



Oakridge School District #76

47997 W. First St., Oakridge, OR 97463

Phone (541)782-2813, FAX (541)786-2982

www.oakridge.k12.or.us

Oakridge Board of Directors July 11, 2022 Regular Meeting 6:00 p.m.

Regular School Board Meeting In-Person or Virtual

- Click the link to join the Zoom Webinar
<https://us02web.zoom.us/j/85478922663?pwd=aE0xNVNzWGFyYbHVuYW4zemVuK1UwZz09>
- Listen by phone: +1 346 248 7799 Webinar ID: 854 7892 2663 Passcode: 087284

The Board values community engagement and recognizes the importance of public input. Community members are required to sign up for public comment and are encouraged to submit written public comment by noon the day of the scheduled meeting.

Please follow this link to sign up for public comment <https://forms.gle/5Fot1fQEYAWJcwHy5>.

Please submit your public comment to osdcomments@ohswarriors.net.

AGENDA

1. Call Meeting to Order
2. Changes or additions to the Agenda
3. Board of Directors Organization (Policy BC/BCA)
 - 3.1 Election of Board Chair
 - 3.2 Election of Vice Chair
 - 3.3 Provision for a Time and Place for Regular Meeting
4. Action Items
 - 4.1 Consent Agenda (Action)
5. Announcements/Correspondence
 - 5.1 Thank you letter from David Gordon
6. Information/Reports
 - 6.1 Superintendent Report Superintendent Doland
7. Unfinished Business
 - 7.1. Policy Update (2nd Reading/Possible Action)
 - GBDA – Expression of Milk [or Breast-feeding] in the Workplace
 - GBNA/JHFF – Suspected Sexual Conduct with Students and Reporting Requirements
 - JHFF/GBNA – Suspected Sexual Conduct with Students and Reporting Requirements
 - GBNA/JHFE – Suspected Abuse of a Child Reporting Requirements
 - JHFE/GBNA – Suspected Abuse of a Child Reporting Requirements
 - JFC Version 1 – Student Conduct

(Information)

 - GBNA/JHFF-AR – Suspected Sexual Conduct Reports Procedures and Form

- GBNA-AR – Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying Reporting Procedures
- GBNAB/JHFE-AR(1) (staff) – Reporting of Suspected Abuse of a Child
- GBNAB/JHFE-AR(2) (staff) – Reporting of Suspected Abuse of a Child
- JHFE/GBNAB-AR(1) (student) – Reporting of Suspected Abuse of a Child
- JHFE/GBNAB-AR(2) (student) – Reporting of Suspected Abuse of a Child
- JHFF/GBNAA-AR – Suspected Sexual Conduct Report Procedure

8. New Business

8.1 Resolution 23-01 Designations / Authorization

8.2 Resolution 23-02 Food Products and Non-Food Supplies RFP Award

8.3 Standards Based Grading

9. Public Comment

(Personnel complaints will not be heard at Regular Board Meetings. Individuals with concerns regarding personnel should follow the Complaint Procedure Policy. Complaint information is available on the District website.)

10. Next Meetings

- Regular Board Meeting, August 8, 2022 6:00 p.m.
- Board Retreat Work Session August 15th and 16th 5:15pm – 8:00pm

11. Adjourn

The Board of Director meetings of Oakridge School District are held in accordance with Open Meeting Laws and with accessibility requirements. If an individual with a disability needs assistance in order to attend or participate in a meeting or discuss a matter with the superintendent, please call the district office at 782-2813.

Posted: 7/7/2022

Start of Consent Agenda

July 11, 2022

1. Meeting Minutes

- Budget Hearing
 - 2022-23 Budget Hearing
- Special Meeting
 - June 6, 2022
 - June 13, 2022
- Regular Session
 - June 13, 2022

2. Personnel Report

End of Consent Agenda

Oakridge School District

22-23 Budget Hearing, VIA ZOOM and In Person

Minutes for June 13, 2021 @ 5:45 p.m.

Present: Peggy Mahla, Reta Doland, Susan Hardy, Kevin Martin, Clem Pope, Lisa Samuelson, Mikal McPherson.

Absent: None

Public Present: Ken Wright (in person), Chad Harrison, Ashley Kirkhart, Peggy Gordon, Geoff Sinclair, Robin (Online)

Meeting called to order @ 6:45 p.m.

Director Martin declared a potential conflict of interest and left the room.

Business Manager Mahla briefly described what the Budget Hearing is and the process. The Budget Hearing is an opportunity for public comment. There is no Board action at the Budget Hearing.

Public Comment: None

End @ 5.58 p.m.

Submitted by Peggy Mahla





Oakridge Board of Directors

Special Meeting

June 06, 2022

5:15 p.m.

1. Call Meeting to Order

Present: Chair Martin, Vice Chair Hardy, Director Samuelson, Director McPherson, Superintendent Doland, and Confidential Secretary Jayme Martin. Director Pope attended virtually.

Chair Martin called the Regular Meeting of the Board of Directors to order at 5:19pm.

2. Policy JGE – Expulsion Action Item

Superintendent Doland presented the Board with policy JGE - Expulsion with emphasis on page 2 section 2. The Board may delegate the authority to decide on an expulsion to the superintendent or a designee. A third party may be employed by the district to serve as the expulsion hearings officer. Superintendent Doland asked for discussion. She stated she has been in contact with a third party.

Chair Martin stated he would like to delegate a third party person to be the hearings officer. He questioned the decision process. Superintendent Doland stated if the hearings officer made the decision, the Board would be the appeals process.

Director McPherson stated she has concerns with only one person making the decision on a student's expulsion.

Director Samuelson asked about alternative programs if a student is expelled. Superintendent Doland stated if a student is expelled, the district is required to provide alternative education.

The process was discussed regarding the final decision of the hearings officer and if the family wanted to appeal the decision, then it would go to the Board for review.

Superintendent Doland went over the process of the hearing.

Director Pope stated he liked having a third party involved with sections 10 and 11 of the policy as caveats.

Chair Martin stated he preferred section 10 of policy JGE in which Superintendent Doland appoints a hearings officer and the Board makes the final decision. Superintendent Doland clarified the hearings officer make a recommendation to the Board based off the facts. Vice Chair Hardy asked what happens if the decision is to be appealed. Chair Martin stated he spoke with pre-loss and they stated if the Board is making the decision, there would be no appeals process. It would then have to be a lawsuit. Chair Martin stated he agreed that the decision should not be left solely with one person, but rather a group decision.

Director Pope agreed with section 10.

Discussion was had regarding the policy being updated.

Director McPherson moved to use section 10 of policy JGE – Explosion granting the Superintendent authority to engage a 3rd party hearing officer. Director Samuelson seconded the motion. The motion passed with all directors voting yes.

Superintendent Doland spoke about the timeline, stating a hearings officer will hold fact finding meetings with the administrator and the family. Then the hearings officer will bring the recommendation to the Board which will be held in executive session unless the family wanted it in open session. Chair Martin requested Superintendent Doland ask the family if they wanted the meeting to be held in Open Session. He suggested the meeting could be

held Monday the 13th prior to the Regular Board Meeting. There was consensus on timeframe from the rest of the Board.

Discussion was had regarding graduation.

3. Adjourn

The meeting was adjourned at 5:40pm

APPROVED:

JRM

Chairman

Superintendent



**Oakridge Board of Directors
Special Meeting
June 13, 2022
5:10 p.m.**

1. Call Meeting to Order

Present: Chair Martin, Vice Chair Hardy, Director Samuelson, Director McPherson, Director Pope, Superintendent Doland, Confidential Secretary Jayme Martin, and third party hearings officer.

Chair Martin called the Special Meeting of the Board of Directors to order at 5:15pm.

2. Executive Session Pursuant to ORS 192.661 (1)(2)(3)

(1) Any hearing held by a district school board or its hearings officer on any of the following matters shall be conducted in executive session of the board or privately by the hearings officer unless the student or the student's parent or guardian requests a public hearing:

- (a)Expulsion of a minor student from a public elementary or secondary school.**
- (b)Matters pertaining to or examination of the confidential records of a student.**

(2) If an executive session is held by a district school board or a private hearing is held by its hearings officer under this section, the following shall not be made public:

- (a)The name of the minor student.**
- (b)The issue, including a student's confidential records.**
- (c)The discussion.**
- (d)The school board member's vote on the issue.**

(3)The school board members may vote in an executive session conducted pursuant to this section.

The meeting was called into executive session at 5:15pm under ORS 192.661 (1)(2)(3). Chair Martin read the ORS for the Executive Session.

The Special Meeting resumed at 5:23.

Superintendent Doland stated she had received advice from an OSBA attorney that members of the Board that are employed by the Oakridge Police Department recuse themselves from the expulsion hearing due to a potential bias of opinion. Chair Martin asked if there was anything in writing from an attorney.

*Vice Chair Hardy moved the members of the Board who are employed by the Oakridge Police Department recuse themselves from the expulsion hearing.
Director Pope seconded the motion.*

Chair Martin stated he has not seen anything from an attorney to suggest the recommendation of a potential bias of opinion. He stated the Oakridge Police Department did not file charges. He stated he is not recusing himself.

Director McPherson stated she is also not recusing herself.

*The motion did not pass with Vice Chair Hardy and Director Pope voting yes,
and Chair Martin, Director McPherson and Director Samuelson voting no.*

The meeting was called into executive session at 5:27pm under ORS 192.661 (1)(2)(3). Chair Martin read the ORS for the Executive Session.

The Special Meeting resumed at 6:38pm.

3. Adjourn

The Special Meeting adjourned at 6:38pm.

APPROVED:

JRM

Chairman

Superintendent



**Oakridge Board of Directors
June 13, 2022
6:00 p.m.
Regular School Board Meeting**

1. Call Meeting to Order

Present: Chair Martin, Vice Chair Hardy, Director Samuelson, Director McPherson, Director Pope, Superintendent Doland, Confidential Secretary Jayme Martin, and Geoff Sinclair with Brown and Brown Insurance.

Chair Martin called the Regular Meeting of the Board of Directors to order at 6:53pm. The Board meeting was led in the Pledge of Allegiance and roll call was taken.

2. Changes or Additions to the Agenda

Chair Martin spoke about a Board Retreat and asked for a date to be obtained that the Board would be able to attend.

3. Announcements and Correspondence

3.1 Retiree Recognition

- Barb Desser – OES
- David Gordon – OES
- Jill Troute – OJSH

The Board and Superintendent Doland recognized the retirees for their years of service and presented them with a retirement gift.

4. Action Items

4.1 Consent Agenda (Action)

Vice Chair Hardy moved to approve the consent agenda. Director Pope seconded the motion. The motion passed with all directors voting yes.

5. Information/Reports

5.1 Business Manager Report

Business Manager Peggy Mahla spoke about the interim audit that was just completed. She stated the process and audit went very smoothly. She spoke about the net PERS savings and transfer into a PERS fund. The issue is an unknown net savings amount until all the pay runs are completed on June 30. Going forward, the amount will be carried forward as the beginning fund balance and the transfer will be completed in July.

5.2 Superintendent Report

Enrollment

	June 2022	May 2022	Change	June 2021	Change
OES	264	266	-2	282	-18
Junior High	89	94	-5	87	-2
OHS	125	131	-6	130	-5

District	481	494	-13	499	-18
----------	-----	-----	-----	-----	-----

Director Pope asked about the difference in enrollment for the seniors from May to June and June to graduation. Twenty four students were enrolled in May and 21 enrolled in June with 18 that walked at graduation. Superintendent Doland explained a few seniors finished early so were not counted in the June enrollment, but were able to walk at graduation. She stated a total of seven seniors did not graduate but have the ability to complete course work and gain credits that go towards a regular diploma by August 31. It is also a possibility to be a 5th year senior and earn a regular diploma.

Solar Grant Planning and Implementation Opportunity

Superintendent Doland spoke about a solar panel project providing power for electrical and aiding in the cost of electricity. The Community Renewable Energy Grant Program provides grants to support offsetting the cost of planning and developing community renewable energy projects; make community renewable energy projects economically feasible for qualifying communities; promote small-scale renewable energy projects and provide direct benefits to communities across the state in the form of increased community energy resilience.

Superintendent Doland requested the Board's support to submit an application for a one year planning grant to the Oregon's Department of Energy's Community Renewable Energy Grant Program for 2022-23. The plan is to then submit a development grant for 2023-24.

