

# West Linn-Wilsonville School District 3J

Code: **AC**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): AC

## **Nondiscrimination**

The district prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual race, color, religion, sex, sexual orientation<sup>1</sup>, national or ethnic origin, marital status, age, mental or physical disability or perceived disability, pregnancy, economic status, veterans' status, parental, marital status or age or because of the perceived or actual race, color, religion, sex, sexual orientation, national or ethnic origin, mental or physical disability or perceived disability, pregnancy, economic status, veterans' status, parental or marital status or age of any other persons with whom the individual associates.

The district prohibits discrimination and harassment, including but not limited to, employment, assignment, and promotion of personnel; in educational opportunities and services offered students; in student assignment to schools and classes; in student discipline; in location and use of facilities; in educational offerings and materials; and in accommodating the public at public meetings.

The Board encourages staff to improve human relations within the schools, to respect all individuals and to establish channels through which citizens can communicate their concerns to the administration and the Board.

The superintendent shall appoint and make known the individuals to contact on issues concerning the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008, Section 504 of the Rehabilitation Act of 1973, Title VI, Title VII, Title IX<sup>2</sup>, and other civil rights or discrimination issues. The district will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees and the public

The district prohibits retaliation and discrimination against an individual who has opposed any discriminatory act or practice or because that person has filed a charge, testified, assisted or participated in an investigation, proceeding, or hearing and further prohibits anyone from coercing, intimidating, threatening, or interfering with an individual for exercising any rights guaranteed under state and federal law.

END OF POLICY

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<sup>1</sup>"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.

<sup>2</sup>Persons having questions about Title VI or Title IX should contact the Personnel Director, questions about ADA should contact the Director of Operations, and questions about Section 504 should contact the Director of Student Services at the West Linn/Wilsonville School District, 503-673-7000.

**Legal Reference(s):**

|  |   |   |
|--|---|---|
| <a href="#"><u>ORS 174.100</u></a>         | <a href="#"><u>ORS 659A.006</u></a>         | <a href="#"><u>ORS 659A.321</u></a>     |
| <a href="#"><u>ORS 192.630</u></a>         | <a href="#"><u>ORS 659A.009</u></a>         | <a href="#"><u>ORS 659A.409</u></a>     |
| <a href="#"><u>ORS 326.051(1)(e)</u></a>   | <a href="#"><u>ORS 659A.029</u></a>         |   |
| <a href="#"><u>ORS 659.805</u></a>         | <a href="#"><u>ORS 659A.030</u></a>         | <a href="#"><u>OAR 581-021-0045</u></a> |
| <a href="#"><u>ORS 659.815</u></a>         | <a href="#"><u>ORS 659A.040</u></a>         | <a href="#"><u>OAR 581-021-0046</u></a> |
| <a href="#"><u>ORS 659.850 to -860</u></a> | <a href="#"><u>ORS 659A.100 to -145</u></a> | <a href="#"><u>OAR 581-021-0049</u></a> |
| <a href="#"><u>ORS 659.865</u></a>         | <a href="#"><u>ORS 659A.233</u></a>         | <a href="#"><u>OAR 581-022-1140</u></a> |
| <a href="#"><u>ORS 659.870</u></a>         | <a href="#"><u>ORS 659A.236</u></a>         |   |
| <a href="#"><u>ORS 659A.003</u></a>        | <a href="#"><u>ORS 659A.309</u></a>         |   |

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2006).

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 (2006); 29 C.F.R Part 1626 (2006).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2006).

Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794 (2006).

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

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

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

Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).

Americans with Disabilities Act Amendments Act of 2008.

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. § 4212.

Title II of the Genetic Information Nondiscrimination Act of 2008.

**Cross Reference(s):**

GBA - Equal Employment Opportunity

JB - Equal Educational Opportunity

# West Linn-Wilsonville School District 3J

Code: **BB**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BB

## Board Legal Status

The legal basis for education in the district is vested in the will of the people as expressed in the constitution of the state, the statutes pertaining to education, court interpretations of the validity of these laws and the powers implied under them.

The district is organized as a “Common School District” as provided by law, unified, with one Board of Education responsible for the operation of elementary and secondary schools, grades kindergarten through grade 12.

### Type of School District

It is governed by the laws relating to a district of less than 100,000 persons. The district is a “joint school district” with territory in Clackamas and Washington Counties.

END OF POLICY

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### Legal Reference(s):

[ORS 255.335](#)  
[ORS 332.018\(1\)](#)  
[ORS 332.030\(4\)](#)

[ORS 332.072](#)  
[ORS 332.075](#)  
[ORS 332.105](#)

[ORS 332.107](#)  
[ORS 335.505](#)

OR. CONST., art. VIII, § 3.

# West Linn-Wilsonville School District 3J

Code: **BBA**  
Adopted: 1/11/16

## **Board Powers and Duties**

The Legislature of the state of Oregon delegates to the Board responsibility for the conduct and governance of programs and services in the district. The general powers granted to the Board are:

### **1. Legislative or Rule-Making Authority**

In regular or special public meetings, after open discussion and after members' votes are recorded, the Board will establish rules or policy to govern the conduct of its members and the proceedings of the Board.

The Board shall establish policies and regulations for governing the programs and services of the district consistent with State Board of Education rules and with local, state and federal laws.

The Board is responsible for providing adequate and direct means for keeping informed about the needs and wishes of the public and for keeping local citizens informed about the schools.

### **2. Judicial Authority**

As provided by law, policy or contract, the Board acts as a fact-finding body or a court of appeal for staff members, students and the public when issues involve Board policies or agreements and their implementation, and when the Board must determine the rights, duties or obligations of those who address the Board.

### **3. Executive/Administrative Authority**

The Board will appoint a superintendent delegated to establish administrative regulations to implement Board policy and goals. The Board will evaluate the superintendent's performance.

The Board may establish academic and financial goals for the district and evaluate the superintendent's implementation of those goals.

The Board will oversee the district's financial affairs by authorizing, appropriating and adopting budgets and by proposing local option or bond elections, when appropriate and as allowed by law, to provide for program operation and maintenance or acquisition of district property.

The Board will authorize the superintendent to approve payment on all contracts and business transactions of the district in accordance with Board policies on purchasing and budget requirements. The Board will provide for an annual audit of the district's assets.



The Board will employ the staff necessary to carry out the educational program and will provide for regular evaluation of staff.

The Board will direct the collective bargaining process to establish collective bargaining agreements with the district's personnel. The Board will establish, through the collective bargaining process where appropriate, salaries and salary schedules, other terms and conditions of employment, and personnel policies for districtwide application.

The Board will establish the days of the year and the hours of the day when school will be in session.

END OF POLICY

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**Legal Reference(s):**

[ORS 192.630](#)  
[ORS 243.656](#)  
[ORS Chapters 279A, 279B](#) and [279C](#)  
[ORS 294.305](#) to -294.565

[ORS 328.205](#) to -328.304  
[ORS 332.072](#)  
[ORS 332.075](#)  
[ORS 332.105](#)

[ORS 332.107](#)  
[ORS Chapter 339](#)  
[ORS 342.805](#) to -342.937  
[ORS Chapter 343](#)

**Cross Reference(s):**

DJ - District Purchasing

# West Linn-Wilsonville School District 3J

Code: **BBAA**  
Adopted: 1/11/16

## **Individual Board Member's Authority and Responsibilities**

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

A Board member has the authority to act in the name of the Board when authorized a motion approved by a majority of the Board. When authorized to act as the district's designated representative in collective bargaining, a Board member may make and accept proposals in bargaining subject to subsequent approval by the Board.

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

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

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

### **1. Request for Information**

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

### **2. Requests for Legal Opinions**

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

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

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

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

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

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

Contracts or agreements made by individual Board members without the Board's authority are invalid.

When individual Board members receive requests from news media representatives for information about the official position of the Board on specific issues, members shall refer the information seekers to the Board chair or the superintendent who shall be the spokespersons for the Board except as he/she or the Board specifically delegates this responsibility to others.

END OF POLICY

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

[ORS 332.045](#)

[ORS 332.055](#)

[ORS 332.057](#)

[ORS 332.075](#)

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

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

#### **Cross Reference(s):**

BHD - Board Member Compensation and Expense Reimbursement

DFEA - Free Admissions

# West Linn-Wilsonville School District 3J

Code: **BBB**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BBB

## Board Elections

### Number of Directors

The Board will consist of five members elected at large and will be known as the district School Board. The term of office shall be four years.

### Designation of Board Positions

Board members' positions and their respective successors in office will be designated by numbers as Positions No. 1, No. 2, No. 3, No. 4, and No. 5. In all proceedings for the nomination or election of candidates for or to the office of Board member, every petition for nomination, declaration of candidacy, certificate of nomination, ballot, or other document used in connection with the nomination or election will state the position number to which the candidate aspires.

Individuals may seek more than one elected position such as a Board member of a school district and a member of an education service district board.

Re-elections for Board positions will occur as follows:

Position No. 1: Spring 2017 and every four years thereafter;  
Position No. 2: Spring 2019 and every four years thereafter;  
Position No. 3: Spring 2017 and every four years thereafter;  
Position No. 4: Spring 2019 and every four years thereafter;  
Position No. 5: Spring 2017 and every four years thereafter.

END OF POLICY

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### Legal Reference(s):

[ORS 249.013](#)  
[ORS 255.235](#)  
[ORS 255.245](#)

[ORS 332.011](#)  
[ORS 332.018](#)

[ORS 332.118 - 332.138](#)

# West Linn-Wilsonville School District 3J

Code: **BBBA**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BBBA

## Board Member Qualifications

A person is legally qualified to become a member of the Board, who is a United States citizen and a qualified voter of the West Linn-Wilsonville School District. A “qualified voter” is an individual who is 18 years of age or older, registered to vote at least 20 calendar day immediately preceding any election in the manner provided by law and must have been a resident within the district for one year immediately preceding the election or appointment.

No person, who is an employee of the district shall be eligible to serve as a member of the district Board. An employee of a public charter school in the district may not serve as a member of the Board of the district in which the public charter school is located.

END OF POLICY

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### Legal Reference(s):

[ORS 137.230 - 137.285](#)  
[ORS 247.002](#)  
[ORS 247.035](#)

[ORS 249.013](#)  
[ORS 332.016](#)  
[ORS 332.018](#)

[ORS 332.030](#)  
[ORS 332.124](#)  
[ORS 332.126](#)

Oregon Constitution, Article II, Section 2.

### Cross Reference(s):

BBE - Vacancies on the Board

**West Linn-Wilsonville  
School District 3J**

Code: **BBBB**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BBBB

**Board Member Oath of Office**

New and re-elected directors must qualify by taking an oath of office before assuming the duties of office. The oath of office will be in the following form:

I, \_\_\_\_\_, do solemnly swear [or affirm] that I will support the Constitution of the United States, the Constitution of the state of Oregon and the laws thereof, and the policies of the West Linn-Wilsonville School District. During my term, I will faithfully and impartially discharge the responsibilities of the Office of School Board Member to the best of my ability.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.005](#)

# West Linn-Wilsonville School District 3J

Code: **BBC**  
Adopted: 1/11/16

## Board Member Resignation

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

When a member decides to terminate service, the Board requests earliest possible notification of intent to resign so the Board may plan for the continuity of Board business. A verbal resignation made at a Board meeting will be considered official unless a written statement to the contrary is made within three business days.

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

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

END OF POLICY

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### Legal Reference(s):

[ORS 236.325](#)  
[ORS 332.030](#)

### Cross Reference(s):

BBE - Vacancies on the Board

# West Linn-Wilsonville School District 3J

Code: **BBD**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BBD

## Board Member Removal from Office

The Board shall declare the office of a director vacant upon any of the following:

1. The death or resignation of an incumbent;
2. When an incumbent ceases to be a resident of the district;
3. When an incumbent ceases to discharge the duties of office for two consecutive months unless prevented by sickness or unavoidable cause;
4. When an incumbent ceases to discharge the duties of office for four consecutive months for any reason;
5. When an incumbent is removed from office by judgment or decree of any competent court;
6. When an incumbent is recalled from office by district voters.

Vacancies will be filled through appointment by the board unless a majority of the positions are vacant at the same time. In that case, vacancies will be filled by the appropriate education service district.

END OF POLICY

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### Legal Reference(s):

[ORS 249.865 - 249.877](#)  
[ORS 332.030](#)  
[ORS 408.240](#)

### Cross Reference(s):

BBE - Vacancies on the Board



# West Linn-Wilsonville School District 3J

Code: **BBE**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BBE

## Vacancies on the Board

Vacancies will be filled through Board appointment. The Board appointee must be a legally registered voter and resident within the district for one year immediately preceding the appointment.

