do so (~~ONDCP Federal Government Guidelines February 20, 2007~~);
 - (2) Other medication will be disposed of in accordance with established training procedures including sharps and glass.
- b. All medication will be disposed of by designated staff in the presence of another school employee and documented as described in 89. a., below.

9. Documentation and Record Keeping

- a. A medication log will be maintained for each student administered medication by the district. The medication log will include, but not be limited to:
 - (1) The name, dose and route of medication administered, date, time of administration and name of the person administering the medication;
 - (2) Student refusals of medication;
 - (3) Errors in administration of medication¹;
 - (4) Emergency and minor adverse reaction incidents¹;
 - (5) Discrepancies in medication supply;
 - (6) Disposal of medication including date, quantity, manner in which the medication was destroyed and the signature of the staff involved.
- b. All records relating to administration of medicines, including permission slips and written instructions, will be maintained in a separate medical file apart from the student's education

¹Designated staff may note incident by symbol in medication log and attach detailed documentation as necessary.

records file unless otherwise related to the student's educational placement and/or individualized education program. Records will be retained in accordance with applicable provisions of OAR 166-400-0010(17) and OAR 166-400-0060(29).

- c. Student medical files will be kept confidential. Access shall be limited to those designated school staff authorized to administer medication to students, the student and his/her parents. Information may be shared with staff with a legitimate educational interest in the student or others as may be authorized by the parent in writing.

A school administrator, teacher or other district employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration of prescription and/or nonprescription medication as per ORS 339.870 state law.

A school administrator, school nurse, teacher or other district employee designated by the school administrator, ~~the school district and members of the district board~~, are not liable in a criminal action or for civil damages as a result of a student's use of self-administration of medication, when that person in good faith assisted the student in self-administration of the medication, as per state law.

A school administrator, school nurse, teacher or other district employee are not liable in a criminal action or for civil damages, when in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy, who is unable to self administer the medication, as per state law

A school district and the members of a school district board are not liable in a criminal action or for civil damages when a student or individual is unable to self-administer medication, when any person in good faith administers autoinjectable epinephrine to a student or individual, as per state law.

R10/23/14 | PH

Oregon School Boards Association Selected Sample Policy

Code: JHCDA
Adopted:

Administering Injectable Medicines to Students Prescription Medication **/*

The district recognizes a need to ensure the health and well-being of students who require regular ~~injections-doses or injections~~ of medication as a result of experiencing an severe allergic reaction or have a need to manage hypoglycemia, asthma or diabetes. ~~Therefore, in situations w~~When a licensed health care professional is not immediately available, a designated trained staff member may administer to a students, ~~by means of injection,~~ epinephrine, glucagon or other medications as prescribed and allowed by Oregon law (OAR 851-047-0030).

When directed by a physician or other licensed health care professional, students in grades K-12 will be allowed to self-administer medication, including medication for asthma or severe allergy as defined by state law

A ~~medical protocol regarding each~~ written treatment plan for a student who self administers ~~injectable~~ medication will be developed, and signed by a physician or other Oregon licensed health care professional ~~[and parent]~~ and kept on file. ~~Permission for self administered medication may be revoked if the student violates policy or medical protocol.~~ A written request and permission form signed by a parent or guardian is required and will be kept on file. If the student is deemed to have violated Board policy or medical protocol by the district, the district may revoke the permission given to a student to self-administer medication.

All requests for the district to administer ~~injectable~~ prescription medication to a student shall ~~be made by the parent in writing~~ include the written permission of the parent or guardian. ~~Requests and shall be accompanied by the physician's order for administering epinephrine, glucagon, or other medication as allowed by law~~ by written instruction from a physician, physician assistant or nurse practitioner. A prescription label prepared by a pharmacist will be deemed sufficient to meet the requirements for a physician's order ~~for epinephrine, glucagon or other medication.~~

The district reserves the right to reject a request to administer or allow self administration of a medication when such medication is not necessary for the student to remain in school

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

A process shall be established by which, upon parent written request, a backup prescribed autoinjectable epinephrine ~~be~~ is kept at a reasonable, secured location in the student's classroom as provided by state law.

