

# Lowell School District

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

## **Board of Director's Meeting**

September 26, 2016

Professional Development Center

6:00 pm - Executive Session

7:00 pm - Public Session

### **AGENDA**

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

#### **1.0 OPENING BUSINESS—Professional Development Center—6:00 pm**

- 1.1 Call to Order
- 1.2 Public Comment on Executive Session Topics
- 1.3 Convene to Executive Session Pursuant to ORS 192.660

#### **2.0 EXECUTIVE SESSION—Superintendent's Office Conference Room**

- 2.1 Pursuant to ORS 192.660(2)(i)
  - To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.
    - 2.1.1 Discussion of Superintendent's Annual Objectives and Evaluation Process
- 2.2 Pursuant to ORS 192.660 (2) (d).
  - To conduct deliberations with persons designated by the governing body to carry on labor negotiations.
- 2.3 Pursuant to ORS 192.660 (2)(f)
  - To consider records exempt by law from public inspection.
- 2.4 Return to Public Session

#### **3.0 OPENING OF PUBLIC SESSION—Professional Development Center—7:00 pm**

- 3.1 Public Session Call to Order
- 3.2 Pledge of Allegiance
- 3.3 Attendance:
  - \_\_\_ Dennis McCallum, Chair
  - \_\_\_ Suzanne Kintzley, Vice-Chair
  - \_\_\_ Mike Galvin
  - \_\_\_ Joyce Donnell
  - \_\_\_ Jim Chapman

\_\_\_Walt Hanline, Ed. D., Superintendent  
\_\_\_Kay Graham, Secondary Principal  
\_\_\_Johnie Matthews, Elementary Principal  
\_\_\_Chelsea Byrne, Student Body Representative  
\_\_\_Michelle Stephens, Assistant to the Superintendent

### 3.4 Approval of Agenda – September 26, 2016

Recommended Action: Approval of Agenda

MOTION: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSTAIN: \_\_\_\_\_

## 4.0 COMMUNITY/SCHOOL PRESENTATIONS

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

## 5.0 PUBLIC COMMENT

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

## 6.0 CONSENT AGENDA—consolidated motion

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

6.1 Board Minutes from August 16, 2016 Board Meeting (Attachment)

6.2 Board Minutes from August 29, 2016 Board Meeting (Attachment)

6.3 Ratification of Employment (Attachment)

6.4 Check Register: 28892-29018 (Attachment)

6.5 Recommendation: 2<sup>nd</sup> Reading and Approval of policies:

DJC-AR, ECACA, GBM, GBMA, GCBDC/GDBDC-AR, GCDA/GDDA, GCDA/GDDA-AR, IGAI, IGBBA-AR, IGCA, IGDF, IGDF-AR, IKF, JFC, JG, JHCDA, JHCD/JHCDA-AR, JED, BBAA, BBC, BD/BDA, BDC, BDC-AR, BFC, ECACB, JBB, JHCA/JHCB, JHCB, KGB

MOTION: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSTAIN: \_\_\_\_\_

## 7.0 ACTION DISCUSSION

7.1 Recommendation: Approve the board members of the Lowell-Fall Creek Education Foundation:

- Sharon Carroll, Chair
- Diane Stephens, Vice Chair
- Maureen Weathers, Secretary/Treasurer
- Donna McCallum
- Warren Weathers

—Presented by Dr. Hanline

Explanatory Statement: As part of the Foundation by-laws, board members must members must be approved by the Lowell School Board

MOTION: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSTAIN: \_\_\_\_\_

7.2 Recommendation: Approve Bridge Educational Foundation Board Members:

- Johnie Matthews, Chair
- Ben Silebi, Vice Chair
- Holly Tomlin, Secretary/Treasurer
- Aaron Beldner
- Kellen Sherwood

—Presented by Dr. Hanline

Explanatory Statement: As part of the Foundation by-laws, board members must members must be approved by the Lowell School Board

MOTION: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSTAIN: \_\_\_\_\_

7.3 Recommendation: Approve the percent percentage of the state formula revenue received by Lane ESD be distributed to the school district for any purpose identified by the school district board—Presented by Dr. Hanline (Attachment)

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

MOTION: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSTAIN: \_\_\_\_\_

7.4 Recommendation: Approve the Competitive Bid Exemption under Oregon Statute-ORS 279C.335(3)—Presented by Dr. Hanline (Attachment)

Explanatory Statement: Lowell School Board must approve all matters relating to

MOTION: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSTAIN: \_\_\_\_\_

**8.0 INFORMATION AND STUDY**

8.1 State Wide Testing Report—Presented by Ms. Graham and Mr. Matthews

8.2 Healthy and Safe Schools Plan—Referred by Ms. Stephens

8.3 Facility Update/Report—Presented by Mr. Matthews

8.4 Utility Report—Referred by Ms. Weathers (Attachment)

8.5 Bridge Charter Academy Report—Presented by Mr. Matthews

8.6 Mountain View Academy Financial Report—Referred by Ms. Weathers (Attachment)

8.7 Bridge Charter Academy Financial Report—Referred by Ms. Weathers (Attachment)

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

8.9 Activities Fund Report—Referred by Ms. Weathers (Attachment)

- 8.10 Communications Update—Presented by Ms. Stephens
- 8.11 Student Body Representative Report—Presented by Ms. Byrne
- 8.12 Secondary Principal’s Report—Presented by Ms. Graham
- 8.13 Elementary Principal’s Report—Presented by Mr. Matthews
- 8.14 Superintendent’s Report—Presented by Dr. Hanline
- 8.15 Board Members’ Report

## 9.0 **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

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

## Board of Director's Special Meeting

August 16, 2016

Professional Development Center

8:00am - 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—Professional Development Center—8:00 am

1.1 Call to Order

1.2 Pledge of Allegiance

1.3 Attendance:

\_\_\_ Dennis McCallum, Chair

\_\_\_ Suzanne Kintzley, Vice-Chair

\_\_\_ Mike Galvin

\_\_\_ Joyce Donnell

\_\_\_ Jim Chapman

\_\_\_ Walt Hanline, Ed. D., Superintendent

AB Kay Graham, Secondary Principal

\_\_\_ Johnie Matthews, Elementary Principal

AB Chelsea Byrne, Student Body Representative

AB Michelle Stephens, Assistant to the Superintendent

1.4 Approval of Agenda – August 16, 2016

Recommended Action: Approval of Agenda

MOTION: Suzanne Kintzley 2<sup>nd</sup>: Mike Galvin AYES: 5 NOES: 0 ABSTAIN: 0

#### 2.0 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.*

#### 3.0 ACTION DISCUSSION

3.1 Recommendation: Approve the contract between Lowell School District and Billy Reid, as Director of Food Services—Presented by Dr. Hanline (Attachment)

Explanatory Statement: All contracts Lowell School District enters into must first be approved by the Lowell School Board

MOTION: Suzanne Kintzley 2<sup>nd</sup>: Mike Galvin AYES: 5 NOES: 0 ABSTAIN: 0

#### 4.0 **ADJOURNMENT**

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# Lowell School District

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

## **Board of Director's Meeting**

August 29, 2016

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—Professional Development Center—6:00 pm**

- 1.1 Call to Order
- 1.2 Public Comment on Executive Session Topics
- 1.3 Convene to Executive Session pursuant to ORS 192.660

### **2.0 EXECUTIVE SESSION—Superintendent's Office Conference Room**

#### **2.1 Pursuant to ORS 192.660(2)(i)**

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

##### **2.1.1 Discussion of Superintendent's Annual Objectives and Evaluation Process**

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

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

#### **2.3 Pursuant to ORS 192.660 (2)(f)**

To consider records exempt by law from public inspection.

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

#### **2.4 Return to Public Session**

### **3.0 OPENING OF PUBLIC SESSION—Professional Development Center—7:00 pm**

- 3.1 Public Session Call to Order
- 3.2 Pledge of Allegiance
- 3.3 Attendance:
  - \_\_\_ Dennis McCallum, Chair
  - \_\_\_ Suzanne Kintzley, Vice-Chair
  - \_\_\_ Mike Galvin

\_\_\_ Joyce Donnell  
\_\_\_ Jim Chapman  
\_\_\_ Walt Hanline, Ed. D., Superintendent  
\_\_\_ Kay Graham, Secondary Principal  
\_\_\_ Johnie Matthews, Elementary Principal  
AB Chelsea Byrne, Student Body Representative  
\_\_\_ Michelle Stephens, Assistant to the Superintendent

#### 3.4 Approval of Agenda – August 29, 2016

Recommended Action: Approval of Agenda

MOTION: Suzanne Kintzley 2<sup>nd</sup>: Mike Galvin AYES: 5 NOES: 0 ABSTAIN: 0

#### 4.0 **COMMUNITY/SCHOOL PRESENTATIONS**

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

#### 5.0 **PUBLIC COMMENT**

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

#### 6.0 **CONSENT AGENDA—consolidated motion**

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

6.1 Board Minutes from June 20, 2016 Board Meeting (Attachment)

6.2 Board Minutes from July 14, 2016 Board Meeting (Attachment)

6.3 Ratification of Employment (Attachment--Amended)

6.4 Check Register: 28782-28869 (Attachment)

MOTION: Suzanne Kintzley 2<sup>nd</sup>: Joyce Donnell AYES: 5 NOES: 0 ABSTAIN: 0

#### 7.0 **ACTION DISCUSSION**

7.1 Approve the Lowell School Board Chair

Chair: Joyce Donnell

- Nomination by Suzanne Kintzley for Jim Chapman for Chair—Declined Nomination
- Nomination by Jim Chapman for Suzanne Kintzley for Chair—Declined Nomination
- Nomination by Mike Galvin for Joyce Donnell for Chair

MOTION: Mike Galvin 2<sup>nd</sup>: Suzanne Donnell AYES: 5 NOES: 0 ABSTAIN: 0

7.2 Approve the election of the Lowell School Board Vice-Chair

Vice-Chair: Dennis McCallum



- Mike Galvin nominates Dennis McCallum for Vice-Chair

MOTION: Mike Galvin 2<sup>nd</sup>: Suzanne Kintzley AYES: 5 NOES: 0 ABSTAIN: 0

- 7.3 Approve the 2016-17 Board Calendar— (Attachment)
- 7.4 Designate the location of 2016-17 of Lowell School Board Meetings: Professional Development Center, Lundy Elementary
- 7.5 Designate the Lowell School District Chief Administrative Officer: Walt Hanline
- 7.6 Designate the Lowell School District Business Manager/Chief Financial Officer: Dave Standridge
- 7.7 Designate the Lowell School District Budget Officer(s): Walt Hanline, Dave Standridge
- 7.8 Designate the Custodian(s) of district funds: Walt Hanline, Kay Graham, Joyce Donnell— Board Chair, and Johnie Matthews
- 7.9 Designate fidelity bond amounts and employees to be bonded : \$250,000 and all employees are bonded
- 7.10 Designate bank or banks as the depository of district funds: Banner Bank, Oregon State Treasury (Local Government Investment Pool)
- 7.11 Designate the Auditor for Lowell School District: Accuity, LLC
- 7.12 Designate the Legal counsel for Lowell School District: Hungerford Law Firm
- 7.13 Designate the Insurance Agent and Agency of record for the Lowell School District: WHA Insurance Agency Inc. – Tammy Fitch and Jake Stone
- 7.14 Designate the Newspaper of Record for official district notices: The Register Guard
- 7.15 Appoint the members of the Budget Committee  
Budget Committee Members:
1. Jerry Bjornstad
  2. Heather Jalof
  3. Jim Martini
  4. Warren Weathers
  5. Jared Cobb
- 7.16 Establish daily rate of pay for substitute teachers: \$175.45 per day

7.17 Establish rent/lease payments for district owned property: Unit 109: \$787.50 per month; Unit 118: \$682.50 per month; Unit 121: \$745.00 per month; 60 S. Pioneer: \$850.00 per month

7.18 Establish mileage rate for travel in private vehicles on approved district business: Board Policy BHD, DLC, DLC-AR/IRS Established rate (Attachment)

7.19 Designate district fees:

7.19.1 Use of facilities: Board Policy KG and KG-AR (Attachment)

7.19.2 Activity/sports participation: No Fee

7.19.3 Meals: Adults: \$3.75; Lundy students: Free; Mt. View Academy: \$3.00, Lowell Jr. and Sr High: Free

MOTION TO APPROVE ITEMS 7.3 THROUGH 7.19.3: Jim Chapman 2<sup>nd</sup>: Suzanne Kintzley AYES: 5 NOES: 0 ABSTAIN: 0

7.20 Recommendation: Approve the Extra Duty Positions and Stipend Amounts—Presented by Dr. Hanline (Attachment)

Explanatory Statement: All salary and employment positions must be approved by the Lowell School Board

MOTION: Suzanne Kintzley 2<sup>nd</sup>: Jim Chapman AYES: 5 NOES: 0 ABSTAIN: 0

7.21 Recommendation: Approve Board Policy EFAA-AR—Presented by Dr. Hanline (Attachment)

Explanatory Statement: OSBA recommends waiving the 1<sup>st</sup> reading and adopting and reading in a single motion. This policy/administrative rule has not changed in content, but has clarified wording. This is a required policy for schools seeking participation in the Federal Reimbursement Program

MOTION: Suzanne Kintzley 2<sup>nd</sup>: Jim Chapman AYES: 5 NOES: 0 ABSTAIN: 0

7.22 Recommendation: Approve all Lowell School District Handbooks: Staff, Student, Athletic

Explanatory Statement: Handbooks representing Lowell School District Policies and procedures must be approved by the Lowell School Board

MOTION: Suzanne Kintzley 2<sup>nd</sup>: Jim Chapman AYES: 5 NOES: 0 ABSTAIN: 0

7.23 Recommendation: Approve the Licensed Collective Bargaining Agreement 2015-18, between the Lowell School District and the LEA—Presented by Dr. Hanline (Handout at Board Meeting)

Explanatory Statement: All contracts between Lowell School District and other entities must be approved by the Lowell School District

MOTION: Suzanne Kintzley 2<sup>nd</sup>: Jim Chapman AYES: 5 NOES: 0 ABSTAIN: 0

## 8.0 **INFORMATION AND STUDY**

8.1 1<sup>st</sup> Reading of Board Policies: DJC-AR, ECACA, GBM, GBMA, GCBDC/GDBDC-AR, GCDA/GDDA, GCDA/GDDA-AR, IGAI, IGBBA-AR, IGCA, IGDF, IGDF-AR, IKF, JFC, JG, JHCDA, JHCD/JHCDA-AR, JED, BBAA, BBC, BD/BDA, BDC, BDC-AR, BFC, ECACB, JBB, JHCA/JHCB, JHCB, KGB

## 8.2 1<sup>st</sup> Reading MVA Charter School Contract and Lease Agreement (Attachment)

- This is the first reading for the Board members to review and discuss prior to approval
- This will be brought back as an action item

## 8.3 Report on Summer Meal Program—Presented by Mr. Bowers

- Program did well
- Last summer 5000 meals served, this summer 8500 meals already served with less time and still a week to serve
- \$10,000 in revenue currently; \$12,000 projected
- FTE was reduced this year
- Mr. Bower attained a \$6000 grant for the program

## 8.4 Report on Summer Recreation Program—Presented by Mr. Erickson

- 8 different themes for 8 different weeks
- 11 on the first day and the first event (Frisbees) was less popular 21 per day on average
- Soccer for second week, 35 per/day
- 3<sup>rd</sup> week was hiking with 25 per/day
- Treasure hunting with an average of 29 per/day: used GPS, geocaching etc.
- Flag football with an average of 31 per/day
- Olympic week; 17 average per/day (conflict with vacation bible school)
- Rocketry and kites; 29 per/day
- Lowell's Got Talent; 19 per/day—also a trip to Splash!
- Average of 26 students per/day
- Possible ideas for next year is fishing, swim lessons, golf, kayaking

## 8.5 Report on Summer School/Education Program—Presented by Ms. Graham

- Academic summer school was a 4 week program at Lundy
- Lowell was based on assessments and credit recovery

## 8.6 Facility Update/Report—Presented by Mr. Matthews

## 8.7 Operations, Maintenance, and Transportation Report—Presented by Mr. Silebi

- Going from ok to good, but the goal is to be great!
- Worked on projects including paint, grounds, boilers and most importantly BCA!
- Weed control using vinegar!
- Completely certified to train bus drivers and CPR

## 8.8 Utility Report—Referred by Ms. Weathers (Attachment)

## 8.9 Bridge Charter Academy Report—Presented by Mr. Matthews

- Currently have 120 students enrolled

## 8.10 Mountain View Academy Financial Report—Referred by Ms. Weathers (Attachment)

## 8.11 BCA Financial Report—Referred by Ms. Weathers (Attachment)

## 8.12 Lowell Financial Report—Referred by Mr. Standridge (Attachment)

## 8.13 Activities Fund Report—Referred by Ms. Weathers (Attachment)

## 8.14 ELL Annual Report—Referred by Ms. Hansen (Attachment)

- We currently have one ELL student and will have 2 next year

## 8.15 Student Body Representative Report—Presented by Ms. Byrne

#### 8.16 Secondary Principal's Report—Presented by Ms. Graham

- Teacher was awarded a professorship and his teacher wife went with him. It was our loss and we had to replace the Spanish teacher in order to fill the void
- New Spanish teacher is working to get emergency licensure
- Highly qualified numbers will take a dip because of the issue with Spanish
- New chemistry teacher
- Staff development will be focused on accreditation for the high school
- Hiring for a new GearUp coordinator (position will possibly be filled within the next 24 hours)

#### 8.17 Elementary Principal's Report—Presented by Mr. Matthews

- Awarded the PEAK grant for a PE teacher again this year
- Possibly using the same teacher from last year
- KITS (kindergarten transition program) is very well thought out and is successful
- 142 students in Lundy

#### 8.18 Superintendent's Report—Presented by Dr. Hanline

- OSBA conference from the summer session report
- Executive session minutes requirements
- Boiler room work this summer found a leak and the fix was to remove one section of a boiler
  - Architect stated that it would cost close to \$250,000

#### 8.19 Board Members' Report

### 9.0 **ADJOURNMENT**

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## Ratification of employment, changes in positions and/or other actions

<b>6.3</b>	<b>Name</b>	<b>Site</b>	<b>Position</b>	<b>Action</b>	<b>Salary</b>	<b>Effective</b>
<b>6.3a</b>	Jeanie May	Lowell SD	Gear Up Coordinator	New Hire	.29 FTE	September 12, 2016
<b>6.3b</b>	Randy Doan	Lowell SD	Maintenance Director	Voluntary Resignation		September 15, 2016
<b>6.3c</b>	Dan Smith	Lowell SD	Custodian	Voluntary Resignation		September 19, 2016
<b>6.3d</b>	Patrick Brady	Lowell SD	Part-Time Custodian	Lead Custodian	1.0 FTE	September 19, 2016

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Board Secretary Signature  
Approved: September 26, 2016

SUNGARD PENTAMATION  
 DATE: 09/12/2016  
 TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
 CHECK REGISTER - BY FUND

PAGE NUMBER: 1  
 ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
 ACCOUNTING PERIOD: 3/17

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	28892	08/03/16	2521	OREGON FENCE	1002554000000000	322	BUS BARN LOT FENCIN	0.00	3,965.00
A101	28892	08/03/16	2521	OREGON FENCE	1002554000000000	322	BUS BARN FENCING	0.00	4,950.00
TOTAL CHECK									8,915.00
A101	28893	08/03/16	1247	SPRINGFIELD PUBLIC	1001281000320000	371	15-16 TUITION	0.00	850.00
A101	28894	08/03/16	1225	POSTMASTER	1002574000000000	353	'THE BRIDGE' POSTAG	0.00	91.96
A101	28895	08/04/16	2149	CENTURY LINK-LONG D	1002542000000000	351	LONG DIST. SERVICE	0.00	8.32
A101	28896	08/04/16	2573	ADVANCE AUTO PARTS	1002554000000000	410	AUTO PARTS	0.00	12.62
A101	28897	08/04/16	2583	ADVANCED	1002321000000000	640	16-17 ACCRED. FEE	0.00	750.00
A101	28897	08/04/16	2583	ADVANCED	1002321000000000	640	16-17 ACCRED. REVIE	0.00	850.00
A101	28897	08/04/16	2583	ADVANCED	1002321000000000	640	16-17 EPROVE FEE	0.00	75.00
TOTAL CHECK									1,675.00
A101	28898	08/04/16	2613	ATOMIC LEARNING	1002520000000000	640	ONLINE TRAINING	0.00	84.99
A101	28898	08/04/16	2613	ATOMIC LEARNING	1002554000000000	640	ONLINE TRAINING	0.00	85.00
TOTAL CHECK									169.99
A101	28900	08/04/16	1259	COASTWIDE LABORATOR	1002542000000000	410	BLDG MAINTENANCE	0.00	333.06
A101	28900	08/04/16	1259	COASTWIDE LABORATOR	1002542000000000	410	BLDG MAINTENANCE	0.00	543.03
A101	28900	08/04/16	1259	COASTWIDE LABORATOR	1002542000000000	410	ITEMS RETURNED	0.00	-543.03
TOTAL CHECK									333.06
A101	28901	08/04/16	1565	COLETTE ULLRICH	1002542000000000	410	MOLD TEST KIT	0.00	112.23
A101	28902	08/04/16	1138	COSA	1002321000000000	640	16/17 ANNUAL DUES	0.00	595.00
A101	28902	08/04/16	1138	COSA	1002410000000000	640	16/17 ANNUAL DUES	0.00	1,785.00
TOTAL CHECK									2,380.00
A101	28903	08/04/16	2372	EDSPIRE	1002661000000000	640	WEBSITE MAINT. FEE	0.00	420.00
A101	28904	08/04/16	2611	GILLASPIE TREE SERV	1002543000000000	322	TREE REMOVAL	0.00	2,950.00
A101	28905	08/04/16	2141	GRAINGER	1002542000000000	410	BLDG MAINTENANCE	0.00	18.73
A101	28906	08/04/16	1914	HEYMAN'S SAFE, LOCK	1002542000000000	410	BLDG MAINTENANCE	0.00	15.75
A101	28907	08/04/16	1070	JERRY BROWN COMPANY	1002554000000000	411	VEHICLE FUEL	0.00	1,500.38
A101	28908	08/04/16	1071	JERRY'S BUILDING MA	1002542000000000	410	BLDG MAINTENANCE	0.00	349.66
A101	28908	08/04/16	1071	JERRY'S BUILDING MA	1002543000000000	410	GROUNDS MAINT.	0.00	138.87
A101	28908	08/04/16	1071	JERRY'S BUILDING MA	1002543000000000	410	GROUNDS MAINT.	0.00	22.80
A101	28908	08/04/16	1071	JERRY'S BUILDING MA	1002542000000000	410	BLDG MAINTENANCE	0.00	80.46
A101	28908	08/04/16	1071	JERRY'S BUILDING MA	1002542000000000	410	BLDG MAINTENANCE	0.00	180.27
TOTAL CHECK									772.06
A101	28910	08/04/16	1334	LANE COMMUNITY COLL	1002574000000000	355	PRINT 'THE BRIDGE'	0.00	244.50
A101	28911	08/04/16	2312	LANE COUNTY SCHOOL	1002554000000000	322	#8 ANNUAL INSPECTIO	0.00	717.64

SUNGARD PENTAMATION  
 DATE: 09/12/2016  
 TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
 CHECK REGISTER - BY FUND

PAGE NUMBER: 2  
 ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
 ACCOUNTING PERIOD: 3/17

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	28911	08/04/16	2312	LANE COUNTY SCHOOL	1002554000000000	322	#2 ANNUAL INSPECTIO	0.00	1,318.74
TOTAL CHECK								0.00	2,036.38
A101	28912	08/04/16	1644	LANE ELECTRIC COOPE	1002554000000000	325	JUN/JUL ELECTRICITY	0.00	56.06
A101	28913	08/04/16	2317	LANE FOREST PRODUCT	1002543000000000	640	DEBRIS DUMP FEE	0.00	12.00
A101	28913	08/04/16	2317	LANE FOREST PRODUCT	1002543000000000	640	DEBRIS DUMP FEE	0.00	14.00
TOTAL CHECK								0.00	26.00
A101	28914	08/04/16	2610	LISA MANTARRO MOORE	1002321000000000	389	COMMUNICATION SUPPO	0.00	416.67
A101	28915	08/04/16	2614	MICHAEL GALVIN	1002310000000000	340	GALVIN CONF. TRAVEL	0.00	172.53
A101	28916	08/04/16	2483	NATIONAL PHOTOCOPY	1002574000000000	355	PHOTOCOPIES	0.00	23.75
A101	28917	08/04/16	1202	OETC	1002661000000000	640	16/17 MEMBERSHIP	0.00	75.00
A101	28918	08/04/16	2612	OREGON HEALTH AUTHO	1002542000000000	640	SILEBI CERTIFICATIO	0.00	250.00
A101	28919	08/04/16	1211	OSBA	1002310000000000	340	OSBA CONF FEES	0.00	740.00
A101	28919	08/04/16	1211	OSBA	1002321000000000	340	OSBA CONF FEE	0.00	185.00
A101	28919	08/04/16	1211	OSBA	1002410000000000	340	OSBA CONF FEE	0.00	185.00
A101	28919	08/04/16	1211	OSBA	1002310000000000	640	LEGAL ASSIST. DUES	0.00	270.00
TOTAL CHECK								0.00	1,380.00
A101	28920	08/04/16	1215	PARAMOUNT SUPPLY CO	1002542000000000	410	BLDG MAINTENANCE	0.00	7.59
A101	28921	08/04/16	2459	PROGRASS	1002543000000000	322	GROUPS MAINT.	0.00	410.00
A101	28922	08/04/16	2497	SECURITY MONSTER	1002542000000000	329	AUG ALARM SYSTEM	0.00	89.90
A101	28923	08/04/16	2370	SHERWIN-WILLIAMS	1002542000000000	410	BLDG MAINTENANCE	0.00	127.99
A101	28923	08/04/16	2370	SHERWIN-WILLIAMS	1002542000000102	410	BLDG MAINTENANCE	0.00	86.58
TOTAL CHECK								0.00	214.57
A101	28924	08/04/16	2518	SILKE COMMUNICATION	1002554000000000	640	FLEET RADIO SERVICE	0.00	231.84
A101	28927	08/04/16	2475	WELLS FARGO FINANCI	1002574000000000	355	COPIER LEASE	0.00	585.50
A101	28928	08/04/16	2112	WORKS INTERNATIONAL	1002321000000000	640	ONLINE STAFF TRAINI	0.00	41.00
A101	28931	08/11/16	2398	MOUNTAIN VIEW ACADE	10012880000000101	360	AUG 16 SSF PMT	0.00	102,196.00
A101	28932	08/12/16	2584	BANNER BANK	1002310000000000	410	BOARD SUPPLIES	0.00	20.39
A101	28932	08/12/16	2584	BANNER BANK	1002543000000000	410	GROUNDSKEEPING	0.00	59.98
A101	28932	08/12/16	2584	BANNER BANK	1002542000000000	410	BLDG MAINTENANCE	0.00	315.89
A101	28932	08/12/16	2584	BANNER BANK	1002554000000000	340	SILEBI CONF. TRAVEL	0.00	486.14
A101	28932	08/12/16	2584	BANNER BANK	1002321000000000	340	HANLINE TRAVEL EXP.	0.00	589.41
TOTAL CHECK								0.00	1,471.81
A101	28933	08/12/16	1613	BRIDGEWAY HOUSE	1001281000320000	371	JUNE TUITION	0.00	5,500.00

SUNGARD PENTAMATION  
 DATE: 09/12/2016  
 TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
 CHECK REGISTER - BY FUND

PAGE NUMBER: 3  
 ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
 ACCOUNTING PERIOD: 3/17