Board elections are held every odd-numbered year which for the purposes of this policy are termed “election” years. The appointee:

1. Will serve until June 30 following the next election at which time the individual elected in May of that year will fill the remaining portion of an unexpired term or serve a full four-year term; or
2. Will serve until June 30 of a subsequent election year if the vacancy occurs after the filing date in an election year.

A Board member so elected as a replacement will serve the remaining year(s) of the term of office of the Board member being replaced.

Upon appointment by the Board, the newly appointed Board member(s) will be sworn and seated immediately.

If the offices of a majority of Board members are vacant at the same time, the directors of the Clackamas Educational Service District shall appoint persons to fill the vacancies from qualified school district voters.

END OF POLICY

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### Legal Reference(s):

[ORS 249.865 - 249.877](#)  
[ORS 255.245](#)

[ORS 255.335](#)  
[ORS 332.030](#)

[ORS 332.122](#)  
[ORS 332.124](#)

### Cross Reference(s):

BBBA - Board Member Qualifications  
BBC - Board Member Resignation  
BBD - Board Member Removal from Office

# West Linn-Wilsonville School District 3J

Code: **BBF**  
Adopted: 10/06/97  
Readopted: 1/11/16  
Orig. Code(s): BBF

## Code of Conduct

A Board member should:

1. Represent the best interests of the whole district.
2. Understand that the Board sets the standards for the district through Board policy. The superintendent has full administrative authority for properly discharging his/her professional duties within limits of established Board policy. Board members do not manage the district on a day-to-day basis and should refer problems or complaints to the proper administrative office.
3. Understand that the Board makes decisions as a team. Individual Board members may not commit the Board or the district to any action.
4. Respect the right of other Board members to have opinions and ideas which differ from yours.
5. Recognize that decisions are made by a majority vote, and once the vote is taken, should be supported by all Board members.
6. Make decisions only after the facts are presented and discussed.
7. Recognize that the Board must comply with the "Public Meetings Law" and only has authority to make decisions at official board meetings.
8. Insist that all Board and district business is ethical and honest.
9. Understand that you will receive information that is confidential and cannot be shared.
10. Recognize that the superintendent is the Board's adviser and.
11. Take action only after hearing the superintendent's recommendations.
12. Refuse to use your position for personal or family gain or avoidance of loss. Announce actual or potential conflicts of interest before Board action is taken.
13. Refuse to bring personal or family problems into Board considerations.
14. Give the staff the respect and consideration due skilled, professional employees.
15. Present personal criticism of school operations and personnel to the superintendent, not to school staff or in a Board meeting.

16. Respect the right of the public to attend and be heard at Board meetings.
17. Respect the right of the public to be informed about school decisions and school operations.
18. Keep up to date on educational issues that affect the district.
19. Attend all scheduled board meetings possible, on time, and be well prepared, communicating conflicts in advance.
20. Use social media and electronic communications judiciously in a manner that does not violate Oregon's Public Meetings Law.
21. When using social media, treat and refer to other Board members, staff, student and members of the public with respect.
22. Never post confidential information about students, staff or district business on any website or social media application.

END OF POLICY

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**Legal Reference(s):**

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

[ORS 192.630](#)  
[ORS 244.040](#)

[ORS 244.120](#)  
[ORS 332.055](#)

**Cross Reference(s):**

BBFA - Board Member Ethics and Conflicts of Interest  
GBI - Staff Gifts and Solicitations

# West Linn-Wilsonville School District 3J

Code: **BBFA**  
Adopted: 1/11/16

## **Board Member Ethics and Conflicts of Interest**

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

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

### **I. Conflicts of Interest**

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

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

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

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

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

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<sup>1</sup>The term spouse includes domestic partner.

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

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

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

### **Potential Conflict of Interest**

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

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

### **Actual Conflict of Interest**

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

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

### **Class Exception**

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

## **II. Gifts**

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

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

### **Determining the Source of Gifts**

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

### **Determining Legislative and Administrative Interest**

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

### **Determining the Value of Gifts**

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

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

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

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

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

#### **Value of Unsolicited Tokens or Awards: Resale value**

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

#### **Entertainment**

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

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

Entertainment is ceremonial when a Board member appears at an entertainment event for a "ceremonial purpose" at the invitation of the source of the entertainment who requests the presence of the Board member at a special occasion associated with the entertainment. Examples of an

appearance by a Board member at an entertainment event for a ceremonial purpose include throwing the first pitch at a baseball game, appearing in a parade and ribbon cutting for an opening ceremony.

## Exceptions

The following are exceptions to the ethics rules on gifts:

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



6. Food or beverage, consumed at a reception, meal, or meeting IF held by an organization and IF the Board member is representing the district. Again, this exception does not authorize private meals where the participants engage in discussion;

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

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

## **Honoraria**

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

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

END OF POLICY

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

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

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

[OAR 199-005-0001](#) to -199-010-0150

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

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

### **Cross Reference(s):**

BBF - Code of Conduct

BBFB - Board Member Ethics and Nepotism

DJ - District Purchasing

# West Linn-Wilsonville School District 3J

Code: **BBFB**  
Adopted: 1/11/16

## Board Member Ethics and Nepotism

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

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

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

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

### Class Exception

It will not be a conflict of interest if the Board member's action would affect to the same degree a class including the Board member's relative or household member. For example, if a Board member's spouse is a member of the collective bargaining unit, the Board member may vote to approve the contract, as it will affect all members of that class to the same degree. However, if the collective bargaining unit is very small, the class exception may not apply. Similarly, if the contract contains special provisions that might apply only to particular persons, then the class exception may not apply. For example, if a Board

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<sup>1</sup>The term spouse includes domestic partner.

member's spouse is the only one in the bargaining unit that has a doctorate and there is a pay differential for employees with doctorates in the collective bargaining agreement, the Board member should not vote on the contract.

END OF POLICY

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**Legal Reference(s):**

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

[OAR 199-005-0001](#) to -199-010-0150

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

**Cross Reference(s):**

BBFA - Board Member Ethics and Conflicts of Interest

# West Linn-Wilsonville School District 3J

Code: **BCA**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BCA

## Board Organizational Meeting

The organizational meeting for election of officers or special meeting to swear in new Board members, shall be held on the day as prescribed by law; namely, at the first regular meeting held after July 1 of each year. In Board election years, the first meeting will be held no later than July 31.

END OF POLICY

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### Legal Reference(s):

[ORS 255.335](#)  
[ORS 332.040 - 332.045](#)  
[ORS 332.057](#)

# West Linn-Wilsonville School District 3J

Code: **BCB**  
Adopted: 10/09/06  
Revised/Readopted: 1/11/16; 3/14/16  
Orig. Code(s): BCB

## **Board Officers**

The Board shall elect, at its annual organizational meeting, one of its members to serve as Board chair and one to serve as vice chair. No member shall serve as Board chair for more than three consecutive years.

The Board chair shall preside at all meetings of the Board, and he/she shall call meetings when required. He/she shall sign the minutes and other official documents which require the signature of the chair. He/she shall perform other duties prescribed by law.

In the absence of the Board chair, the vice chair shall perform the duties of the chair and, when so acting, shall have all the power of the Board chair. If the Board chair and vice chair are absent at a meeting at which a quorum is present, the ranking member present in terms of continuous service on the Board shall preside.

### **Superintendent-Clerk**

It shall be the duty of the clerk to perform the following functions:

1. Manage the routine correspondence for the district;
2. Prepare the board meeting agendas in cooperation with the Board chair. Incorporated in the agenda should be a calendar of events, legal opinions, unfinished business and new business and draft recommendations requested by the Board or on his/her initiative make recommendations for changes in Board policy;
3. Prepare informational items coming before the Board.

### **Secretary**

It shall be the duty of the secretary to take minutes and compile them for the record, and perform such other tasks as assigned by the superintendent-clerk or requested by the Board chair.

These duties include:

1. Record the disposition of all matters on which the Board considered action, referring to the source of major written recommendations by title and name;
2. Prepare, check and distribute minutes in advance for approval at next meeting;
3. Maintain properly authenticated official copy of the minutes;
4. Maintain official record of policies and bylaws of the Board.

It shall be the duty of counsel to advise the Board on specific legal matters submitted and to make appropriate recommendations.

END OF POLICY

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**Legal Reference(s):**

[ORS 255.335](#)

[ORS 332.040](#)

[ORS 332.045](#)

[ORS 332.057](#)

# West Linn-Wilsonville School District 3J

Code: **BCD**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BCD

## Board-Superintendent Relationship

The superintendent shall be the chief executive officer of the West Linn-Wilsonville School District and shall be responsible for the professional leadership and skill necessary to translate the will of the Board into administrative action.

The superintendent shall be responsible for all aspects of district operation and for such duties and powers pertaining thereto as directed or delegated by the Board, and to develop such procedures and regulations as he/she considers necessary to ensure efficient operation of the district.

The Board expects that the superintendent is professionally able and possesses outstanding qualities of leadership, vision and administrative skill and that the superintendent will implement all Board policies in good faith.

The superintendent can expect the Board will respect the superintendent's professional competence and extend to him/her full responsibility for implementation of Board policy decisions.

The Board holds the superintendent responsible for carrying out its policies within established guidelines and for keeping the Board informed about district operations.

END OF POLICY

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### Legal Reference(s):

[ORS 332.505](#)

[ORS 332.515](#)

# West Linn-Wilsonville School District 3J

Code: **BCE**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BCE

## Board Committees

The Board may delegate portions of its work to committees and shall establish rules for their operation upon appointment. All temporary committees will be considered for reappointment by the Board on an annual basis.

All meetings of committees shall follow all public meeting laws. The press may attend and report proceedings. Visitors shall sit apart from the committee members and shall speak only when invited to do so by the committee chair.

END OF POLICY

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### Legal Reference(s):

[ORS 192.610 - 192.690](#)  
[ORS 332.045](#)  
[ORS 332.105](#)



# West Linn - Wilsonville School District

Code: **BCEA**  
Adopted: 5/2/16  
Orig. Code(s): BCEA

## Long-Range Planning Committee

The Board shall appoint seven residents of the district to serve on the Long-Range Planning Committee. All committee members will serve three-year terms staggered to cause no more than two terms to expire in any one year. The Board, by majority vote, may remove a committee member at any time during the three-year term.

The Long-Range Planning Committee will assist the Board in the following ways:

1. Monitor school and community growth;
2. Project district facility needs;
3. Project district property acquisition needs;
4. Present an annual written report to the Board;
5. Participate with the district, the Cities of West Linn and Wilsonville and Clackamas County exploration and development of joint ventures to serve the needs of the residents, and the students of the district; and
6. Other duties as assigned by the Board.

END OF POLICY

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### Legal Reference(s):

ORS 192.610 – 192.690  
ORS 332.045  
ORS 332.105

# West Linn-Wilsonville School District 3J

Code: **BCG**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BCG

## Attorney for the District

The Board recognizes that the increasing complexity of school district operations frequently requires procurement of professional legal services. Consequently, it shall retain an attorney or law firm for purposes of systematically securing such services. A decision to seek legal advice or assistance on behalf of the district shall normally be made by the superintendent or by persons specifically authorized by the superintendent. The Board chair, with approval of the majority of the Board, may seek legal advice on behalf of the Board.

Many types of instances of legal assistance to the district may be considered routine and not necessitating specific Board approval or prior note. However, when the superintendent concludes that unusual types or amounts of professional legal service may be required, the Board directs the superintendent to so advise it and to seek either initial or continuing authorization for such service.

The attorney for the district shall be selected from among the most qualified who is able and willing to provide legal services within district budget limitations.

The attorney is retained to provide legal services only on official district affairs and shall not provide district employees or Board members with personal or private legal services at district expense.

END OF POLICY

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### Legal Reference(s):

[ORS 332.072](#)  
[ORS 332.505](#)

# West Linn-Wilsonville School District 3J

Code: **BDA**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BDA

## Regular Board Meetings

The yearly board meeting calendar shall be adopted at the first board meeting by August 31.

The Board shall normally hold one regular meeting and one study session each month except during March, July and December when one meeting shall be scheduled.

Unless decided by prior agreement, the place of the meeting shall be in the Administration Building.

END OF POLICY

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### Legal Reference(s):

[ORS 174.104](#)  
[ORS Chapter 192](#)  
[ORS Chapter 193](#)  
[ORS 332.045 - 332.111](#)  
[ORS 433.835 - 433.875](#)

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

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

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

Americans with Disabilities Act Amendments Act of 2008.

# West Linn-Wilsonville School District 3J

Code: **BDB**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BDB

## Special and Emergency Board Meetings

Special board meetings must have at least 24 hours notice, and may be convened:

1. By order of the Board chair; or
2. Upon request of three members of the Board at least 24 hours prior to the time the meeting is to be held; or
3. By common consent of the Board members.

The purpose of special meetings is to give the Board an opportunity to gather information and to discuss and fully explore various aspects of an issue.

Local news media will receive written notice of the meeting at least 24 hours in advance.