~~The district may designate staff authorized to administer epinephrine and glucagon or other medication as allowed under Oregon law.~~ Training shall be provided to designated staff as required by law in accordance with approved protocols as established by ~~Oregon Department of Human Services, Health~~

Services the Oregon Health Authority. Staff designated to receive training shall also receive bloodborne pathogens training. A current first-aid and CPR card will also be required.

Injectable Prescription medication will be handled, stored, monitored, disposed of and records maintained in accordance with established district regulations governing administering noninjectable/ or injectable, or prescription or nonprescription medicines to students including procedures for the disposal of sharps and glass.

The superintendent will ensure student health management plans are developed as required by training protocols, maintained on file and pertinent health information is provided to district staff as appropriate.

Such plans will include provisions for administering medication and/or responding to emergency situations including those occurring during curricular and extracurricular activities held after regular school hours and on or off district property while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before- or after-school care programs on school-owned property and in transit to or from school or school-sponsored activities.

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

END OF POLICY

Legal Reference(s):

ORS 109.640
ORS 339.866 to -339.871
ORS 339.866
ORS 339.870
ORS 339.871

ORS 433.800 to -433.830
ORS 475.005 to -475.285
OAR 166-400-0010(17)
OAR 166-400-0060(29)

OAR 332-055-0000 to -0035
OAR 581-021-0037
OAR 581-022-0705
OAR 851-047-0030
OAR 851-047-0040

R10/23/14 | PH

Oregon School Boards Association Selected Sample Policy

Code: KL
Adopted:

Public Complaints* (Version 5)

Board members recognize that complaints about schools will be voiced by employees, students and patrons from time-to-time. When such complaints are made to a Board member, he/she shall refer the person making the complaint to the appropriate administrator. A Board member shall not attempt to consider such complaints in any official capacity acting as an individual Board member.

If the person making the complaint does discuss the matter with the appropriate administrator, that administrator shall attempt to resolve the complaint or identify the reasons for not resolving the issue. ~~A Board member shall not attempt to consider such complaints in any official capacity acting as an individual Board member.~~

In the event a complaint is not resolved within [10] working days at the building level, the person complainant may file a formal, written complaint with the superintendent. The superintendent will attempt to resolve the complaint. If the complaint remains unresolved within [10] working days of receipt by the superintendent of the written complaint, the ~~patron~~ complainant may request to place the complaint on the Board agenda at the next regularly scheduled Board meeting. Any written complaint bearing the signature of a district patron, which is presented to the Board, may be considered by the entire Board. A final determination shall be made within [20] working days from receipt of the complaint by the Board.

Complaints alleging violation of standards for public elementary and secondary schools shall be made in writing and presented to the superintendent.

In the event that a complaint alleges a violation of state standards and is not resolved at the Board level, then the district will supply the complainant with appropriate information in order to file a direct appeal to the State Superintendent of Public Instruction as outlined in Oregon Administrative Rules.

END OF POLICY

Legal Reference(s):

ORS 192.610 to -192.690
ORS 332.107

OAR 581-022-1940
OAR 581-022-1941

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984).
Connick v. Myers, 461 U.S. 138 (1983).

HR10/23/14 | PH

Oregon School Boards Association Selected Sample Policy

Code: KL-AR
Revised/Reviewed:

Public Complaint Procedure (Version 2)

If this is the district's current Public Complaint Procedure, replace it with new Version 2.

If, during the course of business with the professional staff, parents have criticisms or comments of an educator's performance, the disposition of a particular situation, a grade recorded, homework assignments, the lack of a student's progress, etc., the following corrective measures should be followed:

1. Parents should initiate a conference with the educator to discuss the issue. A letter or a telephone call will set up this appointment. Conferences cannot be held during class time;
2. If Step 1 does not resolve the issue, an appointment is made with the principal. The educator under discussion will be present at the conference;
3. If Step 2 does not bring about satisfaction, an appointment is to be arranged with the superintendent. The educator under discussion and the principal must be present at this conference;
4. If Step 3 does not end the difference that existed, an appointment may be scheduled with the Board, in executive session, to discuss the problem. The Board may choose to hear the appeal at the next regular meeting. The educator under discussion, the principal, and the superintendent will be present at this conference.