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	28934	08/12/16	1087	LANE EDUCATION SERV	1001250000320000	311	15-16 RESOLUTION SV	0.00	39,516.00
A101	28935	08/12/16	2301	WALT HANLINE	1002321000000000	340	HANLINE MEAL EXP.	0.00	7.00
A101	28936	08/12/16	1230	CENTURY LINK	1002542000000000	351	AUG TELEPHONE SVC	0.00	307.72
A101	28937	08/12/16	2573	ADVANCE AUTO PARTS	1002554000000000	410	VEHICLE SUPPLIES	0.00	8.24
A101	28938	08/12/16	2615	ALSCO	1002542000000000	410	CUSTODIAL SUPPLIES	0.00	-529.91
A101	28938	08/12/16	2615	ALSCO	1002542000000000	410	CUSTODIAL SUPPLIES	0.00	529.91
TOTAL CHECK								0.00	0.00
A101	28939	08/12/16	2584	BANNER BANK	1002520000000000	640	BANKCARD FEE	0.00	13.04
A101	28939	08/12/16	2584	BANNER BANK	1002410000000000	340	MATTHEWS CONF EXP	0.00	19.00
A101	28939	08/12/16	2584	BANNER BANK	1002543000000000	340	CUSTODIAL MTG MEAL	0.00	26.00
A101	28939	08/12/16	2584	BANNER BANK	1002525000000101	640	MVA PAYROLL FEE	0.00	28.00
A101	28939	08/12/16	2584	BANNER BANK	1002542000000000	410	BLDG MAINTENANCE	0.00	157.48
A101	28939	08/12/16	2584	BANNER BANK	1002572000000000	460	OFFICE CHAIR	0.00	158.01
A101	28939	08/12/16	2584	BANNER BANK	1002554000000000	340	ELLISON CONF. EXP.	0.00	681.69
A101	28939	08/12/16	2584	BANNER BANK	1002543000000000	410	GROUNDSKEEPING	0.00	1,313.16
A101	28939	08/12/16	2584	BANNER BANK	1002310000000000	340	BOARD MTG FOOD	0.00	31.95
A101	28939	08/12/16	2584	BANNER BANK	1002554000000000	410	TRANSPORT. SUPPLIES	0.00	36.47
A101	28939	08/12/16	2584	BANNER BANK	1002542000000000	460	DESK MOVER	0.00	202.95
A101	28939	08/12/16	2584	BANNER BANK	1002572000000000	460	TEACHERS CHAIRS	0.00	209.97
A101	28939	08/12/16	2584	BANNER BANK	1002525000000102	470	QUICKBOOKS UPDATE	0.00	215.30
A101	28939	08/12/16	2584	BANNER BANK	1002525000000101	470	QUICKBOOKS UPDATE	0.00	215.31
TOTAL CHECK								0.00	3,308.33
A101	28940	08/12/16	2608	BRIDGE EDUCATIONAL	1001288000000102	360	3 MOS. SSF PMTS	0.00	140,838.00
A101	28941	08/12/16	1613	BRIDGEWAY HOUSE	1001281000320000	371	JULY TUITION	0.00	5,500.00
A101	28942	08/12/16	2329	CDW GOVERNMENT	1001131000050000	480	CHROMEBOOKS	0.00	993.15
A101	28943	08/12/16	2038	CHEMSEARCH	1002542000000000	410	BLDG MAINTENANCE	0.00	228.05
A101	28944	08/12/16	2616	CINTAS	1002542000000000	410	CUSTODIAL SUPPLIES	0.00	161.16
A101	28944	08/12/16	2616	CINTAS	1002542000000000	410	CUSTODIAL SUPPLIES	0.00	173.42
TOTAL CHECK								0.00	334.58
A101	28945	08/12/16	1040	CITY OF LOWELL	1002542000000102	327	JUL WATER & SEWER	0.00	658.50
A101	28945	08/12/16	1040	CITY OF LOWELL	1002542000000000	327	JUL WATER & SEWER	0.00	1,836.34
A101	28945	08/12/16	1040	CITY OF LOWELL	1002554000000000	327	JUL WATER & SEWER	0.00	162.34
TOTAL CHECK								0.00	2,657.18
A101	28946	08/12/16	1259	COASTWIDE LABORATOR	1002542000000000	460	LRG WASTEBASKET	0.00	204.80
A101	28947	08/12/16	1565	COLETTE ULLRICH	1001111000000001	410	K READING BOOKS	0.00	29.97
A101	28948	08/12/16	1138	COSA	1002410000000000	340	GRAHAM CONF FEE	0.00	179.00
A101	28949	08/12/16	2127	DEBI MCNAMARA	1002520000000000	340	MCNAMARA MILEAGE	0.00	70.20



SUNGARD PENTAMATION  
 DATE: 09/12/2016  
 TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
 CHECK REGISTER - BY FUND

PAGE NUMBER: 4  
 ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
 ACCOUNTING PERIOD: 3/17

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	28950	08/12/16	1778	E & S HARDWARE AND	1002542000000000	410	BLDG MAINTENANCE	0.00	35.84
A101	28952	08/12/16	2605	GLYNLYON, INC.	1001131000050000	319	ONLINE ED. SERVICE	0.00	7,000.00
A101	28953	08/12/16	2514	J & K ELECTRICAL LL	1002554000000000	322	ELECTRICAL REPAIR	0.00	462.13
A101	28953	08/12/16	2514	J & K ELECTRICAL LL	1002542000000102	322	ELECTRICAL REPAIR	0.00	462.14
TOTAL CHECK								0.00	924.27
A101	28954	08/12/16	1071	JERRY'S BUILDING MA	1002543000000000	410	GROUNDSKEEPING	0.00	49.98
A101	28954	08/12/16	1071	JERRY'S BUILDING MA	1002542000000000	410	BLDG MAINTENANCE	0.00	76.51
A101	28954	08/12/16	1071	JERRY'S BUILDING MA	1002542000000000	410	BLDG MAINTENANCE	0.00	33.96
A101	28954	08/12/16	1071	JERRY'S BUILDING MA	1002543000000000	410	GROUNDSKEEPING	0.00	-84.97
A101	28954	08/12/16	1071	JERRY'S BUILDING MA	1002543000000000	410	GROUNDSKEEPING	0.00	7.02
A101	28954	08/12/16	1071	JERRY'S BUILDING MA	1002543000000000	410	GROUNDSKEEPING	0.00	7.99
A101	28954	08/12/16	1071	JERRY'S BUILDING MA	1002543000000000	410	GROUNDSKEEPING	0.00	205.07
A101	28954	08/12/16	1071	JERRY'S BUILDING MA	1002543000000000	410	GROUNDSKEEPING	0.00	233.88
TOTAL CHECK								0.00	529.44
A101	28955	08/12/16	1334	LANE COMMUNITY COLL	1002574000000000	355	PRINT 'THE BRIDGE'	0.00	246.50
A101	28956	08/12/16	2063	LANE COUNTY WASTE M	1002542000000000	640	DEBRIS DUMP FEES	0.00	16.75
A101	28957	08/12/16	2312	LANE COUNTY SCHOOL	1002554000000000	322	#13 ANNUAL INSPECTI	0.00	1,572.71
A101	28958	08/12/16	1644	LANE ELECTRIC COOPE	1002554000000000	325	JUN/JUL ELECTRICITY	0.00	90.21
A101	28958	08/12/16	1644	LANE ELECTRIC COOPE	1002542000000000	325	JUN/JUL ELECTRICITY	0.00	1,578.96
TOTAL CHECK								0.00	1,669.17
A101	28959	08/12/16	2317	LANE FOREST PRODUCT	1002543000000000	640	DEBRIS DUMP FEE	0.00	10.00
A101	28959	08/12/16	2317	LANE FOREST PRODUCT	1002543000000000	640	DEBRIS DUMP FEE	0.00	12.00
A101	28959	08/12/16	2317	LANE FOREST PRODUCT	1002543000000000	640	DEBRIS DUMP FEE	0.00	6.00
A101	28959	08/12/16	2317	LANE FOREST PRODUCT	1002543000000000	640	DEBRIS DUMP FEE	0.00	8.00
TOTAL CHECK								0.00	36.00
A101	28960	08/12/16	2311	MICHELLE STEPHENS	1002310000000000	410	BOARD MTG SUPPLIES	0.00	29.99
A101	28962	08/12/16	2420	OREGON LIONS SIGHT	1002130000000000	640	VISION SCREENING	0.00	100.00
A101	28963	08/12/16	1211	OSBA	1002310000000000	640	AUG POLICY PLUS FEE	0.00	50.00
A101	28964	08/12/16	2381	PHILADELPHIA INSURA	1001140000000000	651	PRESCHOOL LIAB INS.	0.00	1,244.00
A101	28965	08/12/16	2276	ROTO-ROOTER PLUMBIN	1002542000000102	322	PLUMBING REPAIRS	0.00	650.00
A101	28966	08/12/16	2167	SANIPAC	1002542000000000	328	HS GARBAGE SERVICE	0.00	115.70
A101	28966	08/12/16	2167	SANIPAC	1002542000000000	328	LUNDY GARBAGE SVC	0.00	259.30
TOTAL CHECK								0.00	375.00
A101	28967	08/12/16	2370	SHERWIN-WILLIAMS	1002542000000102	410	PAINTING SUPPLIES	0.00	70.01
A101	28967	08/12/16	2370	SHERWIN-WILLIAMS	1002542000000000	410	PAINTING SUPPLIES	0.00	550.23
TOTAL CHECK								0.00	620.24

SUNGARD PENTAMATION  
DATE: 09/12/2016  
TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
CHECK REGISTER - BY FUND

PAGE NUMBER: 5  
ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
ACCOUNTING PERIOD: 3/17

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	28968	08/12/16	2617	STATEWIDE PORTABLE	1002542000000000	322	BOILER MAINTENANCE	0.00	400.00
A101	28970	08/12/16	2409	TONY RIUS	1002410000000000	410	CULTURE CAMP SUPPLI	0.00	67.09
A101	28972	08/12/16	1170	WESTERN BUS SALES	1002554000000000	410	VEHICLE PARTS	0.00	188.05
A101	28973	08/12/16	1623	WILLAMETTE ESD	1002520000000000	640	16/17 MAINT. FEE	0.00	79.40
A101	28973	08/12/16	1623	WILLAMETTE ESD	1002321000000000	470	JUL PENTAMATION	0.00	1,605.48
A101	28973	08/12/16	1623	WILLAMETTE ESD	1002321000000000	470	AUG PENTAMATION	0.00	1,605.48
TOTAL CHECK								0.00	3,290.36
A101	28974	08/12/16	2584	BANNER BANK	1002520000000000	640	BANKCARD FEE	0.00	5.19
A101	28974	08/12/16	2584	BANNER BANK	1002520000000000	640	BANKCARD FEE	0.00	12.38
A101	28974	08/12/16	2584	BANNER BANK	1002321000000000	340	HANLINE MTG MEAL	0.00	43.00
A101	28974	08/12/16	2584	BANNER BANK	1002542000000000	410	BLDG MAINTENANCE	0.00	259.58
A101	28974	08/12/16	2584	BANNER BANK	1002321000000000	340	HANLINE CONF. EXP.	0.00	290.30
A101	28974	08/12/16	2584	BANNER BANK	1002410000000000	340	MATTHEWS CONF. EXP.	0.00	290.30
A101	28974	08/12/16	2584	BANNER BANK	1002310000000000	340	BOARD CONF. MEALS	0.00	682.63
A101	28974	08/12/16	2584	BANNER BANK	1002310000000000	340	BOARD CONF. EXPENSE	0.00	1,161.20
A101	28974	08/12/16	2584	BANNER BANK	1002572000000000	460	COMPUTER LAB CHAIRS	0.00	2,699.55
TOTAL CHECK								0.00	5,444.13
A101	28975	08/15/16	1302	JOHN BOYLE	100	L472.100	REIMBURSE HI CO-PAY	0.00	500.00
A101	28976	08/19/16	2149	CENTURY LINK-LONG D	1002542000000000	351	LONG DISTANCE SVC	0.00	5.18
A101	28977	08/19/16	2599	AMY PETERS	1002554000000000	410	OFFICE SUPPLIES	0.00	60.76
A101	28978	08/19/16	2016	BENJAMIN SILEBI	1002554000000000	640	DMV FEE - L. WOOD	0.00	23.50
A101	28979	08/19/16	1248	BRATTAIN INTERNATIO	1002554000000000	322	VEH. #5 REPAIR	0.00	4,835.00
A101	28980	08/19/16	2102	CAMFIL USA, INC	1002542000000000	410	BLDG MAINTENANCE	0.00	349.21
A101	28981	08/19/16	2146	CASCADE HEALTH SOLU	1002552000000000	640	DRIVER TESTS	0.00	173.00
A101	28982	08/19/16	2329	CDW GOVERNMENT	1001131000050000	480	CHARGING CART	0.00	1,597.09
A101	28983	08/19/16	1259	COASTWIDE LABORATOR	1002542000000000	410	BLDG MAINTENANCE	0.00	168.40
A101	28984	08/19/16	1565	COLETTE ULLRICH	1002542000000000	410	BLDG MAINTENANCE	0.00	25.85
A101	28984	08/19/16	1565	COLETTE ULLRICH	1002410000000000	410	OFFICE SUP/INCENTIV	0.00	114.08
TOTAL CHECK								0.00	139.93
A101	28985	08/19/16	1138	COSA	1002240000000000	340	COSA CONF HANSEN	0.00	179.00
A101	28987	08/19/16	1914	HEYMAN'S SAFE, LOCK	1002543000000000	410	KEYS	0.00	7.00
A101	28987	08/19/16	1914	HEYMAN'S SAFE, LOCK	1002542000000000	410	KEYS	0.00	7.50
TOTAL CHECK								0.00	14.50
A101	28988	08/19/16	1070	JERRY BROWN COMPANY	1002554000000000	411	VEHICLE FUEL	0.00	1,591.92

SUNGARD PENTAMATION  
 DATE: 09/12/2016  
 TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
 CHECK REGISTER - BY FUND

PAGE NUMBER: 6  
 ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
 ACCOUNTING PERIOD: 3/17

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	28989	08/19/16	1071	JERRY'S BUILDING MA	1002542000000000	410	BLDG MAINTENANCE	0.00	11.96
A101	28989	08/19/16	1071	JERRY'S BUILDING MA	1002542000000000	410	BLDG MAINTENANCE	0.00	30.52
A101	28989	08/19/16	1071	JERRY'S BUILDING MA	1002543000000000	410	GROUNDS MAINT.	0.00	49.98
A101	28989	08/19/16	1071	JERRY'S BUILDING MA	1002542000000000	410	BLDG MAINTENANCE	0.00	93.63
TOTAL CHECK								0.00	186.09
A101	28990	08/19/16	2317	LANE FOREST PRODUCT	1002554000000000	640	DEBRIS DUMP FEE	0.00	4.00
A101	28991	08/19/16	2496	MECHANICAL HEATING	1002542000000000	322	BOILER REPAIR	0.00	623.00
A101	28992	08/19/16	1196	NORTHWEST TEXTBOOK	1001111000000000	420	MATH CURRICULUM	0.00	24,847.86
A101	28993	08/19/16	1789	OREGON DEPARTMENT O	1002321000000000	640	CRIMINAL HIST. CHEC	0.00	5.00
A101	28997	08/19/16	1166	VERIZON	1002542000000000	351	CELL PHONE USAGE	0.00	204.68
A101	28997	08/19/16	1166	VERIZON	1002554000000000	351	CELL PHONE USAGE	0.00	13.48
TOTAL CHECK								0.00	218.16
A101	28998 V	08/23/16	1777	TEACHER STANDARDS &	1002410000000000	640	FINGERPRINT FEE	0.00	-57.00
A101	28998	08/23/16	1777	TEACHER STANDARDS &	1002410000000000	640	FINGERPRINT FEE	0.00	57.00
TOTAL CHECK								0.00	0.00
A101	28999	08/25/16	2573	ADVANCE AUTO PARTS	1002554000000000	410	VEHICLE PARTS	0.00	8.78
A101	29000	08/25/16	2599	AMY PETERS	1002554000000000	410	OFFICE SUPPLIES	0.00	20.78
A101	29001	08/25/16	2263	ANTHONY NOLAN	1002543000000000	410	GROUNDSKEEPING	0.00	22.00
A101	29002	08/25/16	2329	CDW GOVERNMENT	1001131000050000	470	OP SYS MGT LICENSE	0.00	797.70
A101	29002	08/25/16	2329	CDW GOVERNMENT	1001131000050000	470	SOFTWARE LICENSE	0.00	820.80
TOTAL CHECK								0.00	1,618.50
A101	29004	08/25/16	2616	CINTAS	1002542000000000	410	JANITORIAL SUPPLIES	0.00	132.46
A101	29004	08/25/16	2616	CINTAS	1002542000000000	410	JANITORIAL SUPPLIES	0.00	144.72
TOTAL CHECK								0.00	277.18
A101	29005	08/25/16	1259	COASTWIDE LABORATOR	1002542000000000	460	JANITOR CART	0.00	136.85
A101	29005	08/25/16	1259	COASTWIDE LABORATOR	1002554000000000	460	VACUUM & CART	0.00	842.11
TOTAL CHECK								0.00	978.96
A101	29007	08/25/16	2514	J & K ELECTRICAL LL	1002542000000000	322	ELECTRICAL WORK	0.00	186.00
A101	29008	08/25/16	1071	JERRY'S BUILDING MA	1002542000000000	410	BLDG MAINTENANCE	0.00	33.98
A101	29008	08/25/16	1071	JERRY'S BUILDING MA	1002542000000000	410	BLDG MAINTENANCE	0.00	45.98
A101	29008	08/25/16	1071	JERRY'S BUILDING MA	1002543000000000	410	GROUNDSKEEPING	0.00	49.98
A101	29008	08/25/16	1071	JERRY'S BUILDING MA	1002543000000000	410	GROUNDSKEEPING	0.00	95.42
TOTAL CHECK								0.00	225.36
A101	29009	08/25/16	1755	JUDY HAMPTON	1002410000000000	319	CONSULTING	0.00	80.00
A101	29010	08/25/16	2324	L D ELLISON	1002554000000000	340	ELLISON CONF TRAVEL	0.00	903.76

SUNGARD PENTAMATION  
DATE: 09/12/2016  
TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
CHECK REGISTER - BY FUND

PAGE NUMBER: 7  
ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
ACCOUNTING PERIOD: 3/17

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	-----DESCRIPTION-----	SALES TAX	AMOUNT
A101	29011	08/25/16	2312	LANE COUNTY SCHOOL	1002554000000000	322	VEH #4 INSPECTION	0.00	835.23
A101	29012	08/25/16	2279	OFFICEMAX	1002410000000000	410	OFFICE SUPPLIES	0.00	52.07
A101	29013	08/25/16	1789	OREGON DEPARTMENT O	1002321000000000	640	CRIMINAL HIST. CK	0.00	5.00
A101	29014	08/25/16	1211	OSBA	1002310000000000	640	2016-17 POLICY UPDA	0.00	1,095.00
A101	29015	08/25/16	1225	POSTMASTER	1002574000000000	353	'THE BRIDGE' POSTAG	0.00	92.98
A101	29016	08/25/16	2242	SQUARE DEAL LUMBER	1002542000000000	410	BLDG MAINTENANCE	0.00	2.50
TOTAL CASH ACCOUNT								0.00	396,251.66
TOTAL FUND								0.00	396,251.66

SUNGARD PENTAMATION  
DATE: 09/12/2016  
TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
CHECK REGISTER - BY FUND

PAGE NUMBER: 8  
ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
ACCOUNTING PERIOD: 3/17

FUND - 214 - CHINTIMINI - MICROBES									
CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	28932	08/12/16	2584	BANNER BANK	2141111000000000	410	MICROBES GRANT	0.00	854.18
TOTAL CASH ACCOUNT								0.00	854.18
TOTAL FUND								0.00	854.18

SUNGARD PENTAMATION  
DATE: 09/12/2016  
TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
CHECK REGISTER - BY FUND

PAGE NUMBER: 9  
ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
ACCOUNTING PERIOD: 3/17

FUND - 218 - OREGON COMMUNITY GRANT									
CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	28942	08/12/16	2329	CDW GOVERNMENT	2182129000000000	480	CHROMEBOOKS	0.00	948.83
TOTAL CASH ACCOUNT								0.00	948.83
TOTAL FUND								0.00	948.83

SUNGARD PENTAMATION  
DATE: 09/12/2016  
TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
CHECK REGISTER - BY FUND

PAGE NUMBER: 10  
ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
ACCOUNTING PERIOD: 3/17

FUND - 222 - INTEGRATED TECHNOLOGY-OCF									
CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	28942	08/12/16	2329	CDW GOVERNMENT	2221210000000000	480	CHROMEBOOKS	0.00	426.50
TOTAL CASH ACCOUNT								0.00	426.50
TOTAL FUND								0.00	426.50

SUNGARD PENTAMATION  
DATE: 09/12/2016  
TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
CHECK REGISTER - BY FUND

PAGE NUMBER: 11  
ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
ACCOUNTING PERIOD: 3/17

FUND - 231 - IDEA 14-15									
CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	28934	08/12/16	1087	LANE EDUCATION SERV	2311250000320000	311	15-16 RESOLUTION SV	0.00	12,945.47
TOTAL CASH ACCOUNT								0.00	12,945.47
TOTAL FUND								0.00	12,945.47



SUNGARD PENTAMATION  
DATE: 09/12/2016  
TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
CHECK REGISTER - BY FUND

PAGE NUMBER: 12  
ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
ACCOUNTING PERIOD: 3/17

FUND - 232 - IDEA 15-16									
CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	28934	08/12/16	1087	LANE EDUCATION SERV	2321250000320000	311	15-16 RESOLUTION SV	0.00	4,301.53
TOTAL CASH ACCOUNT								0.00	4,301.53
TOTAL FUND								0.00	4,301.53

SUNGARD PENTAMATION  
DATE: 09/12/2016  
TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
CHECK REGISTER - BY FUND

PAGE NUMBER: 13  
ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
ACCOUNTING PERIOD: 3/17

FUND - 237 - CHINTIMINI-IT'S A NATURAL									
CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	28942	08/12/16	2329	CDW GOVERNMENT	2371131000120000	480	CHROMEBOOKS	0.00	2,322.62
TOTAL CASH ACCOUNT								0.00	2,322.62
TOTAL FUND								0.00	2,322.62

SUNGARD PENTAMATION  
DATE: 09/12/2016  
TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
CHECK REGISTER - BY FUND

PAGE NUMBER: 14  
ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
ACCOUNTING PERIOD: 3/17

FUND - 261 - KITS

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	28909	08/04/16	1945	JESSICA EDGERTON	2612210000000000	342	EDGERTON TRAVEL	0.00	15.66
A101	28932	08/12/16	2584	BANNER BANK	2612210000000000	410	KITS SUPPLIES	0.00	20.26
A101	28939	08/12/16	2584	BANNER BANK	2612210000000000	410	KITS SUPPLIES	0.00	16.00
TOTAL CASH ACCOUNT								0.00	51.92
TOTAL FUND								0.00	51.92

SUNGARD PENTAMATION  
DATE: 09/12/2016  
TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
CHECK REGISTER - BY FUND

PAGE NUMBER: 15  
ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
ACCOUNTING PERIOD: 3/17

FUND - 274 - EBISS BREADTH 15-16

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	28891	08/03/16	2310	KAY GRAHAM	2742240000000000	410	STUDENT INCENTIVES	0.00	99.10
A101	28947	08/12/16	1565	COLETTE ULLRICH	2742240000000000	410	STUDENT INCENTIVES	0.00	18.00
TOTAL CASH ACCOUNT								0.00	117.10
TOTAL FUND								0.00	117.10

SUNGARD PENTAMATION  
DATE: 09/12/2016  
TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
CHECK REGISTER - BY FUND

PAGE NUMBER: 16  
ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
ACCOUNTING PERIOD: 3/17

FUND - 282 - SUMMER MEALS GRANT									
CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	28899	08/04/16	2274	CENTRAL RESTAURANT	2823100000000000	460	KITCHEN ITEMS	0.00	1,144.93
A101	29006	08/25/16	2343	ISITE SOFTWARE	2823100000000000	460	BANNERS	0.00	500.00
TOTAL CASH ACCOUNT								0.00	1,644.93
TOTAL FUND								0.00	1,644.93

SUNGARD PENTAMATION  
DATE: 09/12/2016  
TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
CHECK REGISTER - BY FUND

PAGE NUMBER: 17  
ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
ACCOUNTING PERIOD: 3/17

FUND - 283 - MISCELLANEOUS GRANTS									
CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	28994	08/19/16	2618	PLAYGROUNDEQUIPMENT	2832540000000450	540	LUNDY PLAYGROUND EQ	0.00	5,000.00
TOTAL CASH ACCOUNT								0.00	5,000.00
TOTAL FUND								0.00	5,000.00

SUNGARD PENTAMATION  
DATE: 09/12/2016  
TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
CHECK REGISTER - BY FUND

PAGE NUMBER: 18  
ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
ACCOUNTING PERIOD: 3/17

FUND - 294 - RENTAL HOUSES									
CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	28912	08/04/16	1644	LANE ELECTRIC COOPE	2942540000000000	325	JUN/JUL ELECTRICITY	0.00	169.80
A101	28954	08/12/16	1071	JERRY'S BUILDING MA	2942540000000000	410	118 BLDG MAINTENANC	0.00	33.98
A101	28989	08/19/16	1071	JERRY'S BUILDING MA	2942540000000000	410	#80 MAINT. EXPENSE	0.00	19.99
A101	28989	08/19/16	1071	JERRY'S BUILDING MA	2942540000000000	410	#80 MAINT. EXPENSE	0.00	119.99
TOTAL CHECK								0.00	139.98
TOTAL CASH ACCOUNT								0.00	343.76
TOTAL FUND								0.00	343.76

SUNGARD PENTAMATION  
DATE: 09/12/2016  
TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
CHECK REGISTER - BY FUND

PAGE NUMBER: 19  
ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
ACCOUNTING PERIOD: 3/17

FUND - 295 - ATHLETICS & ACTIVITIES									
CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	28961	08/12/16	1197	O S A A	2951132000000700	640	16-17 ANNUAL DUES	0.00	1,725.00
TOTAL CASH ACCOUNT								0.00	1,725.00
TOTAL FUND								0.00	1,725.00



SUNGARD PENTAMATION  
DATE: 09/12/2016  
TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
CHECK REGISTER - BY FUND

PAGE NUMBER: 20  
ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
ACCOUNTING PERIOD: 3/17

FUND - 297 - FOOD SERVICE FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
A101	28925	08/04/16	1776	SYSCO FOOD SERVICES	2973100000000000	450	FOOD SUPPLIES	0.00	871.11
A101	28925	08/04/16	1776	SYSCO FOOD SERVICES	2973100000000000	450	FOOD SUPPLIES	0.00	61.90
TOTAL CHECK								0.00	933.01
A101	28926	08/04/16	2193	UMPQUA DAIRY	2973100000000000	450	FOOD SUPPLIES	0.00	158.85
A101	28926	08/04/16	2193	UMPQUA DAIRY	2973100000000000	450	FOOD RETURNED	0.00	-21.10
A101	28926	08/04/16	2193	UMPQUA DAIRY	2973100000000000	450	FOOD SUPPLIES	0.00	264.65
A101	28926	08/04/16	2193	UMPQUA DAIRY	2973100000000000	450	FOOD SUPPLIES	0.00	116.55
TOTAL CHECK								0.00	518.95
A101	28951	08/12/16	2291	EARTH20	2973100000000000	450	FOOD SUPPLIES	0.00	5.00
A101	28951	08/12/16	2291	EARTH20	2973100000000000	450	FOOD SUPPLIES	0.00	5.00
A101	28951	08/12/16	2291	EARTH20	2973100000000000	450	FOOD SUPPLIES	0.00	5.00
A101	28951	08/12/16	2291	EARTH20	2973100000000000	450	FOOD SUPPLIES	0.00	5.00
TOTAL CHECK								0.00	20.00
A101	28969	08/12/16	1776	SYSCO FOOD SERVICES	2973100000000000	450	FOOD SUPPLIES	0.00	47.66
A101	28969	08/12/16	1776	SYSCO FOOD SERVICES	2973100000000000	450	FOOD SUPPLIES	0.00	759.48
A101	28969	08/12/16	1776	SYSCO FOOD SERVICES	2973100000000000	450	FOOD SUPPLIES	0.00	28.50
TOTAL CHECK								0.00	835.64
A101	28971	08/12/16	2193	UMPQUA DAIRY	2973100000000000	450	FOOD SUPPLIES	0.00	204.25
A101	28971	08/12/16	2193	UMPQUA DAIRY	2973100000000000	450	FOOD SUPPLIES	0.00	96.75
TOTAL CHECK								0.00	301.00
A101	28986	08/19/16	2291	EARTH20	2973100000000000	450	FOOD SUPPLIES	0.00	62.75
A101	28986	08/19/16	2291	EARTH20	2973100000000000	450	FOOD SUPPLIES	0.00	5.00
A101	28986	08/19/16	2291	EARTH20	2973100000000000	450	FOOD SUPPLIES	0.00	5.00
TOTAL CHECK								0.00	72.75
A101	28995	08/19/16	1776	SYSCO FOOD SERVICES	2973100000000000	450	FOOD SUPPLIES	0.00	112.86
A101	28995	08/19/16	1776	SYSCO FOOD SERVICES	2973100000000000	450	FOOD SUPPLIES	0.00	14.05
A101	28995	08/19/16	1776	SYSCO FOOD SERVICES	2973100000000000	450	FOOD SUPPLIES	0.00	735.42
A101	28995	08/19/16	1776	SYSCO FOOD SERVICES	2973100000000000	450	FOOD SUPPLIES	0.00	240.54
TOTAL CHECK								0.00	1,102.87
A101	28996	08/19/16	2193	UMPQUA DAIRY	2973100000000000	450	FOOD SUPPLIES	0.00	193.50
A101	29003	08/25/16	2274	CENTRAL RESTAURANT	2973100000000000	460	KITCHEN RACKS	0.00	246.96
A101	29003	08/25/16	2274	CENTRAL RESTAURANT	2973100000000000	460	KITCHEN RACKS	0.00	316.86
TOTAL CHECK								0.00	563.82
A101	29006	08/25/16	2343	ISITE SOFTWARE	2973100000000000	460	BANNERS	0.00	524.00
A101	29006	08/25/16	2343	ISITE SOFTWARE	2973100000000000	640	2016-17 FOOD WEBSIT	0.00	695.00
TOTAL CHECK								0.00	1,219.00
A101	29017	08/25/16	1776	SYSCO FOOD SERVICES	2973100000000470	450	FOOD SUPPLIES	0.00	586.69
A101	29018	08/25/16	2193	UMPQUA DAIRY	2973100000000000	450	FOOD SUPPLIES	0.00	197.20
TOTAL CASH ACCOUNT								0.00	6,544.43

SUNGARD PENTAMATION  
DATE: 09/12/2016  
TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
CHECK REGISTER - BY FUND

PAGE NUMBER: 21  
ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
ACCOUNTING PERIOD: 3/17

FUND - 297 - FOOD SERVICE FUND									
CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
TOTAL FUND								0.00	6,544.43

SUNGARD PENTAMATION  
DATE: 09/12/2016  
TIME: 15:38:24

LOWELL SCHOOL DISTRICT #71  
CHECK REGISTER - BY FUND

PAGE NUMBER: 22  
ACCTPA21

SELECTION CRITERIA: transact.ck\_date between '20160801 00:00:00.000' and '20160831 00:00:00.000'  
ACCOUNTING PERIOD: 3/17

FUND - 400 - CAPITAL PROJECTS										
CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET CODE	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT	
A101	28929	08/05/16	2598	SOUND ILLUMINATION	4002540000000000	590	BAL DUE FOR SPEAKER	0.00	9,170.00	
A101	28929 V	08/05/16	2598	SOUND ILLUMINATION	4002540000000000	590	BAL DUE FOR SPEAKER	0.00	-9,170.00	
TOTAL CHECK								0.00	0.00	
A101	28930	08/08/16	2598	SOUND ILLUMINATION	4002540000000000	590	BAL DUE FOR SPEAKER	0.00	9,265.00	
TOTAL CASH ACCOUNT								0.00	9,265.00	
TOTAL FUND								0.00	9,265.00	
TOTAL REPORT								0.00	442,742.93	

## 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 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 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 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 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 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 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 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 **seven** 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 sometime 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 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)<sup>1</sup>**

- 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 contract or 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.