Emergency meetings may be called by the Board chair, or in the absence of the Board chair, the Board vice chair, only in the event of an actual emergency. Appropriate notice will be given to the public and the press. The minutes of the meeting will describe the nature of the emergency. No business other than that related to the emergency will be discussed at these meetings.

END OF POLICY

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### Legal Reference(s):

[ORS 192.640](#)  
[ORS 332.045](#)

OACE v. Salem Keizer Sch. Dist., 95 Or. App. 28 (1989).

### Cross Reference(s):

BDDA - Notification of Board Meetings

# West Linn-Wilsonville School District 3J

Code: **BDC**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BDC

## Board Executive Sessions

A Board may be called together exclusively for the purpose of meeting in executive session, or a Board may decide to go into executive session during a regular, special or emergency meeting to discuss certain subject matters.

In all cases, the Board chair or presiding officer will identify the subparagraphs of the statute (ORS 192.610 to 192.690) which define the subject matters for which the executive session is authorized. Members of the press may attend executive sessions except those matters pertaining to:

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

If a meeting is called exclusively for an executive session, the public must be notified that it will only be an executive session.

Information discussed in the executive session will not be disclosed.

No executive session may be held for the purpose of taking final action with the sole exception of student expulsion. This does not mean that initial offers of employment or property purchase must be made in open meeting, but the ultimate decision to hire or purchase must be made in open meeting.

If an executive session is held pursuant to Oregon Revised Statute (ORS) 332.061, the following shall not be made public:

1. The name of the minor student;
2. The issue, including the student's confidential medical records and educational program;
3. The discussion; and
4. Each Board member's vote on the issue.

All executive session minutes shall be kept in written form.

Content discussed in executive sessions is confidential.

END OF POLICY

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**Legal Reference(s):**

[ORS 192](#).610 - 192.710

[ORS 332](#).045

[ORS 332](#).061

**Cross Reference(s):**

BDDA - Notification of Board Meetings

BDDG - Minutes of Board Meetings

CBG - Evaluation of the Superintendent

# West Linn-Wilsonville School District 3J

Code: **BDD**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BDD

## Board Meeting Procedures

It is the Board's desire that meetings shall be formal enough for orderly procedures but informal enough to encourage discussion.

The Board desires to be cognizant of the problems, requests, complaints and suggestions of members of the community, but it is necessary that the Board not allow the perusal of such material to interfere with diligent attention to the affairs of the district, which are:

1. To conduct business of the district in a timely and orderly manner;
2. To concentrate on formulating policy and not administrative regulation;
3. To give clear, concise direction to administrative staff; and
4. To provide for ongoing evaluation of policy developed and direction given.

To this end, the Board will follow the procedures below:

### 1. **Quorum**

A quorum will consist of the majority of the Board members.

### 2. **Vote Needed for Exercise of Powers**

The affirmative vote of three Board members will be necessary for exercising any of the Board's powers.

### 3. **Board Member Voting**

Each member's vote on all motions will be recorded in the minutes.

### 4. **Abstaining from Vote**

If a Board member chooses to abstain from voting, and the abstention is due to a conflict of interest, the Board member will state the reason for the abstention and such abstention will be recorded.

## 5. Parliamentary Procedure

Official Board business will be transacted by motion or resolution at duly called regular or special meetings.

Except as otherwise provided by state law and/or Board policy, the rules of parliamentary procedure comprised in *Robert's Rules of Order Newly Revised* will govern the Board in its deliberation.

END OF POLICY

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### Legal Reference(s):

[ORS 192](#).650

[ORS 244](#).120(2)

[ORS 332](#).045

[ORS 332](#).055

[ORS 332](#).057

[ORS 332](#).107

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

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



# West Linn-Wilsonville School District 3J

Code: **BDDA**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BDDA

## Notification of Board Meetings

Due notice of all official meetings of the Board shall be given through the available media.

Except in emergencies, this shall be interpreted to mean that the notification for all special and/or rescheduled meetings shall be sent to the media in time for the public to be notified at least 24 hours in advance. All Board members are to be notified as early as possible of special meetings.

Dates of regular meetings of the Board shall be provided in annual announcements made available in printed form to the news media, the public and all board members.

Notices to individuals with disabilities shall be given in an appropriate form upon request and with appropriate advance notice. Auxiliary aids and services available to ensure equally effective communication with qualified persons with disabilities may include large print, Braille, audio recordings and readers. Primary consideration will be given to the requests of the person with a disability in the selection of appropriate auxiliary aids and services.

END OF POLICY

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### Legal Reference(s):

[ORS 192.610](#) - 192.690

[ORS 332.045](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).  
Americans with Disabilities Act Amendments Act of 2008.

### Cross Reference(s):

BDC - Board Executive Sessions

BDDH - Public Participation in Board Meetings

# West Linn-Wilsonville School District 3J

Code: **BDDC**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BDDC

## Board Meeting Agenda

A tentative agenda will be published no less than three days prior to a regular Board meeting date. An up-to-date agenda will be available the evening of the Board meeting.

END OF POLICY

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### Legal Reference(s):

[ORS 192.640](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).  
Americans with Disabilities Act Amendments Act of 2008.

### Cross Reference(s):

BDDG - Minutes of Board Meetings

BDDH - Public Participation in Board Meetings

# West Linn-Wilsonville School District 3J

Code: **BDDG**  
Adopted: 10/09/06  
Readopted: 8/14/17  
Orig. Code(s): BDE

## Minutes of Board Meetings

The superintendent's designee shall keep complete records of meetings of the Board. These minutes shall include:

1. A record of all actions taken by the Board, including abstentions and declarations of conflicts of interest, with the vote of each member recorded except in cases of unanimous vote. Minutes will record any abstentions from voting.
2. Resolutions and motions in full: reports and documents relating to a formal motion may be omitted if they are referred to and identified by title and date.
3. A record of the disposition of all matters on which the Board considered, but did not take action.
4. Minutes shall record all motions and action taken by the Board.

Copies of the minutes shall be made available to all Board members before the meeting at which the minutes are to be approved. The minutes shall become permanent records of the Board and shall be in the custody of the superintendent. The superintendent shall make minutes available to interested persons upon request within a reasonable time.

5. Minutes of executive sessions will be kept in accordance with the requirements of Oregon's Public Meetings Law. If disclosure of material in the executive session minutes would be inconsistent with the purpose for which executive session was held under Oregon Revised Statute (ORS) 192.660, the material may be withheld from disclosure.

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

END OF POLICY

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### Legal Reference(s):

[ORS 192.610](#) to -192.710

[ORS 332.061](#)

Letter Opinion, Office of the OR Attorney General (Nov. 20, 1970).

# West Linn-Wilsonville School District 3J

Code: **BDDH**  
Adopted: 11/01/10  
Readopted: 1/11/16  
Readopted: 6/18/18  
Orig. Code(s): BDDH

## Public Participation in Board Meetings

All board meetings with the exception of executive sessions shall be open to the public. Because the Board desires to hear the viewpoints of citizens throughout the district, it shall offer suitable time at all meetings for citizens to be heard.

1. Each Board meeting will have a time near the beginning of the meeting for public comment.
2. Individuals commentary will be limited to 3 minutes with a total time for public comments limited to 45 minutes, unless extended by the board.
3. Board members will listen to commentary. The Board chair may respond to public comment during the meeting if warranted. The Board chair may also invite a response from an individual Board member or Superintendent if warranted.
4. Every effort will be made to limit deliberations/activities to Board work and not administrative/staff work.

Speakers may offer objective and civil criticism of district operations and programs, but the Board will not hear complaints concerning individual district personnel. The Board chair will direct the citizen to the appropriate means for Board consideration and disposition of legitimate complaints involving individual district personnel.

If citizens have video clips or Power Points on a particular topic, they can be submitted to the Board Chair prior to the meeting in lieu of being shown during the public comment portion of the meeting.

END OF POLICY

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### Legal Reference(s):

[ORS 165.535](#)  
[ORS 165.540](#)

[ORS 192.610 - 192.690](#)  
[ORS 332.057](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).  
Americans with Disabilities Act Amendments Act of 2008.

### Cross Reference(s):

BDDA - Notification of Board Meetings  
BDDC - Board Meeting Agenda  
KC - Community Involvement in Decision Making

# West Linn-Wilsonville School District 3J

Code: **BF**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BF

## Board Policy Development

It is the intent of the Board to develop policies and put them in writing so that they may serve as guidelines for the successful and efficient functioning of the district.

Board policies are meant to serve as sources of information and guidance for all people who are interested in, or connected with the district.

The policies of the Board are framed, and are meant to be interpreted, in terms of Oregon laws, rules and regulations of the State Board of Education, and all other regulatory agencies within our local, county, state and federal levels of government. The policies are also framed and are meant to be interpreted in terms of those educational objectives, procedures and practices which are broadly accepted by leaders and authorities in the public education field.

The district shall make available for inspection to the public and district employees, copies of the Board's policy manual.

The superintendent is to be delegated the responsibility to maintain the Board's policy reference files, to draft policy proposals as instructed by the Board, to maintain the Board policy manual, and to serve as liaison between the Board and the Oregon School Boards Associations' *Policy Update* series.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

[ORS 332.505](#)

[OAR 581-022-1610](#)

[OAR 581-022-1720](#)

### Cross Reference(s):

BFF - Suspension of Policies

# West Linn-Wilsonville School District 3J

Code: **BFB**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BFB

## Preliminary Development of Policies

Proposals for new policies or changes in existing policies may be initiated by any Board member, employee of the district, student or resident of the district. It shall be the policy of the Board to encourage the participation of any of these groups in policymaking for the district. Such proposals shall be submitted in writing to the superintendent for referral to the Board.

When in the opinion of the superintendent or the Board there is a question about a policy's conforming to the law, the counsel of the attorney for the district shall be sought.

END OF POLICY

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### Legal Reference(s):

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

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

# West Linn-Wilsonville School District 3J

Code: **BFCA**  
Adopted: 3/14/16

## **Administrative Regulations**

Administrative regulations are detailed directions governing the operation of the district.

The superintendent is authorized to formulate such administrative regulations appropriate for the implementation of policies adopted by the Board and necessary for the consistent operation of the district.

The Board may review any administrative regulation and may direct its revision if, in the Board's judgment, such regulation is not consistent with adopted policies.

END OF POLICY

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

[ORS 332.107](#)

[OAR 581-022-1610](#)

[OAR 581-022-1720](#)

### **Cross Reference(s):**

CHA - Development of Administrative Regulations

# West Linn-Wilsonville School District 3J

Code: **BFE**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BFE

## Administration in the Absence of Policy

The superintendent shall have the power to implement action within the school system if an emergency situation should develop for which the Board has provided no policy.

However, the superintendent's decision shall be subject to review by the Board. It is the superintendent's duty to inform the board of any such action and of the need for an official policy.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

[OAR 581-022-1610](#)



# West Linn-Wilsonville School District 3J

Code: **BFF**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BFF

## Suspension of Policies

In the event of emergency or special circumstances, the operation of any section of Board policy including those governing its own operational procedures, may be temporarily suspended by a majority of the Board members at any regular, special or emergency meeting. This suspension, however, does not apply to any section of Board policy that may be established by law, collective bargaining agreement or other contract.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

[OAR 581-022](#)-1610

### Cross Reference(s):

BF - Board Policy Development

# West Linn-Wilsonville School District 3J

Code: **BG**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BG

## Board-Staff Communications

No Board member shall take any direct action, cause any direct action to be taken or give any instructions or directions to any employee of the district, including the superintendent, without approval of the Board.

Board members will exercise their authority over district affairs only as they vote to take action at a legal meeting of the Board.

The Board chair is authorized to take such actions as are necessary to implement board policy and expedite the business of the district in the interim between meetings. The Board chair shall report such actions to the Board at its next meeting.

All formal communications or reports to the Board or any Board committee from staff members will be submitted through the superintendent. This procedure will not be construed as denying the right of any employee to address the Board about issues which are neither part of an active administrative procedure, nor disruptive to the operation of the district. In addition, this procedure does not restrict protected labor relations communications of bargaining unit members. Staff members are invited to Board meetings, which provide an opportunity to observe the Board's deliberations on matters of staff concern.

END OF POLICY

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### Legal Reference(s):

[OAR 581-022-1720](#)

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

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

Lebanon Education Association/OEA v. Lebanon Community School District, 22 PECBR 323 (2008).

### Cross Reference(s):

GBD - Board-Staff Communications

KK - Visitors to School

# West Linn-Wilsonville School District 3J

Code: **BHA**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BHA

## **New Board Member Orientation**

A new member – or any person designated for appointment as a new member of the Board – is to be afforded the Board’s and the staff’s fullest measures of courtesy and cooperation. Board and staff shall make every feasible effort to assist the new member to become fully informed about the Board’s functions, policies, procedures and problems.