Alterations to the above are made if an administrator is the subject of the complaint. Grievances with the principal will include Step 1 and then move directly to Step 3. Grievances with the superintendent will include Step 1 and move directly to Step 4.

A patron of the district may, because of the nature of the particular complaint, choose to go directly to the administrator or the Board.

In that event, the administrator or Board member receiving the complaint will: (1) remind the patron of this procedure; (2) inform the employee of the complaint as soon as possible (always within three school days) and attempt to arrange a conference between the two.

Oregon School Boards Association Selected Sample Policy

Code: KL-AR
Revised/Reviewed:

Public Complaint Procedure (Version 3)

Initiating a Complaint: Step One

Any member of the public who wishes to express a complaint should discuss the matter with the school employee involved ~~(teacher, counselor, assistant principal, secretary, etc.)~~. It is the intent of the district to solve problems and address all complaints as close as possible to their origin.

The Administrator: Step Two

If the complainant is unable to resolve a problem or concern at step one, within [five] working days of the meeting with the employee, the complainant may file a written, signed complaint with the principal ~~to resolve the complaint or concern~~. The principal shall evaluate the evidence and render a decision within [five] working days after receiving the complaint.

The Superintendent: Step Three

If such a discussion at the building level with the principal does not resolve the complaint ~~or if such discussion is not practical under the circumstances~~, within [10] working days of the meeting with the principal the complainant, if he/she wishes to pursue the action, shall file a signed, written complaint with the superintendent clearly stating the nature of the complaint and a suggested remedy. (A form is available, but is not required.)

The superintendent shall investigate the complaint, confer with the complainant and the parties involved and prepare a written report of his/her findings and his/her conclusion within [10] working days after receiving the written complaint. ~~(Approximately one week in most cases will be required.)~~

The Board: Step Four

If the complainant is dissatisfied with the superintendent's findings and conclusion, the complainant may appeal the decision to the Board within [five] working days of receiving the superintendent's decision. The Board may hold a hearing to review the findings and conclusion of the superintendent, to hear the complainant and to take such other evidence as it deems appropriate. Generally all parties involved, including the school administration, will be asked to attend such meeting for the purposes of presenting additional facts, making further explanations and clarifying the issues.

The Board may elect to hold the hearing in executive session if the subject matter qualifies under Oregon Revised Statutes.

The complainant shall be informed of the Board's decision within [20] working days from the hearing of the appeal by the Board.

Superintendent of Public Instruction: Step Five

~~Persons may, after exhausting local complaint procedures, appeal in writing to the Superintendent of Public Instruction.~~

[] District
COMPLAINT FORM

Ure

TO: _____ Name of School _____

Person Making Complaint _____

Telephone Number _____ Date _____

Nature of Complaint _____

Suggested Correction _____

Office Use: Disposition of Complaint: _____

Signature: _____ Date: _____

cc: District Office

10/23/14 | PH

Use

**Oregon School Boards Association
Selected Sample Policy**

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

Public Complaints – Athletic Complaint Procedure

Complainant's Name _____ Date _____

Sport _____

1. Describe your complaint.
2. Describe the problem that led to the complaint.
3. What steps have been taken to resolve the problem?
4. What adjustment is sought?