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<sup>1</sup>The 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.

- e. Under the authority of ORS 279A.025 and 279B.085, the district may use the requirements contract 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 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, 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 requirements contracts 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 requirements contracts, including all renewal options, to a maximum of five years before competitive rebidding must be done, unless otherwise permitted under the public contracting code.
- f. 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 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, Purchase<sup>2</sup>**

- 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

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

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.
- 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 market place 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 Lane 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 an 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 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 situation, as required by ORS279B.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~~ Product availability;
- (10) Product quality; or
- (11) Reporting requirements;
- (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 need 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 ~~425~~137, 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 include 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.355.

**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 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 sometime 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 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)<sup>3</sup>**

- 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.
- 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 contract entered into by another Oregon public agency when:

- (1) The original contract met the requirements of the public contracting code; and

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<sup>3</sup>The 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.



- (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 school, 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 requirements contracts, 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 279.380 if the amount of the contract for the public improvement is less than \$100,000. Although the performance/payment security requirements of ORS 279.380 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 an RFP process where each of the systems can be evaluated utilizing a number of factors, in addition to price, will likely result in substantial costs 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 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: **ECACA**  
Adopted: **Conditionally Required;**  
**Recommend Not Adopting**

## **Radio Frequency Identification Device\*\***

The district will operate a Radio Frequency Identification Device (RFID) program to locate, track or take attendance of students. The district shall provide notice to parents and students at least 30 days<sup>1</sup> before the district implements a RFID program or makes a modification to the current RFID program.

This notification shall:

1. Specify the purpose for the RFID program;
2. Specify where the RFID readers will be located;
3. Outline the expectations of participation in the program, including any possible disciplinary actions, which may be imposed on a student, for not following the RFID program rules;
4. Inform parents and students of the right to not participate in the RFID program and how to opt-out;
5. Outline the procedure to opt-out of the RFID program; and
6. Communicate to parents and students in at least two formats, one of which shall be the district website, if available.

### **Voluntary Opt-In RFID Program**

The district may create the RFID program without notification, if the district creates a form allowing parents to voluntarily opt-in to the RFID program.

7. The form created under this section shall:
  - a. Require a parent signature, or signature of a student if the student is 14 years of age or older, for consent to join the RFID program;
  - b. Specify the purpose for the RFID program;
  - c. Specify where the RFID readers will be located;
  - d. Outline the expectations of participation in the program including any possible disciplinary actions for not following the RFID program rules;
  - e. Outline the procedures to discontinue participation in the RFID program; and
  - f. Expire one year from the date that the form is signed by the parent.
8. Voluntary Opt-In RFID programs shall not require any student to use RFID who does not have a consent form on file.

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<sup>1</sup>A district that establishes a RFID program before the start of the school year, shall provide notice to parents and students annually, and at least 30 days prior to the first day of classes.

9. Districts wishing to expand the Opt-In RFID program to students without a valid consent form on file, must provide the same 30-day notification as with any RFID program.

### **Opt-Out RFID Provisions**

Parents, or students who are 14 years of age or older, may provide notice in writing that they no longer wish to participate in any RFID program.

The district shall:

10. Not ask for the reason or justification for the request;
11. Not impose a time restriction for a request to be made;
12. Ensure that the request is completed within three school days; and
13. Not initiate or continue any disciplinary action against the student for not following the RFID program rules.

### **Privacy and Security**

The following privacy and security standards shall apply:

14. No personally identifiable information may be stored on the RFID (“Personally identifiable information” means data that could potentially identify a specific individual.);
15. The RFID may not have a readable range of more than 10 feet;
16. All data collected as part of the RFID program shall be considered part of the student record and shall be retained in accordance with state and federal student record laws and data privacy and security standards;
17. Data collected as part of the RFID program shall be retained for no more than 72 hours, except records for the purpose of taking attendance; and
18. The RFID reader locations must be conspicuously marked.

END OF POLICY

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

[ORS 339.890](#)

[OAR 581-021-0505](#)

# Lowell School District 71

Code: **GBM**  
Adopted: Unknown  
Readopted: 5/19/14; 4/27/15  
Orig. Code(s): GBM **Recommend Adoption**

## Staff Complaints

~~It is an unlawful employment practice for an employer to discharge, demote, suspend or in any manner discriminate or retaliate against an employee with regard to promotion, compensation or other terms, conditions or privileges of employment for the reason that the employee has in good faith reported information in a manner as to disclose employer violations of any federal or state law, rule or regulation, mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety.~~

The superintendent or designee will develop a complaint procedure which will be available for all employees who ~~contend they have been subject to~~ believe there is evidence of, and wishes to report a violation, misinterpretation or inappropriate application of district personnel policies and/or administrative regulations; a mismanagement, gross waste of funds or abuse of authority; or believe there is evidence that the district created a substantial and specific danger to public health and safety by its actions. The complaint procedure will provide an orderly process for the consideration and resolution of problems in the application or interpretation of district personnel policies.

The complaint procedure will not be used to resolve disputes and disagreements related to the provisions of any collective bargaining agreement, nor will it be used in any instance where a collective bargaining agreement provides a dispute resolution procedure. Disputes concerning an employee's dismissal, contract nonrenewal or contract nonextension will not be processed under this procedure.

Reasonable efforts will be made to resolve complaints informally.

Administrative regulations will be developed to outline procedural timelines and steps under this policy, as necessary. The district will use the ~~{designated}~~ complaint process in ~~{~~<sup>1</sup>administrative regulation KL-AR - Public Complaints Procedure~~}~~ to address any alleged violations of this policy.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)  
[ORS 659A.199](#) to -659A.224

[OAR 581-022-1720](#)

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984).  
Connick v. Myers, 461 U.S. 138 (1983).

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<sup>1</sup>If the district created and has a GBM-AR - Staff Complaints, it may want to consider inserting that language here.

# Oregon School Boards Association Selected Sample Policy

Code: **GBMA**  
Adopted: **Required; Recommend**  
**Adoption**

## Whistleblower \*

When an employee has good faith and reasonable belief the employer has violated any federal, state or local, law, rule or regulation; has engaged in mismanagement, gross waste of funds or abuse of authority; or created a substantial and specific danger to public health and safety by its actions, and an employee then discloses or plans to disclose such information, it is an unlawful employment practice for an employer to:

1. Discharge, demote, transfer, reassign or take disciplinary action against an employee or threaten any of the previous actions.
2. Withhold work or suspend an employee.
3. Discriminate or retaliate against an employee with regard to promotion, compensation or other terms, conditions or privileges of employment.
4. Direct an employee or to discourage an employee to not disclose or to give notice to the employer prior to making any disclosure.
5. Prohibit an employee from discussing, either specifically or generally, the activities of the state or any agency of or political subdivision in the state, or any person authorized to act on behalf of the state or any agency of or political subdivision in the state, with:
  - a. Any member of the Legislative assembly;
  - b. Any Legislative committee staff acting under the direction of any member of the Legislative assembly; or
  - c. Any member of the elected governing body of a political subdivision in the state or any elected auditor of a city, county or metropolitan service district.

The district will use the complaint process in [<sup>1</sup>administrative regulation KL-AR - Public Complaints Procedure] to address any alleged violations of this policy.

The district shall deliver a written or electronic copy of this policy to each staff member.

END OF POLICY

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<sup>1</sup>If the district created and has a GBM-AR - Staff Complaints, it may want to consider inserting that language here.

**Legal Reference(s):**

[ORS 192](#).501 to -192.505

[ORS 659A](#).199 to -659A.224

[OAR 581-022](#)-1720

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984).

Connick v. Myers, 461 U.S. 138 (1983).



# Oregon School Boards Association Selected Sample Policy

Code: **GCBDC/GDBDC-AR**  
Revised/Reviewed: **Recommend Adoption**

## ***Eligible Employee Request for Domestic Violence, Harassment, Sexual Assault or Stalking Leave***

*(For employers who employ six or more employees)*

PLEASE PRINT

Where the need for the leave may be anticipated, a written request for leave under Oregon Revised Statute (ORS) 659A.270-659A.285 shall be made at least [30] days prior to the date the requested leave is to begin. In emergency situations, oral or written notice as soon as practical is allowed.

Name \_\_\_\_\_ Effective Date of the Leave \_\_\_\_\_

Department \_\_\_\_\_ Title \_\_\_\_\_

Status: ☐ Full-time ☐ Part-time ☐ Temporary Hire Date \_\_\_\_\_ Length of Service \_\_\_\_\_

The requested leave is for:

- ☐ Myself
- ☐ My minor child or dependent

The leave is for:

- ☐ To seek legal or law enforcement assistance or remedies to ensure the health and safety of the eligible employee or the eligible employee's minor child or dependent.
- ☐ To seek medical treatment for or to recover from injuries caused by domestic violence, harassment, sexual assault or stalking for the eligible employee or the eligible employee's minor child or dependent.
- ☐ To obtain or assist the eligible employee's minor child or dependent in obtaining counseling from a licensed mental health professional related to an experience of domestic violence, harassment, sexual assault or stalking.
- ☐ To obtain services from a victim services provider for the eligible employee or the eligible employee's minor child or dependent.
- ☐ To relocate or take step to secure an existing home to ensure the health and safety of the eligible employee or the eligible employee's minor child or dependent.

The following has been provided by the employee to certify the leave:

- ☐ A copy of a policy report indicating that the eligible employee or the eligible employee's minor child or dependent was a victim or alleged victim of domestic violence, harassment, sexual assault or stalking.
- ☐ A copy of a protective order or any other order that restrains an individual from contact with an eligible employee or the employee's minor child or dependent, evidence from a court, administrative agency or attorney that the eligible employee appeared in or is preparing for a civil or criminal proceeding related to domestic violence, harassment, sexual assault or stalking or other order authorized by ORS 30.866, 107.095(1)(c), 107.700 to 107.735, 124.005 to 120.040 or 163.730 to 163.750.

Eligible Employee Request for Domestic Violence, Harassment, Sexual  
Assault or Stalking Leave - GCBDC/GDBDC-AR

1-2

Attachment 6.5

- Documentation from an attorney, law enforcement officer, health care professional, licensed mental health professional or counselor, member of the clergy or victim services provider with or from whom the eligible employee or the eligible employee's minor child or dependent is receiving services.

I understand that ~~[I may use accrued paid leave, including personal and sick leave or accrued vacation leave for the OFLA leave period.] [the district requires me to use any accrued sick leave, vacation, personal leave days or other paid time established by Board policy(ies) and/or collective bargaining agreement in the order specified by the district, and before taking leave without pay, for the OFLA leave period.]~~ I am required to use any accrued paid leave, including personal and sick leave or accrued vacation leave before taking OFLA leave without pay. I may select the order in which the paid leave is used for the OFLA leave period.†

If my request for a leave is approved, it is my understanding that without an authorized extension when the need for an extension could be anticipated, I must report to duty on the first workday following the date my leave is scheduled to end. I understand that failure to do so will constitute unequivocal notice of my intent not to return to work and the district may terminate my employment. I understand if I am unable to return to work following the period of authorized leave I will notify my employer as soon as practical and provide any required information which will allow my employer to determine my eligibility for an extension of leave.

I authorize the district to deduct from my paychecks any employee contributions for health insurance premiums, life insurance or long-term disability insurance which remain unpaid after my leave, consistent with state law.

Signature of Employee: \_\_\_\_\_

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

R4/28/16 | RS

Eligible Employee Request for Domestic Violence, Harassment, Sexual  
Assault or Stalking Leave - GCBDC/GDBDC-AR

2-2

Attachment 6.5

# Oregon School Boards Association Selected Sample Policy

Code: **GCDA/GDDA**  
Adopted: **Recommend Adoption**

## **Criminal Records Checks/Fingerprinting\*** (Version 1)

In a continuing effort to further ensure the safety and welfare of students and staff, the district shall require criminal records checks and fingerprinting of all newly hired full-time and part-time employees. Others having direct, unsupervised contact with students shall also have criminal records checks and fingerprinting, as required by law.

“Direct, unsupervised contact” means contact with students that provides the person opportunity and probability for personal communication or touch.

In addition to the newly hired employees, such checks shall be required of the following:

1. All district contractors and/or their employees, whether employed part-time or full-time;
2. All contractors and/or their employees who provide early childhood special education or early intervention services in accordance with rules established by the ~~Employment Department~~ **Oregon Department of Education, Child Care Division**;
3. Any community college faculty member providing instruction at the site of an early childhood education program or at a school site as part of an early childhood program;
4. An individual who is an **employee** of a public charter school.

An individual who has failed to disclose the presence of criminal convictions that would not otherwise prevent his/her employment with the district as provided by law ~~{may not}~~ ~~{will not}~~ be employed or contracted with, by the district. The district’s use of criminal history must be relevant to the specific requirements of the position, services or employment.

The district ~~{shall}~~ ~~{shall not}~~ begin the employment of an individual or terms of a district contractor ~~{on a probationary basis pending}~~ ~~{before}~~ the return and disposition of criminal records checks and/or fingerprinting. ~~{The service of a volunteer {may} {will not} begin {on a probationary basis pending} {before} the return and disposition of a criminal records check.}~~

The superintendent shall develop administrative regulations as necessary to meet the requirements of law.

END OF POLICY

**Legal Reference(s):**

[ORS 181](#).555  
[ORS 326](#).603  
[ORS 326](#).607  
[ORS 336](#).631

[ORS 338](#).115  
[ORS 342](#).143  
[ORS 342](#).223

[OAR 414-061](#)-0010  
[OAR 581-021](#)-0500  
[OAR 581-022](#)-1730  
[OAR 584-036](#)-0062

Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et. seq. (2012).

# Oregon School Boards Association Selected Sample Policy

Code: **GCDA/GDDA**  
Adopted:

## **Criminal Records Checks/Fingerprinting\*** (Version 2)

*There are no recommended changes for this version of sample policy GCDA/GDDA.*

All newly hired employees shall be required to submit to a nationwide criminal records check and fingerprinting. Individuals contracting with the district and their employees, who have direct, unsupervised contact with students, shall also be required to submit to a nationwide criminal records check and fingerprinting.

The Board may require an Oregon criminal history check for other individuals considered for volunteer service for the district who have direct, unsupervised contact with students.

The district [shall] [shall not] begin the employment of an individual or terms of a district contractor [on a probationary basis pending] [before] the return and disposition of such criminal records check and/or fingerprinting. [The service of a volunteer [may] [will not] begin [on a probationary basis pending] [before] the return and disposition of a criminal records check.]

An individual who has failed to disclose the presence of criminal convictions that would not otherwise prevent his/her employment with the district as provided by law [may] [will not] be employed or contracted with, by the district. The district's use of criminal history must be relevant to the specific requirements of the position, services or employment.

Criminal records checks and fingerprinting fees as required by the Teacher Standards and Practices Commission shall be paid by the individual. Fees as required for all other individuals subject to such checks and/or fingerprinting shall be paid by the [individual] [district].

Employees not requiring licensure may request that the required fees be withheld from the employee's paycheck. Such fees may be deducted only upon the request of the individual.

The superintendent is directed to develop administrative regulations to meet the requirements of applicable Oregon Revised Statutes and Oregon Administrative Rules.

**END OF POLICY**

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

[ORS 181.525](#)  
[ORS 181.555](#)  
[ORS 183.413](#) to -183.470  
[ORS 326.603](#)  
[ORS 326.607](#)

[ORS 336.631](#)  
[ORS 338.115](#)  
[ORS 342.143](#)  
[ORS 342.223](#)

[OAR 414-061-0010](#)  
[OAR 581-021-0500](#)  
[OAR 581-022-1730](#)  
[OAR 584-036-0062](#)

Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et. seq. (2012).



## Criminal Records Checks/Fingerprinting

### Subject Requirements

1. Any individual newly hired and not requiring licensure as a teacher, administrator, personnel specialist or school nurse shall be required to undergo a nationwide criminal records check and fingerprinting.
2. Individuals applying for reinstatement of a license that has lapsed for more than three years shall be required to undergo such checks.  
  
Requirements, including applicable fees and the process for the collection and submission of fingerprints, etc., will generally be met by the individual as a part of the licensing process and in accordance with rules established by **Teacher Standards and Practices Commission (TSPC)**.
3. Any individual registering with TSPC for student teaching, practicum or internship as a teacher, administrator or personnel specialist shall be required to undergo a nationwide criminal records check and fingerprinting with TSPC.
4. Any district contractor, whether part-time or full-time, or an employee of a district contractor, whether part-time or full-time, hired into a position having direct, unsupervised contact with students shall be required to undergo a nationwide criminal records check and fingerprinting.  
  
The superintendent will identify district contractors subject to such requirements.
5. Any contractor or an employee of the contractor who provides early childhood special education or early intervention services shall be required to undergo a nationwide criminal records check and fingerprinting with the **Employment Department Oregon Department of Education, Child Care Division**.
6. Any community college faculty member providing instruction at the site of an early childhood education program or at a school site as part of an early childhood program shall be required to undergo a nationwide criminal records check and fingerprinting.
7. An individual who is an employee of a public charter school shall be required to undergo a nationwide criminal records check and fingerprinting.
8. Any person authorized by the district for volunteer service into a position having direct, unsupervised contact with students will be required to undergo an Oregon criminal records check.

9. ~~Any community college faculty member providing instruction at the site or an early childhood education program or at a school site as part of an early education program.~~

An exception will be made to criminal records checks and fingerprinting if the district has on file evidence from a previous employer documenting a successfully completed Oregon and FBI criminal records check. Evidence will be either a copy of the records check or a written statement of verification from a supervisor or officer of the previous employer. Furthermore:

1. The Oregon Department of Education (ODE) or TSPC verification of a previous check shall be acceptable only in the event the district can demonstrate records are not otherwise available;
2. Additional evidence that the employee has not resided outside the state between the two periods of time working in the district shall be maintained.

### **Notification**

1. The district will provide notification to individuals subject to criminal records checks and fingerprinting of the following:
  - a. Such checks are required by law and/or Board policy;
  - b. Any action resulting from those checks may be appealed as a contested case;
  - c. All employment or contract offers are contingent upon the results of such checks;
  - d. A refusal to consent to criminal records checks or fingerprinting or falsely stating on district employment application, contract or ODE fingerprint forms as to conviction of a crime shall result in immediate termination from employment or contract status.
2. The district will provide notice through such means as employment applications and contract forms.

### **Processing/Reporting Procedures**

1. Any individual subject to criminal records checks and/or fingerprinting shall, as part of the application process, complete the appropriate forms as provided by ODE.
2. If the individual is subject to fingerprinting, he/she will be required to report within five working days to an authorized fingerprinter for fingerprinting. Fingerprints may be collected by one of the following:
  - a. Employing district staff;
  - b. Contracted agent of employing district;
  - c. Local or state law enforcement agency.

Individuals shall be subject to fingerprinting only after acceptance of an offer of employment or contract.

3. The individual is responsible for obtaining one fingerprint card from an Oregon district, education service district, an Oregon-approved teacher education institution, ODE or TSPC.
4. The individual is responsible for submitting the appropriate materials to the authorized fingerprinter.



5. To ensure the integrity of the fingerprinting collection and prevent any compromise of the process, the district will provide the name of the individual to be fingerprinted to the authorized fingerprinter and require that the individual submit a photo ID (driver's license or other) containing the individual's name and picture in order to verify the identity of the individual intended to be fingerprinted.
6. The authorized fingerprinter will return the fingerprint cards to the district ~~in the envelope provided~~. The Fingerprint Criminal History Verification form and fingerprint cards will be sent to the ODE. A copy of the form will be kept in the employee's personnel file.

## **Fees**

Fees associated with criminal records checks and/or fingerprinting for individuals applying for employment with the district and not requiring licensure, including contractors and their employees and volunteers shall be paid by the district.

## **Termination of Employment**

1. Any individual required to submit to criminal records checks and/or fingerprinting in accordance with law and/or Board policy will be terminated from employment or contract status or ~~as a district volunteer~~ or withdrawal of offer of employment or contract will be made by the superintendent immediately upon the following:
  - a. Refusal to consent to a criminal records check and/or fingerprinting; or
  - b. Notification by the Superintendent of Public Instruction or his/her designee or the State Board of Education that the employee has made a false statement as to conviction of a crime or conviction of crimes prohibiting employment with the district as specified in law.
2. Employment termination shall remove the individual from any district policies, collective bargaining provisions regarding dismissal procedures and appeals and the provisions of Accountability for Schools for the 21st Century Law.

## **Appeals**

All appeals regarding a determination which prevents his/her employment or eligibility to contract with the district will be directed to the Oregon Superintendent of Public Instruction. Individuals eligible to appeal as a contested case will be so notified in writing by ODE.

# Lowell School District 71

Code: **IGAI**  
Adopted: 6/23/14 **Recommend Adoption**

## **Human Sexuality, AIDS/HIV, Sexually Transmitted Diseases, Health Education\*\***

The district shall provide an age appropriate, comprehensive plan of instruction focusing on human sexuality, HIV/AIDS and sexually transmitted infections and disease prevention in elementary and secondary schools as an integral part of health education and other subjects.

Course material and instruction for all human sexuality education courses that discuss human sexuality shall enhance a student's understanding of sexuality as a normal and healthy aspect of human development. A part of the comprehensive plan of instruction shall provide age-appropriate child sexual abuse prevention instruction for students in kindergarten through grade 12. The district must provide a minimum of four instructional sessions annually; one instructional session is equal to one standard class period. In addition, the HIV/AIDS and sexually transmitted infections and disease prevention education and the human sexuality education comprehensive plan shall provide adequate instruction at least annually, for all students in grades 6- through 8 and at least twice during grades 9- through 12.

Parents, teachers, school administrators, local health departments staff, other community representatives and persons from the medical community who are knowledgeable of the latest scientific information and effective education strategies shall develop the plan of instruction and align it with the Oregon Health Education Standards and Benchmarks.

Parents of minor students shall be notified in advance of any human sexuality or AIDS/HIV instruction. Any parent may request that his/her child be excused from that portion of the instructional program under the procedures set forth in Oregon Revised Statute (ORS) 336.035(2).

The comprehensive plan of instruction shall include the following information that:

1. Promotes abstinence for school age youth and mutually monogamous relationships with an uninfected partner for adults;
2. Allays those fears concerning HIV that are scientifically groundless;
3. Is balanced and medically accurate;
4. Provides balanced, accurate information and skills-based instruction on risks and benefits of contraceptives, condoms and other disease reduction measures;
5. Discusses responsible sexual behaviors and hygienic practices which may reduce or eliminate unintended pregnancy, exposure to HIV, hepatitis B/C and other sexually transmitted infections and diseases;
6. Stresses the risks of behaviors such as the sharing of needles or syringes for injecting illegal drugs and controlled substances;

7. Discusses the characteristics of the emotional, physical and psychological aspects of a healthy relationship;
8. Discusses the benefits of delaying pregnancy beyond the adolescent years as a means to better ensure a healthy future for parents and their children. The student shall be provided with statistics based on the latest medical information regarding both the health benefits and the possible side effects of all forms of contraceptives including the success and failure rates for prevention of pregnancy, sexually transmitted infections and diseases;
9. Stresses that HIV/STDs and hepatitis B/C can be possible hazards of sexual contact;
10. Provides students with information about Oregon laws that address young people's rights and responsibilities relating to childbearing and parenting;
11. Advises students of consequences of having sexual relations with persons younger than 18 years of age to whom they are not married;
12. Encourages family communication and involvement and helps students learn to make responsible, respectful and healthy decisions;
13. Teaches that no form of sexual expression or behavior is acceptable when it physically or emotionally harms oneself or others and that it is wrong to take advantage of or exploit another person;
14. Teaches that consent is an essential component of healthy sexual behavior. Course material shall promote positive attitudes and behaviors related to healthy relationships and sexuality, and encourage active student bystander behavior;
15. Teaches students how to identify and respond to attitudes and behaviors which contribute to sexual violence;
16. Validates the importance of one's honesty, respect for each person's dignity and well-being, and responsibility for one's actions;
17. Uses inclusive materials and strategies that recognizes different sexual orientations, gender identities and gender expression;
18. Includes information about relevant community resources, how to access these resources, and the laws that protect the rights of minors to anonymously access these resources.

The comprehensive plan of instruction shall emphasize skills-based instruction that:

1. Assists students to develop and practice effective communication skills, development of self esteem and ability to resist peer pressure;

2. Provides students with the opportunity to learn about and personalize peer, media, technology and community influences that both positively and negatively impact their attitudes and decisions related to healthy sexuality, relationships and sexual behaviors, including decisions to abstain from sexual intercourse;
3. Enhances students' ability to access valid health information and resources related to their sexual health;
4. Teaches how to develop and communicate sexual and reproductive boundaries;
5. Is research based, evidence based or best practice; and
6. Aligns with the Oregon Health Education Content Standards and Benchmarks.

All sexuality education programs emphasize that abstinence from sexual intercourse, when practiced consistently and correctly, is the only 100 percent effective method against unintended pregnancy, sexually transmitted HIV and hepatitis B/C infection and other sexually transmitted infections and diseases.

Abstinence is to be stressed, but not to the exclusion of contraceptives and condoms for preventing unintended pregnancy, HIV infection, hepatitis B/C infection and other sexually transmitted infections and diseases ~~and hepatitis B/C~~. Such courses are to acknowledge the value of abstinence while not devaluing or ignoring those students who have had or are having sexual relationships. Further, sexuality education materials, including instructional strategies, and activities must not, in any way use shame or fear-based tactics.

Materials and information shall be presented in a manner sensitive to the fact that there are students who have experienced, perpetrated or witnessed sexual abuse and relationship violence.

END OF POLICY

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**Legal Reference(s):**

[ORS 336.035](#)  
[ORS 336.107](#)  
[ORS 336.455 to -336.475](#)

[ORS 339.370 to -339.400](#)  
[ORS 581-022](#)-0705

[OAR 581-022](#)-1440  
[OAR 581-022](#)-1910

**Cross Reference(s):**

IGBHD - Program Exemptions

# Lowell School District 71

Code: **IGBBA**  
Adopted: 5/22/06  
Readopted: 5/19/14  
Orig. Code(s): **IGBBA Recommend Adoption**

## Identification - Talented and Gifted **Students\*\***

In order to serve academically talented and intellectually gifted students in grades K-12, the superintendent is responsible for ensuring a written identification process is developed and maintained. This process of identification shall include as a minimum:

1. Use of research based best practices to identify talented and gifted students from under-represented populations such as ethnic minorities, students with disabilities, students who are culturally and/or linguistically diverse or economically disadvantaged.
2. Behavioral, learning and/or performance information;
3. A nationally standardized mental ability test for assistance in identifying the identification of intellectually gifted students;
4. A nationally standardized academic achievement test of reading or mathematics for a test of total English Language Arts/Literacy or total mathematics on the Smarter Balanced Assessment Consortium for assistance in identifying academically talented students. ~~In accordance with guidance from the Oregon Department of Education, state assessments in math and reading/literature may be used to assist in the identification of academic talent;~~
5. ~~Specialty recognized abilities in leadership and the visual or performing arts.~~

Identified students shall score at or above the 97th percentile on one of these tests. Other students who demonstrate the potential to perform at the eligibility criteria, as well as additional students who are talented and gifted, may be identified.

The district shall inform parents of the identification of their student as talented and gifted. The district shall further inform parents of program or service options available and provide them an opportunity to participate in selecting those programs or options most appropriate for their student.

~~The Board has established an appeals process for parents to utilize if they are dissatisfied with the identification process of their student for the district program for talented and gifted students and wish to request reconsideration.~~ If a parent is dissatisfied with the identification process or placement of their student, they may appeal the decision through Board policy KL - Public Complaints ~~the accompanying administrative regulation, IGBBA-AR~~. After exhausting the district's appeal procedure and receiving a final decision, a parent may appeal the decision to the State Superintendent of Public Instruction.

The superintendent is responsible for ensuring written procedures for parent notification and participation are developed and maintained.

END OF POLICY

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**Legal Reference(s):**

[ORS 343.395](#)  
[ORS 343.407](#)  
[ORS 343.411](#)

[OAR 581-021-0030](#)  
[OAR 581-022-1310 to -1330](#)  
[OAR 581-022-1940](#)

[OAR 581-022-1941](#)

**Cross Reference(s):**

IGBBB - Identification - Talented and Gifted Students among Nontypical Populations  
IGBBC - Programs and Services - Talented and Gifted

## **Appeals Procedure for Talented and Gifted Identification and Placement\*\***

*(Depending upon the appeal language selected in the last paragraph of the policy, this administrative regulation may need to be deleted.)*

The Board has established an appeals process for parents to utilize if they are dissatisfied with the identification process and/or placement of their student in the district program for talented and gifted (TAG) students and wish to request reconsideration. The district's desire and intent is to reach satisfactory solutions during the informal process:

### **Informal Process**

1. The parents will contact the district TAG coordinator/teacher to request reconsideration;
2. The TAG coordinator/teacher will confer with the parents and may include any additional appropriate persons (e.g., principal, counselor, teacher, etc.). At this time, information pertinent to the selection or placement will be shared;
3. If an agreement cannot be reached, the parents may initiate the Formal Process.