The Board chair and members of the administrative staff will also confer with the new member as necessary on special problems or concerns.

END OF POLICY

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

[ORS 332.107](#)

# West Linn-Wilsonville School District 3J

Code: **BHB**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BHB

## Board Member Development

In keeping with its stated position on the need for continuing in-service training and development for its members, the Board encourages the participation of all members at appropriate school board conferences, workshops and conventions.

END OF POLICY

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### Legal Reference(s):

[ORS 332.018\(3\)](#)

[ORS 332.107](#)

OR. ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS (2008)

### Cross Reference(s):

BHD - Board Member Compensation and Expense Reimbursement

# West Linn-Wilsonville School District 3J

Code: **BHD**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BHD

## Board Member Compensation and Expense Reimbursement

No member of the Board shall receive compensation for his services as a member.

The Board shall reimburse board members when they travel outside of the district on district business. When attendance at conventions or other educational meetings or travel for other district purposes is authorized in advance by the Board, actual expenses shall be reimbursed.

Receipts for hotel/motel accommodations and for transportation costs, other than cab fares, shall be submitted with expense vouchers. Expenses shall be submitted and accounted for in writing to the business office within 30 days of the date of completion of such travel.

END OF POLICY

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### Legal Reference(s):

[ORS 244.020\(15\)](#)  
[ORS 244.040\(1\)\(a\)](#)  
[ORS 244.040\(2\)\(c\)](#)  
[ORS 332.018\(3\)](#)

OR. GOV'T STANDARDS AND PRACTICES COMM'N, ADVISORY OPINION 93A-1007 (Nov. 18, 1993).  
OR. GOV'T STANDARDS AND PRACTICES COMM'N, ADVISORY OPINION 97A-1004 (Apr. 21, 1997).  
OR. GOV'T STANDARDS AND PRACTICES COMM'N, STAFF OPINION 02S-015 (May 20, 2002).  
OR. GOV'T STANDARDS AND PRACTICES COMM'N, STAFF OPINION 03S-015 (Sept. 11, 2003).

### Cross Reference(s):

BBAA - Individual Board Member's Authority and Responsibilities  
BHB - Board Member Development  
DFEA - Free Admissions  
DLC - Expense Reimbursements

**West Linn-Wilsonville  
School District 3J**

Code: **BHE**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BHE

**Board Member Liability Insurance**

The Board will purchase liability insurance and errors-and-omissions insurance to protect its members individually and collectively from claims made against them as a result of official Board actions taken in the course of official duties.

END OF POLICY

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**Legal Reference(s):**

[ORS 30.260 - 30.300](#)

[ORS 332.072](#)

[ORS 332.435](#)

# West Linn-Wilsonville School District 3J

Code: **BI**  
Adopted: 10/09/06  
Readopted: 1/11/16  
Orig. Code(s): BI

## Board Legislative Program

The Board, as an agent of the state, must operate within the bounds of state and federal law affecting public education. If the Board is to meet its responsibilities to the residents and students of the community, it must work vigorously for the passage of new laws designed to advance the cause of good schools and for the repeal or modification of existing laws that impede this cause. To this end:

1. The Board will develop an annual legislative program through conferences with the state school board association.
2. When appropriate, the Board will work for the achievement of common legislative objectives through these associations and with other concerned groups.
3. The Board will also seek both direct and indirect representation of its position on pending legislation with appropriate state and federal legislators and legislative committees.
4. The Board will also work directly, where appropriate, in developing and pursuing legislation affecting education with any and all Boards, commissions and other legally constituted bodies.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

# West Linn-Wilsonville School District 3J

Code: **CB**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): CB

## Superintendent

The superintendent shall be responsible to provide the professional leadership and skill to translate policies of the Board into administrative action and is authorized by the Board to carry out that responsibility.

The superintendent serves as the Board's chief executive officer and acts an educational advisor to the Board.

END OF POLICY

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### Legal Reference(s):

[ORS 332.505](#)

[ORS 332.515](#)

[OAR 581-022-1720](#)

### Cross Reference(s):

CBG - Evaluation of the Superintendent



# West Linn-Wilsonville School District 3J

Code: **CBA**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): CBA

## **Qualifications and Duties of the Superintendent**

The superintendent is the chief executive officer of the district and is responsible for providing the leadership and managerial direction to coordinate staff, curriculum, instruction, facilities, and budget to create and maintain high quality schools that assure appropriate learning by students and that accomplish board goals and objectives. The superintendent is expected to supervise the day-to-day operations of the district and provide educational leadership for the community. In that regard the superintendent will follow the guiding principles set forth below.

### **Qualifications**

The Board requires the superintendent to be a strong educational leader who has the following professional experience and training:

1. A current Oregon administrative license with a superintendent's endorsement or a transitional superintendent license;
2. A master's or doctorate degree in the field of education, preferably in educational administration;
3. Successful teaching experience at the elementary or secondary school level;
4. Service as a superintendent or administrative experience in the central administration of a school system.

### **Guiding Principles**

1. The superintendent will assure achievement of instructional goals and effective student learning by providing leadership in educational program development and implementation, as follows:
  - a. Develop and execute strategies to continually improve the effectiveness of the schools and instructional program;
  - b. Serve as the district's chief advocate for students relating to quality of education;
  - c. Within allowable resources, keep the district current on technological advances in delivery of education services;
  - d. Assess student achievement and periodically report student progress to the Board.
2. The superintendent will provide for a favorable community relations program for the district by directing a public information program and by serving as spokesperson for the district, as follows:
  - a. Maintain good communications with the community and local governments;
  - b. Maintain a system for informing the board, staff, students and community of the district's operation;

- c. Periodically meet with community groups to determine their expectations and priorities for education in this community;
- d. Cooperatively represent the district with the news media.

END OF POLICY

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**Legal Reference(s):**

[ORS 327.133](#)  
[ORS 332.075](#)  
[ORS 332.515](#)  
[ORS 342.125](#)  
[ORS 342.143](#)  
[ORS 342.173](#)  
[ORS 342.175](#)

[ORS 342.200](#)  
  
[OAR 581-022](#)-0102 to -1940  
[OAR 581-023](#)-0006 to -0041  
[OAR 581-023](#)-0104  
[OAR 581-023](#)-0112  
[OAR 581-023](#)-0220 to -0240

[OAR 584-020](#)-0000 to -0045  
[OAR 584-036](#)-0035(1)  
[OAR 584-046](#)-0005 to -0024  
[OAR 584-080](#)-0151  
[OAR 584-080](#)-0152  
[OAR 584-080](#)-0161

**Cross Reference(s):**

CBG - Evaluation of the Superintendent

# West Linn-Wilsonville School District 3J

Code: **CBC**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): CBC

## Superintendent's Contract

The superintendent, upon appointment by the Board, will receive a written contract which will state the terms of employment such as compensation, benefits and other conditions. Contracts shall not be issued for more than three years at a time. The contract shall automatically expire at the end of its term. The Board may, however, elect to issue a subsequent contract for not more than an additional three years at any time.

The compensation and benefits for the position of superintendent will be fixed by the Board, based upon the responsibilities required of the superintendent in performing his/her duties. The Board may not enter into an employment contract that contains provisions that expressly obligates the district to compensate the superintendent for work that is not performed.

Provisions for termination of the superintendent's employment, either by the Board or the superintendent, will also be set forth in the superintendent's employment contract.

The district may provide health benefits for a superintendent that is no longer employed by the district until the superintendent:

1. Reaches 65 years of age; or
2. Finds new employment that provides health benefits.

For a period of one year after termination of the contract the superintendent may not:

1. Purchase property or surplus property owned by the district or public charter school; or
2. Use property owned by the district or public charter school in a manner other than the manner permitted for the general public.

END OF POLICY

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### Legal Reference(s):

[ORS 332.432](#)  
[ORS 332.505](#)  
[ORS 332.507](#)

[ORS 332.525](#)  
[ORS 342.549](#)

[ORS 342.815\(1\),\(3\),\(6\),\(8\)](#)  
[ORS 342.835](#)

Ambrose v. Bd. of Educ., 51 Or. App. 621 (1981).  
Babbitt v. Mari-Linn Sch. Dist., 94 Or. App. 161 (1988).

# West Linn-Wilsonville School District 3J

Code: **CBG**  
Adopted: 5/08/15  
Readopted: 1/11/16  
Orig. Code(s): CBG

## Evaluation of the Superintendent

The superintendent is the chief executive officer of the West Linn-Wilsonville School District #3J. The Board affirms that annual evaluation of the superintendent's performance is a valuable method of assessing the status of education in the district, increasing the level of the Board's knowledge in a variety of areas, and identifying areas which deserve discussion between the Board and the superintendent. The evaluation will be based on the administrative job description, applicable standards of performance, Board policy and progress in attaining goals for the year established by the Board and superintendent.

Additional criteria for the evaluation, if any, will be developed at a public Board meeting prior to conducting the evaluation.

The vice chair of the Board will supervise the evaluation process, tabulate data, summarize narratives and present the results for discussion at a public Board meeting.

The vice chair will distribute the superintendent evaluation form to Board members and the superintendent by June 1 of each year. The evaluation process will be completed no later than June 30 each year.

Board members will provide feedback based on the evaluation criteria.

A self-evaluation may be prepared by the superintendent for submission to Board members concurrently with preparation of the Board's superintendent evaluation. Written evaluations will be completed by each Board member.

The Board's discussion and conferences with and about the superintendent and his/her performance will be in executive session, unless the superintendent requests an open session. Such an executive session will not include a general evaluation of any district goal, objective or operation. Results of the evaluation will be written and placed in the superintendent's personnel file.

Any time the superintendent's performance is deemed to be unsatisfactory, the superintendent will be notified in writing of specific areas to be remedied and will be given an opportunity to correct the problem(s). If performance continues to be unsatisfactory, the Board may dismiss the superintendent pursuant to Board policy, the employment contract with the superintendent and state law and rules.

END OF POLICY

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**Legal Reference(s):**

[ORS 192.660\(2\), \(8\)](#)

[ORS 332.505](#)

[ORS 342.513](#)

[ORS 342.815](#)

[OAR 581-022](#)-1720

Hanson v. Culver Sch. Dist. (FDAB 1975).

**Cross Reference(s):**

BDC - Board Executive Sessions

CB - Superintendent

CBA - Qualifications and Duties of the Superintendent

# West Linn-Wilsonville School District 3J

Code: **CCB**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): CCBA

## Line and Staff Relations

The Board expects the superintendent to establish a clear understanding of working relationships in the school system with all staff.

Staff shall be expected to refer matters requiring administrative action to the administrator to whom they are responsible. That administrator shall refer such matters to the next higher administrative authority when necessary. Additionally, all personnel are expected to keep the person to whom they are immediately responsible informed of their activities by whatever means the person in charge deems appropriate.

It is expected that the established lines of authority will serve most purposes. All staff shall have the right to appeal any decisions made by an administrative officer through procedures established through board policy.

This policy does not restrict protected labor relations communications of bargaining unit members.

END OF POLICY

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### Legal Reference(s):

[ORS 332.505](#)

[OAR 581-022-1720](#)

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

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

Lebanon Education Association/OEA v. Lebanon Community School District, 22 PECBR 323 (2008).

# West Linn-Wilsonville School District 3J

Code: **CCG**  
Adopted: 12/04/12  
Readopted: 1/11/16  
Orig. Code(s): CCG

## Evaluation of Licensed Administrators

Each administrator will be evaluated by his/her immediate supervisor. The purpose of administrator evaluations is to assist administrators to develop and strengthen their professional abilities, to improve the instructional program and to improve the management of the school system and for supervisors to make recommendations regarding their employment and/or salary status.

Administrator evaluation system shall be customized based on collaborative efforts and include the educational leadership-administrator standards<sup>1</sup> adopted by the State Board of Education.

The standards include:

1. Visionary leadership;
2. Instructional improvement;
3. Effective management;
4. Inclusive practice;
5. Ethical leadership;
6. Socio-Political context.

Evaluations must attempt to:

1. Strengthen the knowledge, skills, disposition and administrative practices of administrators;
2. Refine the support, assistance and professional growth opportunities offered to an administrator, based on the individual needs of the administrator and the needs of the school and district;
3. Allow the administrator to establish a set of administrative practices and student learning objectives that are based on the individual circumstances of the administrator;
4. Establish a formative growth process for each administrator that supports professional learning and collaboration with other administrators; and

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<sup>1</sup>These standards are aligned with the Interstate School Leaders Licensure Consortium (ISLLC) and the Educational Leadership Constituents Council (ELCC) standards for Education Leadership.

5. Use evaluation methods and professional development, support and other activities that are based on curricular standards and are targeted to the needs of the administrator.