Signature of person initiating the complaint Date _____

Signature of athletic director or coach Date _____

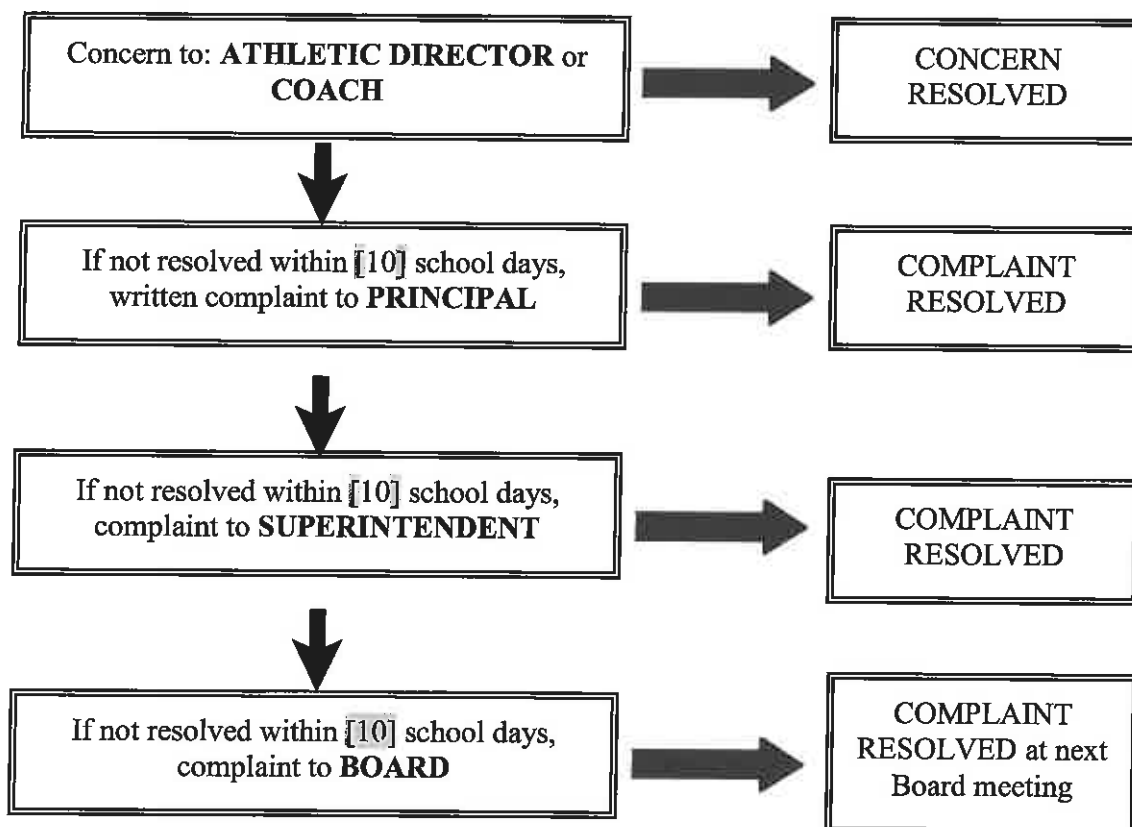
Submitted to the principal for review on _____ (Date)

Principal's Recommendation: _____

Signature of principal Date _____

Submitted to superintendent if not resolved at site _____ (Date)

ATHLETIC COMPLAINT PROCEDURE FLOW CHART



The flow chart above provides procedure for the handling of a patron athletic concerns in an orderly, timely and effective manner. As indicated, any patron who has a concern or complaint should: (1) take the concern directly to either the coach or the athletic director where the concern may be resolved; (2) if the concern is not resolved at step one with either the coach or the athletic director, the athletic director will assist the patron in completing the formal complaint. From this point on, the procedure is outlined in Board policy KL - Public Complaints.

Oregon School Boards Association Selected Sample Policy

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

Review of Administrative Decision

This form is to be used to request a review by the Board of an administrative decision or an interpretation of a procedure, policy or administrative regulation.

Submitted by: _____ Telephone: _____

Address: _____

State the decision, procedure, administrative regulation or policy questioned: _____

Describe in detail (use other pages as necessary) the nature of or reasons for concern:

Requested changes or suggested resolutions of the problem:

NOTE: You are invited to appear to personally address the Board or you may choose to submit only your written statement. You will be advised in writing of the Board's decision within [20] working days after the Board has heard the complaint.

I wish to appear before the Board: ☐ Yes ☐ No

Signature: _____ Date: _____

10/23/14 | PH

Oregon School Boards Association Selected Sample Policy

Code: KL-AR
Revised/Reviewed:

Public Complaint Procedure *(New Version 2)*

The following procedure will be used for all **other** complaints:

1. A student or parent with a complaint shall generally first present it orally and informally to his/her teacher or the appropriate school employee;
2. If the complaint is not resolved, the complainant may formally present the complaint in writing (including all supporting statements and evidence) within [10] working days of the informal conference to the principal. The principal shall evaluate the evidence and render a decision within [five] working days after receiving the complaint;
3. If the complainant deems it desirable to carry the complaint beyond the decision reached by the principal, he/she may, within [five] working days, file the complaint with the superintendent or his/her designee. The superintendent or his/her designee shall evaluate the evidence and render a decision within [five] working days after receiving the appeal;
4. If the complainant deems it desirable to carry the complaint beyond the decision reached by the superintendent or his/her designee, he/she may within [five] working days request a review by the Board at its next regularly scheduled meeting. A final determination shall be made within [20] working days from receipt of the appeal by the Board;
5. Persons may, after exhausting local complaint procedures, appeal in writing to the Superintendent of Public Instruction.