### **Formal Process**

1. Parents shall submit a written request for reconsideration of the identification and/or placement to the principal;
2. The principal shall acknowledge in writing the receipt of the request within five working days and shall forward copies of the request and acknowledgment to the TAG coordinator/teacher;
3. The principal, TAG coordinator/teacher and other appropriate administrator shall review the student's file and earlier decisions within 10 working days of the original request. Additional data may be gathered to support or change the earlier decision;
4. Parents may be provided an opportunity to present additional evidence;
5. If deemed necessary, a formal hearing will be conducted by the district hearings officer utilizing the appropriate procedures;
6. A decision will be made within 20 working days after receipt of the written request for reconsideration. The parents shall be notified of the decision in writing and the decision shall be forwarded to the superintendent;
7. The superintendent will communicate his/her decision in writing within 10 working days of receipt of the appeal;

8. If the parent is not satisfied with the decision of the superintendent, the decision may be appealed to the Board and placed on the next Board meeting agenda for which there is time to notice the agenda item and prepare the Board;
9. If the parents are still dissatisfied, an appeal to the State Superintendent of Public Instruction following the procedures outlined in the Oregon Administrative Rules (OAR) may be used. The district shall provide a copy of the appropriate OAR upon request.



# Lowell School District 71

Code: **IGBBB**  
Adopted: 5/19/14 **Delete**

## Identification - Talented and Gifted Students among Nontypical Populations\*\*

The district will make an effort to identify talented and gifted students from special populations such as:

1. Ethnic minorities;
2. Economically disadvantaged;
3. Culturally different;
4. Underachieving gifted;
5. Students with disabilities.

Careful selection of appropriate measures and a collection of behavioral or learning characteristics shall be used.

The Board has established an appeals process for parents to utilize if they are dissatisfied with the identification process of their student for the district program for talented and gifted students and wish to request reconsideration.

END OF POLICY

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### Legal Reference(s):

[ORS 343.395](#)  
[ORS 343.407](#)  
[ORS 343.411](#)

[OAR 581-022-1310 to -1330](#)  
[OAR 581-022-1940](#)

### Cross Reference(s):

IGBBA - Identification - Talented and Gifted  
IGBBC - Programs and Services - Talented and Gifted

# Oregon School Boards Association Selected Sample Policy

Code: **IGCA**  
Adopted: **Recommend Do NOT Adopt**

## Post-Graduate Scholar Program\*

The district will provide a Post-Graduate Scholar program for students in the district. A “post-graduate scholar” means a student who has: been in grades 9 through 12 for more than a total of four school years; and satisfied the requirements for a high school diploma as provided by law. The Post-Graduate Scholar program may allow post-graduate scholars to: enroll in courses at a community college that are part of an approved course of study in the post-graduate scholar program in the district, in order to gain a certificate or diploma; enroll in the approved program courses of study for one school year after the post-graduate scholar has satisfied the requirements for a high school diploma in the district; and have the district pay the costs for such approved course of study, including tuition, fees and books.

### Program Qualifications

A post-graduate scholar qualifies to participate in the program if the post-graduate scholar:

1. Has completed and submitted the Free Application for Federal Student Aid, if eligible to file the application;
2. Is not eligible for a grant under the Oregon Promise Program because of failure to earn the minimum cumulative grade point average, or submitted a complete application for a grant under the Oregon Promise program by the established deadline but did not receive a grant;
3. Is not eligible for a federal aid grant that is equal to or more than the average cost of tuition and fees at a community college, as determined by the U.S. Department of Education after Consultation with the Executive Director of the Office of Student Access and Completion; and
4. Retains a legal residence within the boundaries of the district through which the post-graduate scholar satisfied the requirements for a high school diploma.

The district establishes the following additional requirements:

5. A minimum [high school] [community college] GPA of [2.00];
6. An [80 percent] attendance [at community college courses]; and
7. Regular in-person meetings with district staff to monitor progress held at least twice each month.

## **Program Goals**

The goals of the program include:

8. Increasing the high school graduation rate for underserved students to [80 percent][; and][.]
9. [Increasing the percent of students from the district attending a postsecondary education institute.]

The district will monitor program information at the end of each grading term and measure results at the end of each year. [These results will be presented to the Board.]

The district approves the following courses of study for the program:

10. [ ];
11. [ ];
12. [ ].

## **Other District Requirements**

The district [will] [has] entered into a written agreement with the community college that has a service area within which the district is located.

The district will provide dedicated staff to provide support services to post-graduate scholars, including regular in-person meetings to monitor student progress that occur at least twice each month.

The district will ensure that a majority of the students from the district who are enrolled in courses at a community college meet at least one of the following criteria:

1. Is not a post-graduate scholar;
2. Has received a modified diploma, an extended diploma or a General Educational Development (GED) certificate;
3. Was enrolled in an alternative high school program within the preceding 12 months;
4. Is, or will be, a first-generational graduate of high schools;
5. Is, or has been, a child in a foster home;
6. Is, or has been, placed in a facility or an education program by a court;
7. Is homeless;
8. Is a parent; or
9. Was identified as eligible for free or reduced price lunches within the preceding 12 months.

A district may receive or expend moneys distributed from the State School fund for post-graduate scholars who enroll in courses at a community college, only if the post-graduate scholars are enrolled in the courses as part of a program established under this section. The post-graduate scholar will not be required to accept or use any federal grant moneys to offset costs of tuition, fees or books incurred by the post-graduate scholar at the community college.

The district will provide transportation service in existing bus routes to post-graduate scholars, and is not required to alter existing bus routes to provide such transportation.

END OF POLICY

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**Legal Reference(s):**

[ORS 327.006](#) to -327.133  
[ORS 329.451](#)

[ORS 332.405](#)  
[ORS 339.250](#)

[ORS 811.210](#)  
[ORS 811.215](#)

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).

# Lowell School District 71

Code: **IGDF**  
Adopted: 12/10/90  
Readopted: 5/19/14  
Orig. Code(s): IGDF **Recommend Adoption**

## Student Fund-Raising Activities

All fund-raising must be approved by the principal and supervised by the appropriate advisor.

Fund-raising projects involving the sale of products must **also** be approved by the activity sponsor and by the principal before the activity is initiated. Solicitation of funds is expressly prohibited without consent of the principal.

If fund raising consists of selling food and beverage items to students during the regular or extended school day, the food and beverage items must comply with state and federal nutrition standards, rules and laws. This does not apply to food and beverage items sold at school-related or nonschool-related events for which parents and other adults are a significant part of the audience.

END OF POLICY

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### Legal Reference(s):

[ORS 336.423](#)  
[ORS 339.880](#)

[OAR 137-025](#)-0020 to -0530  
[OAR 581-022](#)-1660(2)

# Oregon School Boards Association Selected Sample Policy

Code: **IGDF**  
Adopted:

## **Student Fund-Raising Activities** (Version 1)

All fund raising must be approved by the superintendent and supervised by the appropriate adviser.

Fund-raising projects involving the sale of products must also be approved by the activity sponsor and by the principal, before the activity is initiated. Solicitation of funds is expressly prohibited without the superintendent's consent.

If fund raising consists of selling food and beverage items to students during the regular or extended school day, the food and beverage items must comply with state and federal nutrition standards, rules and laws. This does not apply to food and beverage items sold at school-related or nonschool-related events for which parents and other adults are a significant part of the audience.

END OF POLICY

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

[ORS 336.423](#)  
[ORS 339.880](#)

[OAR 137-025](#)-0020 to -0530  
[OAR 581-022](#)-1660(2)

Federal Smart Snacks in School Rules, 7 C.F.R. Part 210.11.

# Oregon School Boards Association Selected Sample Policy

Code: **IGDF**  
Adopted: **Recommend Do NOT Adopt**

## **District Fund Raising** (Version 3)

Schools within the district **may** initiate fund raisers throughout the year for various activities. To protect members of the community from unauthorized persons raising funds in the district's name, a letter of introduction will be provided to all persons authorized to raise funds for the district.

If fund raising consists of selling food and beverage items to students during the regular or extended school day, the food and beverage items must comply with state and federal nutrition standards, rules and laws. This does not apply to food and beverage items sold at school-related or nonschool-related events for which parents and other adults are a significant part of the audience.

[A district fund-raising coordinator shall be appointed each year.]

END OF POLICY

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

[ORS 336.423](#)  
[ORS 339.880](#)

[OAR 137-025-0020 to -0530](#)  
[OAR 581-022-1660\(2\)](#)

Federal Smart Snacks in School Rules, 7 C.F.R. Part 210.11.

# Oregon School Boards Association Selected Sample Policy

Code: **IGDF-AR**  
Revised/Reviewed: **Recommend Adoption**

## Student Fund-Raising Activity Request and Verification

Please fill out all sections and return to the principal or designee 30 days prior to initiating the fund-raising activity.

Date:

Name of individual, group or activity making this fund-raising activity request:	
Reason for the fund raiser (please be specific):	
Description of fund raiser <sup>1</sup> (i.e., what is the product, when will it be sold, where will it be sold, who will it be sold to, etc.):	
Start and end dates for the fund raiser:	Anticipated revenue:

If this is a joint fund raiser, write down the name(s) of the partner(s):

Signature of Individual

Signature - Representative of Organization

☐ Approved – Date: \_\_\_\_\_

☐ Not Approved – Date: \_\_\_\_\_

Reason for Denial: \_\_\_\_\_

Signature of Principal or Designee

Date

Signature of [Superintendent]

Date

**Lowell School District**

<sup>1</sup>If fund raising consists of selling food and beverage items to students during the regular or extended school day, the food and beverage items must comply with state and federal nutrition standards, rules and laws. This does not apply to food and beverage items sold at school-related or nonschool-related events for which parents and other adults are a significant part of the audience. (ORS 336.423)



## Student Fund-Raising Activity Verification Form

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

To Whom it May Concern:

The Lowell School District does hereby authorize:

\_\_\_\_\_  
(Name of Individual or Group Receiving Authorization)

to sell \_\_\_\_\_,  
(Name of Product/Item for Sale)

for the purpose of raising funds for \_\_\_\_\_,  
(Funds to be Used for)

from (dates) \_\_\_\_\_ to \_\_\_\_\_.

\_\_\_\_\_  
Signature of Person Authorizing Sales

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Fund-Raising Coordinator

\_\_\_\_\_  
Date

***Any questions regarding this fund-raising activity should be directed to the person authorizing sales.***

# Lowell School District 71

Code: **IKF**  
Adopted: 6/27/11  
Readopted: 5/19/14  
Orig. Code(s): IKF **Recommend Adoption**

## Graduation Requirements

The Board will establish graduation requirements for the awarding of a high school diploma, a modified diploma, an extended diploma and an alternative certificate which meet or exceed state requirements.

A student may satisfy graduation requirements in less than four years. The district will award a diploma to a student fulfilling graduation requirements in less than four years if consent is given by the student's parent or guardian or by the student if ~~they are~~ he/she is 18 years of age or older or emancipated.

### Diploma

A high school diploma will be awarded to students in grades 9 through 12 who complete a minimum of 24 credits which include at least:

1. Three credits of mathematics (shall include one unit at the Algebra I level ~~or~~ and two units that are at a level higher than Algebra I);
2. Four credits of English (shall include the equivalent of one unit in written composition);
3. Three credits of science;
4. Three credits of social sciences (including history, civics, geography and economics (including personal finance));
5. One credit in health education;
6. One credit in physical education; and
7. Three credit in career and technical education, the arts or world language (units shall be earned in any one or a combination).

The district shall offer students credit options provided the method for obtaining such credits is described in the student's personal education plan and the credit is earned by meeting requirements described in Oregon Administrative Rule (OAR) 581-022-1131.

To receive a diploma or a modified diploma, in addition to credit requirements, as outlined in OAR 581-022-1130 and OAR 581-022-1134, respectively, a student must:

1. Demonstrate proficiency in the essential skills of reading, writing and apply math;
2. Develop an education plan and build an education profile;
3. Demonstrate extended application through a collection of evidence;
4. Participate in career-related learning experiences.

## Essential Skills

The district will allow English Language Learner (ELL) students to demonstrate proficiency in the Essential Skill of Apply Mathematics, in a variety of settings, in the student's language of origin for those ELL students who by the end of their 11th grade year are high school:

1. Are On track to meet all other graduation requirements; and
2. Are Unable to demonstrate proficiency in the Essential Skills in English.

The district will allow ELL students to demonstrate proficiency in Essential Skills other than Apply Mathematics, in a variety of settings, in the student's language of origin for those ELL students who by the end of their 11th grade year high school:

1. Are on track to meet all other graduation requirements;
2. Are unable to demonstrate proficiency in the Essential Skills in English;
3. Have been enrolled in a U.S. school for five years or less; and
4. ~~Receives at least a level 3 (Intermediate) on the English Language Proficiency Assessment (ELPA)~~  
Have demonstrated sufficient English language skills using the English Language Proficiency Assessment for the 21st Century (ELPA21)<sup>1</sup>.

The district will develop procedures to provide assessment options as described in the ~~Test Administration Manual~~ *Essential Skills and Local Performance Assessment Manual*, in the ELL student's language of origin for those ELL students who meet the criteria above, and will develop procedures to ensure that locally scored assessment options administered in an ELL student's language of origin are scored by a qualified rater.

## Essential Skills Appeal

The district will follow Board policy KL - Public Complaints in the event of an appeal for the denial of a diploma based on the Essential Skills graduation requirement. The district will retain student work samples and student performance data to ensure that sufficient evidence is available in the event of an appeal.

## Modified Diploma

A modified diploma will be awarded only to students who have demonstrated the inability to meet the full set of academic standards established by the State Board of Education for a diploma while receiving reasonable modifications and accommodations. A modified diploma may only be awarded to a student who meets the eligibility criteria below:

1. Has a documented history of an inability to maintain grade level achievement due to significant learning and instructional barriers; or
2. Has a documented history of a medical condition that creates a barrier to achievement.

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<sup>1</sup>For students seeking a diploma in 2015-2016, this criteria does not apply.

Having met the above eligibility criteria, a modified diploma will be awarded to students, who while in grade nine through completion of high school, complete 24 credits which shall include:

1. Three credits in English;
2. Two credits in mathematics;
3. Two credits in science;
4. Two credits in social sciences;
5. One credit in health;
6. One credit in physical education; and
7. One credit in career technology, the arts or a world language.

In addition to credit requirements as outlined in OAR 581-022-1134, a student must:

1. Develop an education plan and build an education profile;
2. Demonstrate extended application through a collection of evidence.

A student must also demonstrate proficiency in the Essential Skills with reasonable modifications and accommodations.

Districts may make modifications to the assessment for students who seek a modified diploma when the following conditions are met:

1. For a student on an individualized education program (IEP), any modifications to work samples must be consistent with the requirements established in the IEP. Modifications are changes to the achievement level, construct or measured outcome of an assessment. This means that IEP or school teams responsible for approving modifications for a student's assessment may adjust the administration of the assessment and/or the assessment's achievement standard;
2. For a student not on an IEP, any modifications to work samples must have been provided to the student during their instruction in the content area to be assessed; and in the year in which the student is being assessed and modifications must be approved by the school team that is responsible for monitoring the student's progress toward the modified diploma.

Students not on an IEP or a 504 Plan may not receive a modified ~~OAKS~~ Smarter Balanced assessment.

A student's school team shall decide that a student should work toward a modified diploma no earlier than the end of grade six and no later than two years before the student's anticipated exit from high school.

A student's school team may decide to revise a modified diploma decision.

A student's school team may decide that a student who was not previously working toward a modified diploma should work toward one when the student is less than two years from anticipated exit from high school if the documented history has changed.

## **Extended Diploma**

An extended diploma will be awarded only to students who have demonstrated the inability to meet the full set of academic content standards for a diploma while receiving modifications and accommodations. To be eligible for an extended diploma, a student must:

1. While in grade nine through completion of high school, complete 12 credits, which may not include more than six credits in a self-contained special education classroom and will include:
  - a. Two credits of mathematics;
  - b. Two credits of English;
  - c. Two credits of science;
  - d. Three credits of history, geography, economics or civics;
  - e. One credit of health;
  - f. One credit of physical education; and
  - g. One credit of the arts or a world language.
2. Have a documented history of:
  - a. An inability to maintain grade level achievement due to significant learning and instructional barriers;
  - b. A medical condition that creates a barrier to achievement; or
  - c. A change in the student's ability to participate in grade level activities as a result of a serious illness or injury that occurred after grade eight.

Beginning in grade five or after a documented history to qualify for an extended diploma has been established, the district shall annually provide to the parents or guardians of the student, information about the availability and requirements of a modified diploma, an extended diploma and an alternative certificate.

## **Alternative Certificates**

Alternative certificates will be awarded to students who do not satisfy the requirements for a diploma, a modified diploma or an extended diploma if the students meet minimum credit requirements established by the district. Alternative certificates will be awarded based on individual student needs and achievement. A student who receives a modified diploma, an extended diploma or an alternative certificate will have the option of participating in a high school graduation ceremony with the student's class.

## **Other District Responsibilities**

The district will ensure that students have onsite access to the appropriate resources to achieve a diploma, a modified diploma, an extended diploma or an alternative certificate at each high school. The district will provide age appropriate and developmentally appropriate literacy instruction to all students until graduation.

The district may not deny a student, who has the documented history of an inability to maintain grade level achievement due to significant learning and instructional barriers, or of a medical condition that creates a barrier to achievements, the opportunity to pursue a diploma with more stringent requirements than a modified diploma or an extended diploma for the sole reason the student has the documented history.

The district may award a modified diploma or an extended diploma to a student only upon the written consent of the student's parent or guardian. The district shall receive the written consent during the school year in which the modified diploma or the extended diploma is awarded. A student who is emancipated or has reached the age of 18 at the time the modified diploma or extended diploma is awarded may sign the consent.

A student shall have the opportunity to satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in either four years after starting the ninth grade, or until the student reaches the age of 21, if the student is entitled to a public education until the age of 21 under state or federal law.

A student may satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in less than four years but not less than three years. In order to satisfy the requirements for a modified diploma, ~~an~~ extended diploma or ~~an~~ alternative certificate in less than four years, the student's parent or guardian or a student who is emancipated or has reached the age of 18 must provide written consent which clearly states the parent, guardian or student is waiving the fourth year and/or years until the student reaches the age of 21. A copy of the consent will be forwarded to the district superintendent who will annually report to the Superintendent of Public Instruction the number of such consents.

A student who receives a modified diploma, an extended diploma or an alternative certificate will have the option of participating in a high school graduation ceremony with the student's class.

A student who receives a modified diploma, an extended diploma or an alternative certificate shall have access to individually designed instructional hours, hours of transition services and hours of other services that equals at least the total number of instructional hours that are required to be provided to students who are attending a public high school, unless reduced by the IEP team.

The district will award to students with disabilities a document certifying successful completion of program requirements. No document issued to students with disabilities educated in full or in part in a special education program shall indicate that the document is issued by such a program. When a student who has an ~~individualized education program (IEP)~~ completes high school, the district will give the student an individualized summary of performance.

Eligible students with disabilities are entitled to a Free Appropriate Public Education (FAPE) until the age of 21, even if they have earned a modified diploma, an extended diploma, an alternative certificate or completion of a General Education Development document. The continuance of services for students with disabilities for a modified diploma, ~~an~~ extended diploma or ~~an~~ alternative certificate is contingent on the IEP team determining the student's continued eligibility and special education services are needed.

Students and their parents will be notified of graduation and diploma requirements.

The district will review graduation requirements biennially in conjunction with the secondary school improvement plan. Graduation requirements may be revised to address student performance.

The district may not deny a diploma to a student who has opted out of statewide assessments if the student is able to satisfy all other requirements for the diploma. Students who opt-out will need to meet the Essential Skills graduation requirement using another approved assessment option. Students may opt out of the Smarter Balanced or alternate Oregon Extended Assessment by completing the Oregon Department of Education's Opt-out Form<sup>2</sup> and submitting the form to the district.

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<sup>2</sup>[www.ode.state.or.us](http://www.ode.state.or.us); or navigate to Teaching & Learning > Testing - Student Assessment > Smarter Balanced

The district will issue a high school diploma, upon request, to a person who served in the Armed Forces<sup>3</sup>, as specified in Oregon law, if the person was discharged or released under honorable conditions and has received either a General Educational Development, a post-secondary degree or has received a minimum score on the Armed Services Vocational Aptitude Battery.

The district shall establish conduct and discipline consequences for student-initiated test impropriety. “Student-initiated test impropriety” means student conduct that is inconsistent with the *Test Administration Manual* or accompanying guidance; or results in a score that is invalid.

END OF POLICY

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**Legal Reference(s):**

<a href="#">ORS 329.095</a>	<a href="#">ORS 343.295</a>	<a href="#">OAR 581-002-1135</a>
<a href="#">ORS 329.451</a>	<a href="#">OAR 581-022-0615</a>	<a href="#">OAR 581-022-1210</a>
<a href="#">ORS 332.107</a>	<a href="#">OAR 581-022-0617</a>	<a href="#">OAR 581-022-1215</a>
<a href="#">ORS 332.114</a>	<a href="#">OAR 581-022-1130</a>	<a href="#">OAR 581-022-1350</a>
<a href="#">ORS 338.115</a>	<a href="#">OAR 581-022-1131</a>	<a href="#">OAR 581-022-1910</a>
<a href="#">ORS 339.115</a>	<a href="#">OAR 581-022-1133</a>	
<a href="#">ORS 339.505</a>	<a href="#">OAR 581-022-1134</a>	HB 2655 (2015)

TEST ADMINISTRATION MANUAL, APPENDIX L-REQUIREMENTS FOR ASSESSMENT OF ESSENTIAL SKILLS.

**Cross Reference(s):**

IKFA - Early Graduation

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<sup>3</sup>The policy applies to any person who:

1. Served in the Armed Forces of the U.S. at any time during:
  - a. World War I;
  - b. World War II;
  - c. The Korean Conflict; or
  - d. The Vietnam War;
2. Served in the Armed Forces of the U.S. and was physically present in:
  - a. Operation Urgent Fury (Grenada);
  - b. Operation Just Cause (Panama);
  - c. Operation Desert Shield/Desert Storm (Persian Gulf War);
  - d. Operation Restore Hope (Somalia);
  - e. Operation Enduring Freedom (Afghanistan); or
  - f. Operation Iraqi Freedom (Iraq);
3. Served in the Armed Forces of the U.S. in an area designated as a combat zone by the President of the U.S.

# Oregon School Boards Association Selected Sample Policy

Code: **IKF**  
Adopted: **Recommend Version 1**

## Graduation Requirements (Version 2)

The Board will establish graduation requirements for the awarding of a high school diploma, a modified diploma, an extended diploma and an alternative certificate which meet or exceed state requirements. A student may satisfy graduation requirements in less than four years. The district will award a diploma to a student fulfilling graduation requirements in less than four years if consent is given by the student's parent or guardian or by the student if ~~they are~~ **he/she is** 18 years of age or older or emancipated.

The district will ensure that students have onsite access to the appropriate resources to achieve a diploma, a modified diploma, an extended diploma or an alternative certificate at each high school. The district will provide age appropriate and developmentally appropriate literacy instruction to all students until graduation.

### Essential Skills

The district [will][will not] allow English Language Learner (ELL) students to demonstrate proficiency in the Essential Skills of Apply Mathematics in a variety of settings, in the student's language of origin for those **ELL** students who by the end of ~~their 11th grade year~~ **are high school**:

1. ~~Are On~~ **Are On** track to meet all other graduation requirements; and
2. ~~Are Un~~ **Are Un**able to demonstrate proficiency in the Essential Skills in English.

The district [will][will not] allow ELL students to demonstrate proficiency in Essential Skills other than Apply Mathematics in a variety of settings, in the student's language of origin for those **ELL** students who by the end of ~~their 11th grade year~~ **are high school**:

3. Are on track to meet all other graduation requirements;
4. Are unable to demonstrate proficiency in the Essential Skills in English;
5. Have been enrolled in a U.S. school for five years or less; and
6. ~~Receives at least a level 3 (Intermediate) on the English Language Proficiency Assessment (ELPA)~~ **Have demonstrated sufficient English language skills using the English Language Proficiency Assessment for the 21st Century (ELPA21)<sup>1</sup>.**

<sup>1</sup>For students seeking a diploma in 2015-2016, this criteria does not apply.



[The district will develop procedures to provide assessment options as described in the *Test Administration Essential Skills and Local Performance Assessment Manual*, in the ELL student's language of origin for those ELL students who meet the criteria above, and will develop procedures to ensure that locally scored assessment options administered in an ELL student's language of origin are scored by a qualified rater.]

The district may not deny a student, who has the documented history of an inability to maintain grade level achievement due to significant learning and instructional barriers, or of a medical condition that creates a barrier to achievements, the opportunity to pursue a diploma with more stringent requirements than a modified diploma or an extended diploma for the sole reason the student has the documented history.

The district may award a modified diploma or an extended diploma to a student only upon the written consent of the student's parent or guardian. The district shall receive the written consent during the school year in which the modified diploma or the extended diploma is awarded. A student who is emancipated or has reached the age of 18 at the time the modified diploma or the extended diploma is awarded may sign the consent.

A student shall have the opportunity to satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in either four years after starting the ninth grade, or until the student reaches the age of 21, if the student is entitled to a public education until the age of 21 under state or federal law.

A student may satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in less than four years but not less than three years. In order to satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in less than four years, the student's parent or guardian or a student who is emancipated or has reached the age of 18 must provide written consent which clearly states the parent, guardian or student is waiving the fourth year and/or years until the student reaches the age of 21. A copy of the consent will be forwarded to the district superintendent who will annually report to the Superintendent of Public Instruction the number of such consents.

Beginning in grade five or after a documented history to qualify for an extended diploma has been established, the district will annually provide to the parents or guardians of the student, information about the availability and requirements of a modified diploma, an extended diploma and an alternative certificate.

A student who receives a modified diploma, an extended diploma or an alternative certificate will have the option of participating in a high school graduation ceremony with the student's class.

A student who receives a modified diploma, an extended diploma or an alternative certificate shall have access to individually designed instructional hours, hours of transition services and hours of other services that equals at least the total number of instructional hours that is required to be provided to students who are attending a public high school, unless reduced by the individualized education program (IEP) team.

The district will award to students with disabilities a document certifying successful completion of program requirements. No document issued to students with disabilities educated in full or in part in a special education program shall indicate that the document is issued by such a program. When a student who has an IEP completes high school, the district will give the student an individualized summary of performance.

Eligible students with disabilities are entitled to a Free Appropriate Public Education (FAPE) until the age of 21, even if they have earned a modified diploma, an extended diploma, an alternate certificate or completion of a General Education Development document. The continuance of services for students with

disabilities for a modified diploma, an extended diploma or an alternative certificate is contingent on the IEP team determining the student's continued eligibility and special education services are needed.

Students and their parents will be notified of graduation and diploma requirements.

[The district will review graduation requirements biennially in conjunction with the secondary school improvement plan. Graduation requirements may be revised to address student performance.]

The district may not deny a diploma to a student who has opted out of the Smarter Balanced or alternate Oregon Extended Assessment if the student is able to satisfy all other requirements for the diploma. Students who opt-out will need to meet the Essential Skills graduation requirement using another approved assessment option.

The district will issue a high school diploma, upon request, to a person who served in the Armed Forces<sup>2</sup>, as specified in Oregon law, if the person was discharged or released under honorable conditions and has received either a General Educational Development, a post-secondary degree or has received a minimum score on the Armed Services Vocational Aptitude Battery.

The district shall establish conduct and discipline consequences for student-initiated test impropriety. "Student-initiated test impropriety" means student conduct that is inconsistent with the *Test Administration Manual* or accompanying guidance; or results in a score that is invalid.

END OF POLICY

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<sup>2</sup>The policy applies to any person who:

1. Served in the Armed Forces of the U.S. at any time during:
  - a. World War I;
  - b. World War II;
  - c. The Korean Conflict; or
  - d. The Vietnam War;
2. Served in the Armed Forces of the U.S. and was physically present in:
  - a. Operation Urgent Fury (Grenada);
  - b. Operation Just Cause (Panama);
  - c. Operation Desert Shield/Desert Storm (Persian Gulf War);
  - d. Operation Restore Hope (Somalia);
  - e. Operation Enduring Freedom (Afghanistan); or
  - f. Operation Iraqi Freedom (Iraq);
3. Served in the Armed Forces of the U.S. in an area designated as a combat zone by the President of the U.S.

**Legal Reference(s):**

[ORS 329.095](#)  
[ORS 329.451](#)  
[ORS 329.479](#)  
[ORS 332.107](#)  
[ORS 332.114](#)  
[ORS 338.115](#)  
[ORS 339.115](#)  
[ORS 339.505](#)

[ORS 343.295](#)  
  
[OAR 581-022-0615](#)  
[OAR 581-022-0617](#)  
[OAR 581-022-1130](#)  
[OAR 581-022-1131](#)  
[OAR 581-022-1133](#)  
[OAR 581-022-1134](#)

[OAR 581-022-1135](#)  
[OAR 581-022-1210](#)  
[OAR 581-022-1215](#)  
[OAR 581-022-1350](#)  
  
~~HB 2655 (2015)~~

TEST ADMINISTRATION MANUAL, ~~APPENDIX L – REQUIREMENTS FOR ASSESSMENT OF ESSENTIAL SKILLS~~ PUBLISHED BY THE OREGON DEPARTMENT OF EDUCATION (FEBRUARY 4, 2016).  
ESSENTIAL SKILLS AND PERFORMANCE ASSESSMENT MANUAL, PUBLISHED BY THE OREGON DEPARTMENT OF EDUCATION (MARCH 17, 2016).

# Lowell School District 71

Code: **JED**  
Adopted: 12/12/11  
Readopted: 5/19/14  
Orig. Code(s): JED **Recommend Adoption**

## Student Absences and Excuses\*\*

It is the student's responsibility to maintain regular attendance in all assigned classes. Absence from school or class will be excused under the following circumstances:

1. Illness of the student;
2. Illness of an immediate family member when the student's presence at home is necessary;
3. Emergency situations that require the student's absence;
4. Field trips and school-approved activities;
5. Medical (dental) appointments. Confirmation of appointments may be required;
6. Other reasons deemed appropriate by the school administrator when satisfactory arrangements have been made in advance of the absence.