5.3 Credit Recovery Update

Attendance Intervention Specialist Mark Osborn spoke about credit recovery. Several seniors were in need of credits in order to graduate. All high school students were analyzed to determine who was credit deficient. A plan was put into place to incentivize and motivate each student to increase their credits and get on track to graduate. A credit recovery program was utilized along with Lane Community College Youth Trades program doing electrical, sheet metal and general construction work. Two of the seniors who had previously been credit deficient were able to walk at graduation because they had received enough credits through the program. During the summer, LCC is offering diesel mechanic and automotive classes. Northwest Youth Corp is also another way to earn credits that is available to the students. Transportation is being provided for all of these programs.

5.4 OES Report

Principal Maher gave shout outs to the Elementary retirees. She thanked her Aimsweb testing team. Mrs. Maher gave shout outs to her Kindergarten and 6th grade teachers for their incredible work on the promotion ceremonies. She congratulated the Elementary students on earning 652 roars this school year. She spoke about 6th grade outdoor school and the activities they were able to do. Mrs. Maher spoke about May's attendance at 87.12% and praised a few of the classes working really hard on getting their students to attend. Mrs. Maher used Aimsweb data to compare fall to spring on track scores.

Grade	Reading			Math		
	Fall	Spring	Total in class	Fall	Spring	Total in class
6 th	35	32	41	34	34	41
5 th	23	32	35	21	30	35
4 th	28	38	42	18	24	42
3rd	18	21	37	25	33	37

5.5 OJSH Report

Principal Ross thanked the Board for coming to the graduation. She shared that prom turned out really well and took place at the golf course. She spoke about other activities that have been taking place with a busy end of the school year. She spoke about some mental health awareness that was given to the seniors. The 10th and 11th

graders have completed their extended application which is a career research paper and a requirement for graduation. The 9th through 11th graders also completed their plan and profile which is reviewing their individual transcripts and setting their goals which is a graduation requirement. The last students of the month took place in May and the subject was Warriors. Mrs. Ross spoke about the On-Track data, explaining classes were created in the master schedule to allow for students to earn credits getting them caught up and on-track to graduate. Some of the classes created was a mythology class and two semesters of graphic novels which is a substantial way to engage kids that don't enjoy reading, allowing them to gain credits that are suitable for their level. Geometric construction was a created class that allowed students a third year math class to graduate. The idea is to create a pathway from the Geometric class to the CTE Construction class with more hands on experience. Director Pope asked about the letter grades in the data presented compared to the proficiency based grading on the report cards. Mrs. Ross explained progress reports are presented in proficiency based grading and it gets transcribed to letter grades on the students' transcripts. She explained 90-100% is Mastered – M, 80-89% is Exceeds – E, 60-79% is Proficient – D or C, 0-59% is Not Proficient – NP. Superintendent Doland asked if the data provided was only first semester. Mrs. Ross stated it was only first semester since second semester has not concluded.

5.6 O.A.K.S Online

Mr. Iten presented the O.A.K.S program and gave a review of how the program started and where the program is at now. At the beginning of the year, 67 students were enrolled with 41 high school, 15 junior high, and 11 elementary students. By June, the enrollment was 47 with 36 high school, 6 junior high and 5 elementary. The difference in numbers was the majority of students came back in person. Some students did move away. Mr. Iten stated four students are in the GED program and the district has been approved to be a testing site. Approximately 10 students are continuing in the summer program to earn more credits. In the 2nd semester, 120 online classes have been completed successfully. He stated the parents realized that the best learning environment was to be in person especially in the elementary and junior high level. Superintendent Doland stated the next goal for the district becoming a GED site is to be offered community wide.

5.7 Brown and Brown Report

Geoff Sinclair, the District insurance agent with Brown and Brown spoke about two board policies, KGBB – Firearms Prohibited and JFCJ – Weapons in Schools. He spoke about the coverages and exclusions regarding employees carrying firearms. He stated the coverage is simply provided based off of the risk analysis. The only way PACE will cover the liability arising out of the discharge of the firearm and a lawsuit ensuing from a participant whose job duty it is to carry a firearm, is if that participant is DPSST certified which is law enforcement or private security trained. Insurance will not provide coverage for any person that is not DPSST certified. Neither would any coverage be provided for the school district. The school district still has the duty to defend and indemnify an employee or volunteer acting in the scope of their duties on behalf of the district. The district then has the requirement to pay legal bills and any judgments that might come about in a civil suit without insurance coverage. These policies fall under the guidelines of the DPSST certification.

Chair Martin asked coverage difference between the District having their own police officers, if they contracted with a law enforcement agency verses security. Mr. Sinclair stated as long as those employees are all DPSST certified there is no difference. The difference comes from the premium charge.

Chair Martin asked if insurance or liability coverage changes whether or not the policy is adopted regarding Senate Bill 554. Mr. Sinclair stated there is no coverage difference if the policy is adopted or not. He stated if a person brings a firearm on to district property, they may expect coverage, but the fact is they will not be covered.

The Board recessed at 8:16. The Board resumed at 8:24.

6. Unfinished Business

6.1 Policy (2nd Read/Possible Action)

- KGBB – Firearms Prohibited

Discussion was had regarding the posting of signs. Director McPherson asked for clarification regarding a person driving by the school being in violation if they had a concealed firearm. Chair Martin stated the way he interpreted the law, it could be a crime or it could be a violation. Superintendent Doland said she spoke with an OSBA Attorney who stated it could be a crime, but as a school district, it would not be something that the District would be monitoring or concerned about. Chair Martin stated there is a part of the law that district staff members must report anyone with a firearm in curtilage of District property. Director Pope stated he does not believe firearms should be allowed in school. Vice Chair Hardy agreed with him. Director McPherson stated if everyone had the training a police officer had, she would not be bothered by concealed carry being allowed. Chair Martin stated security does not have that level of training so they would be the same as concealed carry holders. Chair Martin stated he has a difference of opinion, he understood both sides. He stated he does not like the fact that people driving by or in their homes within curtilage, could be in violation if the policy gets passed. Director Pope clarified the difference between concealed carry and people that did not have a concealed carry permit whether they were in violation. Director Pope stated he believed it was a poorly written bill that was of no concern to the school districts. Director McPherson stated she thought of this policy in regards to what could happen to the students' verses what would happen to the property owners around the school. Director Samuelson stated there have been people with concealed carry permits that have stopped active shooters. Chair Martin brought up facts regarding active shooters. Discussion was had regarding staff members with carry concealed permits.

Director McPherson moved to adopt policy KGBB with the bracketed language included. Vice Chair Hardy seconded the motion. The motion passed with Vice Chair Hardy, Director Pope and Director McPherson voting yes. Director Samuelson and Chair Martin voted no.

- JFCJ – Weapons in Schools

Director Samuelson asked about posting the signs. Discussion was had regarding the policy being required. The bracketed items were discussed.

Director Samuelson moved to adopt policy JFCJ with the bracketed language included and the selection of "may" on page 2-3. Director McPherson seconded the motion. The motion passed with Directors Pope, Samuelson, McPherson and Vice Chair Hardy voting yes. Chair Martin voted no.

- IGBHA – Alternative Education Programs

Superintendent Doland clarified the program that had been running prior to Jack Skordahl retiring was not a true Alt Ed Program, but rather an online credit recovery program. Alternative Education programs are provided by other schools such as Lane School, Bridgeway or Riverfront Looking Glass. This policy is in reference to those programs. She recommended not including the bracketed language as it states the district may contract with a private alternative education program for services of a home schooled student which the district does not receive ADM.

Vice Chair moved to adopt policy IGBHA without the bracketed language included. Director Samuelson seconded the motion.

Director McPherson asked how the District supports home schooled students currently. Superintendent Doland stated they have the option to come in for SPED services, athletics, take advantage of online classes and they can attend in person classes anything less than half time. Superintendent Doland stated a home schooled student is considered attending less than half time at the school district. The bracketed language in the policy is stating the District would be responsible for paying for the home schooled student's private alternative education and the district would receive half ADM funds at best. The ADM funds would not cover the cost of the private alternative education.

The motion passed with all directors voting yes.

7. New Business

- 7.1 Resolution 22-15 Educator Health and Well-Being Support**
- 7.2 Resolution 22-16 and 22-17 Adopting 22-23 Budget**
- 7.3 Resolution 22-18 Levying Tax Rate**
- 7.4 Resolution 22-19 Summer School Program 2022**
- 7.5 Resolution 22-20 Appropriation of Unanticipated Revenue Funds**
- 7.6 Resolution 22-21 Adjustment of Budgeted Appropriations**
- 7.7 Resolution 22-22 PERS Pension Bond Payment**

Chair Martin declared an actual conflict of interest for the budget as his spouse works for the District as a confidential employee. He excused himself from the meeting at 9:00pm.

7.1 Resolution 22-15 Educator Health and Well-Being Support

Business Manager Peggy Mahla explained this grant was brought by the Oregon Teacher's Association. The grant bought two massage chairs to put in each staff room as well as provide healthy snacks throughout the year for staff.

Vice Chair Hardy moved to adopt Resolution 22-15. Director Samuelson seconded the motion. The motion passed with all directors voting yes.

7.4 Resolution 22-19 Summer School Program 2022

Money was received for Summer School. This program runs between both years so supplies have already been purchased and appropriations need to be added.

Director McPherson moved to adopt Resolution 22-19 Summer School Program. Director Samuelson seconded the motion. The motion passed with all directors voting yes.

7.5 Resolution 22-20 Appropriation of Unanticipated Revenue Funds

7.6 Resolution 22-21 Adjustment of Budgeted Appropriations

Ms. Mahla explained the way budget law works is to budget by fund and by function but because the budget is in March and it is unknown exactly how funds will be spent as the year closes, housekeeping needs to be done especially for the grants. There was more ending fund balance which created a larger beginning fund balance. More appropriations need to be put into the 2000 series. The ESSER funds ending balance needed to be re-appropriated into the 2000 series.

Director McPherson moved to adopt Resolution 22-20 and 22-21. Director Samuelson seconded the motion. The motion passed with all directors voting yes.

7.7 Resolution 22-22 PERS Pension Bond Payment

Ms. Mahla explained a resolution was completed at the beginning of the year to record a payment transfer of the pension bond. The transfer has two parts to show where the transfer came from and is going to, but the original resolution left the 2nd part off so this resolution is showing the 2nd part.

Director McPherson moved to adopt Resolution 22-22. Director Samuelson seconded the motion.

Director McPherson asked how it will reflect for next year. Ms. Mahla stated it is already built into the budget so the resolutions will not have to be done again.

The motion passed with all directors voting yes.

7.2 Resolution 22-16 and 22-17 Adopting 22-23 Budget

7.3 Resolution 22-18 Levying Tax Rate

Ms. Mahla explained 22-16 is adopting the dollar value of \$21,561,888 which is the proposed budget. Resolution 22-17 is the breakout in functions of the budget value. Resolution 22-18 is allowing Lane County to recover from property taxes \$373,272 to cover our general obligation bond payment.

*Director McPherson moved to adopt Resolution 22-16, 22-17 and 22-18.
Director Samuelson seconded the motion. The motion passed with all directors voting yes.*

7.8 Application for Solar Energy Grant OJSH (Action Item)

Vice Chair Hardy moved to submit an application for a one year planning grant for Oregon's Department of Energy's Community Renewable Energy Grant Program for 2021-22 with a plan to then submit a development grant for 2023-24. Director McPherson seconded the motion. The motion passed with all directors voting yes.

• IKF – Graduation Requirements

Superintendent Doland explained the changes to the policy. She explained the process to obtaining an alternative certificate was added. Chair Martin asked if there were any additional credits required for graduation. Superintendent Doland stated at this time there are not additional credits as they have been done away with during COVID, but at some point they may be added back in.

- JFCF – [Hazing,]Harassment, Intimidation, Bullying, [Menacing,]Cyberbullying, Teen Dating Violence, or Domestic Violence – Student
- GBL – Personnel Records
- GBLA – Disclosure of Information (DELETE)
- IGBB – Talented and Gifted Program

Superintendent Doland explained the changes to the policy and gave recommendations to the bracketed items.

Vice Chair Hardy moved to adopt Policies IKF, JFCF, GBL, GBLA, and IGBB with the recommendations. Director McPherson seconded the motion.

Chair Martin asked about adopting Administrative Rules in the past. Confidential Secretary read the AR policy that stated the Board does not adopt Administrative Rules unless required by law or the superintendent requests the Board adopt the AR.

The motion passed with all directors voting yes.