Time

The number of days given at each level shall be regarded as a maximum and every effort will be made to expedite the process. The time limits stated may be extended by mutual agreement of the complainant and the administration.

Withdrawal

A complaint may be withdrawn by the complainant at any level without prejudice, reprisal or record.

Meetings and Decisions

At each of the levels the complainant shall be given the opportunity to be present and to be heard. All decisions at each level shall be in writing and include supporting rationale with the exception of the initial informal contact. Copies of all decisions and recommendations shall be furnished promptly to all parties of interest.

**Suggestion, Complaint or Commendation Regarding an
Employee, Program or Practice**

The district is interested in suggestions, complaints and commendations involving employees or programs. When such is registered, we are interested in investigating the incident to see if there has been a misunderstanding or if some corrective action should be taken to improve the district. Commendations are of value to the district because they improve morale and encourage district employees to take pride in their work and do more than is ordinarily expected of them.

As both complaints and commendations are of value to the district, we welcome comments and request you fill in the information requested below.

Name of Employee/Program

Date of Suggestion, Complaint or Commendation

Nature of Suggestion, Complaint or Commendation: _____

Source of your information: _____

Justification of your feelings: _____

Remedy sought: _____

I have read the above but do not necessarily agree.

Signature: _____

Date: _____

Employee: _____

Date: _____

Address: _____

Immediate Supervisor: _____ Phone: _____ Date: _____

10/23/14 | PH

Oregon School Boards Association Selected Sample Policy

Code: **LBE**
Adopted:

Public Charter Schools**

The district recognizes that public charter schools offer an opportunity to create new, innovative and more flexible ways of educating students in an atmosphere of learning experiences based on current research and development. Public charter schools shall demonstrate a commitment to the mission and diversity of public education while adhering to one or more of the following goals:

1. Increase student learning and achievement;
2. Increase choices of learning opportunities for students;
3. Better meet individual student academic needs and interests;
4. Build stronger working relationships among educators, parents and other community members;
5. Encourage the use of different and innovative learning methods;
6. Provide opportunities in small learning environments for flexibility and innovation;
7. Create new professional opportunities for teachers;
8. Establish additional forms of accountability for schools; and
9. Create innovative measurement tools.

Public charter schools may be established as a new public school, from an existing public school or a portion of the school or from an existing alternative education program. A public charter school may not convert an existing tuition-based private school into a charter school, affiliate itself with a nonsectarian school or religious institution or encompass all the schools in the district unless the district is composed of only one school.

The Board will not approve any public charter school proposal when it is deemed that its value is outweighed by any direct identifiable, significant and adverse impact on the quality of the public education of students residing in the district. To meet the eligibility criteria for Board approval, a public charter school proposal must meet the requirements of Oregon Revised Statutes, Oregon Administrative Rules, Board policy and regulation. Upon request of the Board, the public charter school applicant must furnish in a timely manner any other information the Board deems relevant and necessary to conduct a complete and good faith evaluation of the public charter school proposal.

The district will determine if it has any unused or underutilized buildings. Buildings may be made available for public charter school use, subject to Board approval. Approved use may be limited to instructional purposes only. Appropriate-use fees will be determined by the Board. Public charter school use outside the district's instructional day will be subject to Board policy KG - Community Use of District Facilities and accompanying administrative regulation.

[Public charter school students may, upon request, be allowed to participate in district programs such as physical education, instrumental and vocal music offerings or other selected options if space and materials are available. Students must adhere to state law, Board policies, regulations and rules concerning conduct and discipline.][Public charter school students shall not be permitted to participate in district curricular programs.]

The district [will] [will not] provide instructional materials, lesson plans or curriculum guides for use in a public charter school.