Each school shall notify a parent/ or guardians by the end of the school day if their child has an unplanned absence. The notification will be either in person, by telephone or another method identified in writing by the parent/ or guardian. If the parent/ or guardian cannot be notified by the above methods, a message shall be left, if possible.

Additionally, the superintendent will develop procedures whereby those students who are considered truant may be subject to the following penalties: detention, suspension<sup>1</sup>, ~~expulsion~~ and/or ineligibility to participate in athletics or other activities.

END OF POLICY

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<sup>1</sup>The use of out-of-school suspension or expulsion for discipline of a student in the fifth grade or below, is limited to:

1. Nonaccidental conduct causing serious physical harm to a student or employee;
2. When a school administrator determines, based on the administrator's observation or upon a report from an employee, the student's conduct poses a threat to the health or safety of students or employees; or
3. When the suspension or expulsion is required by law.

**Legal Reference(s):**

[ORS 109](#).056  
[ORS 332](#).107  
[ORS 339](#).030  
[ORS 339](#).055

[ORS 339](#).065  
[ORS 339](#).071  
[ORS 339](#).420

[OAR 581-021](#)-0046  
[OAR 581-021](#)-0050  
[OAR 581-023](#)-0006(11)

**Cross Reference(s):**

IGBHD - Program Exemptions

# Oregon School Boards Association Selected Sample Policy

Code: **JFC**  
Adopted: **Recommend Adoption**

## **Student Conduct\*\*** (Version 1)

The Board expects student conduct to contribute to a productive learning climate. Students shall comply with the district's written rules, pursue the prescribed course of study, submit to the lawful authority of district staff and conduct themselves in an orderly manner at school during the school day or during district-sponsored activities.

Careful attention shall be given to procedures and methods whereby fairness and consistency without bias in discipline shall be assured each student. The objectives of disciplining any student must be to help the student develop a positive attitude toward self-discipline, realize the responsibility of one's actions and to maintain a productive learning environment. All staff members have responsibility for consistency in establishing and maintaining an appropriate behavioral atmosphere.

A student handbook, code of conduct or other document shall be developed by district administration ~~[, in cooperation with staff,]~~ and will be made available and distributed to parents, students and employees outlining student conduct expectations and possible disciplinary actions, including consequences for disorderly conduct, as required by the No Child Left Behind Act of 2001 (NCLBA). In addition, each school in the district shall publish a student/parent handbook detailing additional rules specific to that school. ~~[All rules applying to student conduct shall be posted in a prominent place in each school building.]~~

Students in violation of Board policy, administrative regulation and/or code of conduct provisions will be subject to discipline up to and including expulsion. ~~[Students are subject to discipline for conduct while traveling to and from school, at the bus stop, at school-sponsored events, while at other schools in the district and while off campus, whenever such conduct causes a substantial and material disruption of the educational environment or the invasion of rights of others.]~~ Students may be denied participation in extracurricular activities. Titles and/or privileges available to or granted to students may also be denied and/or revoked (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). A referral to law enforcement may also be made.

The district will annually record and report expulsion data for conduct violations as required by the Oregon Department of Education.

END OF POLICY

**Legal Reference(s):**

[ORS 339.240](#)  
[ORS 339.250](#)

[ORS 659.850](#)

[OAR 581-021-0050 to -0075](#)

Tinker v. Des Moines Sch. Dist., 393 U.S. 503 (1969).  
Hazelwood Sch. District v. Kuhlmeier, 484 U.S. 260 (1988).  
Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986).  
Shorb v. Grotting and Powers Sch. Dist., Case No. 00CV-0255 (Coos County Circuit Ct.) (2000).  
Ferguson v. Phoenix Talent Sch. Dist. #4, 172 Or. App. 389 (2001).  
No Child Left Behind Act of 2001, 20 U.S.C. § 7912 (2006).  
Morse v. Frederick, 551 U.S. 393, 127 S. Ct. 2618 (2007).  
C.R. v. Eugene S.D. 4J, No. 12-1042, U.S. District Court of OR (2013).

# Oregon School Boards Association Selected Sample Policy

Code: **JFC**  
Adopted: **Recommend Do Not Adopt**

## **Student Conduct and Discipline\*\*** (Version 2)

The Board expects student conduct to contribute to a productive learning climate. Students shall comply with the district's policies, administrative regulations, school and classroom written rules, pursue the prescribed course of study, submit to the lawful authority of teachers and school officials and conduct themselves in an orderly manner during the school day and during district-sponsored activities.

Careful attention shall be given to procedures and methods whereby fairness and consistency without bias in discipline shall be assured each student. The objectives of disciplining any student must be to help the student develop a positive attitude toward self-discipline, realize the responsibility of one's actions and maintain a productive learning environment.

~~Disciplinary procedures that are age appropriate, and to the extent practicable, uses approaches that are shown through research to be effective, shall be used by district personnel to correct behavioral problems, while supporting students' attendance to school and classes. Examples include, but are not limited to, reprimands, conferences, detention and denial of participation in cocurricular and extracurricular activities. Titles and/or privileges available to or granted to students may be denied and/or revoked (e.g., valedictorian, salutatorian, student body, class or club office positions, field trips, senior trip, prom, etc.). The district shall consider the age of the student and the student's past pattern of behavior prior to a suspension or expulsion of the student.~~

~~Students may be suspended in cases of serious infractions or repeated failure to comply with Board policy, administrative regulation, school or classroom rules. Students may be expelled for any of the following circumstances: a) when a student's conduct poses a threat to the health or safety of students or employees; b) when other strategies to change the student's behavior have been ineffective, except that expulsion may not be used to address truancy; or c) when required by law.~~

~~The use of out of school suspension or expulsion for discipline of a student in the fifth grade or below, is limited to:~~

- ~~1.——Nonaccidental conduct causing serious physical harm to a student or employee;~~
- ~~2.——When a school administrator determines, based on the administrator's observation or upon a report from an employee, the student's conduct poses a threat to the health or safety of students or employees; or~~
- ~~3.——When the suspension or expulsion is required by law.~~

~~When an out of school suspension is imposed on a student, the district shall take steps to prevent the recurrence of the behavior that led to the out of school suspension, and return the student to a classroom setting to minimize the disruption of the student's academic instruction.~~



~~Restitution may be sought for willful damage to district property. [Additionally, a student's driving privileges, or the right to apply for driving privileges, may be suspended for violations of ORS 339.254 and 339.257 as provided by Board policy JHFD - Suspension of Driving Privileges.] A referral to law enforcement may also be made for violations of the law. Parental assistance shall be requested when persistent violations occur.~~

[Students are subject to discipline for conduct while traveling to and from school, at the bus stop, at school-sponsored events, while at other schools in the district and while off campus whenever such conduct causes a substantial and material disruption of the educational environment or the invasion of the rights of others.]

~~Students shall be subject to discipline, suspension or expulsion, for misconduct including, but not limited to:~~ The following forms or displays of student misconduct, but not limited to, shall be subject to discipline, suspension or expulsion:

1. Assault;
2. [Hazing,] [h]arassment, intimidation, bullying, [menacing,] cyberbullying or teen dating violence [as prohibited by Board policy JFCF - [Hazing/]Harassment/Intimidation/Bullying/[Menacing/] Cyberbullying/Teen Dating Violence/Domestic Violence – Student and accompanying administrative regulation];
3. Coercion;
4. Threats of violence or harm [as prohibited by Board policy JFCM - Threats of Violence];
5. Disorderly conduct;
6. Bringing, possessing, concealing or using a weapon [as prohibited by Board policy JFCJ - Weapons in the Schools];
7. Vandalism, malicious mischief or theft [as prohibited by Board policies ECAB - Vandalism/Malicious Mischief/Theft and JFCB - Care of District Property by Students,] or willful damage or destruction of private property on district premises or at district-sponsored activities;
8. Sexual harassment [as prohibited by Board policy JBA/GBN - Sexual Harassment and accompanying administrative regulation];
9. Use of tobacco, alcohol or drugs [as prohibited by Board policy(ies)] [JFCG/JFCH/JFCI - Use of Tobacco Products, Alcohol, Drugs or Inhalant Delivery System] [JFCG/KGC/GBK - Prohibited Use, Possession, Sale or Distribution of Tobacco or Inhalant Delivery System] [JFCH - Alcohol and JFCI - Substance/Drug Abuse];
10. Use or display of profane or obscene language;
11. Disruption of the school environment;

12. Open defiance of a teacher's authority, including persistent failure to comply with the lawful directions of teachers or school officials;
13. Violation of law, Board policy, administrative regulation, school or classroom rules.

The district recognizes that under the Unsafe School Choice Option of the No Child Left Behind Act of 2001 (NCLBA), a school can be deemed unsafe as a whole entity or for an individual student based on expulsions for weapons violations, violent behavior or expulsions for students arrested for the following criminal offenses occurring on district grounds, on district-sponsored transportation and/or at district-sponsored activities:

1. Assault;
2. Manufacture or delivery of a controlled substance;
3. Sexual crimes using force, threatened use of force or against incapacitated persons;
4. Arson;
5. Robbery;
6. Hate/Bias crimes;
7. Coercion; or
8. Kidnapping.

The district will record and report these infractions to the Oregon Department of Education, as required.

The district will provide the opportunity for all students in any district school identified as persistently dangerous or for any victim of a violent criminal offense occurring in or on the grounds of the school the student attends, to the extent feasible, the opportunity to transfer to a safe school within the district.

Parents, students and employees shall be notified by handbook, code of conduct or other document of acceptable behavior, behavior subject to discipline and the procedures to address behavior ~~and the consequences of that behavior~~. These procedures will include a system of consequences designed to correct student misconduct and promote acceptable behavior.

END OF POLICY

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**Legal Reference(s):**

[ORS 339.240](#)  
[ORS 339.250](#)

[ORS 659.850](#)

[OAR 581-021-0050 to -0075](#)

Tinker v. Des Moines Sch. Dist., 393 U.S. 503 (1969).  
Hazelwood Sch. District v. Kuhlmeier, 484 U.S. 260 (1988).  
Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986).  
Shorb v. Grotting and Powers Sch. Dist., Case No. 00CV-0255 (Coos County Circuit Ct.) (2000).  
Ferguson v. Phoenix Talent Sch. Dist. #4, 172 Or. App. 389 (2001).  
No Child Left Behind Act of 2001, 20 U.S.C. § 7912 (2006).  
Morse v. Frederick, 551 U.S. 393, 127 S. Ct. 2618 (2007).  
C.R. v. Eugene S.D. 4J, No. 12-1042, U.S. District Court of OR (2013).

# Lowell School District 71

Code: **JG**  
Adopted: 8/10/92  
Readopted: 5/19/14; 9/28/15  
Orig. Code(s): JG **Recommend Adoption**

## Student Discipline\*\*

Discipline in the district is based upon a philosophy designed to produce behavioral changes that will enable students to develop the self-discipline necessary to remain in school and to function successfully in their educational and social environments.

Students are subject to discipline for conduct while traveling to and from school, at the bus stop, at school-sponsored events, while at other schools in the district and while off campus, whenever such conduct causes a substantial and material disruption of the educational environment or the invasion of rights of others.

The major objectives of the school discipline program are to teach the following fundamental concepts for living:

1. Understanding and respect for individual rights, dignity and safety;
2. Understanding and respect for the law, district policies, procedures, rules and regulations;
3. Understanding of and respect for public and private property rights.

The Board seeks to assure a school climate which is appropriate for learning and which assures the safety and welfare of personnel and students. The superintendent will develop rules, procedures and standards where by those students who disrupt the educational setting or who endanger the safety of others will receive corrective counseling and be subject to disciplinary sanctions that are age appropriate, and to the extent practicable, ~~that~~ use approaches that are shown through research to be effective to correct behavioral problems, while supporting a students' attendance to school and classes. Examples include, but are not limited to, reprimands, conferences, detention and denial of participation in cocurricular and extracurricular activities. Titles and/or privileges available to or granted to students may be denied and/or revoked (e.g., valedictorian, salutatorian, student body, class or club office positions, field trips, senior trip, prom, etc.).

The district shall enforce consistently, fairly and without bias all student conduct policies, administrative regulations and school rules.

A student whose conduct or condition is seriously detrimental to the school's best interests may be suspended. Students may be expelled for any of the following circumstances: a) when a student's conduct poses a threat to the health or safety of students or employees; b) when other strategies to change the student's behavior have been ineffective, except that expulsion may not be used to address truancy; or c) when required by law. The district shall consider the age of the student and the student's past pattern of behavior prior to imposing the suspension or expulsion. The district will ensure careful consideration of the rights and needs of the individual concerned, as well as the best interests of other students and the school program as a whole.

The use of out-of-school suspension or expulsion for discipline of a student in the fifth grade or below, is limited to:

1. Nonaccidental conduct causing serious physical harm to a student or employee;
2. When a school administrator determines, based on the administrator's observation or upon a report from an employee, the student's conduct poses a threat to the health or safety of students or employees; or
3. When the suspension or expulsion is required by law.

When an out-of-school suspension is imposed on a student in the fifth grade or lower, the district shall take steps to prevent the recurrence of the behavior that led to the out-of-school suspension, and return the student to a classroom setting to minimize the disruption of the student's academic instruction.

Parents, students and employees shall be notified by handbook, code of conduct or other document of acceptable behavior, behavior subject to discipline and the procedures to address behavior ~~and the consequences of that behavior~~. These procedures will include a system of consequences designed to correct student misconduct and promote acceptable behavior.

END OF POLICY

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**Legal Reference(s):**

[ORS 243.650](#)  
[ORS 332.061](#)  
[ORS 332.072](#)

[ORS 332.107](#)  
[ORS 339.115](#)  
[ORS 339.240 to -339.280](#)  
[ORS 659.850](#)

[OAR 581-021-0045](#)  
[OAR 581-021-0050 to -0075](#)

Tinker v. Des Moines Sch. Dist., 393 U.S. 503 (1969).

Shorb v. Grotting and Powers Sch. Dist., Case No. 00CV-0255 (Coos County Circuit Ct.) (2000).

Ferguson v. Phoenix Talent Sch. Dist. #4, 172 Or. App. 389 (2001).

**Cross Reference(s):**

JFC - Student Conduct and Discipline  
JGD - Suspension  
JGE - Expulsion

## Prescription/Nonprescription Medication\*\*

Students may, subject to the provisions of this regulation, have prescription or nonprescription medication administered by designated, trained staff. Self-medication by students will be permitted in accordance with this administrative regulation and state law.

### 1. Definitions

- a. "Prescription medication" means any noninjectable 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. As per Oregon Administrative Rule (OAR) 851-047-0030 through 851-047-0040, a registered nurse may administer a subcutaneous injectable medication.
- b. "Nonprescription medication" means only ~~commercially prepared~~ **Federal Drug Administration approved**, non-alcohol-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 or nonprescription sunscreen.
- c. "Adrenal crisis" means adrenal crisis as defined in Oregon Revised Statute (ORS) 433.800.
- d. "Adrenal insufficiency" means adrenal insufficiency as defined in ORS 433.800.
- e. "Notice of a diagnoses of adrenal insufficiency" means written notice to the district from the parent or guardian of a student who has been diagnosed as adrenal insufficient with a copy of an order from the student's physician that includes the student's diagnosis, description of symptoms indicating the student is in crisis, prescription for medication to treat adrenal insufficiency crisis and instructions for followup care after medication to treat adrenal insufficiency crisis has been administered.
- f. "Physician"<sup>1</sup> 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.
- g. "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.

<sup>1</sup>~~Added to Oregon Revised Statute 678.010 to 678.410: A registered nurse who is employed by a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days (House Bill 3149 (2015)). This is to allow time for new students to find an Oregon licensed physician.~~

- h. “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.
- i. “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.
- j. “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.
- k. “Severe allergy” means a life-threatening hypersensitivity to a specific substance such as food, pollen or dust.
- l. “Asthma” means a chronic inflammatory disorder of the airways that requires ongoing medical intervention.
- m. “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 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 administrative 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, or adrenal insufficiency 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 of Medication to a Student Experiencing Symptoms of Adrenal Crisis

A student experiencing symptoms of adrenal crisis may be treated by designated staff and shall be subject to the following:

- a. Upon notice of a diagnosis of adrenal insufficiency, as defined in OAR 581-021-0037, the building principal will designate staff responsible for administering the medication to treat adrenal insufficiency;
- b. The designated staff will successfully complete training to administer medication to treat a student who has adrenal insufficiency and is experiencing symptoms of adrenal crisis in accordance with the rules adopted by the Oregon Health authority;
- c. The student's parent or guardian must provide adequate supply of the student's prescribed medication to the district;
- d. The district will require the development of an individualized health care plan for the student;
- e. In the event that a student experiences symptoms of adrenal crisis and the designated staff determines the medication to treat adrenal insufficiency should be administered, any available staff member will immediately call 911 and the student's parent or guardian.

#### 5. Administering Medications to Students

- a. A request for designated staff to administer medication to a student may be approved by the district 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 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) 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 (i)-(vi) above.

- (2) A written request for the district to administer nonprescription medication must be submitted to the school office 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) 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, frequency of administration, 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.

6. Student Self-medication of a Prescription or Nonprescription Medication

- a. Student self-medication of prescription medication 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 medications;
  - (2) A prescription written by an Oregon licensed health care professional that includes medication that is prescribed by a physician and a written treatment plan developed by a physician or other Oregon licensed health care professional for managing of the student's asthma, diabetes and/or severe allergy, and for directs use by the student 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 The physician will include acknowledgment the that student has been instructed in the correct and responsible use of the prescribed medication;
  - (3) Principal permission 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 4.a. 5. 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, method of administration and frequency or time of administration and any other special instruction including 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 policy and/or these regulations. Additionally, students may be subject to discipline, up to and including expulsion, as appropriate.

## 7. Handling, Storage, Monitoring Medication Supplies

- a. Medication administered by designated staff or self administered by the student, 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 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;

- (2) Medications requiring refrigeration will be stored in a 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.

#### 8. 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 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.
- c. Any available district staff will immediately call 911 and the student's parent or guardian if the designated staff member believes the student is experiencing symptoms of adrenal crisis and plans to administer medication.

#### 9. 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;
  - (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 ~~9-a~~, **Section 10**. below.

#### 10. 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 medication<sup>2</sup>;
  - (4) Emergency and minor adverse reaction incidents<sup>2</sup>;
  - (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 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 state law.

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

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<sup>2</sup>~~Designated staff may note incident by symbol in medication log and attach detailed documentation as necessary.~~

# Lowell School District 71

Code: **JHCD**A

Adopted: 7/23/07

Readopted: 5/19/14; 12/15/14; 4/27/15;  
9/28/15

Orig. Code(s): JHCD A **Recommend**  
**Adoption**

## Prescription Medication\*\*

The district recognizes that the administration of prescription medication to students and/or student self-medication may be necessary when the failure to take such medication during school hours would prevent the student from attending school, and recognizes a need to ensure the health and well-being of students who require regular doses or injections of medication as a result of experiencing a severe life-threatening allergic reaction, or adrenal crisis<sup>1</sup> or have a need to manage hypoglycemia, asthma or diabetes. When a licensed health care professional is not immediately available, a designated trained staff member may administer to a student, epinephrine, glucagon or other medications as prescribed and allowed by Oregon law.

When ~~directed~~ prescribed by a physician<sup>2</sup> ~~or other licensed health care professional~~, students in grades K-12 will be allowed to self-administer prescription medication, including medication for asthma or severe allergy as defined by state law, and subject to age-appropriate guidelines.

A written treatment plan for a student who self administers medication will be developed and signed by a physician or other Oregon licensed health care professional and kept on file. 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.

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

A request for the district to administer prescription medication to a student shall include the written permission of the parent or guardian and shall be accompanied 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.

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.

<sup>1</sup>Under proper notice given to the district.

<sup>2</sup>~~Added to Oregon Revised Statute 678.010 to 678.410: A registered nurse who is employed by a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days (House Bill 3149 (2015)). (This is to allow time for new students to find an Oregon licensed physician.)~~

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 is kept at a reasonable, secured location in the student's classroom as provided by state law.

Training shall be provided to designated staff as required by law in accordance with approved protocols as established by the Oregon Health Authority. Staff designated to receive training shall also receive bloodborne pathogens training. Current first-aid and CPR cards are strongly encouraged for designated staff.

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 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

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**Legal Reference(s):**

[ORS 109](#).640  
[ORS 339](#).866 to -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 333-055](#)-0000 to -0035  
[OAR 581-021](#)-0037

[OAR 581-022](#)-0705  
[OAR 851-047](#)-0030  
[OAR 851-047](#)-0040

**Cross Reference(s):**

JHCD - Nonprescription Medication

# Oregon School Boards Association Selected Sample Policy

Code: **BBAA**  
Adopted: **Recommend Adoption**

## Individual Board Member's Authority and Responsibilities

An individual Board member exercises the authority and responsibility of his/her position when the Board is in legal session only.

A Board member has the authority to act in the name of the Board when authorized by a specific Board motion. The affirmative vote of the majority of members of the Board is required to transact any business. When authorized to act as the district's designated representative in collective bargaining, a Board member may make and accept proposals in bargaining subject to subsequent approval by the Board.

A Board member has the right to express personal opinions. When expressing such opinions in public, the Board member must clearly identify the opinions as his/her own.

Members will be knowledgeable of information requested through Board action, supplied by the superintendent, gained through attendance at district activities and through professional Board activities.

Members of the Board will adhere to the following in carrying out the responsibilities of membership:

### 1. Request for Information

Any individual Board member who desires a copy of an existing written report or survey prepared by the administrative staff will make such a request to the superintendent. A copy of the material may be made available to each member of the Board. Requests for the generation of reports or information, which require additional expense to the district, must be submitted to the Board for consideration.

### 2. Requests for Legal Opinions

~~Any Board member may request a legal opinion. Such request, however, shall be made through the Board chair to the superintendent.~~ A request for a legal opinion by a Board member, must be approved by a majority vote of the Board before the request is made to legal counsel. If the legal opinion sought involves the superintendent's employment or performance, the request should be made to the Board chair. Legal counsel is responsible to the Board.

### 3. Action on Complaints or Requests Made to Board Members

When Board members receive complaints or requests for action from staff, students or members of the public, the Board members will direct the staff, students, members of the public to the appropriate complaint policy. Board policy KL – Public Complaints. Such information will be conveyed to the superintendent.

#### 4. Board Member's Relationship to Administration

Individual Board members will be informed about the district's educational program, may visit schools or other facilities to gain information, and may request information from the superintendent. Board members will not intervene in the administration of the district or its schools.

#### 5. Contracts or Agreements ~~Made By Individual Board Members~~

~~Contracts or agreements made by individual Board members without the Board's authority are invalid.~~ All contracts of the district must be approved by the Board, unless otherwise delegated by the Board to the superintendent or designee for approval, before an order can be drawn for payment. If a contract is made without authority of the Board, the individual making such contract shall be personally liable.

END OF POLICY

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#### Legal Reference(s):

[ORS 332.045](#)  
[ORS 332.055](#)

[ORS 332.057](#)  
[ORS 332.075](#)

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

S. Benton Educ. Ass'n v. Monroe Union High Sch. Dist., 83 Or. App. 425 (1987).

6/30/16|PH



# Oregon School Boards Association Selected Sample Policy

Code: **BBC**  
Adopted: **Recommend Do NOT Adopt**

## Board Member Resignation

The Board believes that any citizen who files and seeks election or appointment to the Board should do so with full knowledge of and appreciation for the investment in time, effort and dedication expected of all Board members, and that the citizen's intent ~~is to serve~~ reflects intention to serve a full term of office.

When a member decides to terminate service, the Board requests earliest possible notification of intent to resign so the Board may plan for the continuity of Board business. ~~[A verbal resignation made to [—]] will be considered official unless a written statement to the contrary is made within three business days.]~~ Resignations must be made in writing. Board members can resign the office effective at a future date. ~~[If the resignation is effective at a future date, the resignation is binding unless withdrawn in writing by the end of the third business day after the resignation is made.]~~

The Board will announce the resignation and declare the vacancy at ~~its next regular~~ a Board meeting.

The Board will determine the procedures to be used in filling the vacancy. The Board may begin a replacement process and select a successor prior to the effective date of resignation; however, the actual appointment shall not be made before the resignation date.

END OF POLICY

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### Legal Reference(s):

[ORS 236.320](#)  
[ORS 236.325](#)

[ORS 332.030](#)

# Oregon School Boards Association Selected Sample Policy

Code: **BD/BDA**  
Adopted: **Recommend Adoption**

## Board Meetings/~~Regular Board Meetings~~

~~“Meeting” means the convening of the Board as the district’s governing body to make a decision or to deliberate toward a decision on any matter. The Board has the authority to act only when a quorum is present at a duly called regular, or special or emergency meeting.~~ “Meeting” means the convening of a quorum of the Board as the district’s governing body to make a decision or to deliberate toward a decision on any matter. This includes meeting for the purpose of gathering information to serve as the basis for a subsequent decision or recommendation by the governing body, i.e. a work session. The affirmative vote of the majority of members of the Board is required to transact any business.

~~Communications between and among a quorum of members convening on electronically linked personal computers or by telephone conference call are subject to the Public Meetings Law.~~

### 1. Regular Meetings

All regular, ~~and~~ special and emergency meetings of the Board will be open to the public except as provided by law. All meetings will be conducted in compliance with state and federal statutes. All Board meetings, including Board retreats and work sessions, will be held within district boundaries. The Board may attend training sessions outside the district boundaries but cannot deliberate or discuss district business.<sup>1</sup> No meeting will be held at any place where discrimination on the basis of disability, race, creed, color, sex, sexual orientation<sup>2</sup>, age or national origin is practiced.

The Board will give public notice reasonably calculated to give actual notice to interested persons, including those with disabilities, of the time and place for all Board meetings and of the principal subjects to be considered. The Board may consider additional subjects at a meeting, even if they were not included in the notice.

If requested to do so at least 48 hours before a meeting held in public, the Board shall provide an interpreter for hearing-impaired persons. Other appropriate auxiliary aids and services will be provided upon request and appropriate advance notice. Communications with all qualified individuals with disabilities shall be as effective as communications with others.

All meetings held in public shall comply with the Oregon Indoor Clean Air Act and the smoking provisions contained in the Public Meetings Law.

[The possession of dangerous or deadly weapons and firearms, as defined in law and Board policy, is prohibited on district property.]

<sup>1</sup>ORS 192.630(4). Meetings of the governing body of a public body shall be held within the geographic boundaries over which the public body has jurisdiction, or at the administrative headquarters of the public body or at the other nearest practical location. Training sessions may be held outside the jurisdiction as long as no deliberations toward a decision are involved.

<sup>2</sup>As defined in ORS 174.100.

No later than the next regular meeting following July 1, the Board will hold an organizational meeting to elect Board officers for the coming year and to establish the year's schedule of Board meetings. In Board election years (odd numbered years), the first meeting will be held no later than July 31.

## 1. Regular, Special and Emergency Meetings

~~[One]~~ Generally, a regular Board meeting will be held each month. The regular meeting schedule will be established at the organizational meeting in July ~~but~~ and may be changed by the Board with proper notice. The purpose of each regular monthly meeting will be to conduct the regular Board business. ~~The Board chair will conduct the meeting, or in his/her absence, the vice chair will conduct the meeting. If both are absent, the person with the longest period of service on the Board will conduct the meeting.~~

No later than the next regular meeting following July 1, the Board will hold an organizational meeting to elect Board officers for the coming year and to establish the year's schedule of Board meetings. In Board election years (odd numbered years), the first meeting will be held no later than July 31.

Special meetings can be convened by the Board chair upon request of three Board members, or by common consent of the Board at any time to discuss any topic. A special meeting may also be scheduled if less than a quorum is present at a meeting or additional business still needs to be conducted at the ending time of a meeting. At least 24 hours' notice must be provided to all Board members, the news media, which have requested notice, and the general public for any special meeting.

Emergency meetings can be called by the Board in the case of an actual emergency upon appropriate notice under the circumstances. The minutes of the emergency meeting must describe the emergency. Only topics necessitated by the emergency may be discussed or acted upon at the emergency meeting.

## 2. ~~Electronic Communication~~ Communications Outside of Board Meetings

~~E-mail to, by, and~~ Communications, to, by and among a quorum of Board members outside of a legally called Board meeting, in their capacity as Board members, shall not be used for the purpose of discussing district business. This includes electronic communication. ~~E-mail~~ Electronic communications among Board members shall be limited to: (1) disseminating information, and (2) messages not involving deliberation, debate, or decision-making or gathering of information on which to deliberate.

~~E-mail~~ Electronic communications may contain:

- a. Agenda item suggestions;
- b. Reminders regarding meeting times, dates and places;
- c. Board meeting agendas or information concerning agenda items;
- d. One-way information from Board members or the superintendent to each Board member (e.g., an article on student achievement or to share a report on district progress on goals) so long as that information is also being made available to the public;

- e. Individual responses to questions posed by community members, subject to other limitations in Board policy.

~~[E-mails sent to other Board members will have the following notice:~~

~~Important: Please do not reply or forward this e-mail communication if this communication constitutes a decision or deliberation toward a decision between and among a quorum of a governing body which could be considered a public meeting. E-mails Electronic communications on district business are governed by pPublic rRecords and Meetings Law.]~~

### 3. Private or Social Meetings

Private or social meetings of a quorum of the Board for the purpose of making a decision or to deliberate toward a decision on any matter are prohibited by the Public Meetings Law.