(Information)

- IGBAF-AR – Special Education – Individualized Education Program
- IGBAG-AR – Special Education – Procedural Safeguards

7. New Business

7.9 Policy (1st Read)

- GBDA – Expression of Milk [or Breast-feeding] in the Workplace
- GBNA/JHFF – Suspected Sexual Conduct with Students and Reporting Requirements
- GBNA/JHFE – Suspected Abuse of a Child Reporting Requirements
- JHFE/GBNA – Suspected Abuse of a Child Reporting Requirements

- JHFF/GBNAA – Suspected Sexual Conduct with Students and Reporting Requirements
- JFC Version 1 – Student Conduct

Superintendent Doland briefly explained the changes to the policies and they will be brought back to the next meeting for a 2nd read and possible action.

(Information)

- GBNAA/JHFF-AR – Suspected Sexual Conduct Reports Procedures and Form
- GBNA-AR – Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying Reporting Procedures
- GBNAB/JHFE-AR(1) (staff) – Reporting of Suspected Abuse of a Child
- GBNAB/JHFE-AR(2) (staff) – Reporting of Suspected Abuse of a Child
- JHFE/GBNAB-AR(1) (student) – Reporting of Suspected Abuse of a Child
- JHFE/GBNAB-AR(2) (student) – Reporting of Suspected Abuse of a Child
- JHFF/GBNAA-AR – Suspected Sexual Conduct Report Procedure

8. Public Comment

No Public Comment was made

9. Next Meetings

- Regular Board Meeting, July 11, 2022, 6:00pm

10. Adjourn

Meeting adjourned at 9:31pm.

APPROVED:

JRM

Chairman

Superintendent

Personnel Report (Action)

July 11, 2022

A. Employee Resignation

1. Certified

OJSH

- a. Kristen Rosenblum, Science and CTE Health Occupations, 1.0 FTE (effective June 17th, 2022)



July 11, 2022 Board Meeting Unfinished Business 7.1 Policies (2nd Read/Possible Action)

❖ **GBDA – Expression of Milk [or Breast-feeding] in the Workplace**

DEFINITIONS FOR CHILD ABUSE AND SEXUAL CONDUCT

Summary

Recent revisions to ORS 339 affecting reporting of child abuse and sexual conduct were adopted by the 2021 Legislature. The passing of these bills revised the definition of ‘sexual conduct’ and ‘licensed administrator’ as it relates to reporting and helps define the persons who can be designated to receive and respond to these reports. Additionally, a new definition was added for ‘commission licensee’ to distinguish between district employees suspected of sexual conduct that shall be reported to and investigated by TSPC and those that shall be reported to and investigated by ODE. The effective date of these changes are immediate.

Additionally, because of the requirements of staff involved in child abuse reporting, a second code has been added to model policy JHFE and its administrative regulations. This policy can now be inserted into section G (if desired) of the board’s policy manual and support informing staff of these reporting requirements.

Collective Bargaining Impact

Review any collective bargaining agreement language as it relates to GBNAA/JHFF and sexual conduct presented herein.

Local District Responsibility

Review the recommendations in the required policies and administrative regulations, i.e., GBNAA/JHFF and GBNAB/JHFE presented herein and readopt; review and modify to meet current practices.

Policy(ies) and ARs Impacted by these Revisions

- ❖ **GBNAA/JHFF - Suspected Sexual Conduct with Students and Reporting Requirements**
- ❖ **GBNAA/JHFF-AR – Suspected Sexual Conduct Reports Procedures and Form**
- ❖ **GBNAB/JHFE – Suspected Abuse of a Child Reporting Requirements**
- ❖ **GBNAB/JHFE-AR(1) (staff) – Reporting of Suspected Abuse of a Child**
- ❖ **GBNAB/JHFE-AR(2) (staff) – Reporting of Suspected Abuse of a Child**
- ❖ **JHFE/GBNAB – Suspected Abuse of a Child Reporting Requirements**
- ❖ **JHFE/GBNAB-AR(1) (student) – Reporting of Suspected Abuse of a Child**
- ❖ **JHFE/GBNAB-AR(2) (student) – Reporting of Suspected Abuse of a Child**
- ❖ **JHFF/GBNAA – Suspected Sexual Conduct with Students and Reporting Requirements**
- ❖ **JHFF/GBNAA-AR – Suspected Sexual Conduct Report Procedures and Form**

PROHIBITION ON FALSE STATEMENTS

Summary

Districts have multiple procedures to handle various types of complaints. These procedures prohibit retaliation for good faith reports, however, districts can also prohibit knowingly making false reports, or knowingly providing false information as part of an investigation.

Collective Bargaining Impact

None

Local District Responsibility

Revise and readopt affected policy as recommended.

Policy(ies) and ARs Impacted by these Revisions

❖ **JFC Version 1 – Student Conduct**

GENDER IDENTITY DEFINITION

Summary

House Bill 3041 (2021) revised the statutory definition of sexual orientation (removed gender identity) and created a new definition for gender identity.

Collective Bargaining Impact

None

Local District Responsibility

Review the board's policy manual for the policies listed herein and if present, revise and readopt. GBNA-AR is an AR that does not require adoption by the board so it can be submitted as an information item to the board for their review.

Policy(ies) and ARs Impacted by these Revisions

❖ **GBNA-AR – Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying Reporting Procedures**

OSBA Model Sample Policy

Code: **GBDA**
Adopted:

Expression of Milk [or Breast-feeding] in the Workplace *

(This applies to a district that employs 10 or more employees)

[¹][**When possible an employee must give reasonable notice of the intent to express milk [or breast-feed] to [see ² below].] [**The district shall provide the employee a reasonable rest period to express milk [or breast-feed] each time the employee has a need to express milk [or breast-feed]. If feasible, the employee will take the rest period at the same time as the rest periods or meal periods provided by the district.]

[**The district will make a reasonable effort to provide a location, other than a public restroom or toilet stall, in close proximity to the employee's work area, where an employee can express milk [or breast-feed] in private, concealed from view and without intrusion by other employees or the public. "Close proximity" means within walking distance from the employee's work area that does not appreciably shorten the rest or meal period. If a private location is not within close proximity to the employee's work area, the district may not include the time taken to travel to and from the location as part of the break period.]

[³]The following locations have been identified in each facility for milk expression [or breast-feeding]:

1. District office: [location, e.g., a private office in the district office building];
2. Name of elementary school[⁴]: [location, e.g., classrooms with windows covered and door locked;]
[staff room located [include location]];
3. Name of middle school[⁵]: [location, e.g., classrooms with the windows covered and door locked;]
[staff room located [include location]];
4. Name of high school[⁶]: [location, e.g., the locking file room in the main office];
5. [Bus barn: [location, e.g., a private office in the transportation building];]
6. [Maintenance: [location, e.g., a private office];]
7. [List other facility locations and designated locations, e.g., room or office, if any.]

¹ [**The designated bracketed language identified in this model policy is a requirement of law, but language is not required to be in policy.]

² [List the name of the position of the person to whom an employee must give notice.]

³ [The list of designated locations and facilities is required to be in policy as per Oregon Revised Statute (ORS) 653.077(10)(b).]

⁴ [Must list all elementary schools if more than one within the district.]

⁵ [Must list all middle schools if more than one within the district.]

⁶ [Must list all high schools if more than one within the district.]

[**An employee who expresses milk during work hours may use the available refrigeration to store the expressed milk. The district must allow the employee to bring a cooler or other insulated food container to work for storing the expressed milk and ensure there is adequate space in the workplace to accommodate the employee's cooler or insulated food container.]

[**This policy and the list of designated locations is published in the employee handbook. The list of designated locations is available upon request in the central office of each school facility and in the district's central office.]

[This policy only applies to employees who are expressing milk [or breast-feeding] for children 18 months of age or younger.]

END OF POLICY

Legal Reference(s):

[ORS 243.650](#)
[ORS 653.077](#)

[ORS 653.256](#)
[OAR 839-020-0051](#)

OSBA Model Sample Policy

Code: GBNAA/JHFF
Adopted:

Reporting Requirements for Suspected Sexual Conduct with Students and Reporting Requirements *

Sexual conduct by district employees, contractors¹, agents², and volunteers³ is prohibited and will not be tolerated. All district employees, contractors, agents, and volunteers are subject to this policy. Students are also subject to this policy if they are acting as an employee, contractor, agent or volunteer.

¹“Sexual conduct,” means verbal or physical conduct or verbal, written or electronic communications by a school employee, a contractor, an agent or a volunteer that involve a student and that are sexual advances or requests for sexual favors directed toward the student, or of a sexual nature that are directed toward the student or that have the effect of unreasonably interfering with a student’s educational performance, or of creating an intimidating, or hostile or offensive educational environment. “Sexual conduct” does not include touching or other physical contact that is necessitated by the nature of the school employee’s job duties or by the services required to be provided by the contractor, agent or volunteer, and for which there is no sexual intent; verbal, written or electronic communications that are provided as part of an education program that meets state educational standards or a policy approved by the Board; or conduct or communications described in the definition of sexual conduct herein if the school employee, contractor, agent or volunteer is also a student and the conduct or communications arise out of a consensual relationship between students, do not create an intimidating or hostile educational environment and are not prohibited by law, any policies of the district or any applicable employment agreements.

“Student” means any person who is in any grade from prekindergarten through grade 12 or 21 years of age or younger and receiving educational or related services from the district that is not a post-secondary institution of education, or who was previously known as a student by the person engaging in sexual conduct and who left school or graduated from high school within 90 days prior to the sexual conduct.

¹ “Contractor” means a person providing services to the district under a contract in a manner that requires the person to have direct, unsupervised contact with students.

² “Agent” means a person acting as an agent for the district in a manner that requires the person to have direct, unsupervised contact with students.

³ “Volunteer” means a person acting as a volunteer for the district in a manner that requires the person to have direct, unsupervised contact with students.

⁴ This definition of “sexual conduct” affects all conduct that occurs before, on or after June 23, 2021, for purposes of reports that are made, investigations that are initiated, or a collective bargaining agreement, an employment contract, an agreement for resignation or termination, a severance agreement or any similar contract or agreement entered into, on or after June 23, 2021.

The district will post in each school building the names and contact information of the employees^[5] designated for the respective school buildings to receive reports of suspected sexual conduct and the procedures the designee will follow upon receipt of the report.

Any district employee^[6] [, contractor, agent or volunteer] who has reasonable cause to believe that a student has been subjected to sexual conduct by another district employee, contractor, agent or volunteer, or that another district employee, contractor, agent or volunteer has engaged in sexual conduct with a student shall immediately report such suspected sexual conduct to the ^[7]designated licensed administrator or the alternate designated licensed administrator, in the event the designated administrator is the suspected perpetrator, for their school building. If the conduct also constitutes child abuse, the employee must make mandatory reports in accordance with Board policy GBNAB/JHFE – Suspected Abuse of a Child Reporting Requirements.

If the superintendent is the alleged perpetrator the report shall be submitted to the [insert designated licensed administrator^[8] position title] who shall report the suspected sexual conduct to the Board chair.

[If an employee fails to report suspected sexual conduct or fails to maintain confidentiality of records, the employee will be disciplined up to and including dismissal.]

When ~~the~~ a designated licensed administrator receives a report of suspected sexual conduct by a district employee, contractor, agent or volunteer, the administrator will follow procedures established by the district and set forth in the district's administrative regulation GBNAA/JHFF-AR - Suspected Sexual Conduct Report Procedures and Form. All such reports will be reported to the Oregon Department of Education (ODE) or Teacher Standards and Practices Commission (TSPC) ~~as appropriate, for investigation~~ in accordance with such administrative regulation. The agency receiving a report will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged perpetrator.

When there is reasonable cause to support the report, a district employee suspected of sexual conduct shall be placed on paid administrative leave pending an investigation and the district will take necessary actions to ensure the student's safety.

~~[⁵ Senate Bill 155 (2019) requires the district to designate a licensed administrator and an alternate licensed administrator for each school building.]~~

⁶ {The following language in brackets, i.e., [, contractor, agent or volunteer], is optional language for the district to consider including. If the language is kept, the district must make these groups aware of the policy and its administrative regulation and their responsibilities under both. This may also be included in contracts with agents and contractors and include reference to this policy.}

⁷ {ORS 339.372 requires the district to post the names and contact information of the persons, i.e., a licensed administrator and an alternate licensed administrator, who are designated to receive reports of sexual conduct for a school building in the respective school building. A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.}

⁸ {A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.}

When there is reasonable cause to support the report, a district contractor, agent or volunteer suspected of sexual conduct shall be removed from providing services to the district and the district will take necessary actions to ensure the student's safety.