The public charter school employer will be determined with each proposal. If the Board is the employer, the terms of the current collective bargaining agreement will be examined to determine which parts of the agreement apply. If the Board is not the sponsor of the public charter school, it shall not be the employer and will not collectively bargain with public charter school employees.

The district will [annually [by October 1]] [semiannually [by October 1 and April 1]] [by [December 1]]¹, calculate the number of students residing in the district who are enrolled in a virtual public charter school. When the percentage is three percent or above, the district may choose to not approve additional students for enrollment to a virtual public charter school, subject to the requirements in 581-026-0305(2).

The district is only required to use data that is reasonably available to the district including but not limited to the following for such calculation:

1. The number of students residing in the district enrolled in the schools within the district;
2. The number of students residing in the district enrolled in public charter schools located in the district;
3. The number of students residing in the district enrolled in virtual public charter schools;
4. The number of home-schooled students who reside in the district and who have registered with the educational service district; and
5. The number of students who reside in the district enrolled in private schools located within the school district.

A parent may appeal a decision of a school district to not approve a student for enrollment to a virtual public charter school to the State Board of Education.

The superintendent will develop administrative regulations for public charter schools to include the proposal process, review and appeal procedure and charter agreement provisions.

¹[Per OAR 581-026-0305 (7)(a) the district must choose annual, semi-annual or other date used for calculation; dates are provided as a recommendation only.]

END OF POLICY

Legal Reference(s):

ORS 327.077

ORS 327.109

ORS 332.107

ORS Chapter 338

ORS 339.141

ORS 339.147

OAR 581-026-0005 to -0515

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

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)(y)~~. 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)(y)~~, 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 30 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) ORS 192.410 to 192.505 (Public Records Law);
 - (3) ORS 192.610 to 192.690 (Public Meetings Law);
 - (4) ORS Chapters 279A, 279B and 279C (Public Contracting Code);
 - (5) ORS 326.565, 326.575 and 326.580 (student records);
 - (6) ORS 297.405 to 297.555 and 297.990 (Municipal Audit Law);
 - (7) ORS 181.534, 326.603, 326.607, 342.223 and 342.232 (criminal records checks);
 - (8) ORS 337.150 (textbooks);
 - (9) ORS 339.119 (considerations for educational services);
 - (10) ORS 336.840 (use of personal electronic devices);
 - (11) ORS 339.141, 339.147 and 339.155 (tuition and fees);
 - (12) ORS 659.850, 659.855 and 659.860 (discrimination);
 - (13) ORS 30.260 to 30.300 (tort claims);
 - (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) ORS 329.045 (academic content standards and instruction);
 - (19) Any statute or rule that establishes requirements for instructional time;
 - (20) ORS 339.250 (12) (prohibition of infliction of corporal punishment);
 - (21) ORS 339.370, 339.372, 339.388 and 339.400 (reporting of suspected abuse of a child and sexual conduct, and training on prevention and identification of abuse and sexual conduct);
 - (22) ORS 329.451 (diploma, modified diploma, extended diploma and alternative certificate standards);
 - (23) Statutes and rules that expressly apply to public charter schools;
 - (24) Statutes and rules that apply to special government body as defined in ORS 174.117, or public body as defined in 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~~ Failure 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.

Lundy Elementary Heating Fuel Purchases

Lundy Elementary Square Footage: 38,062

MVA Charter West Wing Estimated Square Footage: 6,090 (16%)

Fiscal Year 2013-14					Fiscal Year 2014-15					Over/ (Under)
Delivered:	Gallons	Amount	Price/Gal	YTD Amt	Delivered:	Gallons	Amount	Price/Gal	YTD Amt	
9/25/2013	1,500	\$4,651.25	\$3.10083	\$4,651.25	9/24/2014	2,412	\$7,379.51	\$3.05950	\$7,379.51	\$2,728.26
11/26/2013	1,500	\$4,649.25	\$3.09950	\$9,300.50			\$0.00		\$7,379.51	
12/24/2013	2,200	\$7,041.83	\$3.20083	\$16,342.33			\$0.00		\$7,379.51	
1/22/2014	1,500	\$4,711.25	\$3.14083	\$21,053.58			\$0.00		\$7,379.51	
3/19/2014	1,500	\$4,711.25	\$3.14083	\$25,764.83			\$0.00		\$7,379.51	
Totals	8,200	\$25,764.83	\$3.14205		Totals	2,412	\$7,379.51	\$3.05950		