### 4. Work Sessions

The Board may use regular or special meetings for the purpose of conducting work sessions to provide its members with opportunities for planning and thoughtful discussion. Work sessions will be conducted in accordance with the state law on public meetings, including notice and minutes. ~~[The Board {may make} {is discouraged from making} official decisions during a work session.]~~ ~~[Generally, Boards do not take official action during work sessions, although there is no legal prohibition to do so.].~~

### 5. Executive Sessions

Executive sessions may be held ~~{as an agenda item}~~ during regular, special or emergency meetings for a reason permitted by law. ~~{(See Board policy BDC - Executive Sessions)}~~

### 4. Special Meetings

~~If less than a quorum is present, or additional business needs to be conducted at the regular time of adjournment, a special meeting may be called. The time, date and place of the adjourned meeting will be specified and appropriate notice given.~~

~~All meetings held in public shall comply with the Oregon Indoor Clean Air Act and the smoking provisions contained in the Public Meetings Law.~~

~~[The possession of dangerous or deadly weapons and firearms, as defined in law and Board policy, is prohibited on district property.]~~

END OF POLICY

**Legal Reference(s):**

[ORS 174.100](#)  
[ORS 174.104](#)

[ORS Chapter 192](#)  
[ORS Chapter 193](#)

[ORS 332.0450](#) to [-332.441061](#)  
[ORS 433.835](#) to [-433.875](#)

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

41 OR. ATTY. GEN. OP. 28 (1980)

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.

OR. ATTY. GEN. Public Records and Meetings Manual (2014).

# Oregon School Boards Association

## Selected Sample Policy

Code: **BDC**  
Adopted: **Recommend Adoption**

### Executive Sessions

The Board may meet in executive session to discuss subjects allowed by statute but may not take final action except for the expulsion of students and matters pertaining to or examination of the confidential medical records of a student, including that student's educational program.

~~Executive sessions may be held during regular, special or emergency meetings for any reason permitted by law.~~ An executive session may be convened by the Board chair upon request of three Board members or by common consent of the Board for a purpose authorized under Oregon Revised Statute (ORS) 192.660, during a regular, special or emergency meeting. The presiding officer will announce the executive session by identifying the authorization under ORS 192.660 for holding such session and by noting the subject of the executive session.

The Board may hold an executive session:

1. To consider the employment of a public officer, employee, staff member or individual agent. (ORS 192.660(2)(a))
2. To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing. (ORS 192.660(2)(b))
3. To conduct deliberations with persons designated by the governing body to carry on labor negotiations. (ORS 192.660(2)(d))
4. To conduct deliberations with persons designated by the governing body to negotiate real property transactions. (ORS 192.660(2)(e))
5. To consider information or records that are exempt by law from public inspection. (ORS 192.660(2)(f))
6. To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. (ORS 192.660(2)(h))
7. 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. (ORS 192.660(2)(i))
8. To consider matters relating to school safety or a plan that responds to safety threats made toward a school. (ORS 192.660(k))

9. To review the expulsion of a minor student from a public elementary or secondary school.  
(ORS 332.061(1)(a))

10. To discuss matters pertaining to or examination of the confidential medical records of a student, including that student's educational program. (ORS 332.061(1)(b))

~~The presiding officer will announce the executive session by identifying the authorization under ORS 192.660 for holding such session and by noting the subject of the executive session.~~

Members of the press may attend executive sessions except those matters pertaining to:

1. ~~d~~Deliberations with persons designated by the Board to carry on labor negotiations;
2. ~~h~~Hearings on the expulsion of minor students; or examination of the confidential medical records of a student including, that student's educational program; and
3. ~~e~~Current litigation or litigation likely to be filed if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.

~~An executive session may be convened by the chair, upon request of three Board members or by common consent of the Board for a purpose authorized under ORS 192.660.~~

If an executive session is held pursuant to ORS 332.061, the following shall not be made public: the name of the minor student; the issue, including the student's confidential medical records and educational program; the discussion; and each Board member's vote on the issue.

~~All executive session m~~Minutes shall be kept in written [or audio or video] form for all executive sessions.

Content discussed in executive sessions is confidential.

END OF POLICY

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**Legal Reference(s):**

[ORS 192.610 to -192.710](#)  
[ORS 332.045](#)

[ORS 332.061](#)

# Oregon School Boards Association Selected Sample Policy

Code: **BDC-AR**  
Revised/Reviewed: **Recommend Deletion**

## Executive Sessions – News Media

**Currently Recognized News Media Organizations.** The following entities are recognized as news media organizations eligible to attend executive sessions because they have an established history of meeting the requirements of this regulation:

[List entities currently recognized by the district:

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No other entity shall be permitted to attend an executive session unless it is recognized through the process described below.

### 1. Recognition of Other News Media Organizations

- a. The following entities are recognized as news media organizations eligible to attend executive sessions:<sup>1</sup>
  - (1) A general or associate member newspaper of the Oregon Newspaper Publishers Association, a broadcast member of the Oregon Association of Broadcasters or a member of the Associated Press; or
  - (2) A newspaper that the district uses for publication of public notices and that meets the requirements of ORS 193.020; or
  - (3) An entity recognized by the district as being a news source that:
    - (a) Is organized and operated to regularly and continuously publish, broadcast, transmit via the Internet or otherwise disseminate news to the public, and that regularly reports on activities of the district or matters of the nature under consideration by the district; and
    - (b) Is determined by the district to be a business entity that is institutionalized<sup>2</sup> and that is committed to, and is structured to support, the terms of ORS 192.660(4).<sup>3</sup> In making this determination, the district may consider and weigh any factors that it deems to be relevant, including, without limitation, the existence of any of the following factors:

<sup>1</sup>School/district-sponsored media groups comprised of members of the student body under the direction of a student media advisor are not within the definition of “media organization” as contemplated by this regulation.

<sup>2</sup>For the purposes of this regulation, “institutionalized” means long-established or well-established.

<sup>3</sup>ORS 192.660(4). Representatives of the news media shall be allowed to attend executive sessions other than those held under Subsection (2)(d) of this section relating to labor negotiations or executive session held pursuant to ORS 332.061(2) but the governing body may require that specified information be undisclosed.



- (i) The entity has multiple personnel with defined roles within its organizational structure;
  - (ii) The names of news-reporting personnel, and responsible entity management personnel, together with addresses and contact telephone numbers, are readily available;
  - (iii) The entity has an available process for correcting errors, including violations of executive session statutes, by a person with authority to take corrective measures.
- b. It shall be the entity's burden to persuade the district by substantial evidence that it should be recognized as a news media organization meeting the criteria in Section 1.a. of this regulation. Such evidence must be submitted [five working days] in advance of the next regularly scheduled Board meeting prior to the first executive session that the entity desires to attend. The Board shall make a determination within [[five] working days] of receiving the evidence submitted by the entity or at the next regularly scheduled Board meeting. The Board may elect to forgo this procedure in cases where the Board, in its sole discretion, determines that it can immediately recognize that an entity qualifies under this procedure, or in cases where the Board, in its sole discretion, determines that other good cause exists for making an expedited determination.
- c. A determination that the entity is not recognized shall be based upon written findings addressing the criteria in Section 1.a.

## 2. Attendance at Executive Sessions

Representatives of news media organizations recognized under the criteria established by this regulation shall be allowed to attend executive sessions, except as described in ORS 192.660(4) and 192.660(5), pursuant to the following process:

- a. The representative must provide substantial evidence persuading the district, that he/she is a news reporter for the recognized news media organization. In making its determination whether to recognize the person as a representative of the news media organization, the district shall require:
  - (1) A press badge or identification issued by the recognized news media organization, plus proof of identity (such as a driver's license); or
  - (2) A recently published news article in the recognized news media organization publication or broadcast, with the person's byline, or a masthead showing the person's name as a member of the news gathering staff of the news media organization, plus proof of identity; or
  - (3) A letter on letterhead from an editor of the recognized news media organization in which the editor states that the reporter is covering the meeting for the news media organization, plus proof of identity.
- b. Representatives of the news media are not permitted to attend executive sessions involving deliberations with persons designated to carry on labor negotiations. ORS 192.660(4). If the executive session is being held for the purpose of conferring with counsel about current litigation or litigation likely to be filed, the Board shall exclude any member of the news

media from attending if the member is a party to the litigation to be discussed or is an employee, agent or contractor of a news media organization that is a party to the litigation. ORS 192.660(5);

- c. The Board may require that a request to attend an executive session be made in writing on a form provided by the district. The form shall require disclosure of the person's name, and the entity for which he or she is a news reporter, and shall require submission of evidence described in Subsections 2.a.(1), (2) or (3) of this regulation. The form shall also include a signature line whereby the person certifies that they are gathering news for a recognized news media organization, that the information given is true and that they agree to comply with ORS 192.660(4);
- d. The Board may consider any relevant evidence provided or gathered in making its decision as to whether a person shall be recognized as a representative of a recognized news media organization.

### 3. Recording Devices Prohibited

Cameras and other audio or video recording devices shall not be used in executive sessions, except for the official executive session recordings made by district staff.

### 4. Exclusion Based on a Direct Personal Interest

A representative of a news media organization that has a direct personal interest in the subject of the executive session that would frustrate the purpose of the executive session may be barred from attending.

# Oregon School Boards Association Selected Sample Policy

Code: **BFC**  
Adopted: **Recommend V2**

## Adoption and Revision of Policies (Version 1)

Adopting new policies and changing or repealing existing policies ~~are solely~~ is the Board's responsibility. Policy will be adopted and amended or repealed only by the affirmative vote of a majority of the Board members. Such action will be scheduled on the agenda of a regular or special meeting.

Proposed policies or policy changes and repeal of existing policies will be presented in writing for consideration by the Board.

To permit time for studying all new policies or amendments to policies and to provide an opportunity for interested parties to react, proposed policies or amendments will be presented as a Board agenda item in the following sequence:

- ~~1. Distribution with agenda as an information item. This announces that a policy is being developed in a particular area and that interested parties may submit suggestions;~~
1. First reading of a proposed policy (or policies); ~~response from the superintendent; report from any Board or advisory committee assigned responsibility in the area; Board discussion and directions for any redrafting. During discussion of a policy proposal, the views of the public and staff will be considered. Amendments may be proposed by Board members. An amendment will not require the policy go through an additional reading except as the Board determines that the amendment needs further study and an additional reading would be advantageous;~~ This is an information item and no action is required by the Board. A first reading announces that a new policy, a revision of an existing policy or consideration to rescind a policy, is being considered by the Board. Comments, questions, concerns and recommended edits should be forwarded to the superintendent for consideration prior to the meeting in which the policy is recommended for a second reading and/or adoption. If a Board member wishes to discuss a proposed policy or administrative regulation listed as an information item, the policy must be moved to the agenda for discussion with a [consensus] [majority vote] of the Board. Any organization which represents employees of the district shall be furnished a copy of personnel policies and revisions as they are made.
2. Second reading/~~Adoption~~ of a proposed policy (or policies); ~~response from the superintendent; report from any Board or advisory committee assigned responsibility in the area; Board discussion and directions for any redrafting. During discussion of a policy proposal, the views of the public and staff will be considered. Amendments may be proposed by Board members. An amendment will not require the policy go through an additional reading except as the Board determines that the amendment needs further study and an additional reading would be advantageous.~~ This is an action by the Board and may be placed on the consent agenda. Any revisions to a policy from the first reading will not require the policy go through an additional reading, except as the Board determines that the revision(s) need(s) further study and an additional reading would be advantageous.

When, in the best interests of the district, immediate adoption of a proposed policy is necessary, the Board may adopt such policy at the first meeting in which it is presented.

Policies and amendments adopted by the Board will be attached to, and made a part of, the minutes of the meeting at which they are adopted and also will be included in the district's **board** policy manual.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.107](#)

[ORS 332.505](#)

[OAR 581-022-1610](#)

[OAR 581-022-1720](#)

# Oregon School Boards Association Selected Sample Policy

Code: **BFC**  
Adopted: **Recommend Adoption**

## Adoption and Revision of Policies (Version 2)

Board policies will be subject to alteration, addition or deletion upon majority vote of the Board at any regular or special meeting in which all members have been notified in writing of the proposed alteration, addition or deletion at least 24 hours in advance. In most cases, a first reading of the policy will be scheduled on a regular meeting agenda prior to its adoption at a subsequent regular **or special** meeting.

~~A proposed change in policy will not be made at the meeting in which the change is proposed unless by [unanimous] [majority] vote of the Board.~~

The formal adoption of policies will be recorded in the Board minutes. Only those written statements so adopted and so recorded will be regarded as official Board policy.

~~Board policy documents will be printed and assembled in loose-leaf booklets.~~ When additions, deletions or amendments are made to Board policy, the addition, deletion or amendment will carry the adoption date and the corrected copy will be published ~~and inserted in each Board policy manual~~ at the earliest opportunity.

The operation of any **individual policy**, section or sections of policies not established by law or specifically listed in the current collective bargaining agreement may be temporarily suspended by a majority vote of the Board at a regular or special meeting.

The policy manual will be ~~[regularly]~~ reviewed ~~at the beginning of each year~~ to keep it current.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)  
[ORS 332.505](#)

[OAR 581-022-1610](#)  
[OAR 581-022-1720](#)

# Oregon School Boards Association Selected Sample Policy

Code: **ECACB**  
Adopted: **Recommend Adoption**

## **Unmanned Aircraft System (UAS) a.k.a. Drone**

Any employee or representative of the district operating a district unmanned aircraft system shall do so in accordance with this policy and all applicable Federal Aviation Administration (FAA) regulations.

An “unmanned aircraft system” (UAS) means an unmanned flying machine, commonly known as a drone, and its associated elements, including communication links and the components that control the machine.

The district recognizes the academic value of student operation of a UAS as one component of curricula pertaining to principles of flight, aerodynamics and airplane design and construction, which can also serve as an academic tool in other areas such as television, film production or the arts in general. Therefore, in compliance with the Federal Aviation Administration Modernization and Reform Act of 2012, Section 336, students may operate a UAS as part of a course requirement, as long as that student does not receive compensation directly or incidentally from such operation. District staff teaching a class that allows use of a UAS may assist a student in their operation of the UAS, provided the assistance is needed as part of the curriculum and assistance is to a student enrolled in the course. The staff member’s participation must be limited to the student’s operation of the UAS.

District employees shall work with administrators to ensure that proper insurance, registration and authorization are in place prior to adoption of curriculum that allows operation of a UAS as part of the curriculum.

A UAS shall be operated in accordance with the policies of the Oregon School Activities Association (OSAA)<sup>1</sup> at OSAA sanctioned events. Use of a UAS at other district-sponsored athletics or activities is prohibited.

A student in violation of this policy may be subject to disciplinary action, up to and including suspension and/or expulsion.

A staff member in violation of this policy may be subject to disciplinary action, up to and including dismissal.

All data gathered by the district as part of a UAS operation will belong to the district. The data gathering by the district will follow appropriate state and federal laws. Retention of such data will follow state and federal laws.

The superintendent shall develop procedures for the implementation of this policy.

The district shall post a copy of this policy, associated procedures and a copy of Oregon Revised Statute (ORS) 192.501 on the district’s website.

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<sup>1</sup><http://www.osaa.org/governance/handbooks/osaa> #85

## **Third Party Use**

Third party use of a UAS on district property or at district-sponsored events for any purpose is prohibited, unless granted permission from the [superintendent or designee].

If permission is granted by the [superintendent or designee], the third party operating a UAS will comply with all FAA regulations and shall provide the following to the district:

1. Proof of insurance that meets the liability limits established by the district;
2. Appropriate registration and authorization issued by the FAA when required; and
3. A signed agreement holding the district harmless from any claims of harm to individuals or damage to property.

END OF POLICY

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

[ORS 164.885](#)  
[ORS 174.109](#)

[ORS 192.501](#)  
[ORS 837.300](#) to -837.390

[ORS 837.995](#)

Federal Aviation Administration Modernization and Reform Act of 2012, P.L. 112-95, § 336 (2012).

Federal Aviation Administration, Educational Use of Unmanned Aircraft Systems (UAS) Memorandum, May 4, 2016.

Family Educational Rights Privacy Act

OREGON SCHOOL ACTIVITIES ASSOCIATION HANDBOOK #85 (2015-2016).

# Oregon School Boards Association Selected Sample Policy

Code: **JBB**  
Adopted: **Recommend do NOT Adopt**  
**\*\*Ref. Policy AC & JB**

## Educational Equity

The district is committed to the success of every student in each of our schools. For that success to occur, the district is committed to equity by recognizing institutional barriers and creating access and opportunities that benefit each student. “Achieving equity” means students’ identities will not predict or predetermine their success in school.

Educational equity is based on the principles of fairness and justice in allocating resources, opportunity, treatment and creating success for each student.

Educational equity promotes the real possibility of equality of educational results for each student and between diverse groups of students. Equity strategies are intentional, systemic and focused on the core of the teaching and learning process.

To achieve educational equity the district will commit to:

1. Systematically using districtwide and individual school level data, disaggregated by [race/ethnicity, national origin, language, special education, sex, socioeconomic status and mobility<sup>1</sup>] to inform district decision making.
2. Raising the achievement of all students while narrowing the gap between the lowest and the highest performing students.
3. Eliminating the predictability and disparity in all aspects of education and its administration, including but not limited to, the disproportionate representation of students by race, poverty, sex, sexual orientation<sup>2</sup> and national origin in discipline, special education and in various advanced learning.
4. Graduating all students ready to succeed in a diverse local, national and global community.

In order to achieve educational equity for each and every student:

1. The district shall provide every student with equitable access to high quality curriculum, support, facilities and other educational resources, even when this means differentiating resource allocation.

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<sup>1</sup>These are data categories that the Oregon Department of Education collects. Districts may choose to add to this list from data the district collects.

<sup>2</sup>“Sexual orientation” is defined by Oregon Revised Statute (ORS) 174.100(7) to mean an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behavior differs from that traditionally associated with the individual’s sex at birth.



2. The district shall review existing policies, programs, professional development and procedures for the promotion of educational equity, and all applicable new policies, programs and procedures will be developed [using an educational equity analysis tool] [with educational equity as a priority].
3. The district shall actively work toward a balanced teacher and administrator workforce to reflect the diversity of the student body. The district seeks to recruit, employ, support and retain a workforce that includes racial, sex and linguistic diversity, as well as culturally responsive administrative, instructional and support personnel.
4. The district shall provide professional development to strengthen employees' knowledge and skills for eliminating opportunity gaps and other disparities in achievement.
5. The district shall create schools with a welcoming, inclusive culture and environment that reflects and supports diversity of the student population, their families and their community.
6. The district shall include partners who have demonstrated culturally specific expertise, including but not limited to, families, government agencies, institutions of higher learning, early childhood education organizations, community-based organizations, local businesses and the community in general, in meeting our high goals for educational outcomes. The district shall seek to involve students, staff, families and community members that reflect district demographics to inform decisions regarding the narrowing of the achievement and other opportunity gaps.
7. The district shall provide multiple pathways to success in order to meet the needs of the diverse student body and shall actively encourage, support and expect high academic achievement for each student.
8. The district shall provide materials and assessments that reflect the diversity of students and staff and are geared toward the understanding and appreciation of culture, class, language, ethnicity, poverty, ability and other differences that contribute to the uniqueness of each student and staff member.

The superintendent shall [develop procedures] [develop an action plan] [include equity practices in the district's strategic plan strategies] to implement this policy. The superintendent will [annually] report to the Board the progress of the [implementation of this policy] [action plan] [strategic plan].

END OF POLICY

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**Legal Reference(s):**

[ORS 174.100\(7\)](#)  
[ORS 332.075](#)

[ORS 332.107](#)  
[ORS 342.437 to -342.449](#)

# Oregon School Boards Association Selected Sample Policy

Code: **JHCA/JHCB**  
Adopted: **Recommend Adoption**

## **Immunization, Physical Examination, and Vision Screening/Eye Examination and Dental Screening\*\***

### **Immunization**

Proof of immunization must be presented prior to the time of initial enrollment in school or within 30 days of transfer to the district. Proof consists of a signed Certificate of Immunization Status form documenting either evidence of immunization or a religious, philosophical beliefs and/or medical exemption.<sup>1</sup>

### **Physical Examination**

The Board recommends that all students initially enrolling in school have a physical examination. Parents will be asked to complete a district Health History form when initially enrolling their students in the district and when registering them for seventh grade.

All students participating in athletic programs are required to submit to the district a School Sports Pre-participation Examination<sup>2</sup> form prior to their initial participation in a district athletic program. The form is to be completed and signed by a parent or guardian and physician giving permission for the student to participate.

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

All students who continue to participate in extracurricular sports in grades 7 through 12 shall be required to complete a physical examination once every two years, thereafter.

### **Vision Screening or Eye Examination**

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

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

<sup>1</sup>Documentation requirements for exemptions are outlined in ORS 433.267.

<sup>2</sup>Form available at [www.osaa.org](http://www.osaa.org).

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

1. The student submitted a certification to a prior education provider; or
2. The vision screening or eye examination is contrary to the religious beliefs of the student or the parents or guardian of the student.

### **Dental Screening**

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

The parent or guardian of a student who is 7 years of age or younger and is beginning an education program with the district for the first time, shall submit a certification within 120 days of beginning the education program, that the student has received a dental screening within the previous 12 months.

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

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

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

1. Student's name;
2. Date of screening; and
3. Name of entity conducting the dental screening.

The district shall submit to the Oregon Department of Education a report that identifies the percentage of students who failed to submit the certification for the previous year, no later than October 1 of each year.

END OF POLICY

**Legal Reference(s):**

[ORS 326.580](#)  
[ORS 336.211](#)  
[ORS 336.213](#)  
[ORS 336.479](#)

[ORS 433.235 to -433.280](#)  
[OAR 333-019](#)-0010  
[OAR 333-050](#)-0010 to -0120

[OAR 581-021](#)-0031  
[OAR 581-021-0017](#)  
[OAR 581-021](#)-0041  
[OAR 581-022](#)-0705

OREGON SCHOOL ACTIVITIES ASSOCIATION, OSAA HANDBOOK.

# Oregon School Boards Association Selected Sample Policy

Code: **JHCB**  
Adopted: **Recommend Do NOT Adopt**

## **Immunization, and Vision Screening/Eye Examination and Dental Screening\*\***

### **Immunization**

No student will be allowed to enroll or continue school attendance without first presenting evidence of compliance with Oregon Revised Statutes and Oregon Administrative Rules requiring immunization.

The administrator or designee is authorized to exclude any student from school attendance for noncompliance with the statutes ~~and/or~~ rules. The administrator or designee will notify the parent in writing of the reason for the exclusion, stating that the student will continue to be excluded until the student has complied with the requirements. The notice will also inform the parent that a hearing will be afforded upon request.

The district will comply with the Oregon Department of Human Services, Health Services, rules related to the district's immunization registry and the associated tracking and recall systems. This compliance shall include the waiver of the requirement of consent for release of information from or providing information to and the waiver of issues of confidentiality in regard to immunization records.

The above policy statement affects all students not exempted for religious beliefs, philosophical beliefs or medical reasons.<sup>1</sup>

### **Vision Screening/Eye Examination**

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

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

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

1. The student submitted a certification to a prior education provider; or
2. The vision screening or eye examination is contrary to the religious beliefs of the student or the parents or guardian of the student.

<sup>1</sup>Documentation required for exemption is outlined in ORS 433.267.

## Dental Screening

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

The parent or guardian of a student who is 7 years of age or younger and is beginning an education program with the district for the first time, shall submit a certification within 120 days of beginning the education program, that the student has received a dental screening within the previous 12 months.

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

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

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

1. Student's name;
2. Date of screening; and
3. Name of entity conducting the dental screening.

The district shall submit a report to the Oregon Department of Education that identifies the percentage of students who failed to submit the certification for the previous year, no later than October 1 of each year.

END OF POLICY

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### Legal Reference(s):

[ORS 326.580](#)  
[ORS 336.211](#)  
[ORS 336.213](#)  
[ORS 433.235](#) to -433.280

[OAR 333-019](#)-0010  
[OAR 333-050](#)-0010 to -0120

[OAR 581-021](#)-0017  
[OAR 581-021](#)-0031  
[OAR 581-022](#)-0705

4/16/146/30/16 | RS

# Oregon School Boards Association Selected Sample Policy

Code: **KGB**  
Adopted: **Recommend Adoption**

## Public Conduct on District Property (Version 1)

No person on district property or grounds, including parking lots, will:

1. Injure or threaten to injure another;
2. Damage the property of another or of the district;
3. Initiate or circulate a report, one knows to be false, concerning an alleged hazardous substance, impending fire, explosion, catastrophe or other emergency that will take place in or upon a school;
4. Violate parking regulations;
5. Drive a vehicle in an unsafe manner;
6. Operate an unmanned aircraft system (UAS) or drone ~~unless granted permission from the superintendent or designee~~, as prohibited by Board policy ECACB - Unmanned Aircraft System (UAS) a.k.a. Drone];
7. Impede, delay or otherwise interfere with the orderly conduct of the district's educational program or any other activity taking place on district property which has been authorized by the Board, superintendent, principal or other authorized administrator;
8. Enter any portion of district premises at any time for purposes other than those which are lawful and authorized by district officials;
9. Bring, possess[, conceal] or use a weapon as prohibited by Board policy JFCJ - Weapons in the Schools and state and federal law;
10. Possess, consume, sell, give or deliver unlawful drugs and/or alcoholic beverages. Possess, sell, give or deliver drug paraphernalia;
11. Use, distribute or sell tobacco products or inhalant delivery systems;
12. [Wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign or other ~~things~~ ~~item~~ ~~which that are~~ ~~is~~ evidence of membership or affiliation ~~in~~ ~~with~~ any gang. Use speech or commit any act or omission in furtherance of the interests of any gang or gang activity. A "gang" is defined as a group that identifies itself through the use of a name, unique appearance or language including hand signs, claiming of geographical territory or the espousing of a distinctive belief system that frequently results in criminal activity;]

13. Willfully violate Board policies, administrative regulations or school rules designed to maintain public order on district property.

Persons having no legitimate purpose or business on district property, or those violating or threatening to violate the above rules, may be ~~issued a trespass citation~~ [ejected from the premises] and/or referred to law enforcement officials.

END OF POLICY

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**Legal Reference(s):**

[ORS 161.015](#)

[ORS 164.245](#)

[ORS 164.255](#)

[ORS 166.025](#)

[ORS 166.155](#) to -166.165

[ORS 166.210](#) to -166.370

[ORS 332.172](#)

[ORS 336.109](#)

[ORS 339.883](#)

[ORS 431.840](#)

[ORS 433.835](#) to -433.990

[ORS 806.060](#) to -806.080

[OAR 333-015-0025](#) to -0090

[OAR 581-021-0110](#)

[OAR 584-020-0040](#)(4)(e),(g)

Gun-Free Schools Act, 20 U.S.C. 7151 (2006).

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2006).

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2006).



# Oregon School Boards Association Selected Sample Policy

Code: **KGB**  
Adopted: **Recommend V1**

## Public Conduct on District Property (Version 2)

No person on district property or any district grounds, including parking lots, shall:

1. Haze, harass, intimidate, bully or menace another, or engage in behavior deemed by the district to endanger the safety of students, employees, self or others;
2. Use or engage in abusive verbal **expression** or physical conduct that interferes with the performance of students, event officials or sponsors of approved activities;
3. Damage the property of another or of the district;
4. Initiate or circulate a report, one knows to be false, concerning an alleged hazardous substance, impending fire, explosion, catastrophe or other emergency that will take place in or upon a school;
5. Construct or transport to district property for temporary or permanent purposes any structure not approved for construction on, or transportation to, district property;
6. Uproot, pick, cut, mutilate or remove plant life or other natural resources of any kind. Roots, tubers, flowers and stems may not be collected. Soil or rock may not be dug up or removed;
7. Dump or spill any sewage, waste water or other fluids from any vehicle;
8. Use district waste containers or other district property for the deposit of waste or refuse generated from household, commercial, industrial, construction or other uses not related to approved use on district property;
9. Block, obstruct or interfere with vehicular or pedestrian traffic on any district road, parking area, walkway, pathway or common area. Occupying or impeding access to any district facility in a manner that interferes with the approved use of such facility by district employees, students or other authorized users is prohibited;
10. Fly, launch or otherwise operate motorized model airplanes/helicopters/rockets or other similar propulsion devices unless approved in advance by the district;
11. Operate an unmanned aircraft system (UAS) or drone [unless granted permission from the [superintendent or designee] ] [, as prohibited by Board policy ECACB - Unmanned Aircraft System (UAS) a.k.a. Drone];
12. Distribute or post circulars, notices, leaflets, pamphlets or other written or printed material in violation of Board policy KJA - Materials Distribution;

13. Operate a concession, solicit, sell or offer for sale any goods, wares, merchandise, food, beverages or services without prior district approval. Public sales and solicitation on district property will be governed by Board policies KGA - Public Sales on District Property, KI - Public Solicitation in District Facilities and KJ - Advertising in District Facilities;
14. Operate a motor vehicle in an area other than on roads and in parking areas constructed or designated for motor vehicle use. Vehicles shall be driven in a safe manner, at posted speeds ~~only~~ and ~~will only be~~ appropriately parked in areas designated by the district. Motorized vehicles such as minibikes, scooters, go-carts, all-terrain-vehicles, snowmobiles and other similar devices are prohibited on district grounds. Bicyclists must comply with motor vehicle and bike regulatory signs;
15. Use a skateboard, rollerblades, scooter or similar device [other than in designated areas during nonschool hours at the user's risk];
16. Bring an animal into a district building [without prior administrator approval and, where appropriate, only when proof of current rabies vaccination has been provided]. Dogs are [prohibited on district grounds] [permitted on district grounds only when confined to a vehicle or on a leash and when kept under the physical control of the individual at all times. The owner is responsible for the animal's behavior and containment and for the removal of the animal's wastes while on district property]. All other animals on district property are [prohibited] [permitted with prior district approval only]. Animals serving the disabled are permitted as provided by law;
17. Camp overnight, loiter or otherwise be present on district property after the conclusion of approved activities or as otherwise posted or authorized by the district. Individuals are prohibited from entering any portion of district premises at any other time for purposes other than those which are lawful and authorized by district officials;
18. Use or operate any noise-producing machine, vehicle, device or instrument in a manner that, in the judgment of district officials, is disturbing to, or interferes with, the orderly conduct of district programs or approved activities;
19. Impede, delay or otherwise interfere with the orderly conduct of the district's educational program or any other activity taking place on district property which has been authorized by the district;
20. Bring, possess[, conceal] or use a weapon as prohibited by Board policy JFCJ - Weapons in the Schools and state and federal law;
21. Possess, consume, sell, give or deliver unlawful drugs and/or alcoholic beverages. Possess, sell, give or deliver drug paraphernalia;
22. Use, distribute or sell tobacco products or inhalant delivery systems, in any form (Pro-Children Act of 1994; ORS 433.835 to -433.990; OAR 581-021-0110);
23. [Wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign or other items ~~which that are~~ evidence of membership or affiliation ~~in~~with any gang. Use speech or commit any act or omission in furtherance of the interests of any gang or gang activity. A "gang" is defined as a group that identifies itself through the use of a name, unique appearance or language including hand signs, claiming of geographical territory or the espousing of a distinctive belief system that frequently results in criminal activity;]

24. Violate posted regulatory signs;

25. Willfully violate other district policies, administrative regulations or school rules designed to maintain public order on school property.