END OF POLICY

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**Legal Reference(s):**

[ORS 192.660\(2\), \(8\)](#)  
[ORS 332.505](#)  
[ORS 342.513](#)

[ORS 342.815](#)  
[ORS 581-022-1720](#)

[OAR 581-022-1723](#)  
[OAR 581-022-1725](#)

Hanson v. Culver Sch. Dist. (FDAB 1975).



# West Linn-Wilsonville School District 3J

Code: **CH**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): CH

## Policy Implementation

The purpose of Board policies, and the administrative regulations developed to implement policy, is to increase the probability of an effective and efficient school system. It is expected that all district employees and students will follow Board policy. So that all are treated equally and fairly, suggestions for changes, deletions, additions or revisions to existing board policies and administrative regulations are welcomed by the Board from students, employees and parents.

Employees in supervisory positions are responsible for informing subordinates of existing policies and regulations and for seeing that they are implemented. Continued disregard for Board policy and the administrative regulations set forth may be interpreted as willful neglect of duty and may constitute grounds for dismissal.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

[ORS 332.505](#)

[OAR 581-022-1610](#)

[OAR 581-022-1720](#)

# West Linn-Wilsonville School District 3J

Code: **CHA**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): CHA

## Development of Administrative Regulations

The superintendent shall be responsible for the development and initiation of administrative regulations and procedures as necessary for implementing board policies.

The Board has a right to review and recommend revisions to administrative regulations should they, in the Board's judgment, be inconsistent with the adopted board policies.

Board members will have access to copies of all new or revised district regulations. Students and staff will be advised of all regulations affecting them.

END OF POLICY

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### Legal Reference(s):

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

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

# West Linn-Wilsonville School District 3J

Code: **CI**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): CI

## **Temporary Administrative Arrangements**

The superintendent shall make his/her whereabouts known to the central office. If the superintendent leaves the district, she/he shall make every effort to communicate his/her itinerary to the deputy superintendent who, in turn, shall inform others who need to know. In case of a bona fide emergency, every effort will be made to notify the superintendent of the situation. If the superintendent is unable to be reached, the responsibility and the authority to act for the district shall fall to the deputy superintendent. If, for any reason, the deputy superintendent cannot be reached, the responsibility and the authority to act in behalf of the district shall fall to the assistant superintendent.

In the event of serious illness or death of the superintendent, the deputy superintendent shall call a special meeting of the Board to determine what course of action the district should take at that time.

END OF POLICY

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

[ORS 332.505](#)

# West Linn-Wilsonville School District 3J

Code: **DA**  
Adopted: 12/04/06  
Revised/Readopted: 1/11/16; 3/14/16  
Orig. Code(s): DA

## Fiscal Management Goals

In the district's fiscal management, the Board expects to achieve the following goals:

1. To perform the district's financial planning with a broad base of staff and community participation, in order to develop budgets and guide expenditures to attain the greatest educational program for the dollars spent;
2. To follow governmental accounting best practices for budget development and management;
3. To provide all staff timely and appropriate information concerning fiscal management responsibilities;
4. To establish efficient procedures for accounting, reporting, purchasing and delivery, payroll, payment of vendors and contractors and all other areas of fiscal management;
5. To utilize the Budget Committee as provided by Oregon budget law.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

# West Linn-Wilsonville School District 3J

Code: **DBEA**  
Adopted: 1/11/16

## **Budget Committee**

### **Organization, Membership and Terms of Office**

The district budget committee will consist of the five members of the Board and five electors appointed by the Board as required by law. Terms of the appointed members of a budget committee in a district that prepares an annual budget will be three years each with appointments made so that, as nearly as practicable, the terms of one-third of the members expire each year. The Board will establish appropriate timelines and procedures for appointment of budget committee members.

A majority of the constituted committee is required for passing an action item. Majority for a 10-member budget committee is 6. Therefore, if only 6 members are present, a unanimous vote is needed for passing an action item.

### **Budget Committee Chair and Orientation of Budget Committee**

1. **Organization:** The budget committee will hold its first regular organizational meeting on a day set by the Board. A budget committee chair shall be elected from among its members at this meeting. Such meeting may be prior to or on the date the budget message and document are presented.
2. **Background Information:** Budget committee members will be provided with data for the ensuing year(s), such as the Board's educational plan, and other pertinent material bearing on the preparation of the district budget.

### **Meetings of the Budget Committee**

The budget committee shall hold one or more meetings to receive the budget message, the budget document and to provide members of the public with an opportunity to ask questions about and comment on the budget document. The presiding officer shall announce the time and place for all meetings, as provided by law. All meetings of the budget committee are open to the public.

### **Function of the Budget Committee**

The budget committee shall hold one or more meetings to receive the budget message, receive the budget document and to provide members of the public with an opportunity to ask questions about and comment on the budget document. The budget officer shall announce the time and place for all meetings, as provided by law. All meetings of the budget committee are open to the public.

The budget committee may request from the superintendent or business manager any information used in the preparation of or for revising the budget document. The committee may request the attendance of any

district employee at its meetings. The budget committee will approve the budget document as submitted by the superintendent or as subsequently revised by the committee.

After approval of the original or revised budget document, the budget committee's duties cease. The hearing on the approved budget is held by the Board. The budget committee will determine levels of spending, but will not determine programs.

### **Final Action**

The budget committee will approve an estimated budget document for submission to the Board.

END OF POLICY

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

[ORS 174.130](#)

[ORS 192.610 to -192.710](#)

[ORS 294.305 to -294.565](#)

# West Linn-Wilsonville School District 3J

Code: **DBK**  
Adopted: 1/11/16

## **Budget Transfer Authority**

The adopted budget is a financial plan which may be subject to change as a result of circumstances or events occurring during the ensuing budget period. All appropriation transfers of material size or between major functions shall be authorized when completed by official resolution of the Board. The authorizing resolution must state the need for the transfer, its purpose and the amount of the transfer.

Transfers of general operating contingency appropriations which in aggregate during a fiscal year or budget period exceed 15 percent of the total appropriations of the fund may be made only after the adoption of a supplemental budget prepared for that purpose.

END OF POLICY

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

[ORS 294.463](#)

# West Linn-Wilsonville School District 3J

Code: **DD**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DD

## Funding Proposals and Applications

The district shall pursue federal, state or private grants or other such funds that will assist the district in meeting adopted Board and district goals.

Proposals for external funds may be submitted to the Board for evaluation and approval.

In the event an opportunity arises to submit a grant proposal and there is insufficient time to place it before the Board, the superintendent is authorized to use his/her judgment in approving it for submission. The superintendent will review the proposal with the Board at its next regular meeting. The Board reserves the right to reject funds associated with any grant which has been approved.

The Board shall, before an acceptance of such funds, consider the district's obligations, expectations or encumbrances when the grant ceases.

END OF POLICY

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### Legal Reference(s):

[ORS 294.100](#)  
[ORS 294.305](#) to -294.565  
[ORS 332.075](#)



# West Linn-Wilsonville School District 3J

Code: **DE**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DE

## Revenue from Tax Sources

Financing of the district's school operations shall be accomplished within the provisions of Oregon statutes. The district budget committee will be kept informed of all sources of funds available to the district.

All applications for federal funds shall be prepared under the supervision of the superintendent, who shall be authorized annually by the board to make such applications and to sign them.

END OF POLICY

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### Legal Reference(s):

[ORS 294](#).305 - 294.565  
[ORS 332](#).107

# West Linn-Wilsonville School District 3J

Code: **DFA**  
Adopted: 1/11/16  
Readopted: 4/4/22

## Operating Fund Investment Policy

The district has implemented the policy to provide for the guidance of investment decisions for operating and all other funds.

### 1. Scope

This investment policy applies to the operating and other specified funds of the district. The portfolio shall be invested in securities with maturities that do not exceed 18 months. The guidelines of this policy have been determined to meet the specific objectives of the district.

### 2. Objective

The primary objectives, in order of priority, for the district investment activities are as follows:

- a. **Legality:** The investments will be in compliance with all statutes governing the investment of public funds in the state of Oregon.
- b. **Liquidity:** The investments will be made in a manner that provides for sufficient cash flow to meet budgeted liquidity needs. A liquidity component of at least 50 percent of all operating fund balances will be maintained in the LGIP fund, assuming that this amount is within Oregon Revised Statute (ORS) 294.810 restrictions.
- c. **Safety:** Investments are limited to the requirements of ORS 294.035.
- d. **Yield:** The return on the invested funds is expected to achieve market rates of return over interest rate cycles.

### 3. Delegation of Authority

The Chief Financial Officer is responsible for all investment decisions.

### 4. Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal business activity that may conflict with the proper execution of the investment program, or may impair their ability to make impartial investment decisions.

### 5. Authorized Financial Dealers and Institutions

The Chief Financial Officer will maintain a list of dealers that are authorized to do business. These may include “primary” dealers or regional dealers that qualify under Securities and Exchange

Commission (SEC) Rule 15C3-1 (uniform net capital rule). If an investment advisor is hired, the advisor may execute directly with their approved dealers.

6. Investment Advisory Services:

The district may seek outside investment advisory services to assist with the investment of bond proceeds. The services will be non-discretionary and the advisor shall be required to act with fiduciary responsibility.

7. Authorized and Suitable Investments

The district is empowered to invest in the following types of securities:

- a. Eligible investments are only those securities and deposits authorized by statute (ORS 295) Eligible investments include, but are not limited to:

(1) Obligations of the U.S. Government:

U.S. Treasury Notes, Bonds and Bills.

(2) Oregon Short Term Investment Pool – LGIP.

8. Safekeeping and Custody

All security transactions entered into by the district will be conducted on a delivery-versus-payment (DVP) basis. Securities will be held in segregated safekeeping account by a third party custodian, approved broker/dealer or approved Oregon depository bank.

9. Diversification

The district will diversify the total bond project funds by issuer:

- a. Diversification by Issuer at the time of purchase:

|                         |                 |
|-------------------------|-----------------|
| (1) U.S Treasury Issues | Up to 100%      |
| (2) LGIP                | Per ORS 294.810 |

10. Maximum Maturities

|   |           |
|---|-----------|
| Maximum Maturity of Single Issue            | 1.5 years |
| Maximum Average Maturity of Total Portfolio | .5 years  |
| Minimum required to be held under 1 month   | 10%       |

11. Reporting Requirements

The Chief Financial Officer shall prepare an annual investment reports summarizing the investment portfolio as to types of investments, earnings, maturities, cost, transactions and mark-to-market values. Performance measurements will be based on yield earnings.

12. Internal Controls and Accounting Method

The district shall comply with all required legal provisions and Generally Accepted Accounting Principles (GAAP) relating to investment accounting and internal controls.

END OF POLICY

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**Legal Reference(s):**

[ORS 294.033](#)

[ORS 294.125](#)

[ORS 294.145](#)

[ORS 294.035](#)

[ORS 294.135](#)

[ORS 294.155](#)

# West Linn-Wilsonville School District 3J

Code: **DFB**  
Adopted: 12/5/16  
Readopted: 4/4/22

## **Bond Proceeds Investment Policy**

Oregon Revised Statutes (ORS) 294.135 and 294.052 generally requires a local government to have its investment policy reviewed by the Oregon Short Term Fund Board (OSTFB) before the local government adopts the policy and makes investments that are longer than 18 months from their purchase date. The district may wish to invest its bond proceeds longer than 18 months to match investment maturity dates to the expected schedule for payment of construction costs. The OSTFB has made this short-form policy available to local governments that desire to invest only bond proceeds or bond related funds described in ORS 294.052 for more than 18 months, and that desire expedited review by the OSTFB before the investment policy is adopted. This short-form policy contains very substantial limitations and does not provide the district with the controls or flexibility that a comprehensive investment policy should provide.

### **1. Scope**

This investment policy applies only to the investment of bond proceeds or bond-related funds described in ORS 294.052. All other funds of the district that are subject to ORS 294.135 will be invested under 18 months.

### **2. Objective**

The primary objectives, in order of priority, for the district investment under this policy are as follows:

- a. **Legality:** The investments will be in compliance with all statutes governing the investment of public funds in the state of Oregon.
- b. **Liquidity:** The investments will be made in a manner that generates sufficient cash flow to meet the expected project cost schedule. A liquidity component of at least 10 percent of the current bond proceed balance will be maintained in cash and/or the LGIP, assuming that this amount is within ORS 294.810 restrictions.
- c. **Safety:** Investments are limited to U.S. Treasury, non-callable fixed rate Government Sponsored Enterprise and Agency securities, and Senior unsecured debt obligations guaranteed by the Federal Deposit Insurance Corporation under the Temporary Liquidity Guarantee Program (TLGP) described in Section 7, below.
- d. **Yield:** The yield will be dependent on the timing of the investments.

### **3. Delegation of Authority**

The Chief Financial Officer is responsible for all investment decisions.

### **4. Ethics and Conflicts of Interest**

Officers and employees involved in the investment process shall refrain from personal business activity that may conflict with the proper execution of the investment program, or may impair their ability to make impartial investment decisions.