Lundy Elementary Electricity Costs

Meter: 50288

Lundy Buildings excluding Cafeteria and Professional Development Center

Fiscal Year 2013-14				Fiscal Year 2014-15				Over/ (Under)
End date	Usage	Amount	YTD Amt	End date	Usage	Amount	YTD Amt	
8/14/2013	2,720	\$276.25	\$276.25	8/14/2014	5,000	\$483.99	\$483.99	\$207.74
9/12/2013	4,960	\$470.00	\$746.25	9/15/2014	6,080	\$579.05	\$1,063.04	\$316.79
10/14/2013	7,960	\$729.49	\$1,475.74	10/15/2014	7,720	\$723.42	\$1,786.46	\$310.72
11/13/2013	9,480	\$860.96	\$2,336.70				\$1,786.46	
12/12/2013	10,040	\$909.40	\$3,246.10				\$1,786.46	
1/15/2014	11,320	\$1,020.12	\$4,266.22				\$1,786.46	
2/12/2014	11,080	\$999.35	\$5,265.57				\$1,786.46	
3/13/2014	10,560	\$954.38	\$6,219.95				\$1,786.46	
4/14/2014	8,640	\$788.30	\$7,008.25				\$1,786.46	
5/14/2014	8,920	\$829.06	\$7,837.31				\$1,786.46	
6/16/2014	6,400	\$607.23	\$8,444.54				\$1,786.46	
7/14/2014	6,080	\$579.05	\$9,023.59				\$1,786.46	
Totals	98,160	\$9,023.59		Totals	18,800	\$1,786.46		

Lundy Elementary Electricity Costs

Meter: 50288

Lundy Cafeteria and Professional Development Center

Fiscal Year 2013-14				Fiscal Year 2014-15				Over/ (Under)
End date	Usage	Amount	YTD Amt	End date	Usage	Amount	YTD Amt	
8/14/2013	354	\$43.89	\$43.89	8/14/2014	1,341	\$133.07	\$133.07	\$89.18
9/12/2013	1,648	\$152.80	\$196.69	9/15/2014	2,156	\$209.53	\$342.60	\$145.91
10/14/2013	2,158	\$197.80	\$394.49	10/15/2014	2,361	\$229.06	\$571.66	\$177.17
11/13/2013	2,160	\$193.57	\$588.06				\$571.66	
12/12/2013	1,925	\$173.31	\$761.37				\$571.66	
1/15/2014	1,837	\$175.21	\$936.58				\$571.66	
2/12/2014	1,999	\$190.29	\$1,126.87				\$571.66	
3/13/2014	2,238	\$212.55	\$1,339.42				\$571.66	
4/14/2014	2,453	\$232.57	\$1,571.99				\$571.66	
5/14/2014	2,360	\$228.96	\$1,800.95				\$571.66	
6/16/2014	2,379	\$230.78	\$2,031.73				\$571.66	
7/14/2014	1,430	\$140.88	\$2,172.61				\$571.66	
Totals	22,941	\$2,172.61		Totals	5,858	\$571.66		

Lowell High School Electricity Costs

Meters: 61924, 70132, 61479, 50287

Includes: main building, modular classrooms, north wing classrooms and woodshop

Excludes: FB scoreboard, irrigation pump, wrestling room, field lights and bus barn