Persons having no legitimate purpose or business on district property, or those violating or threatening to violate the above rules, may be [issued a trespass citation,] [ejected from the premises,] excluded from district-approved activities temporarily or permanently and/or referred to law enforcement officials.

The superintendent will ensure that appropriate notice of these rules is provided.

END OF POLICY

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**Legal Reference(s):**

[ORS 161.015](#)

[ORS 164.245](#)

[ORS 164.255](#)

[ORS 166.025](#)

[ORS 166.155 to -166.165](#)

[ORS 166.210 to -166.370](#)

[ORS 332.172](#)

[ORS 336.109](#)

[ORS 339.883](#)

[ORS 431.840](#)

[ORS 433.835 to -433.990](#)

[ORS 806.060 to -806.080](#)

[OAR 333-015-0025 to -0090](#)

[OAR 581-021-0110](#)

[OAR 584-020-0040\(4\)\(e\),\(g\)](#)

Gun-Free Schools Act, 20 U.S.C. 7151 (2006).

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2006).

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2006).

**Lane Education Service District  
2016-17 Service Order Form**

District: **Lowell**

**Funds Available**

2016-17 Flex Allocation	\$ 138,500
2015-16 Flex Carryover (estimate)	\$ -
Life Skills Pool Proceeds (estimate)	\$ -
<b>Total Flex Dollars Available</b>	<b>\$ 138,500</b>

Services		Units	Participation/ # of Units	Unit Cost	
1	Transit Dollars by ADMw	Maximum	--	\$ 78,658	
2	Career & Technical Education	Programs	<b>2</b>	\$ 1,500	\$ 3,000
3	Learn360	ADMr	<b>Yes</b>	\$ 0.59	\$ 195
4	Tragedy Response	ADMr	<b>Yes</b>	\$ 0.06	\$ 20
5	Direction Service	ADMr	<b>Yes</b>	\$ 1.62	\$ 534
6	Substitute List	ADMr	<b>Yes</b>	\$ 0.45	\$ 148
7	Courier Service	Per district	<b>Yes</b>	\$ 3,100	\$ 3,100
8	School Psychologist	FTE	<b>0.375</b>	\$ 122,000	\$ 45,750
9	Behavior Teacher	FTE	<b>0</b>	\$ 112,000	\$ -
10	Behavior Consultant	FTE	<b>0.00</b>	\$ 102,000	\$ -
11	Speech & Language Pathologist	FTE	<b>0.500</b>	\$ 98,200	\$ 49,100
12	Lane School Placement: K-3	Slot	<b>0</b>	\$ 27,500	\$ -
13	Lane School Placement: 4-8	Slot	<b>0</b>	\$ 27,500	\$ -
14	Life Skills Consortium Placement	Slot	<b>2</b>	\$ 36,000	\$ 72,000
15	Comprehensive Services Placement	Slot	<b>0</b>	\$ 30,500	\$ -
16	Augmentative Communication	Student	<b>0</b>	\$ 3,900	\$ -
17	MLK Jr Ed Center Tuition	Dollars	--	--	
18	Attendance/Tuancy	Dollars	--	--	
19	Custom Service	--	--	--	
20	Custom Service	--	--	--	
21	Custom Service	--	--	--	
22	Custom Service	--	--	--	
<b>Total Cost of Services Ordered</b>					<b>\$ 173,847</b>

Flex Dollar Balance **\$ (35,347)**

**Lane Education Service District  
School District Transit Dollar Request for Fiscal Year 2017-18**

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

*The ORS requires that the component school district Board submit the request to the Lane Education Service District Board no later than November 1, 2016. The percentage of funds requested may affect the school district's ability to participate in the formal governance of Lane Education Service District.*

The following school district requests the amount of funds identified below for fiscal year 2017-18.

Name of District: Lowell School District #71

Date of Board Action: September 26, 2016

District Representative: Joyce Donnell, Chair

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

Date Submitted: September 27, 2016

*Select One*

	<b>Not to Exceed 50%</b> <i>The school district may request up to 50% of their funds without having any impact on their ability to participate in the formal governance of Lane ESD.</i>
	<b>More than 50% to 75%</b> <i>The school district may request up to 75% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan.</i>
	<b>More than 75% to 85%</b> <i>The school district may request up to 85% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan. The percentage requested that exceeds 75% must be used to purchase services from one or more ESDs, not including Lane ESD.</i>

**FINDINGS IN SUPPORT LOW BID EXEMPTION  
FOR  
LOWELL SCHOOL DISTRICT, LOWELL OREGON**

**RENOVATION OF LOWELL HIGH SCHOOL AND LUNDY ELEMENTARY SCHOOL  
REFERENCED IN THE LOWELL SCHOOL DISTRICT 2016 MASTER PLAN  
September, 2016**

Oregon Revised Statue (ORS) 279C.300 requires competitive bidding of public works improvement contracts unless specifically excepted or exempted from competitive bidding under Oregon Revised Statue (ORS) 279C.335. ORS 279C.335 (2) permits the Lowell School District School Board to act in the capacity of Local Contract Review Board to exempt contracts from traditional competitive bidding based on two findings:

1. The exemption is unlikely to encourage favoritism in the awarding of the public improvement contract, or substantially diminish competition for the public improvement contract.
2. Awarding a public improvement contract under the exemption will likely result in substantial cost savings to the public agency.

ORS 279C.400 – ORS 279C.410 describes the Request for Proposals method of solicitation as an alternative to traditional competitive bidding. Pursuant to ORS 279C.410 (8), a public agency using the Request for Proposals method may award a contract to the responsible proposer “whose proposal is determined in writing to be the most advantageous to the contracting agency based on the evaluation factors set forth in the request for proposals and, when applicable, the outcome of any negotiations authorized by the request for proposals.”

This document presents information the Lowell School District Local Contract Review Board will consider in it’s finding to exempt the Lowell High School and Lundy Elementary School Renovation Project (Project) from competitive bidding and to use a Design-Build (DB) method of delivery.

**BACKGROUND**

The Lowell School District wishes to remodel Lowell High School, and Lundy Elementary School. School remodel elements are prioritized, 1 through 5 in a Lowell School District Master Plan dated March 31, 2016. The Master Plan was produced by gLAs Architects, LLC in coordination with the Lowell School District.

The amount of funding the Lowell School District obtains will dictate the level of remodel priorities the project can realize. The funding goals are comprised of the following:

- \$1.1M Seismic Grant for safety improvements to the Lowell High School Gym. (Obtained)
- \$1.1M Seismic Grant for safety improvements to the Lundy Elementary School Gym. (The Grant application has been submitted, notification anticipated by December, 2016)

- \$4M City School Bond Measure. (May, 2017)
- \$4M State Matching Funds to the City School Bond Measure. (Decision anticipated by January, 2017)

The Lowell School District campus of Lowell Jr/High School and Lundy Elementary School serves education from Pre-k in the Lowell Community Preschool, through 12th grade, and school and community based athletic programs. The Lowell School District Office sits on the Lundy Elementary School site.

The Project would remodel and modernize the school buildings, and add a new athletic gymnasium allowing the Lowell School District the greatest opportunity to maintain and elevate the educational and athletic opportunities to the youth of the City of Lowell.

Construction phasing, to minimize impacts and disruption to the learning experience and for safety to the buildings occupants are paramount as some of the campus construction will need to take place during operations in the school year.

Due to the nature of this project, it will require strategic planning; complicated scheduling, and critical coordination of construction integrated with necessary safety measures. This project will be at a higher risk and have a higher level of technical complexity due to the amount of renovation work.

The project will be governed by significant schedule constraints, will require complex phasing, and will contain budget limitations that require close monitoring of the project budget. Therefore, it becomes critical to maintain both the schedule and budget of this project most effectively attained by a team approach.

In consideration of these facts, an alternate method of construction of this public improvement project should be employed. Therefore, the following findings support an exemption from competitive bidding and the use of the Request for Proposal for Design-Build (DB) method of delivery.

## **FINDINGS OF FACT**

### **SUMMARY OF FINDINGS**

Use of the Design-Build method of delivery complies with the criteria outlined in ORS 279C.335 (2):

1. It is unlikely the exemption will encourage favoritism or substantially diminish competition. The selection process will be fair and open to all interested proposers as established within the findings below.
2. The exemption will result in substantial cost savings to the Agency. The Agency has found several areas in which substantial cost savings to the Agency will be achieved. Also, value will be added to the Project that could not otherwise be obtained.

**SPECIFIC FINDINGS, which substantiate the summary findings, are as follows:**

- 1. The Design-Build delivery method will be selected through a competitive process in accordance with the qualifications-based selection process authorized by the Agency. Therefore, it is unlikely that the awarding of the construction contract for the Project will encourage favoritism or substantially diminish competition. This finding is supported by the following:**

**A. SOLICITATION PROCESS:** Pursuant to ORS 279C.360, the Design-Build solicitation will be advertised at least once in the Daily Journal of Commerce, and in additional issues of publication as the Agency may determine.

**B. FULL DISCLOSURE:** To ensure full disclosure of all information, the Request for Proposals solicitation package will include:

- a. Detailed Description of the Project
- b. Contractual Terms and Conditions
- c. Selection Process
- d. Evaluation Criteria
- e. Role of Evaluation Committee
- f. Provisions for Comments
- g. Complaint Process and Remedies Available

**C. COMPETITION:** As outlined below, the Agency will follow processes, which maintain competition in the procurement of a Design-Build Team.

- a. The Agency anticipates that competition for this contract will be similar to that experienced in other projects of this type. The competition will remain open to all qualifying proposers.
- b. The Agency has been communicating with the construction contracting community as well as the architecture and engineering consulting community about the selection options for contracting method.
- c. The evaluation and solicitation process employed will be open and impartial. Selection will be made on the basis of final proposal scores derived from price and other components, which expand the ground of competition beyond price alone to include experience, quality, innovation factors, etc.
- d. The competitive process used to award subcontracts for all competitively bid construction work will be specified in the Design-Build contract and will be monitored by the Agency. The Agency will designate in the contract the proposed percentage of construction work that must be subcontracted and may not be self performed by the Design-Build Team. The Agency will select the Design-Build Team based on the Team's qualifications to perform the work as described in projects Request For Proposal (RFP).



**D. SELECTION PROCESS:** Other highlights of the selection process will include:

- a. A pre-proposal conference will be announced and held. This conference will be open to all interested parties. During this pre-proposal conference, as well as anytime prior to ten (10) days before the close of the solicitation, interested parties will be able to ask questions, request clarifications and suggest changes in the solicitation documents if such parties believe that the terms and conditions of the solicitation are unclear, inconsistent with industry standards, or unfair and unnecessarily restrictive of competition.
- b. The evaluation process will determine whether a proposal meets the screening requirements of the RFP, and to what extent. The following process will be used:
  - Proposals will be evaluated for completeness and compliance with the screening requirements of the RFP. Those proposals that are materially incomplete or non-responsive will be rejected.
  - Proposals considered complete and responsive will be evaluated to determine if they meet and comply with the qualifying criteria of the RFP. If a proposal is unclear, the proposer may be asked to provide written clarification. Those proposals that do not meet all requirements will be rejected.
  - The voting members of the Evaluation Committee will independently score proposals. Scores will then be combined and assigned to the proposals.
  - The Evaluation Committee will convene to select the highest-scoring proposer.
  - The Evaluation Committee may elect to conduct interviews based on the closeness of proposers scoring. If an interview is held, the Evaluation Committee will use the interview to confirm the scoring of the proposal and to clarify any questions. Based upon the revised scoring, the Evaluation Committee will rank the proposers, and provide an award recommendation.
  - The Lowell School District Superintendent will negotiate a contract with the top-ranked firm. If an agreement cannot be reached, the Agency will have the option to enter into an agreement with the second-ranked firm, and so forth.
- c. Competing proposers will be notified in writing of the selection of the apparent successful proposal and will be given seven (7) calendar days after receipt of the notice to review the RFP file and evaluation report at the Agency Office. Any questions, concerns, or protests about the selection process will be subject to the requirements of the OAR 125-249-0450, must be in writing, and must be delivered to the Lowell School District Superintendent within seven (7) calendar days after receipt of the selection notice. No protest of the award selection shall be considered after this time period.
- d. The contract achieved through this process will require the Design-Build Team to use an open competitive selection process to bid all components of the job.

2. **FINDING: The awarding of the construction contract for the Project using Design-Build Delivery will likely result in substantial cost savings to the Agency. This finding is supported by the following information required by ORS 279C.335 (2) (b) and ORS 279C.330.**

**A. OPERATIONAL, BUDGET, FINANCIAL DATA**

- a. **BUDGET:** The Agency will have a pre-determined fixed budget available for the Project that cannot be exceeded. The completion date cannot be exceeded. Early reliable pricing provided by the Design-Build Team, or other alternatively contracted contractor during the design phase will reduce the potential for time delays due to later discovery of higher-than- anticipated costs and consequent changes of direction.
- b. **LONG TERM COSTS:** The Project will require expertise regarding the constructability and long-term cost/benefit analysis of innovative design. That knowledge is best obtained directly from the construction industry. Many decisions will be required during the design process that will encompass immediate feedback on constructability and pricing. Under the traditional design-bid-build process, there is a high risk of increased change orders and schedule impacts for a project of this size and complexity. Since there are significant costs associated with delay, time is of the essence. The Design-Build Team process will assist in providing a scope of work and constructible design that best meet the requirements of the Project with significantly lower risk to the project costs. Involving the designer and builder together will allow project risks to be addressed early and teamwork between the Agency, the designer, and the builder to minimize those risks.
- c. **FEWER CHANGE ORDERS:** When the Design-Build Team participates in the design process, fewer change orders occur during project construction. This is due to the designer and builder's better understanding of the owner's needs and vision for project outcomes. As a result, the project is more likely to be completed on time and within budget. In addition, fewer change orders reduce the administrative costs of project management for both the Agency and the contractor.
- d. **GUARANTEED MAXIMUM PRICE (GMP) CHANGE ORDERS COST LESS:** Price certainty from the start and a process that minimizes change orders discussed above will be processed at a lower cost under the GMP. The design-bid-build method typically results in the contractor charging higher markups on construction change orders. The GMP method applies lower predetermined markups.
- e. **SAVINGS:** Under the GMP method the Agency will enjoy the full savings, if actual costs are below the GMP. When the Design-Build Team completes the project, any savings between the GMP and the actual cost accrue to the Agency.
- f. **CONTRACTOR'S FEE IS LESS:** Design-Build contracts are designed to create a better working relationship with the Design-Build Team and the Agency. As a consequence, the overhead and profit fee are generally lower than on design-bid-

build contracts.

- g. **FUNDING SOURCE:** The Project will be funded as stated in the **BACKGROUND** section above.

## **B. PUBLIC BENEFITS**

- a. **TIME SAVINGS:** Use of Design-Build will allow construction work to commence relatively rapidly on some portions of the work while design continues on the remaining portions. This will shorten the overall duration of the construction and provide for completion of the project by the due date. It becomes critical to maintain both the schedule and budget of this project that the coordination of Agency personnel and their facilities to be fully evaluated and understood, and that construction work proceeds throughout with all necessary care given to the safety of the Agency personnel.
- b. **COST SAVINGS:** The Project will benefit from the active involvement of a Design-Build Team process in the following ways:
- The contractor's input regarding the constructability and cost-effectiveness of various alternatives will guide the design toward the most economic choices.
  - Consideration of the specific equipment available to the contractor will allow the designer to implement solutions that utilize the capacity of that equipment.
  - The contractor will be able to provide current and reliable information regarding the cost of materials that are experiencing price volatility and the availability of scarce materials.
  - The contractor will also be able to order materials while design is being completed in order to avoid inflationary price increases and provide the lead-time that may be required for scarce materials.
- c. **GUARANTEED MAXIMUM PRICE (GMP):** The Design-Build Team contractor will be able to obtain a complete understanding of the Agency's needs, the architect's design intent, the structural peculiarities of the existing buildings, the scope of the project, and the operational needs of the Lowell School District staff, maintenance, and administration of the District by participating in the construction document phase. With the Design-Build Team participating in this phase they will be able to offer suggestions for improvement and make suggestions that will reduce costs. With the benefit of this knowledge, the Design-Build Team will also be able to guarantee a maximum price to be paid by the Agency for constructing the Project.

## **C. VALUE ENGINEERING(VE)**

- a. **WITH THE DESIGN-BID-BUILD PROCESS:** If the Agency were to utilize the design-bid-build method, the contractor would not participate in this evaluation. In conducting value engineering under the design-bid-build approach, a value-engineering

consultant is hired to participate in the design and cost evaluation process. This process adds extra costs and administrative complications, without providing the same benefits of early contractor participation.

- b. **WITH DESIGN-BUILD:** The Design-Build process offers a unique opportunity for value engineering that is not possible through the design-bid-build process. An essential part of each construction project is the VE evaluation. VE is the means used to determine the best project design that meets the needs and priorities of the owner, within the owner's budget. A team consisting of the owner, architect, consultants, and the contractor does VE most effectively. When the contractor participates, the team can render the most comprehensive evaluation of all factors that affect the cost, quality, and schedule of the project.

- D. **SPECIALIZED EXPERTISE:** Early selection of the Design-Build Team creates more informed, better quality decision making by the project construction team. A more efficient construction team saves the Agency money.

The construction project is highly complex because it involves significant construction over a short mandated period of construction time. Use of a Design-Build Team in conjunction with the Agency will result in a better coordinated project, speedy completion, and minimize disruption to operations. The Design-Build Team clarifies several critical variables valuable to the project design. The Design-Build: guarantees the maximum price (GMP) to complete the project; determines the construction schedule; establishes the sequence of work; is contractually bound to implement the final project design within the GMP; and participates as an essential member of the project design and construction team.

Several benefits of participation by the Design-Build Team on this project will be realized: developing the design documents to reflect the best work plan that accommodates the Agency, the design team, and contractor; the best grouping of the bid packages that will help insure better trade coverage; the most efficient construction staging area on the Campus; the most cost effective route through existing occupied structures and buildings for the various utilities; and to help in adjusting the work plan when the needs change along the way. This component cannot be addressed by the usual design/bid/build method of construction because the usual method is skewed towards the lowest bidder.

- E. **PUBLIC SAFETY:** All work must be coordinated to avoid safety risks to the public and to ensure efficiency in construction. The coordination between the Agency, designer and contractor will assure coordination of work and consideration for the safety of vehicular and pedestrian paths crossed by the Project. In addition, the Design-Build method of contracting of the Project will ensure that public safety is being effectively managed in a "fast track" mode to minimize delays given the surrounding uses of the Schools.

**F. MARKET CONDITIONS:** As well as the multitude of construction market factors that exist today in Oregon (e.g., competition of other projects, environmental issues that limit construction materials, variable bid market, high unemployment, etc.), the difficulty in

establishing the best work sequence complicates accurate cost estimating of projects. The economy today makes it necessary for many contractors to bid for jobs for which they might not be qualified. Design-Build delivery will be more likely to result in a more experienced and better-suited contractor for the particular project than design-build procurement. The complexities, which need to be addressed to accomplish the tasks, are not well served by the usual competitive procurement. The lowest bidder may not be the best suited for the particular project. Design-Build delivery ensures the Agency can select the best contractor for the most beneficial reasons for the project outside of having to select based upon the lowest hard bid.

**G. TECHNICAL COMPLEXITY:** Technical expertise will be required for environmental management, quality management, scheduling, estimating, meeting sustainable facilities standards and guidelines, and ensuring energy efficiency. The complexity and scheduling issues discussed in the Background section above will require special expertise. However, the Project will draw upon existing skills and capabilities available in the construction community, as the Project presents overall challenges similar to those faced on many public works projects. Specialized skills will be required of the contractor to negotiate and price multiple options and schedule complex tasks. A high level of coordination between the Agency and all the design and construction entities is required and facilitated by the Design-Build Team approach.

**H. FUNDING SOURCES:** The Agency intends to fund the Project by the methods stated in the BACKGROUND section above.

### **SPECIAL CLASS EXEMPTION**

Based on the above findings, the Lowell School District School Board in the capacity of Local Contract Review Board hereby finds a special class exemption of use of Design-Build as an alternative contracting method.

LOWELL SCHOOL DISTRICT SCHOOL BOARD ATTEST:

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School District Superintendent

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Date Signed

# Lundy Elementary Electricity Costs

Meter: 50288

Lundy Buildings excluding Cafeteria and Professional Development Center

Fiscal Year 2015-16				Fiscal Year 2016-17				Over/ (Under)
End date	Usage	Amount	YTD Amt	End date	Usage	Amount	YTD	
8/16/2015	3,960	\$396.03	\$396.03	8/16/2016	4,680	\$477.44	\$477.44	\$81.41
9/16/2015	6,240	\$597.19	\$993.22	9/16/2016			\$477.44	
10/16/2015	8,000	\$751.58	\$1,744.80	10/16/2016			\$477.44	
11/16/2015	8,280	\$776.14	\$2,520.94	11/16/2016			\$477.44	
12/16/2015	9,760	\$905.97	\$3,426.91	12/16/2016			\$477.44	
1/16/2016	9,240	\$860.35	\$4,287.26	1/16/2017			\$477.44	
2/16/2016	11,080	\$1,021.76	\$5,309.02	2/15/2017			\$477.44	
3/16/2016	10,160	\$941.06	\$6,250.08	3/16/2017			\$477.44	
4/16/2016	8,880	\$828.77	\$7,078.85	4/16/2017			\$477.44	
5/16/2016	8,400	\$786.67	\$7,865.52	5/16/2017			\$477.44	
6/16/2016	7,840	\$763.34	\$8,628.86	6/16/2017			\$477.44	
7/16/2016	4,640	\$473.82	\$9,102.68	7/16/2017			\$477.44	
Totals	96,480	\$9,102.68		Totals	4,680	\$477.44		

# Lundy Elementary Electricity Costs

Meter: 71082

Lundy Cafeteria and Professional Development Center

Fiscal Year 2015-16				Fiscal Year 2016-17				Over/ (Under)
End date	Usage	Amount	YTD Amt	End date	Usage	Amount	YTD	
8/16/2015	3,160	\$317.77	\$317.77	8/16/2016	2,801	\$237.06	\$237.06	(\$80.71)
9/16/2015	2,876	\$289.81	\$607.58	9/16/2016			\$237.06	
10/16/2015	2,669	\$269.44	\$877.02	10/16/2016			\$237.06	
11/16/2015	2,504	\$247.74	\$1,124.76	11/16/2016			\$237.06	
12/16/2015	2,605	\$257.45	\$1,382.21	12/16/2016			\$237.06	
1/16/2016	2,329	\$240.71	\$1,622.92	1/16/2017			\$237.06	
2/15/2016	2,544	\$261.69	\$1,884.61	2/15/2017			\$237.06	
3/16/2016	2,691	\$229.45	\$2,114.06	3/16/2017			\$237.06	
4/16/2016	2,687	\$229.17	\$2,343.23	4/16/2017			\$237.06	
5/16/2016	2,547	\$219.49	\$2,562.72	5/16/2017			\$237.06	
6/16/2016	2,662	\$227.44	\$2,790.16	6/16/2017			\$237.06	
7/16/2016	2,559	\$220.32	\$3,010.48	7/16/2017			\$237.06	
Totals	31,833	\$3,010.48		Totals	2,801	\$237.06		

## Lowell High School Electricity Costs

Meters: 61924, 70132, 61910, 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 2015-16				Fiscal Year 2016-17				Over/ (Under)
End date	Usage	Amount	YTD	End date	Usage	Amount	YTD	
8/16/2015	5,350	\$566.00	\$566.00	8/16/2016	6,580	\$590.57	\$590.57	\$24.57
9/16/2015	8,432	\$859.01	\$1,425.01	9/16/2016			\$590.57	
10/16/2015	14,991	\$1,416.00	\$2,841.01	10/16/2016			\$590.57	
11/16/2015	13,780	\$1,299.03	\$4,140.04	11/16/2016			\$590.57	
12/16/2015	15,072	\$1,414.11	\$5,554.15	12/16/2016			\$590.57	
1/16/2016	12,523	\$1,216.29	\$6,770.44	1/16/2017			\$590.57	
2/15/2016	12,432	\$1,221.62	\$7,992.06	2/15/2017			\$590.57	
3/16/2016	8,320	\$618.73	\$8,610.79	3/16/2017			\$590.57	
4/16/2016	10,843	\$894.20	\$9,504.99	4/16/2017			\$590.57	
5/16/2016	10,728	\$882.38	\$10,387.37	5/16/2017			\$590.57	
6/16/2016	11,683	\$976.20	\$11,363.57	6/16/2017			\$590.57	
7/16/2016	6,416	\$581.14	\$11,944.71	7/16/2017			\$590.57	
Totals	130,570	\$11,944.71		Totals	6,580	\$590.57		



**Mountain View Charter School**  
**2016-17 General Fund Financial Summary**  
**August 31, 2016**

	Budget	Actual: Jul-Aug		Projected: Sep-Jun		Projected for Year	Over/(Under) Budget	
<b>Resources</b>								
State School Fund	700,837	102,196	14.6%	647,501	92.4%	749,697	48,860	6.5%
Donations		693				693	693	100.0%
Out of District Incentive	12,600			12,600	100.0%	12,600		
District Reimbursement	2,500			2,500	100.0%	2,500	-	
Interest		317				317	317	
Total Revenues	715,937	103,206	14.4%	662,601	92.6%	765,807	49,870	6.5%
Beginning Fund Balance	10,149	10,504		-		10,504	355	3.4%
Total Resources	726,086	113,710	15.7%	662,601	91.3%	776,311	50,225	6.5%
<b>Requirements</b>								
Salaries	390,740	1,458	0.4%	389,780	99.8%	391,238	498	-2.9%
Benefits	156,210	1,491	1.0%	153,280	98.1%	154,771	(1,439)	-9.3%
Purchased Services	128,234	16,504	12.9%	111,781	87.2%	128,285	51	-0.3%
Supplies and Materials	29,151	5,290	18.1%	23,914	82.0%	29,204	53	1.5%
Capital Outlay		-				-	-	-
Other	5,250	4,891		750	14.3%	5,641	391	12.7%
Transfers		-				-	-	0.0%
Total Expenditures	709,585	29,634	4.2%	679,505	95.8%	709,139	(446)	-3.8%
Contingency/Carryover	16,501	84,076	509.5%	(16,904)	-102.4%	67,172	50,671	180.9%
Total Requirements	726,086	113,710	15.7%	662,601	91.3%	776,311	50,225	3.7%

(1) Student enrollment budgeted at 127; as of 9/12/16 there are 132

(2) Projected carryover is 8.7% of total resources

**Mountain View Charter School**  
**2016-17 Activity Fund Financial Summary**  
**August 31, 2016**

	Budget	Actual: Jul-Aug		Projected: Sep-Jun		Projected for Year	Over/(Under) Budget	
<b>Resources</b>								
Activity Fees	32,500	25,840		6,660		32,500	-	
<b>Total Revenues</b>	32,500	25,840		6,660		32,500	-	
Beginning Fund Balance								
<b>Total Resources</b>	32,500	25,840		6,660		32,500	-	
<b>Requirements</b>								
Salaries								
Benefits								
Purchased Services								
Supplies and Materials	32,500	6,803		25,697		32,500	-	
Capital Outlay								
Other				-		-	-	
Transfers								
<b>Total Expenditures</b>	32,500	6,803		25,697		32,500	-	
Contingency/Carryover	-	19,037				-	-	
<b>Total Requirements</b>	32,500	25,840		25,697		32,500	-	

**Mountain View Charter School**  
**2016-17 ODE Grant Fund Financial Summary**  
**August 31, 2016**

	Budget	Actual: Jul-Aug	Projected: Sep-Jun	Projected for Year	Over/(Under) Budget
<b>Resources</b>					
Grant Funds	179,422	77,225	102,197	179,422	-
<b>Total Revenues</b>	<b>179,422</b>	<b>77,225</b>	<b>102,197</b>	<b>179,422</b>	<b>-</b>
Beginning Fund Balance					
<b>Total Resources</b>	<b>179,422</b>	<b>77,225</b>	<b>102,197</b>	<b>179,422</b>	<b>-</b>
<b>Requirements</b>					
Salaries		2,289			
Benefits		574			
Purchased Services	41,000		41,000	41,000	
Supplies and Materials	138,422	84,441	53,981	138,422	-
Capital Outlay					
Other				-	-
Transfers					
<b>Total Expenditures</b>	<b>179,422</b>	<b>87,305</b>	<b>94,981</b>	<b>179,422</b>	<b>-</b>
Contingency/Carryover	-	(10,080)		-	-
<b>Total Requirements</b>	<b>179,422</b>	<b>77,225</b>	<b>94,981</b>	<b>179,422</b>	<b>-</b>