The district will notify, as allowed by state and federal law, the person who was subjected to the suspected sexual conduct about any actions taken by the district as a result of the report.

A district employee, contractor or agent will not assist another district employee, contractor or agent in obtaining a new job if the individual knows, or has reasonable cause to believe the district employee, contractor or agent engaged in sexual conduct. Nothing in this policy prevents the district from disclosing information required by law or providing the routine transmission of administrative and personnel files pursuant to law.

The initiation of a report in good faith about suspected sexual conduct may not adversely affect any terms or conditions of employment or the work environment of the person who initiated the report or who may have been subject to sexual conduct. If a student initiates a report of suspected sexual conduct by a district employee, contractor, agent or volunteer in good faith, the student will not be disciplined by the district or any district employee, contractor, agent or volunteer.

The district will provide to employees at the time of hire, or to a contractor, agent or volunteer at the time of beginning service for the district, the following:

1. A description of conduct that may constitute sexual conduct;
2. A description of the investigatory process and possible consequences if a report of suspected sexual conduct is substantiated; and
3. A description of the prohibitions imposed on district employees, contractors and agents when they attempt to obtain a new job, pursuant to ORS 339.378(2).

All district employees are subject to Board policy GCAB - Personal Electronic Devices and Social Media - Staff regarding appropriate electronic communications with students.

Any electronic communications with students by a contractor, agent or volunteer for the district will be appropriate and only when directed by district administration. When communicating with students electronically regarding school-related matters, contractors, agents or volunteers shall use district e-mail using mailing lists and/or other internet messaging approved by the district to a group of students rather than individual students or as directed by district administration. Texting or electronically communicating with a student through contact information gained as a contractor, agent or volunteer for the district is [[strongly] [discouraged] [prohibited].

The superintendent shall develop administrative regulations to implement this policy and to comply with state law.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 339.370 - 339.400](#)

[ORS 419B.005 - 419B.045](#)

Every Student Succeeds Act, 20 U.S.C. § 7926 (2018).

House Bill 2136 (2021).

Senate Bill 51 (2021).

OSBA Model Sample Policy

Code: JHFF/GBNAA
Adopted:

~~Reporting Requirements for Suspected Sexual Conduct with Students~~ and Reporting Requirements *

Sexual conduct by district employees, contractors¹, agents², and volunteers³ is prohibited and will not be tolerated. All district employees, contractors, agents, and volunteers are subject to this policy. Students are also subject to this policy if they are acting as an employee, contractor, agent or volunteer.

⁴“Sexual conduct,” means verbal or physical conduct or verbal, written or electronic communications by a school employee, a contractor, an agent or a volunteer that involve a student and that are sexual advances or requests for sexual favors directed toward the student, or of a sexual nature that are directed toward the student or that have the effect of unreasonably interfering with a student’s educational performance, or of creating an intimidating, or hostile or offensive educational environment. “Sexual conduct” does not include touching or other physical contact that is necessitated by the nature of the school employee’s job duties or by the services required to be provided by the contractor, agent or volunteer, and for which there is no sexual intent; verbal, written or electronic communications that are provided as part of an education program that meets state educational standards or a policy approved by the Board; or conduct or communications described in the definition of sexual conduct herein if the school employee, contractor, agent or volunteer is also a student and the conduct or communications arise out of a consensual relationship between students, do not create an intimidating or hostile educational environment and are not prohibited by law, any policies of the district or any applicable employment agreements.

“Student” means any person who is in any grade from prekindergarten through grade 12 or 21 years of age or younger and receiving educational or related services from the district that is not a post-secondary institution of education, or who was previously known as a student by the person engaging in sexual conduct and who left school or graduated from high school within 90 days prior to the sexual conduct.

¹ “Contractor” means a person providing services to the district under a contract in a manner that requires the person to have direct, unsupervised contact with students.

² “Agent” means a person acting as an agent for the district in a manner that requires the person to have direct, unsupervised contact with students.

³ “Volunteer” means a person acting as a volunteer for the district in a manner that requires the person to have direct, unsupervised contact with students.

⁴ This definition of “sexual conduct” affects all conduct that occurs before, on or after June 23, 2021, for purposes of reports that are made, investigations that are initiated, or a collective bargaining agreement, an employment contract, an agreement for resignation or termination, a severance agreement or any similar contract or agreement entered into, on or after June 23, 2021.

The district will post in each school building the names and contact information of the employees^[5] designated for the respective school buildings to receive reports of suspected sexual conduct and the procedures the designee will follow upon receipt of the report.

Any district employee^{6} [, contractor, agent or volunteer] who has reasonable cause to believe that a student has been subjected to sexual conduct by another district employee, contractor, agent or volunteer, or that another district employee, contractor, agent or volunteer has engaged in sexual conduct with a student shall immediately report such suspected sexual conduct to the ^{7}designated licensed administrator or the alternate designated licensed administrator, in the event the designated administrator is the suspected perpetrator, for their school building. If the conduct also constitutes child abuse, the employee must make mandatory reports in accordance with Board policy JHFE/GBNAB – Suspected Abuse of a Child Reporting Requirements.

If the superintendent is the alleged perpetrator the report shall be submitted to the [insert designated licensed administrator^{8} position title] who shall report the suspected sexual conduct to the Board chair.

[If an employee fails to report suspected sexual conduct or fails to maintain confidentiality of records, the employee will be disciplined up to and including dismissal.]

When ~~the~~ a designated licensed administrator receives a report of suspected sexual conduct by a district employee, contractor, agent or volunteer, the administrator will follow procedures established by the district and set forth in the district's administrative regulation JHFF/GBNAA-AR - Suspected Sexual Conduct Report Procedures and Form. All such reports will be reported to the Oregon Department of Education (ODE) or Teacher Standards and Practices Commission (TSPC) ~~as appropriate, for investigation~~ in accordance with such administrative regulation. The agency receiving a report will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged perpetrator.

When there is reasonable cause to support the report, a district employee suspected of sexual conduct shall be placed on paid administrative leave pending an investigation and the district will take necessary actions to ensure the student's safety.

~~[⁵ Senate Bill 155 (2019) requires the district to designate a licensed administrator and an alternate licensed administrator for each school building.]~~

⁶ {The following language in brackets, i.e., [, contractor, agent or volunteer], is optional language for the district to consider including. If the language is kept, the district must make these groups aware of the policy and its administrative regulation and their responsibilities under both. This may also be included in contracts with agents and contractors and include reference to this policy.}

⁷ {ORS 339.372 requires the district to post the names and contact information of the persons, i.e., a licensed administrator and an alternate licensed administrator, who are designated to receive reports of sexual conduct for a school building in the respective school building. A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.}

⁸ {A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.}

When there is reasonable cause to support the report, a district contractor, agent or volunteer suspected of sexual conduct shall be removed from providing services to the district and the district will take necessary actions to ensure the student's safety.

The district will notify, as allowed by state and federal law, the person who was subjected to the suspected sexual conduct about any actions taken by the district as a result of the report.

A district employee, contractor or agent will not assist another district employee, contractor or agent in obtaining a new job if the individual knows, or has reasonable cause to believe the district employee, contractor or agent engaged in sexual conduct. Nothing in this policy prevents the district from disclosing information required by law or providing the routine transmission of administrative and personnel files pursuant to law.

The initiation of a report in good faith about suspected sexual conduct may not adversely affect any terms or conditions of employment or the work environment of the person who initiated the report or who may have been subject to sexual conduct. If a student initiates a report of suspected sexual conduct by a district employee, contractor, agent or volunteer in good faith, the student will not be disciplined by the district or any district employee, contractor, agent or volunteer.

The district will provide to employees at the time of hire, or to a contractor, agent or volunteer at the time of beginning service for the district, the following:

1. A description of conduct that may constitute sexual conduct;
2. A description of the investigatory process and possible consequences if a report of suspected sexual conduct is substantiated; and
3. A description of the prohibitions imposed on district employees, contractors and agents when they attempt to obtain a new job, pursuant to ORS 339.378(2).

All district employees are subject to Board policy GCAB - Personal Electronic Devices and Social Media - Staff regarding appropriate electronic communications with students.

Any electronic communications with students by a contractor, agent or volunteer for the district will be appropriate and only when directed by district administration. When communicating with students electronically regarding school-related matters, contractors, agents or volunteers shall use district e-mail using mailing lists and/or other internet messaging approved by the district to a group of students rather than individual students or as directed by district administration. Texting or electronically communicating with a student through contact information gained as a contractor, agent or volunteer for the district is [[strongly] [discouraged] [prohibited].

The superintendent shall develop administrative regulations to implement this policy and to comply with state law.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 339.370 - 339.400](#)

[ORS 419B.005 - 419B.045](#)

Every Student Succeeds Act, 20 U.S.C. § 7926 (2018).

House Bill 2136 (2021);

Senate Bill 51 (2021);

OSBA Model Sample Policy

Code: GBNAB/JHFE
Adopted:

Reporting of Suspected Abuse of a Child Reporting Requirements**

Any district employee who has reasonable cause to believe that **any child** with whom the employee has come in contact has suffered abuse¹ shall orally report or cause an oral report immediately by telephone or otherwise to the local office of the Oregon Department of Human Services (DHS) or its designee or to the law enforcement agency within the county where the person making the report is located at the time of the contact pursuant to Oregon Revised Statute (ORS) 419B.010. Any district employee who has reasonable cause to believe that **any ~~adult or student~~ person**² with whom the employee is in contact has abused a child shall immediately report or cause a report to be made in the same manner to DHS or its designee or to the law enforcement agency within the county where the person making the report is located at the time of the contact pursuant to ORS 419B.010. If known, the report shall contain the names and addresses of the child and the parents of the child or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, including any evidence of previous abuse, the explanation given for the suspected abuse, any other information that the person making the report believes might be helpful in establishing the possible cause of the abuse and the identity of a possible perpetrator.

Abuse of a child by district employees, contractors³, agents⁴, volunteers⁵, or students is prohibited and will not be tolerated. All district employees, contractors, agents, volunteers and students are subject to this policy and the accompanying administrative regulation.

Any district employee who has reasonable cause to believe that another district employee, contractor, agent, volunteer or student has engaged in abuse, or that a student has been subjected to abuse by another district employee, contractor, agent, volunteer or student shall immediately report such to the Oregon Department of Human Services (DHS) or its designee or the local law enforcement agency pursuant to ORS 419B.015, and to the designated licensed administrator.

¹ Includes the neglect of a child; abuse is defined in ORS 419B.005.

² "Person" could include adult, student or other child.

³ "Contractor" means a person providing services to the district under a contract in a manner that requires the person to have direct, unsupervised contact with students.

⁴ "Agent" means a person acting as an agent for the district in a manner that requires the person to have direct, unsupervised contact with students.

⁵ "Volunteer" means a person acting as a volunteer for the district in a manner that requires the person to have direct, unsupervised contact with students.

The district will designate a {⁶} licensed administrator and an alternate licensed administrator, in the event that the designated licensed administrator is the suspected abuser, for each school building to receive reports of suspected abuse of a child by district employees, contractors, agents, volunteers or students.

If the superintendent is the alleged perpetrator the report shall be submitted to the [insert {⁷} licensed administrator position title] who shall also report to the Board chair.

The district will post the names and contact information of the designees for each school building, in the respective school, designated to receive reports of suspected abuse and the procedures in GBNAB/JHFE-AR(1) - Reporting of Suspected Abuse of a Child the designee will follow upon receipt of a report, the contact information for local law enforcement and the local DHS office or its designee, and a statement that ~~the~~ this duty to report suspected abuse is in addition to the requirements of reporting to a designated licensed administrator.

When a designee receives a report of suspected abuse, the designee will follow procedure established by the district and set forth in administrative regulation GBNAB/JHFE-AR(1) - Reporting of Suspected Abuse of a Child. All such reports of suspected abuse will be reported to a law enforcement agency or DHS, or its designee, for investigation, and the agency will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged abuser.

When there is reasonable cause to support ~~the~~ a report, a district employee suspected of abuse shall be placed on paid administrative leave pending an investigation and the district will take necessary actions to ensure the student's safety. When there is reasonable cause to support ~~the~~ a report, a district contractor, agent or volunteer suspected of abuse shall be removed from providing services to the district and the district will take necessary actions to ensure the student's safety.