5. Authorized Financial Dealers and Institutions

The Chief Financial Officer will maintain a list of dealers with whom they are authorized to do business. These may include “primary” dealers or regional dealers that qualify under Securities and Exchange Commission (SEC) Rule 15C3-1 (uniform net capital rule). If an investment advisor is hired, the advisor may execute directly with the approved dealers.

6. Investment Advisory Services:

The district may seek outside investment advisory services to assist with the investment of bond proceeds. The services will be non-discretionary and the advisor shall be required to act with fiduciary responsibility.

7. Authorized and Suitable Investments

Only the following investments may be purchased under this policy:

a. Obligations of the U.S. Government:

- (1) U.S. Treasury Notes, Bonds and Bills.
- (2) Senior unsecured debt obligations guaranteed by the Federal Deposit Insurance Corporation under the Temporary Liquidity Guarantee Program (TLGP).

b. Obligations and guarantees of U.S. government agencies, corporations wholly owned by the U.S. Government or any Government Sponsored Enterprises (GSE’s):

Specific listing:

- (1) Federal Home Loan Bank (FHLB).
- (2) Federal Farm Credit Bank (FFCB).
- (3) Federal Home Loan Mortgage Corporation (FHLMC).
- (4) Federal National Mortgage Association (FNMA).

c. Treasury and agency securities may be callable or non-callable with a fixed rate.

d. Oregon Short-Term Fund – LGIP.

8. Safekeeping and Custody

All security transactions entered into by the district will be conducted on a delivery-versus-payment (DVP) basis. Securities may be held in safekeeping by a third party custodian designated by the Chief Financial Officer .

9. Diversification

The district may restrict the allowable maximums in periods of perceived higher risk. This policy provides for the Board's ability to adjust the diversification guidelines through the current allowable percentages stated below.

| <b>Issuer</b>                 | <b>Maximum Allowable</b> | <b>Current Allowable</b> |
|-------------------------------|--------------------------|--------------------------|
| U.S. Treasury issues          | Up to 100%               | 100%                     |
| Agency (GSE's)                | Up to 33% per issuer     | 0%                       |
| TLGP                          | Up to 35%                | 35%                      |
| Oregon Short-Term Fund – LGIP | Maximum per ORS 294.810  | Maximum per ORS          |

10. Maximum Maturities

Maximum maturity of single issue three years.

11. Reporting Requirements

The Chief Financial Officer shall prepare annual investment reports summarizing the investment portfolio as to types of investments, earnings, maturities, cost, transactions and mark-to-market values.

12. Internal Controls and Accounting Method

The Chief Financial Officer , in conjunction with the Secretary of State's office will evaluate conformance of the portfolio with the Investment Policy and audit internal controls. The district shall comply with all required legal provisions and Generally Accepted Accounting Principles (GAAP) relating to investment accounting.

13. Diversification

The district may restrict the allowable maximums in periods of perceived higher risk. This policy provides for the Board's ability to adjust the diversification guidelines through the current allowable percentages stated below.

| <b>Issuer</b>                 | <b>Maximum Allowable</b> | <b>Current Allowable</b> |
|-------------------------------|--------------------------|--------------------------|
| U.S. Treasury Issues          | Up to 100%               | 100%                     |
| Agency (GSEs)                 | up to 33% per issuer     | 0%                       |
| TLGP                          | Up to 35%                | 35%                      |
| Oregon Short-Term Fund - LGIP | Maximum per ORS 294.810  | Maximum per ORS          |

END OF POLICY

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**Legal Reference(s):**  
[ORS Chapter 294](#)

SECURITIES AND EXCHANGE COMMISSION, RULE 15C3-1.

# West Linn-Wilsonville School District 3J

Code: **DFEA**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DFEA

## Free Admissions

No public official shall use or attempt to use official position or office to obtain financial gain or avoidance of financial detriment that would not otherwise be available but for the public official's holding of the official position or office, other than official salary, honoraria, reimbursement of expenses or an unsolicited award for professional achievement or the public officials relative, or for any business with which the public official or a relative of the public official is associated.

“Public official” means an elected official, appointed official, employee or agent of the district.

END OF POLICY

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### Legal Reference(s):

[ORS Chapter 244](#)  
[ORS 332.107](#)

### Cross Reference(s):

BBAA - Individual Board Member's Authority and Responsibilities  
BHD - Board Member Compensation and Expense Reimbursement



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| <p><b>West Linn-Wilsonville<br/>School District 3J</b></p> |
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Code: **DG**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DG

## **Depositing of Funds**

All funds received by the district shall be deposited in an official depository bank.

The selection of an official depository will be made by the Board at the organizational meeting.

The bank selected shall be responsible for the protection of district funds as provided by state law.  
All non-ASB district funds shall be deposited in the official bank as required by law.

END OF POLICY

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**Legal Reference(s):**

[ORS 294.805 - 294.895](#)  
[ORS 328.441](#)  
[ORS 328.445](#)

# West Linn-Wilsonville School District 3J

Code: **DGA**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DGA

## Authorized Signatures

Signatures, including facsimile signatures, of the superintendent, deputy superintendent and the business manager are to be used on checks, vouchers or other orders on public funds deposited in the designated bank. The Board may authorize the use of facsimile signatures or other electronic signatures by those persons authorized to sign district checks.

END OF POLICY

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### Legal Reference(s):

[ORS 294.120](#)  
[ORS 328.441](#)  
[ORS 328.445](#)

# West Linn-Wilsonville School District 3J

Code: **DH**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DH

## Bonded Employees and Officers

The superintendent, assistant superintendent and the deputy superintendent shall have individual fidelity bond coverage or equivalent crime coverage in the amount of \$100,000 each. The business manager shall have individual fidelity bond coverage in the amount of \$100,000. The Board shall require all other school employees responsible for handling money and district property, to be covered by a group “faithful performance bond” at \$100,000 per employee.

END OF POLICY

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### Legal Reference(s):

[ORS 328.441](#)

[ORS 332.525](#)

[OAR 581-022-1720](#)

# West Linn-Wilsonville School District 3J

Code: **DI**  
Adopted: 12/04/06  
Readopted: 4/4/2022

## **Fiscal Accounting and Reporting**

The ultimate responsibility for receiving and properly accounting for all funds of the district rests with the superintendent. The district shall use an accounting system that conforms with the requirements of state laws and regulation and in accordance with generally accepted accounting principles.

The Board will periodically receive financial reports which will include estimates of expenditures for the general fund in comparison to budget appropriates, actual receipts in comparison to budget estimates and the district's overall financial condition. Supplementary reports on other funds or accounts may be furnished upon request of the Board or the superintendent.

Appropriate staff may be available at any Board meeting, upon the Board's request, to respond to questions and to present current financial information. The superintendent will notify the Board of substantial deviations in the anticipated revenues and/or expenditures.

Accounting and the reporting of student enrollments and attendance as required by the State is also a responsibility of the district administration.

END OF POLICY

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

[ORS 294.305 - 294.565](#)

[OAR 581-023-0035](#)

OR. DEP'T OF EDUC, PROGRAM BUDGET AND ACCOUNTING MANUAL.

# West Linn-Wilsonville School District 3J

Code: **DIAB**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DIAB

## School Funds Accounting

Funds of individual schools shall be received, deposited, expended and accounted for by the principal or his/her designee in accordance with a central plan of accounting established and supervised by the business manager. The principal is the final authority in determining designated procedures.

School funds shall include all monies collected and expended from sales, fees, dues, and other incidental income that is collected and expended within the school. The business manager shall prepare and maintain a "Handbook of Accounting Procedures" for funds in the primary, middle, and high schools. Revisions should have input from principals, who shall be responsible for carrying out the procedures.

Products offered for sale through school programs shall not be considered income producing for the district. Customers shall be charged on the basis of materials used and the incidental costs of providing the product.

END OF POLICY

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### Legal Reference(s):

[ORS 294.305](#) to -294.565

# West Linn-Wilsonville School District 3J

Code: **DID**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DID

## Property Inventories

The district will maintain an inventory of all fixed assets in accordance with governmental accounting standards. The district's inventory will be updated annually to include property newly purchased and disposed.

Fixed assets includes all district-owned property such as land, building, improvements to property other than buildings (i.e. parking lots, athletic fields, playgrounds, etc.) and equipment with a value greater than \$5,000 as defined by the *Program Budget and Accounting Manual*, published by the Oregon Department of Education.

The Board may authorize the employment of an appraisal company to assist with the inventory procedure.

END OF POLICY

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### Legal Reference(s):

[ORS 332.155](#)

OR. DEP'T OF EDUC, PROGRAM BUDGET AND ACCOUNTING MANUAL.

### Cross Reference(s):

DN - Disposal of District Property

# West Linn-Wilsonville School District 3J

Code: **DIE**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DIE

## Audits

An annual examination and publication of the district's financial accounts shall be performed by an independent certified public accountant in accordance with the prescribed standards and legal requirements.

When completed, the audit shall be presented to the Board for review and examination.

The auditor shall be selected by the Board at the organizational meeting.

The superintendent shall be responsible for filing copies of the audit with the proper authorities as required by law.

END OF POLICY

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### Legal Reference(s):

[ORS 294.155](#)

[ORS Chapter 297](#)

[ORS 327.137](#)

[ORS 328.465](#)

[OAR 581-023-0037](#)

# West Linn-Wilsonville School District 3J

Code: **DJ**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DJ

## District Purchasing

The function of district purchasing is to serve the educational program by providing the necessary supplies, equipment and services. Items commonly used in the various schools and their subdivisions will be standardized whenever consistent with educational goals and in the interest of efficiency or economy.

The business manager is appointed by the Board to serve as purchasing agent. He/She will be responsible for developing and administering the district's purchasing program.

No obligation may be incurred by any officer or employee of the Board unless that expenditure has been authorized in the budget or by Board action and/or Board policy. In all cases calling for the expenditure of district money, except payrolls, petty cash purchases, recurring monthly expenses (such as utilities) and certain other electronic or purchase card transactions, a requisition and purchase order system must be used.

The superintendent or designee is authorized to enter into and approve payment on contracts obligating district funds, not to exceed \$150,000, for products, materials, supplies, capital outlay and services that are not within current budget appropriations. The Board shall approve all contracts that are collective bargaining agreements or service contracts that include the provision of labor performed by district employees, such as custodial, food service and transportation services.

The business manager will review bills due and payable for the purchase of supplies and services to determine if they are within budget amounts. After appropriate administrative review, the business manager will direct payment of the just claims against the district. The superintendent and business manager are responsible for the accuracy of all bills and vouchers.

END OF POLICY

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### Legal Reference(s):

[ORS 244.040](#)  
[ORS Chapters 279, 279A, 279B, 279C](#)

[ORS 294.311](#)  
[ORS 328.441 - 328.470](#)

[ORS 332.075](#)  
[OAR 125-055-0040](#)

### Cross Reference(s):

BBA - Board Powers and Duties  
BBFA - Board Member Ethics and Conflicts of Interest  
DJC - Bidding Requirements  
DJG - Vendor Relations



# West Linn-Wilsonville School District 3J

Code: **DJC**  
Readopted: 4/3/23

## Bidding Requirements

The Board is the Local Contract Review Board (LCRB) for the district. All public contracts shall be invited in accordance with applicable competitive procurement provisions of Oregon Revised Statutes and adopted public contracting rules.

The Board, acting as its own LCRB,) adopts<sup>1</sup> the *Oregon Attorney General's Model Public Contract Rules*, Oregon Administrative Rule (OAR) Chapter 137, Divisions 046 through 049 in effect at the time this policy is adopted and subsequent modifications to the Rules.

Should the district use the construction manager/general contractor alternative contracting methodology, the district shall procure the construction manager/general contractor services in accordance with model rules the Attorney General adopts under ORS 279A.065(3).

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

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

The Board recognizes that a public contracting agency that has not established its own rules of procedure as permitted under ORS 279A.065 (5) is subject to the model rules adopted by the Attorney General, including all modifications to the model rules that the Attorney General may adopt.

The Board, acting as the LCRB, may enact a resolution that authorizes the district to designate a public improvement as a community benefit contract per the requirements included in ORS 279C.300 to 279C.470.

Contracts designated as a community benefit contract shall:

- Be estimated to exceed \$2 million dollars; and,
- Be subject to Oregon prevailing wage requirements<sup>2</sup>; and,
- Require the contractor to make “employer-paid, family health insurance” available to workers employed in Apprenticeable Occupations<sup>3</sup> on the project site; and,
- Require the contractor to provide apprenticeship training; and
- Require the contractor to provide a minimum twenty percent apprenticeship utilization for Apprenticeable Occupations on the project site; and,
- Require the contractor to engage in good faith recruitment of minority, women and service-disabled veteran workers for Apprenticeable Occupations on the project.