**Mountain View Charter School**  
**2016-17 Parent Fundraising Fund Financial Summary**  
**August 31, 2016**

	Budget	Actual: Jul-Aug	Projected: Sep-Jun	Projected for Year	Over/(Under) Budget
<b>Resources</b>					
Activity Fees				-	-
<b>Total Revenues</b>		-	-	-	-
Beginning Fund Balance	2,322	2,322		2,322	
<b>Total Resources</b>		2,322	-	2,322	-
<b>Requirements</b>					
Salaries					
Benefits					
Purchased Services					
Supplies and Materials				-	-
Capital Outlay					
Other				-	-
Transfers					
<b>Total Expenditures</b>		-	-	-	-
Contingency/Carryover		2,322		2,322	-
<b>Total Requirements</b>		2,322	-	2,322	-

**Mt. View Academy**  
**Balance Sheet**  
**As of August 31, 2016**

	<u>Aug 31, 16</u>
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
100-101 - Banner Checking	62,293.66
100-103 - Petty Cash	1,000.00
Total Checking/Savings	<u>63,293.66</u>
Total Current Assets	<u>63,293.66</u>
<b>TOTAL ASSETS</b>	<u><b>63,293.66</b></u>
<b>LIABILITIES &amp; EQUITY</b>	
Liabilities	
Current Liabilities	
Credit Cards	
100-421.001 - American Express	-53.13
Total Credit Cards	<u>-53.13</u>
Other Current Liabilities	
100-471.005 WBF Assess Emp	3.34
100-472.002 Health Ins EE	369.65
100-472.003 FSA EE	195.00
100-472.005 Aflac Pretax EE	255.06
100-472.006 Aflac Aftertax EE	66.30
100-473.001 PERS	488.80
100-473.002 PERS Pickup	166.27
100-473.003 Health Ins ER	2,014.01
100-473.004 Workers' Comp	-388.90
100-473.006 FSA ER	637.50
24000 - Payroll Liabilities	100.74
Total Other Current Liabilities	<u>3,907.77</u>
Total Current Liabilities	<u>3,854.64</u>
Total Liabilities	<u>3,854.64</u>
Equity	
5400-Beg. Fund Balance	1,990.17
32000 - Unrestricted Net Assets	-25,656.97
Net Income	83,105.82
Total Equity	<u>59,439.02</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><b>63,293.66</b></u>

**Mt. View Academy**  
**Profit & Loss**  
 July through August 2016

	Jul 16	Aug 16	TOTAL
<b>Income</b>			
<b>100 - Revenues</b>			
1510 - Interest Income	169.92	147.53	317.45
1920 - Donations	693.00	0.00	693.00
3101 - State School Fund Grant	0.00	102,196.00	102,196.00
<b>Total 100 - Revenues</b>	<b>862.92</b>	<b>102,343.53</b>	<b>103,206.45</b>
<b>200 - Special Revenues</b>			
1740 - Fees	22,232.00	3,607.85	25,839.85
<b>Total 200 - Special Revenues</b>	<b>22,232.00</b>	<b>3,607.85</b>	<b>25,839.85</b>
<b>210 - ODE Grant Award</b>			
3299 - Reimbursements	37,470.41	39,754.83	77,225.24
<b>Total 210 - ODE Grant Award</b>	<b>37,470.41</b>	<b>39,754.83</b>	<b>77,225.24</b>
<b>Total Income</b>	<b>60,565.33</b>	<b>145,706.21</b>	<b>206,271.54</b>
<b>Gross Profit</b>	<b>60,565.33</b>	<b>145,706.21</b>	<b>206,271.54</b>
<b>Expense</b>			
<b>100 - Expenditures</b>			
<b>1111 - Elementary</b>			
111 - Licensed Salaries	0.00	0.00	0.00
112 - Classified Salaries	0.00	235.00	235.00
211 - PERS	0.00	41.45	41.45
220 - FICA	0.00	17.98	17.98
231 - Workers' Compensation	0.00	1.50	1.50
232 - Unemployment Insurance	0.00	6.11	6.11
241 - Health Insurance	64.00	0.00	64.00
420 - Textbooks	2,364.20	2,490.12	4,854.32
<b>Total 1111 - Elementary</b>	<b>2,428.20</b>	<b>2,792.16</b>	<b>5,220.36</b>
<b>1121 - Middle/Junior High</b>			
111 - Licensed Salaries	0.00	0.00	0.00
420 - Textbooks	259.09	0.00	259.09
<b>Total 1121 - Middle/Junior High</b>	<b>259.09</b>	<b>0.00</b>	<b>259.09</b>
<b>2240 - Professional Development</b>			
312 - Instructional Prog. Impr.	0.00	233.26	233.26
<b>Total 2240 - Professional Development</b>	<b>0.00</b>	<b>233.26</b>	<b>233.26</b>
<b>2310 - Board of Education</b>			
651 - Liability Insurance	0.00	4,891.00	4,891.00
<b>Total 2310 - Board of Education</b>	<b>0.00</b>	<b>4,891.00</b>	<b>4,891.00</b>

**Mt. View Academy**  
**Profit & Loss**  
 July through August 2016

	Jul 16	Aug 16	TOTAL
<b>2321 - Executive Administration</b>			
113 - Administrative Salaries	0.00	0.00	0.00
114 - Managerial-Confidential	577.50	645.00	1,222.50
211 - PERS	101.87	113.78	215.65
220 - FICA	44.19	49.34	93.53
231 - Workers' Compensation	3.36	3.76	7.12
232 - Unemployment Insurance	15.01	16.78	31.79
241 - Health Insurance	223.50	212.50	436.00
353 - Postage	0.00	5.71	5.71
410 - Supplies	0.00	71.98	71.98
640 - Dues and Fees	0.00	0.00	0.00
<b>Total 2321 - Executive Administration</b>	<b>965.43</b>	<b>1,118.85</b>	<b>2,084.28</b>
<b>2520 - Fiscal Services</b>			
389 - Other Professional Svcs	1,666.67	1,666.67	3,333.34
640 - Dues and Fees	0.00	65.00	65.00
<b>Total 2520 - Fiscal Services</b>	<b>1,666.67</b>	<b>1,731.67</b>	<b>3,398.34</b>
<b>2542 - Building Maintenance</b>			
324 - Rentals	3,975.00	7,725.00	11,700.00
325 - Electricity	141.50	154.91	296.41
351 - Telephone	132.27	122.28	254.55
<b>Total 2542 - Building Maintenance</b>	<b>4,248.77</b>	<b>8,002.19</b>	<b>12,250.96</b>
<b>2574 - Printing Services</b>			
324 - Copier Rental	178.00	178.00	356.00
355 - Printing	53.65	0.00	53.65
<b>Total 2574 - Printing Services</b>	<b>231.65</b>	<b>178.00</b>	<b>409.65</b>
<b>2661 - Technology Services</b>			
359 - Communication Services	131.99	138.99	270.98
470 - Computer Software	39.50	0.00	39.50
<b>Total 2661 - Technology Services</b>	<b>171.49</b>	<b>138.99</b>	<b>310.48</b>
<b>Total 100 - Expenditures</b>	<b>9,971.30</b>	<b>19,086.12</b>	<b>29,057.42</b>
<b>200 - Activity Expenditures</b>			
<b>1111 - Elementary</b>			
410 - Supplies	4,701.28	2,102.02	6,803.30
<b>Total 1111 - Elementary</b>	<b>4,701.28</b>	<b>2,102.02</b>	<b>6,803.30</b>
<b>Total 200 - Activity Expenditures</b>	<b>4,701.28</b>	<b>2,102.02</b>	<b>6,803.30</b>

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09/14/16

Accrual Basis

**Mt. View Academy**  
**Profit & Loss**  
 July through August 2016

	Jul 16	Aug 16	TOTAL
210 - ODE Grant Expenses			
2210 - ODE Grant Expenses			
111 - Licensed Salaries	0.00	2,289.15	2,289.15
211 - PERS	0.00	327.45	327.45
220 - FICA	0.00	175.14	175.14
231 - Workers' Compensation	0.00	12.31	12.31
232 - Unemployment Insurance	0.00	59.52	59.52
410 - Supplies	340.88	2,096.98	2,437.86
420 - Curriculum	0.00	6,419.52	6,419.52
460 - Non-consumables	0.00	6,518.97	6,518.97
480 - Computer Hardware	18,651.00	50,414.08	69,065.08
Total 2210 - ODE Grant Expenses	18,991.88	68,313.12	87,305.00
Total 210 - ODE Grant Expenses	18,991.88	68,313.12	87,305.00
66000 - Payroll Expenses	0.00	0.00	0.00
Total Expense	33,664.46	89,501.26	123,165.72
Net Income	<u>26,900.87</u>	<u>56,204.95</u>	<u>83,105.82</u>



**Bridge Charter Academy**  
**2016-17 General Fund Financial Summary**  
**August 31, 2016**

	Budget	Actual: Jul - Aug		Projected: Sep - Jun		Projected for Year	Over/(Under) Budget		
<b>Resources</b>									
State School Fund	565,647	260,919	46.1%	459,568	81.2%	720,487	154,840	21.5%	(1)
Donations						-	-		
Interest						-	-		
Total Revenues	565,647	260,919	46.1%	459,568	81.2%	720,487	154,840	21.5%	
Beginning Fund Balance				-		-	-		
Total Resources	565,647	260,919	46.1%	459,568	81.2%	720,487	154,840	21.5%	
<b>Requirements</b>									
Salaries	219,725	22,500	10.2%	219,011	99.7%	241,511	21,786	-2.9%	(2)
Benefits	94,709	7,535	8.0%	75,731	80.0%	83,266	(11,443)	-9.3%	(3)
Purchased Services	136,900	10,098	7.4%	127,249	93.0%	137,347	447	-0.3%	
Supplies and Materials	86,500	7,538	8.7%	79,010	91.3%	86,548	48	1.5%	
Capital Outlay		-		-		-	-	-	
Other	10,500	7,008		732		7,740	(2,760)	12.7%	(4)
Transfers		-		42,267		42,267	42,267	0.0%	(5)
Total Expenditures	548,334	54,679	10.0%	544,000	99.2%	598,679	50,345	-3.8%	
Contingency/Carryover	17,313	206,240	1191.2%	(84,432)	-487.7%	121,808	104,495	180.9%	(6)
Total Requirements	565,647	260,919	46.1%	459,568	81.2%	720,487	154,840	3.7%	

(1) Enrollment budgeted at 100 students; as of 09/06/16 enrollment is 125. August revenue includes \$140,838 of advanced SSF payments.

(2) Projected includes the addition of two educational assistants for approx. \$24,000 plus taxes, no benefits.

(3) Actual Health Insurance is projected to be approx. \$13,000 lower than budget.

(4) Liability Insurance came in approx. \$3,000 less than budget.

(5) This denotes the receivable due to the District for start-up expenses.

(6) Projected carryover is estimated to be 16.9%.

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09/19/16

Accrual Basis

## Bridge Educational Foundation

## Balance Sheet

As of August 31, 2016

	Aug 31, 16
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
101 · Checking - Banner Bank	134,593.78
Total Checking/Savings	134,593.78
Accounts Receivable	
11000 · Accounts Receivable	73,135.00
Total Accounts Receivable	73,135.00
Total Current Assets	207,728.78
<b>TOTAL ASSETS</b>	<b>207,728.78</b>
<b>LIABILITIES &amp; EQUITY</b>	
Liabilities	
Current Liabilities	
Other Current Liabilities	
24000 · Payroll Liabilities	
471.002 · OR Withholding	855.00
471.005 · WBF Payable	12.20
473-005 · Oregon Unemployment	585.01
473.001 · PERS	2,205.00
473.002 · PERS Pickup	750.00
473.004 · Workers' Comp	-434.88
24000 · Payroll Liabilities - Other	3,505.33
Total 24000 · Payroll Liabilities	7,477.66
Total Other Current Liabilities	7,477.66
Total Current Liabilities	7,477.66
Total Liabilities	7,477.66
Equity	
Net Income	200,251.12
Total Equity	200,251.12
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>207,728.78</b>

**Bridge Educational Foundation**  
**Profit & Loss**  
 July through August 2016

	Jul 16	Aug 16	TOTAL
<b>Income</b>			
3101 · State School Fund Grant	46,946.00	213,973.00	260,919.00
<b>Total Income</b>	46,946.00	213,973.00	260,919.00
<b>Gross Profit</b>	46,946.00	213,973.00	260,919.00
<b>Expense</b>			
1111 · Elementary			
11-111 · Licensed Salaries	0.00	6,666.66	6,666.66
11-220 · FICA	0.00	510.00	510.00
11-231 · Workers' Compensation	0.00	72.10	72.10
11-232 · Unemployment Insurance	0.00	173.34	173.34
11-241 · Health Insurance	0.00	612.40	612.40
11-311 · Instruction Services	0.00	80.00	80.00
11-420 · Textbooks	0.00	5,155.74	5,155.74
<b>Total 1111 · Elementary</b>	0.00	13,270.24	13,270.24
1121 · Middle/Junior High			
21-111 · Licensed Salaries	0.00	2,500.00	2,500.00
21-220 · FICA	0.00	191.25	191.25
21-231 · Workers's Compensation	0.00	27.04	27.04
21-232 · Unemployment Insurance	0.00	65.00	65.00
21-241 · Health Insurance	0.00	459.30	459.30
21-420 · Textbooks	0.00	821.68	821.68
<b>Total 1121 · Middle/Junior High</b>	0.00	4,064.27	4,064.27
1131 · High School			
31-111 · Licensed Salaries	0.00	833.33	833.33
31-220 · FICA	0.00	63.75	63.75
31-231 · Workers' Compensation	0.00	9.01	9.01
31-232 · Unemployment Insurance	0.00	21.67	21.67
31-241 · Health Insurance	0.00	153.10	153.10
31-420 · Textbooks	0.00	705.68	705.68
<b>Total 1131 · High School</b>	0.00	1,786.54	1,786.54
200 · ODE Grant Expenses			
2210 · ODE Grant Expenses			
420 · Curriculum	0.00	5,164.54	5,164.54
460 · Non-Consumables	0.00	824.87	824.87
<b>Total 2210 · ODE Grant Expenses</b>	0.00	5,989.41	5,989.41
<b>Total 200 · ODE Grant Expenses</b>	0.00	5,989.41	5,989.41

**Bridge Educational Foundation**  
**Profit & Loss**  
 July through August 2016

	Jul 16	Aug 16	TOTAL
2310 · Board of Education			
10-651 · Liability Insurance	0.00	6,240.00	6,240.00
Total 2310 · Board of Education	0.00	6,240.00	6,240.00
2321 · Executive Administration			
21-113 · Administrative Salaries	6,250.00	6,250.00	12,500.00
21- 211 · PERS	1,477.50	1,477.50	2,955.00
21- 220 · FICA	478.13	478.12	956.25
21- 231 · Workers' Compensation	2.72	65.22	67.94
21- 232 · Unemployment Insurance	162.50	162.50	325.00
21- 241 · Health Insurance	0.00	872.65	872.65
21-340 · Travel & Meals	0.00	568.83	568.83
21-353 · Postage	0.00	47.00	47.00
21-354 · Advertising	0.00	457.89	457.89
21- 410 · Supplies	0.00	443.12	443.12
21 460 · Non-Consumables	0.00	318.92	318.92
21 640 · Dues & Fees	0.00	768.00	768.00
Total 2321 · Executive Administration	8,370.85	11,909.75	20,280.60
2520 · Fiscal Services			
20-389 · Other Professional Services	1,666.67	1,666.67	3,333.34
20-640 · Dues & Fees	0.00	10.00	10.00
Total 2520 · Fiscal Services	1,666.67	1,676.67	3,343.34
2542 · Building Maintenance			
42-322 · Repair & Maintenance	0.00	4,145.44	4,145.44
42-325 · Electricity	0.00	255.29	255.29
42-410 · Supplies	0.00	42.62	42.62
42-460 · Non-Consumables	0.00	39.98	39.98
Total 2542 · Building Maintenance	0.00	4,483.33	4,483.33
2661 · Technology Services			
61-359 · Communication Services	0.00	159.99	159.99
61-460 · Non-Consumable Items	0.00	487.58	487.58
61-470 · Computer Software	0.00	143.88	143.88
61-480 · Computer Hardware	0.00	418.70	418.70
Total 2661 · Technology Services	0.00	1,210.15	1,210.15
66000 · Payroll Expenses	0.00	0.00	0.00
Total Expense	10,037.52	50,630.36	60,667.88
Net Income	36,908.48	163,342.64	200,251.12

**Lowell School District #71**  
**2016-17 General Fund Financial Summary**  
**August 31, 2016**

	<b>Budget</b>	<b>Actual: Jul-Aug</b>	<b>Projected: Sep-Jun</b>	<b>Projected for Year</b>	<b>Budget Variance</b>	
					<b>\$</b>	<b>%</b>
<b>Resources</b>						
State School Fund	5,328,000	1,334,592	3,238,457	4,573,049	(754,951)	-14.2% (1)
Property Tax	994,900	-	994,900	994,900	-	0.0%
Services to Charter Schools	72,500	5,000	67,499	72,499	(1)	0.0%
Miscellaneous/Local Revenues	51,000	3,496	46,801	50,297	(703)	-1.4%
Common School Funds	36,000	-	69,000	69,000	33,000	91.7% (2)
Rent	36,900	4,752	33,545	38,297	1,397	3.8%
High Cost Disability Grant	20,000	-	20,000	20,000	-	0.0%
Small High School Grant	15,000	-	15,000	15,000	-	0.0%
County School Funds	5,000	-	5,000	5,000	-	0.0%
<b>Total Revenues</b>	<b>6,559,300</b>	<b>1,347,840</b>	<b>4,490,202</b>	<b>5,838,042</b>	<b>(721,258)</b>	<b>-11.0%</b>
Beginning Fund Balance	157,000	90,000	-	90,000	(67,000)	-42.7%
<b>Total Resources</b>	<b>6,716,300</b>	<b>1,437,840</b>	<b>4,490,202</b>	<b>5,928,042</b>	<b>(788,258)</b>	<b>-11.7%</b>

**Requirements**

Salaries	1,718,954	134,831	1,595,517	1,730,348	11,394	0.7%
Benefits	1,025,729	70,806	943,912	1,014,718	(11,011)	-1.1%
Purchased Services	430,400	43,318	389,880	433,198	2,798	0.7%
Supplies and Materials	236,650	48,118	188,361	236,479	(171)	-0.1%
Capital Outlay	16,000	-	69,922	69,922	53,922	337.0% (3)
Other	102,616	69,350	31,100	100,450	(2,166)	-2.1%
Charter School Payments-MVA	676,000	102,198	654,375	756,573	80,573	11.9%
Charter School Payments-BCA	1,723,000	187,784	577,707	765,491	(957,509)	-55.6% (4)
Transfer to Food Service Fund	10,000	-	10,000	10,000	-	0.0%
Transfer to Capital Projects Fund	242,572	-	-	-	(242,572)	-100.0% (4)
Transfer to Athletics Fund	95,000	-	95,000	95,000	-	0.0%
Transfer to Bus Replacement Fund	15,000	-	15,000	15,000	-	0.0%
Transfer to Debt Service Fund	188,000	-	195,531	195,531	7,531	4.0%
<b>Total Expenditures</b>	<b>6,479,921</b>	<b>656,405</b>	<b>4,766,304</b>	<b>5,422,709</b>	<b>(1,057,212)</b>	<b>-16.3%</b>
Contingency/Carryover	236,379	-	-	505,333	268,954	113.8%
<b>Total Requirements</b>	<b>6,716,300</b>	<b>656,405</b>	<b>4,766,304</b>	<b>5,928,042</b>	<b>(788,258)</b>	<b>-11.7%</b>

2016-17 Operating excess/(deficit) 79,379 415,333  
Contingency/Ending Fund Balance 3.6% 8.7%

(1) Based on the following ADMr estimates: District-323, MVA-132, BCA-133 (BCA budgeted at 300)

(2) Increased distribution per the State Land Board.

(3) Includes LHS sign, announcer's booth sheetrock, wrestling room ramp, fencing for BCA, transportation & Lundy, underground fiber for transportation.

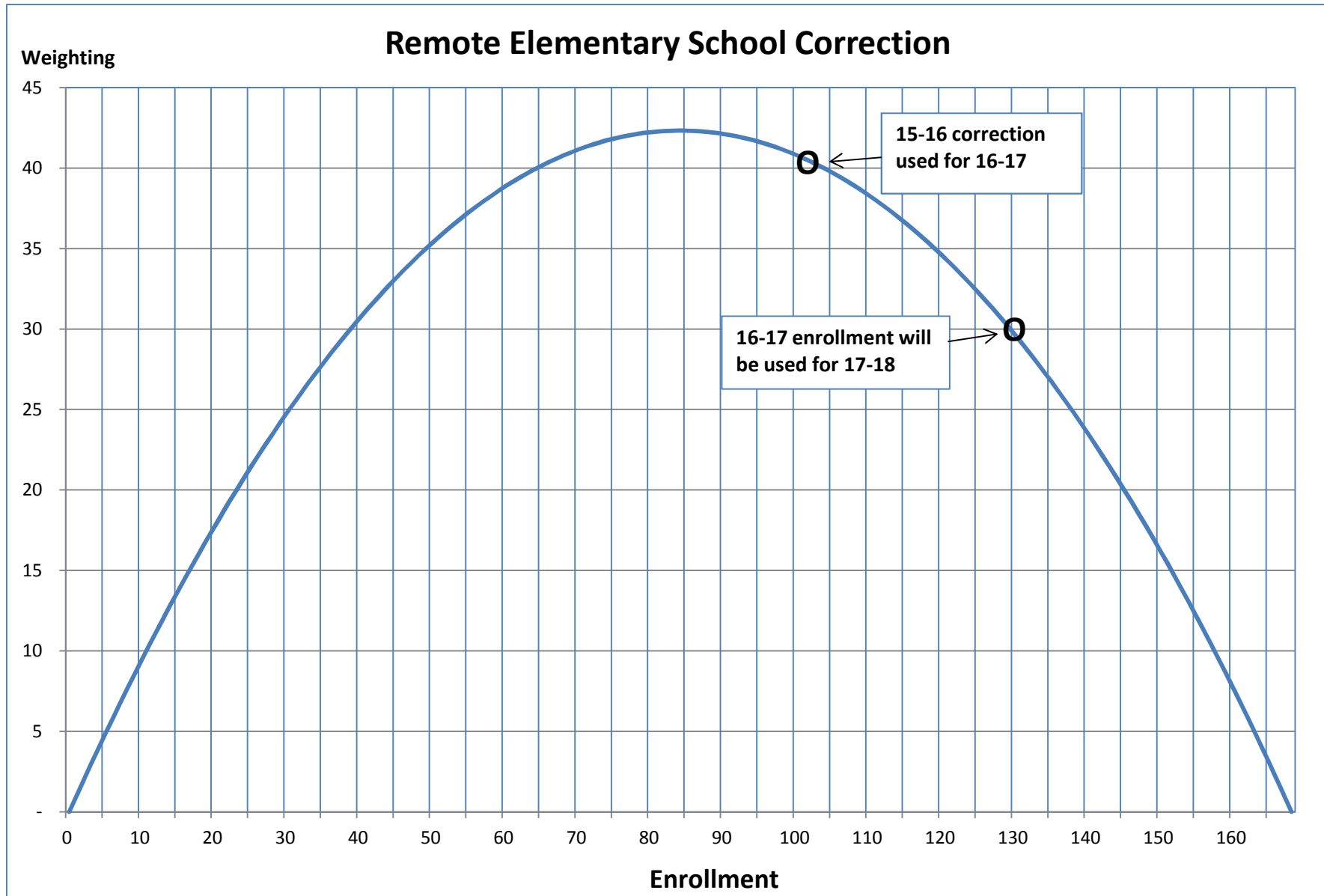
(4) Fewer students than budgeted for BCA.

Lowell School District  
Charter School Payment Worksheet - 2016-17

09/19/16

	District				MVA				BCA						
ADMr	323.00	x	1.00	=	323.00	132.00	x	1.00	=	132.00	133.00	x	1.00	=	133.00
Students in ESL Programs	1.00	x	0.50	=	0.50	-	x	0.50	=	-	-	x	0.50	=	-
IEP Capped at 11%	57.00	x	1.00	=	57.00	-	x	1.00	=	-	-	x	1.00	=	-
IEP Above 11% Cap	-	x	1.00	=	-	-	x	1.00	=	-	-	x	1.00	=	-
Pregnant/Parenting	-	x	1.00	=	-	-	x	1.00	=	-	-	x	1.00	=	-
Students in Poverty	33.51	x	0.25	=	8.38	13.69	x	0.25	=	3.42	13.80	x	0.25	=	3.45
Foster Care/ N&D	10.00	x	0.25	=	2.50	-	x	0.25	=	-	-	x	0.25	=	-
Remote School Correction	40.42	x	1.00	=	40.42	-	x	1.00	=	-	-	x	1.00	=	-
Small High School Correction	73.32	x	1.00	=	73.32	-	x	1.00	=	-	-	x	1.00	=	-
ADMw					505.12					135.42					136.45
ADMw used for formula					505.12					135.42					136.45
Per ADM - 6/29/16					\$ 6,915					\$ 6,915					\$ 6,915
General Purpose Grant					\$ 3,492,935					\$ 936,467					\$ 943,561

		<i>To BCA</i>		
		<i>K-8</i>	<i>9-12</i>	<i>Total</i>
	ADMw	126.19	10.26	136.45
	Charter Rate	\$ 6,915	\$ 6,915	
		80%	95%	
		<b>\$ 749,173</b>		
Open Enrollment Forms		\$ -		
Equip/Facilities		\$ 5,000		
Marketing		\$ 2,400		
Payable to Charter		<b>\$ 756,573</b>		



**State School Fund Formula 2016-17**

**09/19/16**

	Budget	06/29/16 ODE	09/19/16 Dave	Current vs Budget		
ADMr - District	287.00	287.00	323.00	36.00		
ADMr - MVA	120.00	120.00	132.00	12.00		
ADMr - BCA	300.00	300.00	133.00	(167.00)		
ADMr-Subtotal	707.00	707.00	588.00	(119.00)		
Students in ESL Programs	0.50	0.50	0.50	-		
IEP Capped at 11%	57.00	57.00	57.00	-		
IEP Above 11% Cap	-	3.50	-	-		
Pregnant/Parenting	-	-	-	-		
Students in Poverty	15.25	15.25	15.25	-		
Foster Care/ N&D	2.50	2.50	2.50	-		
Remote School Correction	40.42	40.42	40.42	-		
Small High School Correction	60.93	60.93	73.32	12.39		
<b>ADMw</b>	<b>883.60</b>	<b>887.10</b>	<b>776.99</b>	<b>(106.61)</b>		
Base	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500		
Teacher ratio	(5.14)	(5.14)	(5.14)	(5.14)		
Adjusted Base	4,372	4,372	4,372	4,372	333,785	District
Funding Ratio	1.577904	1.581860	1.581860	1.581860	82,774	MVA
General Purpose per ADMw	\$ 6,898	\$ 6,915	\$ 6,915	\$ 6,915	(1,151,934)	BCA
General Purpose grant	6,094,903	6,134,384	5,372,963	(721,940)	(735,375)	ADMw
Transportation grant	313,800	288,400	313,800	-	13,435	per ADMw
<b>Total Formula Revenue</b>	<b>6,408,703</b>	<b>6,422,784</b>	<b>5,686,763</b>	<b>(721,940)</b>	<b>(721,940)</b>	
Total Formula Revenue	6,408,703	6,422,784	5,686,763	(721,940)		
Depreciation	(44,814)	(44,814)	(44,814)	-		
Budget adjustment	11	-	-	(11)		
<b>Net Formula Revenue</b>	<b>6,363,900</b>	<b>6,377,970</b>	<b>5,641,949</b>	<b>(721,951)</b>		



## LOWELL ACTIVITY FUND 2016-17

As of August 31, 2016

AP ACTIVITIES	720.00
ASB	1,543.70
ATHLETICS	-366.24
BASEBALL	4.68
BOYS BASKETBALL	344.38
CAFETERIA	100.01
CLASS OF 2015	558.93
COMMUNITY ASSISTANCE FUND	413.19
CURRICULUM AND MATERIALS	1,875.03
DANCE CLUB	321.25
EDGERTON AROUND THE WORLD	6.70
FOOTBALL	3,075.14
FUNDRAISING OPERATIONS	1,698.15
FUTURE FARMERS OF AMERICA	998.50
GIRLS BASKETBALL	2,680.91
HONOR SOCIETY	455.43
JH SPORTS	1,679.33
JH STUDENT BODY	2,010.29
K-12 ASSEMBLIES	87.30
LHS DRAMA	1,901.89
LIBRARY FUND	574.28
LUNDY CLOTHES CLOSET	623.89
LUNDY ELEMENTARY	-14.84
MUSIC	670.63
NEXUS WOODWORKING	5,373.46
PARENT TEACHER ORG. (PTO)	2,826.91
PLAYGROUND SUPPLIES	128.10
SCIENCE DEPARTMENT	108.78
SENIOR TRIP	-241.38
SOFTBALL	381.31
TAG	391.23
TRACK	734.03
U of O cleanup-Academics	1,144.00
VOLLEYBALL	1,173.85
WEIGHT ROOM EQUIPMENT	77.72
WOODSHOP	1,614.06
WRESTLING	4,299.89
YEARBOOK LHS	52.85
Total BANNER BANK	40,027.34