The district will notify the person, as allowed by state and federal law, who was subjected to the suspected abuse about any actions taken by the district as a result of the report.

A substantiated report of abuse by an employee shall be documented in the employee's personnel file. A substantiated report of abuse by a student shall be documented in the student's education record.

The initiation of a report in good faith, pursuant to this policy, may not adversely affect any terms or conditions of employment or the work environment of the person initiating the report or who may have been subjected to abuse. If a student initiates a report of suspected abuse of a child by a district employee, contractor, agent, volunteer or student, in good faith, the student will not be disciplined by the district or any district employee, contractor, agent or volunteer. Intentionally making a false report of abuse of a child is a Class A violation.

⁶ {ORS 339.372 requires the district to post the names and contact information of the persons, i.e., a licensed administrator and an alternate licensed administrator, who are designated to receive reports of sexual abuse for a school building in the respective school building. A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.}

⁷ {A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.}

The district shall provide information and training each school year to district employees on the prevention and identification of abuse, the obligations of district employees under ORS 339.388 and ORS 419B.005 - 419B.050 and as directed by Board policy to report suspected abuse of a child, and appropriate electronic communications with students. The district shall make available each school year the training described above to contractors, agents, volunteers, and parents and legal guardians of students attending district-operated schools, and will be made available separately from the training provided to district employees. The district shall provide each school year information on the prevention and identification of abuse, the obligations of district employees under Board policy to report abuse, and appropriate electronic communications with students to contractors, agents and volunteers. The district shall make available each school year training that is designed to prevent abuse to students attending district-operated schools.

The district shall provide to a district employee at the time of hire, or to a contractor, agent, or volunteer at the time of beginning service for the district, the following:

1. A description of conduct that may constitute abuse;
2. A description of the investigatory process and possible consequences if a report of suspected abuse is substantiated; and
3. A description of the prohibitions imposed on district employees, contractors, and agents when they attempt to obtain a new job, as provided under ORS 339.378. [A district employee, contractor or agent will not assist another district employee, contractor or agent in obtaining a new job if the individual knows, or has reasonable or probable cause to believe the district employee, contractor or agent engaged in abuse, unless criteria found in ORS 339.378(2)(c) are applicable.]

Nothing in this policy prevents the district from disclosing information required by law or providing the routine transmission of administrative and personnel files pursuant to law.

The district shall make available to students, district employees, contractors, agents, and volunteers a policy of appropriate electronic communications with students.

Any electronic communications with students by a contractor, agent or volunteer for the district will be appropriate and only when directed by district administration. When communicating with students electronically regarding school-related matters, contractors, agents or volunteers shall use district e-mail, using mailing lists and/or other internet messaging approved by the district to a group of students rather than individual students or as directed by district administration. Texting or electronically communicating with a student through contact information gained as a contractor, agent or volunteer for the district is [[strongly] [discouraged] [prohibited].

The superintendent shall develop administrative regulations as are necessary to implement this policy and to comply with state law.

END OF POLICY

Legal Reference(s):

[ORS 339.370 - 339.400](#)

[ORS 419B.005 - 419B.050](#)

[OAR 581-022-2205](#)

[ORS 418.257 - 418.259](#)

Greene v. Camreta, 588 F.3d 1011 (9th Cir. 2009), vacated in part by, remanded by Camreta v. Greene, 131 S. Ct. 2020 (U.S. 2011); vacated in part, remanded by Greene v. Camreta 661 F.3d 1201 (9th Cir. 2011).

[Senate Bill 51 \(2021\)](#)

OSBA Model Sample Policy

Code:

JHFE/GBNAB

Adopted:

Reporting of Suspected Abuse of a Child Reporting Requirements**

Any district employee who has reasonable cause to believe that **any child** with whom the employee has come in contact has suffered abuse¹ shall orally report or cause an oral report immediately by telephone or otherwise to the local office of the Oregon Department of Human Services (DHS) or its designee or to the law enforcement agency within the county where the person making the report is located at the time of the contact pursuant to Oregon Revised Statute (ORS) 419B.010. Any district employee who has reasonable cause to believe that **any adult or student person**² with whom the employee is in contact has abused a child shall immediately report or cause a report to be made in the same manner to DHS or its designee or to the law enforcement agency within the county where the person making the report is located at the time of the contact pursuant to ORS 419B.010. If known, the report shall contain the names and addresses of the child and the parents of the child or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, including any evidence of previous abuse, the explanation given for the suspected abuse, any other information that the person making the report believes might be helpful in establishing the possible cause of the abuse and the identity of a possible perpetrator.

Abuse of a child by district employees, contractors³, agents⁴, volunteers⁵, or students **is prohibited and** will not be tolerated. All district employees, contractors, agents, volunteers and students are subject to this policy and the accompanying administrative regulation.

Any district employee who has reasonable cause to believe that another district employee, contractor, agent, volunteer or student has engaged in abuse, or that a student has been subjected to abuse by another district employee, contractor, agent, volunteer or student shall immediately report such to the Oregon Department of Human Services (DHS) or its designee or the local law enforcement agency pursuant to ORS 419B.015, and to the designated licensed administrator.

¹ Includes the neglect of a child; abuse is defined in ORS 419B.005.

² "Person" could include adult, student or other child.

³ "Contractor" means a person providing services to the district under a contract in a manner that requires the person to have direct, unsupervised contact with students.

⁴ "Agent" means a person acting as an agent for the district in a manner that requires the person to have direct, unsupervised contact with students.

⁵ "Volunteer" means a person acting as a volunteer for the district in a manner that requires the person to have direct, unsupervised contact with students.

The district will designate a {⁶} licensed administrator and an alternate licensed administrator, in the event that the designated licensed administrator is the suspected abuser, for each school building to receive reports of suspected abuse of a child by district employees, contractors, agents, volunteers or students.

If the superintendent is the alleged perpetrator the report shall be submitted to the [insert {⁷} licensed administrator position title] who shall also report to the Board chair.

The district will post the names and contact information of the designees for each school building, in the respective school, designated to receive reports of suspected abuse and the procedures in JHFE/GBNAB-AR(1) - Reporting of Suspected Abuse of a Child the designee will follow upon receipt of a report, the contact information for local law enforcement and the local DHS office or its designee, and a statement that ~~the~~ this duty to report suspected abuse is in addition to the requirements of reporting to a designated licensed administrator.

When a designee receives a report of suspected abuse, the designee will follow procedure established by the district and set forth in administrative regulation JHFE/GBNAB-AR(1) - Reporting of Suspected Abuse of a Child. All such reports of suspected abuse will be reported to a law enforcement agency or DHS, or its designee, for investigation, and the agency will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged abuser.

When there is reasonable cause to support ~~the~~ a report, a district employee suspected of abuse shall be placed on paid administrative leave pending an investigation and the district will take necessary actions to ensure the student's safety. When there is reasonable cause to support ~~the~~ a report, a district contractor, agent or volunteer suspected of abuse shall be removed from providing services to the district and the district will take necessary actions to ensure the student's safety.

The district will notify the person, as allowed by state and federal law, who was subjected to the suspected abuse about any actions taken by the district as a result of the report.

A substantiated report of abuse by an employee shall be documented in the employee's personnel file. A substantiated report of abuse by a student shall be documented in the student's education record.

The initiation of a report in good faith, pursuant to this policy, may not adversely affect any terms or conditions of employment or the work environment of the person initiating the report or who may have been subjected to abuse. If a student initiates a report of suspected abuse of a child by a district employee, contractor, agent, volunteer or student, in good faith, the student will not be disciplined by the district or any district employee, contractor, agent or volunteer. Intentionally making a false report of abuse of a child is a Class A violation.

⁶ {ORS 339.372 requires the district to post the names and contact information of the persons, i.e., a licensed administrator and an alternate licensed administrator, who are designated to receive reports of sexual abuse for a school building in the respective school building. A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.}

⁷ {A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.}

The district shall provide information and training each school year to district employees on the prevention and identification of abuse, the obligations of district employees under ORS 339.388 and ORS 419B.005 - 419B.050 and as directed by Board policy to report suspected abuse of a child, and appropriate electronic communications with students. The district shall make available each school year the training described above to contractors, agents, volunteers, and parents and legal guardians of students attending district-operated schools, and will be made available separately from the training provided to district employees. The district shall provide each school year information on the prevention and identification of abuse, the obligations of district employees under Board policy to report abuse, and appropriate electronic communications with students to contractors, agents and volunteers. The district shall make available each school year training that is designed to prevent abuse to students attending district-operated schools.

The district shall provide to a district employee at the time of hire, or to a contractor, agent, or volunteer at the time of beginning service for the district, the following:

1. A description of conduct that may constitute abuse;
2. A description of the investigatory process and possible consequences if a report of suspected abuse is substantiated; and
3. A description of the prohibitions imposed on district employees, contractors, and agents when they attempt to obtain a new job, as provided under ORS 339.378. [A district employee, contractor or agent will not assist another district employee, contractor or agent in obtaining a new job if the individual knows, or has reasonable or probable cause to believe the district employee, contractor or agent engaged in abuse, unless criteria found in ORS 339.378(2)(c) are applicable.]

Nothing in this policy prevents the district from disclosing information required by law or providing the routine transmission of administrative and personnel files pursuant to law.

The district shall make available to students, district employees, contractors, agents, and volunteers a policy of appropriate electronic communications with students.

Any electronic communications with students by a contractor, agent or volunteer for the district will be appropriate and only when directed by district administration. When communicating with students electronically regarding school-related matters, contractors, agents or volunteers shall use district e-mail, using mailing lists and/or other internet messaging approved by the district to a group of students rather than individual students or as directed by district administration. Texting or electronically communicating with a student through contact information gained as a contractor, agent or volunteer for the district is [[strongly] [discouraged] [prohibited]].

The superintendent shall develop administrative regulations as are necessary to implement this policy and to comply with state law.

END OF POLICY

Legal Reference(s):

[ORS 339.370 - 339.400](#)
[ORS 418.257 - 418.259](#)

[ORS 419B.005 - 419B.050](#)

[OAR 581-022-2205](#)

Greene v. Camreta, 588 F.3d 1011 (9th Cir. 2009), vacated in part by, remanded by Camreta v. Greene, 131 S. Ct. 2020 (U.S. 2011); vacated in part, remanded by Greene v. Camreta 661 F.3d 1201 (9th Cir. 2011).
[Senate Bill 51 \(2021\)](#);

OSBA Model Sample Policy

Code: JFC
Adopted:

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. 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.

Students are prohibited from making knowingly false statements or knowingly submitting false information in bad faith as part of a complaint or report, or associated with an investigation into misconduct.¹

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

END OF POLICY

¹ The district is prohibited from retaliating against any student "for the reason that the student has in good faith reported information that the student believes is evidence of a violation of a state or federal law, rule or regulation." ORS 659.852.

Legal Reference(s):

[ORS 339.240](#)

[ORS 659.850](#)

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

[ORS 339.250](#)

Nondiscrimination on the Bases of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

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).

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).

OSBA Model Sample Policy

Code: GBNAA/JHFF-AR
Revised/Reviewed:

Suspected Sexual Conduct Report Procedures and Forms *

The district posts in each school building the names and contact information of the district employees^{1} ~~in each school building~~ designated for the respective school building to receive reports of suspected sexual conduct and the procedures the designee(s) will follow upon receipt of the report.

When ~~the a designee~~ designated licensed administrator² receives a report of suspected sexual conduct that may have been committed by a ~~person licensed~~ commission licensee³ ~~through Teacher Standards and Practices Commission (TSPC)~~, the designee shall notify Teacher Standards and Practices Commission (TSPC) ~~as soon as possible. When the designee~~ The designee shall notify the Oregon Department of Education (ODE) if the administrator receives a report of suspected sexual conduct that may have been committed by a person who school employee, contractor, agent or volunteer that is not licensed through TSPC, the designee shall notify the Oregon Department of Education (ODE) a commission licensee as soon as possible.

If the superintendent is the alleged perpetrator the report shall be submitted to the [insert licensed administrator position title] who shall refer the report to the Board chair.

The district will investigate all reports of suspected sexual conduct, unless otherwise requested by TSPC or ODE as appropriate.