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

## END OF POLICY

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<sup>1</sup>Public Contracts shall be governed by ORS Chapter 279, 279A, 279B, or 279C. Additionally, the Board may, as provided by ORS 279A.065, adopt the *Oregon Attorney General's Model Public Contract Rules*, OAR Chapter 137 governing purchasing/bid procedures. The Board may also adopt the Oregon Department of Administrative Services rules governing Public Contract Exemptions, OAR Chapter 125. The Board may adopt portions of those rules or adopt its own rules. A Board that has not established its own rules of procedure for public contracts is subject to the model rules (OAR 137) adopted by the Attorney General.

<sup>2</sup>See ORS 279C.800 to 279C.870 for the definition of “prevailing rate of wage” and for prevailing wage requirements.

<sup>3</sup>“Apprenticeable Occupations” is defined in ORS 660.010.

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

[ORS Chapters 279A, 279B and 279C](#)      [OAR Chapter 125](#), Divisions 246-249

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

### **Cross Reference(s):**

DJ - District Purchasing  
DJCA - Personal Services Contracts  
DJG - Vendor Relations

# West Linn-Wilsonville School District 3J

Code: **DJCA**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DJCA

## Personal Services Contracts

The district may enter into personal services contracts with qualified professionals as provided by Oregon Revised Statute (ORS) 279A.055. "Personal services contracts," as used in this policy, means contracts for specialized skills, knowledge and resources in the application of highly technical or scientific expertise or the exercise of professional, artistic or management discretion or judgment. The district may enter into a personal services contract with a current district employee only when the individual meets independent contractor status in accordance with state, Public Employees Retirement System (PERS) and Internal Revenue Service (IRS) requirements.

Selection of a personal services contractor will be based primarily on qualifications and performance history, expertise, knowledge and creativity and the ability to exercise sound professional judgment.

All personal services contracts shall be based on demonstrated qualifications and competence to perform the required services, encourage competition, discourage favoritism and obtain services at a fair and reasonable price.

Contracts for personal services in excess of \$150,000 shall require prior Board approval.

The superintendent will develop administrative regulations as necessary to implement this policy. All contracted services will comply with Board policy GBC - Staff Ethics.

END OF POLICY

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### Legal Reference(s):

[ORS Chapters 279](#)  
[ORS Chapters 279A, 279B and 279C](#)

[ORS 332.107](#)  
[ORS 670.600](#)

[OAR 459-010-0030](#)

INTERNAL REVENUE SERVICE, PUBLICATION 1779: INDEPENDENT CONTRACTOR OR EMPLOYEE.

### Cross Reference(s):

DJC - Bidding Requirements

# West Linn-Wilsonville School District 3J

Code: **DJD**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DJD

## Local Purchasing

It shall be the policy of the Board to purchase locally, provided goods of equal quality and at competitive prices are available from local suppliers.

The district should not feel bound to purchase any item locally that can be secured at a saving to the district from outside sources, nor should the district feel bound to purchase locally if adequate servicing and delivery cannot be given by the local supplier.

END OF POLICY

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### Legal Reference(s):

[ORS Chapters 279A, 279B and 279C](#)      [OAR Chapter 125](#), Divisions 246-249

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

# West Linn-Wilsonville School District 3J

Code: **DJG**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DJG

## Vendor Relations

Sales representatives of companies doing business or wishing to do so with the district shall present their services, materials or equipment the first time they make a call. Appointments should be made by sales people. District personnel involved in purchasing shall not be required to organize their time solely for the convenience of sales personnel.

The district will not purchase supplies or materials from a staff member of the district, or from a member of the household of the staff member. Neither will the district purchase supplies, materials or services from a member of the Board or from a member of his or her household or from a firm in which he or she holds a major interest.

Employees of the district will not endorse products, services or vendors in any way that will imply district endorsement.

Exceptions to this policy must be explicitly approved by the Board.

END OF POLICY

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### Legal Reference(s):

[ORS 244.040](#)  
[ORS Chapters 279A, 279B](#) and [279C](#)  
[ORS 332.107](#)

### Cross Reference(s):

DJ - District Purchasing  
DJC - Bidding Requirements  
GBI - Staff Gifts and Solicitations  
KI - Public Solicitations in the District

# West Linn-Wilsonville School District 3J

Code: **DJGA**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DJGA

## Sales Calls and Demonstrations

The Board forbids canvassing or selling on school premises without prior consent from the Board. Calls by sales representatives who are making contacts concerning possible purchases by a school, are subject to the control of the principal.

Sales representatives are not permitted to call on teachers or other staff members without permission from the building administrator. School administrators may grant permission to sales representatives to contact staff members at times when visitations will not interfere with the educational program.

END OF POLICY

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### Legal Reference(s):

[ORS 244.040](#)  
[ORS Chapters 279A, 279B](#) and [279C](#)  
[ORS 332.107](#)

# West Linn-Wilsonville School District 3J

Code: **DK**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DK

## Payment Procedures

All claims for payment from district funds will be processed by the business manager in conformance with district procedures. Payment will be authorized against invoices properly supported by approved purchase orders, with properly submitted vouchers, or by credit card – to the extent that purchases are preauthorized by the adopted district budget or in accordance with salaries and salary schedules approved by the Board.

All suppliers must render invoices for supplies, equipment or services after delivery to the school. In the case of electronic or credit card purchases, printed receipts at the time of purchase may constitute adequate substantiation.

An invoice to be submitted to the business manager for payment shall include the following:

1. Quantity, description and price of items specified on the purchase order, less any allowed discounts;
2. Signature of the person ordering indicating that the materials were received in satisfactory order or the service completed in an acceptable manner;
3. All extensions and totals have been checked for accuracy.

END OF POLICY

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### Legal Reference(s):

[ORS 294.305 - 294.565](#)  
[ORS 328.460](#)

# West Linn-Wilsonville School District 3J

Code: **DL**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DL

## Payroll Procedures

Preparation of the payroll, including time schedules and payroll periods, will be done in accordance with each employee's collective bargaining agreement/group agreement with the district. Employee health, accident, dental and other types of insurance will be provided as outlined in the agreements. Mandatory payroll deductions will be withheld as required by state and federal law.

No other automatic deductions except those required by law will be made from an employee's pay without authorization of the Board.

The superintendent is authorized to certify payrolls and to issue checks on his/her signature alone in accordance with the duly certified payroll.

The check signer will be under the direction and control of the superintendent and the business manager who will determine the procedures for its use. The business manager will perform the duties of check signing should the superintendent be unavailable.

END OF POLICY

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### Legal Reference(s):

[ORS 243.650](#)(10), (16)  
[ORS 243.666](#)  
[ORS 243.820](#) to -243.830

[ORS 332.505](#)  
[ORS 332.534](#)  
[ORS 652.110](#)

[ORS 652.120](#)  
[ORS 652.610](#)

### Cross Reference(s):

DLB - Salary Deductions



# West Linn-Wilsonville School District 3J

Code: **DLB**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DLB

## Salary Deductions

The Board authorizes, within the following restrictions, salary deductions for tax sheltered annuities, credit unions, union dues, approved charities, and other organizations specified in employee labor agreements.

1. A plan for salary deductions for any organization, company or individual must have advance approval from the business office;
2. Deductions are to be made in equal installments with the number of installments being determined by the number of pay periods in employee's job description;
3. A 30 day notice shall be given to the business office for starting or ending a salary deduction by an individual or as specified in agreements with carriers and within guidelines of federal and state laws;
4. Written approval of salary deductions by the employee is needed except for those federal or state regulated deductions.

END OF POLICY

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### Legal Reference(s):

[ORS 243.650](#)(10), (16)  
[ORS 243.666](#)

[ORS 332.505](#)  
[ORS 652.110](#)

[ORS 652.120](#)  
[ORS 652.610](#)

I.R.C. §403 (2006).  
29 C.F.R. § 541.603 (2004).

### Cross Reference(s):

DL - Payroll Procedures

# West Linn-Wilsonville School District 3J

Code: **DLC**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DLC

## Expense Reimbursements

Expenses by district personnel in carrying out their official duties shall be reimbursed by the district upon the submission of a properly completed requisition and accompanied by supporting bills or receipts as required by the business office. Such expenses may be approved and charged to the proper budget line item.

Mileage will be paid at current established rates as approved by the Board for privately owned vehicles used for official district or school business.

END OF POLICY

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### Legal Reference(s):

[ORS 294.155](#)  
[ORS 332.107](#)

[OAR 581-022](#)-1660

I.R.C. § 162 (2006); Business Expenses, 26 C.F.R. 1.162-1 (2006).  
INTERNAL REVENUE SERVICE, PUBLICATION 463: TRAVEL, ENTERTAINMENT, GIFT AND CAR EXPENSES.

### Cross Reference(s):

BHD - Board Member Compensation and Expense Reimbursement

# West Linn-Wilsonville School District 3J

Code: **DM**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DM

## Cash in District Buildings

Sound and prudent business procedures should guide school employees and students in collecting and handling money. All monies collected should be receipted, accounted for and deposited as provided in policy DIAB in accordance with procedures established by the business manager.

In no case may money be left in classrooms or left overnight, except where a safe is available to provide safe keeping of valuables. Money left in the safe should be no more than \$500. Efforts should be made to make deposits in order to avoid leaving money in a building overnight.

The Board will provide insurance coverage in a reasonable amount to protect against loss of money and checks.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

# West Linn-Wilsonville School District 3J

Code: **DN**  
Adopted: 1/11/16

## Disposal of District Property

The superintendent may dispose of all obsolete, surplus, unwanted and/or excessively damaged equipment and supplies owned by the district in accordance with the following procedures:

1. The Board will pass a resolution declaring the property surplus;
2. Items estimated by the business manager to have a value of less than \$500 may be sold by the business manager at prices estimated to be the market values of the items. All sales by the business manager will be recorded by item, price and buyer;
3. Property or materials estimated by the business manager to be greater than \$500 may be declared surplus and may be sold by the business manager through a bidding procedure. If public sales fail to produce any interested buyers or bidders, remaining unsold materials may then, at the superintendent's discretion, be disposed of as scrap or junk or be donated to appropriate charitable or educational agencies.

If the district property was purchased with state, federal or private grant funds disposal of the property shall be made as outlined in the grant or by state or federal regulations.

END OF POLICY

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### Legal Reference(s):

[ORS 279B.055](#)  
[ORS Chapters 279A, 279B](#) and [279C](#)  
[ORS 332.155](#)

EDUCATION, TITLE 34 C.F.R. PART 80 § 80.32(e)

### Cross Reference(s):

DID - Property Inventories

# West Linn-Wilsonville School District 3J

Code: **DNA**  
Adopted: 12/04/06  
Readopted: 1/11/16  
Orig. Code(s): DNA

## Disposal of Outdated Instructional Materials

All materials should be examined at least once a year to identify those which need to be discarded. Textbooks will be kept for one additional adoption period (twelve years total) and discarded at the end of that time under the direction of the principal.

Instructional materials having the following characteristics should be permanently discarded:

1. Poor physical condition (i.e., yellow pages, brittle, scratched, torn or otherwise marred for use;
2. Outdated format (i.e., fine print, unattractive visuals);
3. Obsolete and/or inaccurate material;
4. Inappropriate treatment of the subject when considered in relation to the needs of the users;
5. Mediocre or poor quality presentation of content (i.e., consider literacy, audio and visual qualities).

Materials which are to be discarded should be:

1. Stamped "DISCARD" on the inside cover and/or other obvious places. Each building teacher librarian has been furnished with a stamp which is to be used for this purpose.
2. Discarded materials should be sent to the district library office the week following summer dismissal.
3. They may be given to students or organizations interested in acquiring these materials for educational use. There shall be no cost to the district with organizations being required to pick up these materials and transport them at their own expense. Instructional materials include all types of book and audio-visual materials, i.e., library books, textbooks, filmstrips, recordings, transparencies, etc.

END OF POLICY

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### Legal Reference(s):

[ORS 279B.055](#)  
[ORS Chapters 279A, 279B](#) and [279C](#)  
[ORS 332.155](#)

EDUCATION, TITLE 34 C.F.R. PART 80 § 80.32(e)

# West Linn-Wilsonville School District 3J

Code: **EB**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EB

## Safety Program

Safe buildings, grounds, and equipment will be maintained in order to prevent accidents or injury to students, employees and other citizens from fire, natural disasters, mechanical and electrical malfunction and other hazards.

Buildings will be planned, constructed, equipped and maintained in accordance with appropriate local, state and federal safety regulations.

Buildings will be provided with fire alarms, fire extinguishers and other safety devices required by state and federal laws and regulations.

The superintendent will develop and implement a safety program which will include but not be limited to compliance with and enforcement of all state and federal laws, rules and regulations.