Fiscal Year 2013-14				Fiscal Year 2014-15				Over/ (Under)
End date	Usage	Amount	YTD	End date	Usage	Amount	YTD	
8/14/2013	4,310	\$419.91	\$419.91	8/14/2014	6,368	\$629.62	\$629.62	\$209.71
9/12/2013	7,319	\$677.65	\$1,097.56	9/15/2014	8,318	\$809.66	\$1,439.28	\$341.72
10/14/2013	11,688	\$1,041.62	\$2,139.18	10/15/2014	9,839	\$950.69	\$2,389.97	\$250.79
11/13/2013	13,879	\$1,202.40	\$3,341.58				\$2,389.97	
12/12/2013	25,651	\$2,218.25	\$5,559.83				\$2,389.97	
1/15/2014	26,127	\$2,230.29	\$7,790.12				\$2,389.97	
2/12/2014	25,481	\$2,196.18	\$9,986.30				\$2,389.97	
3/13/2014	15,010	\$1,346.80	\$11,333.10				\$2,389.97	
4/14/2014	12,092	\$1,106.98	\$12,440.08				\$2,389.97	
5/14/2014	9,788	\$932.80	\$13,372.88				\$2,389.97	
6/16/2014	6,927	\$691.18	\$14,064.06				\$2,389.97	
7/14/2014	5,288	\$531.29	\$14,595.35				\$2,389.97	
Totals	163,560	\$14,595.35		Totals	24,525	\$2,389.97		

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

	Budget	Actual: Jul-Oct		Projected: Nov-Jun		Projected for Year	Over/(Under) Budget		
Resources									
State School Fund	2,855,000	1,080,785	38.5%	1,729,113	61.5%	2,809,898	(45,102)	-1.6%	(1)
Property Tax	871,400	7,185	0.8%	899,888	99.2%	907,073	35,673	4.1%	(1)
Miscellaneous/Local Revenues	40,000	17,602	46.8%	20,000	53.2%	37,602	(2,398)	-6.0%	
Common School Funds	28,000	-	0.0%	29,786	100.0%	29,786	1,786	6.4%	
Rent	27,000	6,250	23.5%	20,400	76.5%	26,650	(350)	-1.3%	
Small High School Grant	14,000	-	0.0%	14,000	100.0%	14,000	-	0.0%	
Indirect Fees on Grants	5,000	811	16.2%	4,189	83.8%	5,000	-	0.0%	
County School Funds	4,000	-	0.0%	4,000	100.0%	4,000	-	0.0%	
Business Services to Charter	-	6,000	30.0%	14,000	70.0%	20,000	20,000	-	
Interest	3,400	1,226	30.6%	2,780	69.4%	4,006	606	17.8%	
Total Revenues	3,847,800	1,119,859	29.0%	2,738,155	71.0%	3,858,014	10,214	0.3%	
Beginning Fund Balance	245,000	385,000	100.0%	-	0.0%	385,000	140,000	57.1%	(2)
Total Resources	4,092,800	1,504,859	35.5%	2,738,155	64.5%	4,243,014	150,214	3.7%	
Requirements									
Salaries	1,407,399	326,974	23.3%	1,074,381	76.7%	1,401,355	(6,044)	-0.4%	
Benefits	980,030	204,675	22.8%	691,151	77.2%	895,826	(84,204)	-8.6%	(3)
Purchased Services	417,010	73,902	17.8%	341,865	82.2%	415,767	(1,243)	-0.3%	
Supplies and Materials	275,325	131,803	47.1%	148,154	52.9%	279,957	4,632	1.7%	
Capital Outlay	10,000	-	-	10,000	100.0%	10,000	-	-	
Other	70,560	74,594	94.9%	4,000	5.1%	78,594	8,034	11.4%	
Charter School Payments	538,000	111,835	21.9%	397,891	78.1%	509,726	(28,274)	-5.3%	(4)
Transfers	228,539	-	0.0%	228,539	100.0%	228,539	-	0.0%	
Total Expenditures	3,926,863	923,783	24.2%	2,895,981	75.8%	3,819,764	(107,099)	-2.7%	
Contingency/Carryover	165,937	-	0.0%	-	0.0%	423,251	257,314	155.1%	
Total Requirements	4,092,800	923,783	21.8%	2,895,981	68.3%	4,243,014	150,214	3.7%	

(1) Assessed valuation increased 5.4% over the prior year. The additional local revenue reduces the amount from the state school fund.

(2) Revenue that was received after the budget was prepared exceeded expectations. The May SSF estimate/reconciliation was \$79,000 more than anticipated. The year end payments from districts for the Lowell students in their charter schools were also more than anticipated.

(3) Significant health care savings due to employees' personal health insurance decisions and staff FTE being charged to funds outside of the general fund.

(4) Based on current ADMr figure of 84 and 19 students from other districts without open enrollment agreements.