When the designee receives a report of suspected sexual conduct by a district employee, and there is reasonable cause to support the report, the district shall place the district employee on paid administrative leave⁴ and take necessary actions to ensure the student's safety. The employee shall remain on leave until

¹ ~~{Senate Bill 155 (2019) requires the district to designate a licensed administrator and an alternate licensed administrator for each school building.~~ ORS 339.372 requires the district to post the names and contact information of the persons, i.e., a licensed administrator and an alternate licensed administrator, who are designated to receive reports of sexual conduct for a school building, in the respective school building. A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.

² A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.

³ ~~"License" includes a license, registration or certificate issued by the Teacher Standards and Practices Commission.~~ "Commission licensee," as is defined in ORS 342.120 (as amended by HB 2136 (2021)), means a person whom the TSPC has authority to investigate or discipline because the person is enrolled in an approved educator preparation program, is an applicant for a TSPC license or registration, holds a license or registration issued by TSPC, or has held a license or registration issued by the TSPC at any time during the previous five years.

⁴ The district employee cannot be required to use any accrued leave during the imposed paid administrative leave.

TSPC⁵ or ODE⁶ determines that the report is substantiated and the district takes appropriate employment action against the employee, or cannot be substantiated or is not a report of sexual conduct and the district determines either: 1) an employment policy was violated and the district will take appropriate employment action against the employee; or 2) an employment policy has not been violated and an employment action against the employee is not required. ~~The district will investigate all reports of suspected sexual conduct by persons who are licensed by the TSPC, unless otherwise requested by TSPC, and all reports of suspected sexual conduct by persons who are not licensed by TSPC, unless otherwise requested by ODE.~~

When the designee receives a report of suspected sexual conduct by a contractor⁷, an agent or a volunteer, the district [may] [shall] prohibit the contractor, agent or volunteer from providing services to the district. [If the district determines there is reasonable cause to support a report of suspected sexual conduct, the district shall prohibit the contractor, agent or volunteer from providing services.] [The district may reinstate the contractor, agent or volunteer, and such reinstatement may not occur until such time as a report of suspected sexual conduct has been investigated and a determination has been made by TSPC or ODE, as appropriate, that the report is unsubstantiated.]

Upon request from ODE or TSPC the district will provide requested documents or materials to the extent allowed by state and federal law.

The name, address and other identifying information about the employee who made the report are confidential and are not accessible for public inspection.

[An “investigation” means a detailed inquiry into the factual allegations of a report of suspected sexual conduct that is based on interviews with the person who initiated the report, the person who may have been subjected to sexual conduct, witnesses and the person who is the subject of the report, and results in a finding that the report is a substantiated report, cannot be substantiated, or is not a report of sexual conduct. If the subject of the report is a district employee represented by a contract or a collective bargaining agreement, the investigation must meet any negotiated standards of such employment contract or agreement.]

Nothing prevents the district from conducting its own investigation, unless another agency requests to lead the investigation or requests the district to suspend their investigation, or taking an employment action based on information available to the district before an investigation conducted by another agency is completed. The district will cooperate with agencies assigned to conduct such investigations.

[A “substantiated report” means a report of sexual conduct that TSPC or ODE determines is founded.]

If, following the investigation, the district decides to take an employment action, the district will inform the district employee of the employment action to be taken and provide information about the appropriate appeal process. [The employee may appeal the employment action taken through the appeal process provided by the applicable collective bargaining agreement.] [The employee may appeal the employment action taken through an appeal process administered by a neutral third party.]

⁵ TSPC investigates reports on commission licensees.

⁶ ODE investigates reports on persons who are not commission licensees.

⁷ {The district is encouraged to duplicate this language in the contract. If the contract is with a company and the person assigned to do the work is the alleged perpetrator, the district shall notify the company and request another company employee be assigned to complete the work.}

If the district is notified that the employee decided not to appeal the employment action or if the determination of an appeal sustained the employment action, the district shall create a record of the findings of the substantiated report and the employment action taken by the district will be placed in the records on the school employee maintained by the district. Such records created are confidential and not public records as defined in Oregon Revised Statute (ORS) 192.311, however the district may use the record as a basis for providing information required to be disclosed about a district employee under ORS 339.378(1). The district will notify the employee that information about substantiated reports may be disclosed to a potential employer.

Training

The district shall provide information and training each school year to district employees on the following:

1. Prevention and identification of sexual conduct;
2. Obligations of district employees under ORS 339.388 and 419B.005 - 419B.050 and under adopted board policies to report suspected sexual conduct; and
3. Appropriate electronic communications with students.

The district shall make available each school year the training described above to contractors, agents, volunteers and to parents and legal guardians of students attending district-operated schools, and will be made available separately from the training provided to district employees.

The district shall provide to contractors, agents and volunteers each school year information on the following:

1. Prevention and identification of sexual conduct;
2. Obligations of district employees under adopted board policies to report suspected sexual conduct; and
3. Appropriate electronic communications with students.

The district shall make available each school year training that is designed to prevent sexual conduct to students attending district-operated schools.

[Name of School District]

SUSPECTED SEXUAL CONDUCT REPORT FORM

Name of person making report: _____

Position of person making report: _____

Name of person suspected of sexual conduct: _____

Date and place of incident or incidents: _____

Description of suspected sexual conduct: _____

Name of witnesses (if any): _____

Evidence of suspected sexual conduct, e.g., letters, photos, etc. (attach evidence if possible): _____

Any other information: _____

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

Signature: _____ Date: _____

[Name of School District]

WITNESS DISCLOSURE FORM

Name of witness: _____

Position of witness: _____

Date of testimony/interview: _____

Description of instance witnessed: _____

Any other information: _____

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

Signature: _____ Date: _____

OSBA Model Sample Policy

Code: GBNA-AR
Revised/Reviewed:

Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying Reporting Procedures – Staff

The following definitions and procedures shall be used for reporting, investigating, and resolving reports of hazing, harassment, intimidation, bullying, menacing, and cyberbullying of staff or third parties.

Definitions

1. “Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at interdistrict and intradistrict athletic competitions or other school events.
2. “District” includes district facilities, district premises, and nondistrict property if the employee is at any district-sponsored, district-approved, or district-related activity or function, such as field trips, athletic events or where the employee is engaged in district business.
3. “Hazing” includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a staff member for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored work activity, work group or work assignment, or other such activities intended to degrade or humiliate regardless of the person’s willingness to participate.
4. “Harassment” is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), sexual orientation¹, gender identity, national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful when 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.
5. “Intimidation” includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another’s property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the perception of the other’s race, color, religion, national origin, disability, ~~or sexual orientation~~ or gender identity.
6. “Bullying” is a pattern of repeated mistreatment that harms, intimidates, undermines, offends, degrades, or humiliates an employee.
7. “Cyberbullying” means the use of any electronic device to [convey a message in any form (e.g., text, image, audio, or video) that intimidates, harasses, or otherwise harms, insults, or humiliates another in a deliberate, repeated or hostile and unwanted manner under a person’s true or false identity. In

¹ ~~“Sexual orientation” means 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.~~

addition, any communication of this form which substantially disrupts or prevents a safe and positive working environment may also be considered cyberbullying.] [harass, intimidate, or bully.] Staff will refrain from using personal electronic devices or district equipment to harass or stalk another person or people.

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

Reporting Procedures

The [principals and the] [superintendent] [have] [has] responsibility for investigations concerning reports of hazing, harassment, intimidation, bullying, menacing, or cyberbullying of staff or third parties. The investigator(s) shall be a neutral party having had no involvement in the report presented.

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

Any employee or third party who has knowledge of conduct in violation of Board policy GBNA – Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying – Staff and this administrative regulation or feels they have been hazed, harassed, intimidated, bullied, cyberbullied, or menaced in violation of Board policy or this administrative regulation, [shall] [is encouraged to] immediately report concerns to the designated district official.

All reports and information will be promptly investigated in accordance with the following procedures:

Step 1 Any reports or information on acts of hazing, harassment, intimidation, bullying, menacing, or cyberbullying (e.g., complaints, rumors) shall be presented to the [principal or superintendent]. Reports against the principal shall be filed with the superintendent. Information may be presented anonymously. Reports against the superintendent shall be filed with the Board chair. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.

Step 2 The district official receiving the report shall promptly investigate. Parents will be notified of the nature of any report involving their student. The district official will arrange such meetings as may be necessary with all concerned parties within [five] working days after receipt of the information or report. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the report will be reduced to writing. The district official(s) conducting the investigation shall notify the person making the report within [10] working days of receipt of the information or report, and parents as appropriate, [in writing,] when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

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

Step 3 If the person making the report is not satisfied with the decision at Step 2, they may submit a written appeal to the superintendent or designee. Such appeal must be filed within [10]

working days after receipt of the Step 2 decision. The superintendent or designee will arrange such meetings with the person making the report and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the appeal within [10] working days.

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

Reports against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within [20] days, in open session what action, if any, is warranted.

Reports against the Board as a whole or against an individual Board member should be made to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within [20] days, in open session what action, if any, is warranted.

Reports against the Board chair may be made directly to the [district counsel] [Board vice chair] on behalf of the Board. The [district counsel] [Board vice chair] shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within [20] days, in open session what action, if any, is warranted.

Timelines may be extended upon written agreement between both parties. This also applies to reports filed against the superintendent or any Board member.

Direct complaints of discriminatory harassment related to employment may be filed with the Oregon Bureau of Labor and Industries, Civil Rights Division or the U.S. Department of Labor, Equal Employment Opportunities Commission.

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

OSBA Model Sample Policy

Code: GBNAB/JHFE-AR(1)
Adopted:

Reporting of Suspected Abuse of a Child

Reporting

Any district employee having reasonable cause to believe that **any child** with whom the employee comes in contact has suffered abuse¹ shall orally report or cause an oral report immediately by telephone or otherwise to the local office of the Oregon Department of Human Services (DHS) or its designee or to a law enforcement agency within the county where the person making the report is at the time of their contact. Any district employee who has reasonable cause to believe that **any adult or student person**² with whom the employee is in contact has abused a child shall immediately report or cause a report to be made in the same manner to DHS or its designee or to the law enforcement agency within the county where the person making the report is located at the time of the contact pursuant to ORS 419B.010.

Any district employee who has reasonable cause to believe that another district employee, contractor, agent, volunteer or student has engaged in abuse, or that a student has been subjected to abuse by another district employee, contractor, agent, volunteer or student shall immediately report such to the DHS or its designee or the local law enforcement agency pursuant to ORS 419B.015, and to the designated licensed administrator or alternate licensed administrator for their school building.

If known, the report shall contain the names and addresses of the child and the parents of the child or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, including any evidence of previous abuse, the explanation given for the suspected abuse, any other information that the person making the report believes might be helpful in establishing the possible cause of the suspected abuse and the identity of a possible perpetrator.

If the superintendent is the alleged abuser the report shall be submitted to the [insert {³} licensed administrator position title] who shall refer the report to the Board chair.

A written record of the abuse report shall be made by the employee reporting the suspected abuse of a **child student** and will include: name and position of the person making the report; name of the student; name and position of any witness; description of the nature and extent of the abuse, including any information which could be helpful in establishing cause of abuse and identity of the abuser; description of how the report was made (i.e., phone or other method); name of the agency and individual who took the report; date and time that the report was made; and name of **person** district administrator who received a copy of the written report.

¹ Includes the neglect of a child; abuse is defined in ORS 419B.005.

² "Person" could include adult, student or other child.

³ {A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.}

The written record of the abuse report shall not be placed in the student's educational record. A copy of the written report shall be retained by the employee making the report and a copy shall be provided to the designee that received the report.

When the designee receives a report of suspected abuse of a child by a district employee, and there is reasonable cause to support the report, the district shall place the district employee on paid administrative leave⁴ and take necessary actions to ensure the student's safety. The employee shall remain on leave until DHS or law enforcement determines that the report is substantiated and the district takes the appropriate employment action, or cannot be substantiated or is not a report of abuse and the district determines that either 1) an employment policy was violated and the district will take appropriate employment action against the employee, or 2) an employment policy has not been violated and no action is required by the district against the employee.

When the designee receives a report of suspected abuse by a contractor^{5}, agent or volunteer, the district [may] [shall] prohibit the contractor, agent or volunteer from providing services to the district. [If the district determines there is reasonable cause to support the report of suspected abuse, the district shall prohibit the contractor agent or volunteer from providing services.] [The district may reinstate the contractor, agent or volunteer, and such reinstatement may not occur until such time as a report of suspected abuse has been investigated⁶ and a determination has been made by law enforcement or DHS that the report is unsubstantiated.]

The written record of each reported incident of abuse of a child, action taken by the district and any findings as a result of the report shall be maintained by the district.

If, following the investigation, the district decides to take an employment action, the district will inform the district employee of the employment action to be taken and provide information about the appropriate appeal process. [The employee may appeal the employment action taken through the appeal process provided by the applicable collective bargaining agreement.] [The employee may appeal the employment action taken through an appeal process administered by a neutral third party.]

If the district is notified that the employee decided not to appeal the employment action or if the determination of an appeal sustained the employment action, a record of the findings of the substantiated report and the employment action taken by the district will be placed in the records on the school employee maintained by the district. Such records created are confidential and not public records as defined in Oregon Revised Statute (ORS) 192.311, however the district may use the record as a basis for providing information required to be disclosed about a district employee under ORS 339.378(1). The district will notify the employee that information about substantiated reports may be disclosed to a potential employer.

Definitions

⁴ The district employee cannot be required to use any accrued leave during the imposed paid administrative leave.

⁵ {The district is encouraged to duplicate this language in the contract. If the contract is with a company and the person assigned to do the work is the alleged perpetrator, the district shall notify the company and request another company employee be assigned to complete the work.}

⁶ The district will investigate all reports of suspected abuse, unless otherwise requested by DHS or its designee or law enforcement pursuant to law.

1. Oregon law recognizes these and other types of abuse:
 - a. Physical;
 - b. Neglect;
 - c. Mental injury;
 - d. Threat of harm;
 - e. Sexual abuse and sexual exploitation.
2. "Child" means an unmarried person who is under 18 years of age or is under 21 years of age and residing in or receiving care or services at a child-caring agency.
3. [A "substantiated report" means a report of abuse that a law enforcement agency or DHS determines is founded.]

Confidentiality of Records

The name, address and other identifying information about the employee who made the report are confidential and are not accessible for public inspection.

Upon request from law enforcement or DHS the district shall immediately provide requested documents or materials to the extent allowed by state and federal law.

Failure to Comply

Any district employee who fails to report a suspected abuse of a child as provided by this policy and the prescribed Oregon law commits a violation punishable by law. A district employee who fails to comply with the confidentiality of records requirements commits a violation punishable by the prescribed law. If an employee fails to report suspected abuse of a child or fails to maintain confidentiality of records as required by this policy, the employee will be disciplined up to and including dismissal.

Cooperation with Investigator

The district staff shall make every effort in suspected abuse of a child cases to cooperate with investigating officials as follows:

1. Any investigation of abuse of a child will be directed by the DHS or law enforcement officials as required by law. DHS or law enforcement officials wishing to interview a student shall present themselves at the school office and contact the school administrator, unless the school administrator is the subject of the investigation. [When an administrator is notified that the DHS or law enforcement would like to interview a student at school, the administrator must request that the investigating official fill out the appropriate form (See GBNAB/JHFE-AR(2) – Abuse of a Child Investigations Conducted on District Premises). The administrator or designee should not deny the interview based on the investigator's refusal to sign the form.] If the student is to be interviewed at the school, the administrator or designee shall make a private space available. The administrator or designee of the school may, at the discretion of the investigator, be present to facilitate the interview. If the investigating official does not have adequate identification the administrator shall refuse access to the student.

Law enforcement ~~officers~~ officials wishing to remove a student from the premises shall present themselves at the office and contact the administrator or designee. The law enforcement officer

official shall sign the student out ~~on a form to be provided by the school~~ in accordance with district procedures;

2. When the subject matter of the interview or investigation is identified to be related to suspected abuse of a child, district employees shall not notify parents or anyone else other than DHS or law enforcement agency and any school employee necessary to enable the investigation;
3. The administrator or designee shall advise the investigator of any conditions of disability prior to any interview with the affected child;
4. District employees are not authorized to reveal anything that transpires during an investigation in which the employee participates, nor shall the information become part of the student's education records, except that the employee may testify at any subsequent trial resulting from the investigation and may be interviewed by the respective litigants prior to any such trial.

Nothing prevents the district from conducting its own investigation, unless another agency requests to lead the investigation or requests the district to suspend the investigation, or taking an employment action based on information available to the district before an investigation conducted by another agency is completed. The district will cooperate with agencies assigned to conduct such investigations.

OSBA Model Sample Policy

Code:

GBNAB/JHFE-AR(2)

Revised/Reviewed:

Abuse of a Child Investigations Conducted on District Premises

The Department of Human Services (DHS) or a law enforcement agency has the authority to conduct an investigation of a report of child abuse on school premises according to Oregon Revised Statute (ORS) 419B.045. The school administrator must be notified that the investigation is to take place, unless the administrator is a subject of the investigation. The investigator is not required to reveal information about the investigation to the school as a condition of conducting the investigation.

After the investigator provides adequate identification, school staff shall allow access to the child and provide a private space for conducting the interview. The investigator shall be advised by a school administrator or a school staff member of a child's relevant disabling conditions, if any, prior to any interview with the child. The school administrator or designee may, at the investigator's discretion, be present to facilitate the investigation.

School staff may only notify DHS, the law enforcement agency or school employees that are necessary to enable the investigation. School staff may not notify any other persons, including the child's parent(s) or guardian(s).

Investigator Name (Printed)

Name of Agency

Name of Worker's/Investigator's Supervisor

Supervisor Contact Information

Investigator Position and Badge or ID Number

Student Name

School

Investigator Signature

Date

☐ Investigator refused to sign. District staff should not deny entry based on refusal to sign.

FOR COMPLETION BY DISTRICT STAFF

- ☐ Student not available for interview
- ☐ Student refused to be interviewed
- ☐ Administrator participated in interview

Name of Administrator Notified

Name of Office Staff Involved

Name of Participating Administrator

This form should be placed in a separate secure file and not in the student's file.

HR6/21/18 | 10/05/21 | SLF

Abuse of a Child Investigations Conducted on
District Premises – GBNAB/JHFE-AR(2)

OSBA Model Sample Policy

Code: JHFE/GBNAB-AR(1)
Adopted:

Reporting of Suspected Abuse of a Child

Reporting

Any district employee having reasonable cause to believe that **any child** with whom the employee comes in contact has suffered abuse¹ shall orally report or cause an oral report immediately by telephone or otherwise to the local office of the Oregon Department of Human Services (DHS) or its designee or to a law enforcement agency within the county where the person making the report is at the time of their contact. Any district employee who has reasonable cause to believe that **any adult or student person**² with whom the employee is in contact has abused a child shall immediately report or cause a report to be made in the same manner to DHS or its designee or to the law enforcement agency within the county where the person making the report is located at the time of the contact pursuant to ORS 419B.010.

Any district employee who has reasonable cause to believe that another district employee, contractor, agent, volunteer or student has engaged in abuse, or that a student has been subjected to abuse by another district employee, contractor, agent, volunteer or student shall immediately report such to the DHS or its designee or the local law enforcement agency pursuant to ORS 419B.015, and to the designated licensed administrator or alternate licensed administrator for their school building.

If known, the report shall contain the names and addresses of the child and the parents of the child or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, including any evidence of previous abuse, the explanation given for the suspected abuse, any other information that the person making the report believes might be helpful in establishing the possible cause of the suspected abuse and the identity of a possible perpetrator.

If the superintendent is the alleged abuser the report shall be submitted to the [insert {³} licensed administrator position title] who shall refer the report to the Board chair.

A written record of the abuse report shall be made by the employee reporting the suspected abuse of a **child-student** and will include: name and position of the person making the report; name of the student; name and position of any witness; description of the nature and extent of the abuse, including any information which could be helpful in establishing cause of abuse and identity of the abuser; description of how the report was made (i.e., phone or other method); name of the agency and individual who took the report; date and time that the report was made; and name of **person-district administrator** who received a copy of the written report.

¹ Includes the neglect of a child; abuse is defined in ORS 419B.005.

² "Person" could include adult, student or other child.

³ {A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.}

The written record of the abuse report shall not be placed in the student's educational record. A copy of the written report shall be retained by the employee making the report and a copy shall be provided to the designee that received the report.

When the designee receives a report of suspected abuse of a child by a district employee, and there is reasonable cause to support the report, the district shall place the district employee on paid administrative leave⁴ and take necessary actions to ensure the student's safety. The employee shall remain on leave until DHS or law enforcement determines that the report is substantiated and the district takes the appropriate employment action, or cannot be substantiated or is not a report of abuse and the district determines that either 1) an employment policy was violated and the district will take appropriate employment action against the employee, or 2) an employment policy has not be violated and no action is required by the district against the employee.

When the designee receives a report of suspected abuse by a contractor^{5}, agent or volunteer, the district [may] [shall] prohibit the contractor, agent or volunteer from providing services to the district. [If the district determines there is reasonable cause to support the report of suspected abuse, the district shall prohibit the contractor agent or volunteer from providing services.] [The district may reinstate the contractor, agent or volunteer, and such reinstatement may not occur until such time as a report of suspected abuse has been investigated⁶ and a determination has been made by law enforcement or DHS that the report is unsubstantiated.]

The written record of each reported incident of abuse of a child, action taken by the district and any findings as a result of the report shall be maintained by the district.

If, following the investigation, the district decides to take an employment action, the district will inform the district employee of the employment action to be taken and provide information about the appropriate appeal process. [The employee may appeal the employment action taken through the appeal process provided by the applicable collective bargaining agreement.] [The employee may appeal the employment action taken through an appeal process administered by a neutral third party.]

If the district is notified that the employee decided not to appeal the employment action or if the determination of an appeal sustained the employment action, a record of the findings of the substantiated report and the employment action taken by the district will be placed in the records on the school employee maintained by the district. Such records created are confidential and not public records as defined in Oregon Revised Statute (ORS) 192.311, however the district may use the record as a basis for providing information required to be disclosed about a district employee under ORS 339.378(1). The district will notify the employee that information about substantiated reports may be disclosed to a potential employer.

Definitions

⁴ The district employee cannot be required to use any accrued leave during the imposed paid administrative leave.

⁵ {The district is encouraged to duplicate this language in the contract. If the contract is with a company and the person assigned to do the work is the alleged perpetrator, the district shall notify the company and request another company employee be assigned to complete the work.}

⁶ The district will investigate all reports of suspected abuse, unless otherwise requested by DHS or its designee or law enforcement pursuant to law.

1. Oregon law recognizes these and other types of abuse:
 - a. Physical;
 - b. Neglect;
 - c. Mental injury;
 - d. Threat of harm;
 - e. Sexual abuse and sexual exploitation.
2. "Child" means an unmarried person who is under 18 years of age or is under 21 years of age and residing in or receiving care or services at a child-caring agency.
3. [A "substantiated report" means a report of abuse that a law enforcement agency or DHS determines is founded.]

Confidentiality of Records

The name, address and other identifying information about the employee who made the report are confidential and are not accessible for public inspection.

Upon request from law enforcement or DHS the district shall immediately provide requested documents or materials to the extent allowed by state and federal law.

Failure to Comply

Any district employee who fails to report a suspected abuse of a child as provided by this policy and the prescribed Oregon law commits a violation punishable by law. A district employee who fails to comply with the confidentiality of records requirements commits a violation punishable by the prescribed law. If an employee fails to report suspected abuse of a child or fails to maintain confidentiality of records as required by this policy, the employee will be disciplined up to and including dismissal.

Cooperation with Investigator

The district staff shall make every effort in suspected abuse of a child cases to cooperate with investigating officials as follows:

1. Any investigation of abuse of a child will be directed by the DHS or law enforcement officials as required by law. DHS or law enforcement officials wishing to interview a student shall present themselves at the school office and contact the school administrator, unless the school administrator is the subject of the investigation. [When an administrator is notified that the DHS or law enforcement would like to interview a student at school, the administrator must request that the investigating official fill out the appropriate form (See JHFE/GBNAB-AR(2) – Abuse of a Child Investigations Conducted on District Premises). The administrator or designee should not deny the interview based on the investigator's refusal to sign the form.] If the student is to be interviewed at the school, the administrator or designee shall make a private space available. The administrator or designee of the school may, at the discretion of the investigator, be present to facilitate the interview. If the investigating official does not have adequate identification the administrator shall refuse access to the student.

Law enforcement ~~officers~~ officials wishing to remove a student from the premises shall present themselves at the office and contact the administrator or designee. The law enforcement officer

official shall sign the student out ~~on a form to be provided by the school~~ in accordance with district procedures;

2. When the subject matter of the interview or investigation is identified to be related to suspected abuse of a child, district employees shall not notify parents or anyone else other than DHS or law enforcement agency and any school employee necessary to enable the investigation;
3. The administrator or designee shall advise the investigator of any conditions of disability prior to any interview with the affected child;
4. District employees are not authorized to reveal anything that transpires during an investigation in which the employee participates, nor shall the information become part of the student's education records, except that the employee may testify at any subsequent trial resulting from the investigation and may be interviewed by the respective litigants prior to any such trial.

Nothing prevents the district from conducting its own investigation, unless another agency requests to lead the investigation or requests the district to suspend the investigation, or taking an employment action based on information available to the district before an investigation conducted by another agency is completed. The district will cooperate with agencies assigned to conduct such investigations.

OSBA Model Sample Policy

Code: JHFE/GBNAB-AR(2)
Revised/Reviewed:

Abuse of a Child Investigations Conducted on District Premises

The Department of Human Services (DHS) or a law enforcement agency has the authority to conduct an investigation of a report of child abuse on school premises according to Oregon Revised Statute (ORS) 419B.045. The school administrator must be notified that the investigation is to take place, unless the administrator is a subject of the investigation. The investigator is not required to reveal information about the investigation to the school as a condition of conducting the investigation.

After the investigator provides adequate identification, school staff shall allow access to the child and provide a private space for conducting the interview. The investigator shall be advised by a school administrator or a school staff member of a child's relevant disabling conditions, if any, prior to any interview with the child. The school administrator or designee may, at the investigator's discretion, be present to facilitate the investigation.

School staff may only notify DHS, the law enforcement agency or school employees that are necessary to enable the investigation. School staff may not notify any other persons, including the child's parent(s) or guardian(s).

Investigator Name (Printed)

Name of Agency

Name of Worker's/Investigator's Supervisor

Supervisor Contact Information

Investigator Position and Badge or ID Number

Student Name

School

Investigator Signature

Date

☐ Investigator refused to sign. District staff should not deny entry based on refusal to sign.

FOR COMPLETION BY DISTRICT STAFF

- ☐ Student not available for interview
- ☐ Student refused to be interviewed
- ☐ Administrator participated in interview

Name of Administrator Notified

Name of Office Staff Involved

Name of Participating Administrator

This form should be placed in a separate secure file and not in the student's file.

HR6/21/18 | 10/05/21 | SLF

Abuse of a Child Investigations Conducted on
District Premises – JHFE/GBNAB-AR(2)

OSBA Model Sample Policy

Code: JHFF / GBNA -AR
Revised/Reviewed:

Suspected Sexual Conduct Report Procedures and Forms *

The district posts in each school building the names and contact information of the district employees^{1} in each school building designated for the respective school building to receive reports of suspected sexual conduct and the procedures the designee(s) will follow upon receipt of the report.

When the a designee designated licensed administrator² receives a report of suspected sexual conduct that may have been committed by a person licensed commission licensee³ through Teacher Standards and Practices Commission (TSPC), the designee shall notify Teacher Standards and Practices Commission (TSPC) as soon as possible. When the designee The designee shall notify the Oregon Department of Education (ODE) if the administrator receives a report of suspected sexual conduct that may have been committed by a person who school employee, contractor, agent or volunteer that is not licensed through TSPC, the designee shall notify the Oregon Department of Education (ODE) a commission licensee as soon as possible.

If the superintendent is the alleged perpetrator the report shall be submitted to the [Insert licensed administrator position title] who shall refer the report to the Board chair.

The district will investigate all reports of suspected sexual conduct, unless otherwise requested by TSPC or ODE as appropriate.

When the designee receives a report of suspected sexual conduct by a district employee, and there is reasonable cause to support the report, the district shall place the district employee on paid administrative leave⁴ and take necessary actions to ensure the student's safety. The employee shall remain on leave until TSPC⁵ or ODE⁶ determines that the report is substantiated and the district takes appropriate employment

¹ {ORS 339.372 requires the district to post the names and contact information of the persons, i.e., a licensed administrator and an alternate licensed administrator, who are designated to receive reports of sexual conduct for a school building, in the respective school building. A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.}

² A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.

³ "License" includes a license, registration or certificate issued by the Teacher Standards and Practices Commission. "Commission licensee," as is defined in ORS 342.120 (as amended by HB 2136 (2021)), means a person whom the TSPC has authority to investigate or discipline because the person is enrolled in an approved educator preparation program, is an applicant for a TSPC license or registration, holds a license or registration issued by TSPC, or has held a license or registration issued by the TSPC at any time during the previous five years.

⁴ The district employee cannot be required to use any accrued leave during the imposed paid administrative leave.

⁵ TSPC investigates reports on commission licensees.

⁶ ODE investigates reports on persons who are not commission licensees.

action against the employee, or cannot be substantiated or is not a report of sexual conduct and the district determines either: 1) an employment policy was violated and the district will take appropriate employment action against the employee; or 2) an employment policy has not been violated and an employment action against the employee is not required. ~~The district will investigate all reports of suspected sexual conduct by persons who are licensed by the TSPC, unless otherwise requested by TSPC, and all reports of suspected sexual conduct by persons who are not licensed by TSPC, unless otherwise requested by ODE.~~

When the designee receives a report of suspected sexual conduct by a contractor⁷, an agent or a volunteer, the district [may] [shall] prohibit the contractor, agent or volunteer from providing services to the district. ~~¶~~ If the district determines there is reasonable cause to support a report of suspected sexual conduct, the district shall prohibit the contractor, agent or volunteer from providing services. ~~¶~~ [The district may reinstate the contractor, agent or volunteer, and such reinstatement may not occur until such time as a report of suspected sexual conduct has been investigated and a determination has been made by TSPC or ODE, as appropriate, that the report is unsubstantiated.]

Upon request from ODE or TSPC the district will provide requested documents or materials to the extent allowed by state and federal law.

The name, address and other identifying information about the employee who made the report are confidential and are not accessible for public inspection.

[An “investigation” means a detailed inquiry into the factual allegations of a report of suspected sexual conduct that is based on interviews with the person who initiated the report, the person who may have been subjected to sexual conduct, witnesses and the person who is the subject of the report, and results in a finding that the report is a substantiated report, cannot be substantiated, or is not a report of sexual conduct. If the subject of the report is a district employee represented by a contract or a collective bargaining agreement, the investigation must meet any negotiated standards of such employment contract or agreement.]

Nothing prevents the district from conducting its own investigation, unless another agency requests to lead the investigation or requests the district to suspend the investigation, or taking an employment action based on information available to the district before an investigation conducted by another agency is completed. The district will cooperate with agencies assigned to conduct such investigations.

[A “substantiated report” means a report of sexual conduct that TSPC or ODE determines is founded.]

If, following the investigation, the district decides to take an employment action, the district will inform the district employee of the employment action to be taken and provide information about the appropriate appeal process. [The employee may appeal the employment action taken through the appeal process provided by the applicable collective bargaining agreement.] [The employee may appeal the employment action taken through an appeal process administered by a neutral third party.]

If the district is notified that the employee decided not to appeal the employment action or if the determination of an appeal sustained the employment action, the district shall create a record of the findings of the substantiated report and the employment action taken by the district will be placed in the records on the school employee maintained by the district. Such records created are confidential and not

⁷ {The district is encouraged to duplicate this language in the contract. If the contract is with a company and the person assigned to do the work is the alleged perpetrator, the district shall notify the company and request another company employee be assigned to complete the work.}

public records as defined in Oregon Revised Statute (ORS) 192.311, however the district may use the record as a basis for providing information required to be disclosed about a district employee under ORS 339.378(1). The district will notify the employee that information about substantiated reports may be disclosed to a potential employer.

Training

The district shall provide **information and** training each school year to district employees on the following:

1. Prevention and identification of sexual conduct;
2. Obligations of district employees under ORS 339.388 and 419B.005 - 419B.050 and under adopted board policies to report suspected sexual conduct; and
3. Appropriate electronic communications with students.

The district shall make available each school year the training described above to contractors, agents, volunteers and to parents and legal guardians of students attending district-operated schools, and will be made available separately from the training provided to district employees.

The district shall provide to contractors, agents and volunteers each school year information on the following:

1. Prevention and identification of sexual conduct;
2. Obligations of district employees under adopted board policies to report suspected sexual conduct; and
3. Appropriate electronic communications with students.

The district shall make available each school year training that is designed to prevent sexual conduct to students attending district-operated schools.

[Name of School District]

SUSPECTED SEXUAL CONDUCT REPORT FORM

Name of person making report: _____

Position of person making report: _____

Name of person suspected of sexual conduct: _____

Date and place of incident or incidents: _____

Description of suspected sexual conduct: _____

Name of witnesses (if any): _____

Evidence of suspected sexual conduct, e.g., letters, photos, etc. (attach evidence if possible): _____

Any other information: _____

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

Signature: _____ Date: _____

[Name of School District]

WITNESS DISCLOSURE FORM

Name of witness: _____

Position of witness: _____

Date of testimony/interview: _____

Description of instance witnessed: _____

Any other information: _____

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

Signature: _____ Date: _____

Oakridge School District 76

**DESIGNATIONS/AUTHORIZATIONS FOR THE 2022-23 FISCAL YEAR
Resolution 23-01**

Be It Resolved that the Board of Directors of Oakridge School District concurs with the following designations/authorizations to become retroactive as of July 1, 2022:

1. Designates Reta Doland as the chief executive officer to serve as Clerk of the district and secretary to the board, Heather Harrison as Business Manager and Jayme Martin as Confidential Secretary in accordance with *ORS 332.515*.
2. Designates Reta Doland as Budget Officer for the district in accordance with *ORS 294.331*.
3. Designates Reta Doland as custodian of funds and as custodian of funds authorizes her to invest idle funds in savings accounts and/or time certificates, meet payrolls as set, sign for federal funds, surplus property, etc; to establish and supervise all special funds and to act as the district's representative for any grants and funds yet to be identified. Allows the custodian of funds to borrow funds, as needed on a short-term basis, to meet payrolls and other expenditures not to exceed \$350,000 during the fiscal year.
4. Designates Reta Doland and Peter Iten signatory for all district financial accounts and authorizes a facsimile signature for Reta Doland in accordance with *ORS 328.441, ORS 328.445*.
5. Designates Pauly, Rogers and Co., P.C., as the district's official auditor for the 2020-21 fiscal-year audit and also as the official auditor for the 2021-22 audit. *ORS 297.405, 327.137, 328.465*.
6. Designates the Hungerford Law Firm as the district's legal counsel.
7. Designates Brown & Brown Northwest as Agent of Record for all district insurance other than medical and life insurance.
8. Designates First Student as the district student transportation service vendor.
9. Designates the following financial institutions as official depositories for district funds:
 - Banner Bank
 - Zions Bank
 - Local Government Investment Pool of Oregon
 - ORS 328.441, 294.805 to 294.895*
9. Authorizes a \$100,000 Clerk's Bond for Business Manager Heather Harrison.
10. Authorizes Reta Doland and Heather Harrison to transfer funds from or to the Local Government Investment Pool.
11. Authorizes Reta Doland to act on the board's behalf as the district's election authority to canvass the abstract of votes cast in elections and to certify in conjunction with the board of directors the results of such elections to the Lane County Election Officer.

Adopted this 11th day of July, 2022.

By: _____
Chairman

Superintendent

Oakridge School District No. 76

FOOD PRODUCTS AND NON-FOOD SUPPLIES REQUIREMENTS RFP

AWARD

**for the
2022-23 Fiscal Year**

RESOLUTION 23-02

Recommendation: Extend the award for food Products and Non-food Supplies RFP to SYSCO Portland.

The Oakridge School District is a member of the Oregon Child Nutrition Coalition (OCNC). OCNC issued a RFP for Food Products and Non-Food Supplies for the 2022-23 school year. The successful bidder was SYSCO Portland.

Copies of the RFP and the response from SYSCO are posted on OCNC's web site at www.ocnc.org. Information on the change in the Consumer Price Index is located on the following web site: http://www.bls.gov/regions/west/news-release/ConsumerPriceIndex_Portland.htm

Legal authority for acceptance of this bid lies with the individual school district's governing boards.

Approval motion: I recommend the District extend the 2022-23 Food Products and Non-food Supplies RFP award to SYSCO Portland.

Be It Resolved that the Board of Directors adopts the following bids on food and supplies for the district's food service program for the 2022-23 school year.

Adopted this 11th day of July, 2022.

By: _____
Chairman

Superintendent