END OF POLICY

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### Legal Reference(s):

[ORS 329.095](#)  
[ORS 654.003 to-654.022](#)

[OAR 437-001-0760](#)  
[OAR 437-002-0020 to-0081](#)  
[OAR 437-002-0100](#)

[OAR 437-002-0140](#)  
[OAR 437-002-0144](#)  
[OAR 437-002-0145](#)  
[OAR 437-002-0180 to-0182](#)  
[OAR 437-002-0260 to-0268](#)  
[OAR 437-002-0360](#)

[OAR 437-002-0368](#)  
[OAR 437-002-0377](#)  
[OAR 437-002-0390](#)  
[OAR 437-002-0391](#)  
[OAR 581-022-0606](#)  
[OAR 581-022-1420](#)

Fazzolari v. Portland Sch. Dist. No. 1J, 303 Or. 1 (1987).

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2006); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2006).

### Cross Reference(s):

EBA - Buildings and Grounds Inspection  
EBAC - Safety Committee  
EBB - Integrated Pest Management  
GBE - Staff Health and Safety  
JHF - Student Safety

# West Linn-Wilsonville School District 3J

Code: **EBA**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EBA

## Buildings and Grounds Inspection

The director of operations shall be responsible for the safe conditions for the district's buildings and grounds. Any situation that presents a hazard to the safety of students, staff and the public should receive prompt attention and correction. Any serious conditions that cannot be corrected because of budgetary limitations should receive the attention of the superintendent and the Board.

The superintendent should provide for regular inspection of the buildings and grounds of the district and be continuously informed as to the status of district property, so that recommendations can be made and implemented by the Board for any necessary changes for improved safety.

END OF POLICY

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### Legal Reference(s):

[OAR 437-001-0760](#)  
[OAR 437-002-0020 to -0081](#)  
[OAR 437-002-0140](#)  
[OAR 437-002-0144](#)  
[OAR 437-002-0145](#)

[OAR 437-002-0360](#)  
[OAR 437-002-0368](#)  
[OAR 437-002-0377](#)  
[OAR 437-002-0390](#)

[OAR 437-002-0391](#)  
[OAR 581-022-0705](#)  
[OAR 581-022-1420](#)  
[OAR 581-022-1530](#)

Fazzolari v. Portland Sch. Dist. No. 1J, 303 Or. 1 (1987).

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2006); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2006).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

Americans with Disabilities Act Amendments Act of 2008.

### Cross Reference(s):

EBAC - Safety Committee  
ECB - Buildings and Grounds Maintenance  
GBE - Staff Health and Safety  
JHF - Student Safety

# West Linn-Wilsonville School District 3J

Code: **EBAA**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EBAA

## Reporting of Hazards

All staff are responsible for promptly reporting any hazard that they are unable to correct. A report should be sent to the administrator in charge of the building and grounds. In case of an emergency, the maintenance supervisor should be contacted immediately.

Should a hazard not be corrected immediately, employees and the building administrator should take any necessary precautions to assure the protection of individuals and property. The director of operations shall be responsible for the resolution of any serious or hazardous conditions. The superintendent and Board should be informed of any problem that is beyond resolution by the director of operations.

END OF POLICY

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### Legal Reference(s):

[OAR 437-001-0760](#)  
[OAR 437-002-0080 to -0081](#)  
[OAR 437-002-0100](#)  
[OAR 437-002-0120 to -0139](#)  
[OAR 437-002-0140](#)

[OAR 437-002-0144](#)  
[OAR 437-002-0145](#)  
[OAR 437-002-0180 to -0182](#)  
[OAR 437-002-0360](#)  
[OAR 437-002-0368](#)

[OAR 437-002-0377](#)  
[OAR 437-002-0390](#)  
[OAR 437-002-0391](#)  
[OAR 581-022-1420](#)  
[OAR 581-022-1530](#)

Fazzolari v. Portland Sch. Dist. No. 1J, 303 Or. 1 (1987).

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2006); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2006).

Occupational Safety and Health Standards, Hazard Communication, 29 C.F.R. § 1910.1200 (2006).

### Cross Reference(s):

GBE - Staff Health and Safety



# West Linn-Wilsonville School District 3J

Code: **EBAC**  
Adopted: 1/11/16

## Safety Committee

A centralized safety committee shall be established to implement the district's safety program as part of an ongoing effort to help ensure the safety of students, staff and others while on district property.

The director of operations will coordinate the district's safety committee efforts and maintain all necessary records.

The superintendent will develop administrative regulations as may be necessary to implement this policy and meet the applicable Oregon Occupational Safety and Health Division requirements.

END OF POLICY

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### Legal Reference(s):

[ORS 654.176](#)

[ORS 654.182](#)

[OAR 437-001](#)-0765

### Cross Reference(s):

EB - Safety Program

EBA - Buildings and Grounds Inspection

GBE - Staff Health and Safety

# West Linn-Wilsonville School District 3J

Code: **EBB**  
Adopted: 3/05/12  
Readopted: 1/11/16  
Orig. Code(s): EBB

## Integrated Pest Management

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

The IPM plan is a proactive strategy that:

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

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<sup>1</sup>See Model Integrated Pest Management Plan for Oregon Schools at  
[http://www.ipmnet.org/tim/IPM\\_in\\_Schools/Model\\_School\\_IPM\\_Plan\\_Main\\_Page.html](http://www.ipmnet.org/tim/IPM_in_Schools/Model_School_IPM_Plan_Main_Page.html)

9. Includes school staff education about sanitation, monitoring, inspection and pest control measures;
10. Gives preference to the use of nonchemical pest control measures;
11. Allows the use of low-impact pesticides if nonchemical pest control measures are ineffective; and
12. Allows the application of a pesticide that is not a low-impact pesticide only to mitigate a declared pest emergency or if the application is by, or at the direction or order of a public health official.

The district shall designate the Facilities Manager as the Integrated Pest Management Plan Coordinator give them the authority for overall implementation and evaluation of the IPM plan.

### **Integrated Pest Management Plan Coordinator**

The IPM Plan Coordinators shall:

1. Attend not less than six hours of IPM training each year. The training shall include at least a general review of integrated pest management principles and the requirements of IPM as required by Oregon statute;
2. Ensure appropriate prior notices are given and posted warnings have been placed when pesticide applications are scheduled;
3. Oversee pest prevention efforts;
4. Ensuring identification and evaluation of pest situation;
5. Determine the means of appropriately managing pest damage that will cause the least possible hazard to people, property and the environment;
6. Ensure the proper use and application of pesticide applications when non-pesticide controls have been unsuccessful;
7. Evaluate pest management results; and
8. Keep for at least four years following the application date, records of applied pesticides that include:
  - a. A copy of the label;
  - b. A copy of the Safety Data Sheet (SDS);
  - c. The brand name and USEPA registration number of the product;
  - d. The approximate amount and concentration of pesticide applied;
  - e. The location of where the pesticide was applied;
  - f. The type of application and whether the application was effective;
  - g. The name(s) of the person(s) applying the pesticide;
  - h. The pesticide applicator's license numbers and pesticide trainee or certificate numbers of the person applying the pesticide;
  - i. The dates and times for the placement and removal of warning signs; and

- j. Copies of all required notices given, including the dates the IPM Coordinator gave the notices.
- 9. Respond to inquiries about the IPM plan and refer complaints to Facilities Manager.
- 10. Conduct outreach to district staff about the district's IPM plan.

END OF POLICY

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**Legal Reference(s):**

[ORS 634.116](#)  
[ORS 634.700 to-750](#)

**Cross Reference(s):**

EB - Safety Program  
EBA - Buildings and Grounds Inspection  
GBE - Staff Health and Safety

# West Linn-Wilsonville School District 3J

Code: **EBBA**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EBBA

## First Aid\*\*

The district nurse, a member of the building Emergency Response Team or another trained person, if onsite, shall be available for providing emergency services in case of injury or sudden illness to a student or to a staff member. At each school procedures shall be developed for the proper handling of such emergencies.

These procedures should be posted and shall include:

1. The school nurse, if on site, or another trained person shall be responsible for administering first aid;
2. In all cases where the nature of an illness or an injury appears in any way serious, every effort will be made to contact the parents immediately;
3. No student, who is ill or injured, shall be sent home alone without contacting the parent first;
4. In extreme emergencies, the principal, a member of the Emergency Response Team, or the school nurse, if on site, may make arrangements for immediate hospitalization of injured or ill pupils, contacting parents or guardians in advance if at all possible;
5. Any district employee who has witnessed an accident shall inform the office of the circumstances and fill out an accident report;
6. Each school shall have a Emergency Response Team consisting of a minimum of six people who are trained in CPR, First Aid, diabetic and allergic emergencies;
7. If a nonemergency situation occurs where further medical direction is needed by staff during school hours, the school nurse should be contacted.

END OF POLICY

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### Legal Reference(s):

[ORS 30.800](#)

[OAR 437-002-0120 to -0139](#)

[OAR 437-002-0161](#)

[OAR 437-002-0360](#)

[OAR 437-002-0377](#)

[OAR 581-022-0705](#)

[OAR 581-022-1420](#)

[OAR 581-022-1440](#)

[OAR 581-053-0003\(37\)](#)

[OAR 581-053-0220\(3\)\(B\)\(iii\)](#)

[OAR 581-053-0320\(5\)\(b\)](#)

[OAR 581-053-0420\(2\)\(f\)\(B\)](#)

### Cross Reference(s):

GB - General Personnel Policies

GBE - Staff Health and Safety

First Aid\*\* - EBBA

# West Linn-Wilsonville School District 3J

Code: **EBBB**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EBBB

## Injury/Illness Reports

### Student

All injuries and accidents to students occurring during school hours or at a school activity shall be reported by the employee in charge to the office so that an accident report may be completed. The report must include the name of the child, grade, description of accident/injury, first aid given, whether parents were called, the date and time and the address of the parents. A copy of the report shall be sent to the principal and the child's parents.

### Employee

All injuries/illnesses, sustained by any employee while in the performance of the duty of the employee, occurring on district premises, in district vehicles, at a district-sponsored activity or involving staff members who may be elsewhere on district business will be reported immediately to a supervisor. A written report will be submitted within 24 hours to the human resources department. Reports will cover property damage as well as personal injury.

In the event of a work-related<sup>1</sup> illness or injury to an employee resulting in overnight hospitalization for medical treatment<sup>2</sup> other than first aid, the safety officer shall inform the Oregon Occupational Safety and Health Division (OR-OSHA). A report will be made within 24 hours after notification to the district of an illness or injury. Fatalities or catastrophes<sup>3</sup> shall be reported within eight hours.

All injuries/illnesses sustained by any employee while in the performance of the duty of the employee will be promptly investigated. As a result of the investigation any corrective measures needed will be acted upon.

Monthly records will be maintained. An analysis of the data and trends will be made at least annually.

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<sup>1</sup>An injury or illness is work related if an event or exposure in the work environment caused or contributed to the condition or significantly aggravated a preexisting condition.

<sup>2</sup>Medical treatment includes managing or caring for a patient for the purpose of combatting disease or disorder. The following are not considered medical treatment: visits to a doctor or health-care professional solely for observation or counseling; diagnostic procedures including administering prescription medications used solely for diagnostic purposes; and any procedure that can be labeled first aid.

<sup>3</sup>A catastrophe is an accident in which two or more employees are fatally injured, or three or more employees are admitted to a hospital or an equivalent medical facility.

The Board will receive reports on serious injuries/illnesses, including accidents involving district property or employees, students or visiting publics, and periodic statistical reports on the number and types of injuries/illnesses occurring in the district, as well as on the measures being taken to prevent such injuries/illnesses in the future.

END OF POLICY

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**Legal Reference(s):**

[ORS 339.309](#)

[OAR 437-001-0015](#)

[OAR 437-001-0700](#)

[OAR 437-001-0760](#)

[OAR 581-022-1420](#)

**Cross Reference(s):**

GBE - Staff Health and Safety

# West Linn-Wilsonville School District 3J

Code: EBC/EBCA  
Adopted: 10-8-2018

## District Emergency Operations Plan

The Superintendent will develop, implement and maintain a plan specifying procedures to be used in such emergencies as disorderly conduct, unlawful assembly, disturbances at school activities, natural disasters, fire, illness or injury of a student or staff member, and safety threats on district property. The Superintendent will consult with experts and the appropriate entities while developing this plan.

The District Emergency Operations Plan will meet the standards of the State Board of Education.

Copies of the District Emergency Operations Plan will be available in every school office and other strategic locations throughout the district. Parents will be informed of the district's plan for the care of students during an emergency situation. The Board may use Oregon Revised Statute (ORS) 192.660(2)(k) to conduct an executive session to consider matters related to school safety or a plan that responds to safety threats made toward a school in the district.

The Superintendent will develop a process that ensures the effective development and implementation of the District Emergency Operations Plan.

END OF POLICY

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### Legal Reference(s):

[ORS 192.660\(2\)\(k\)](#)  
[ORS 332.107](#)

[OAR 437-002-0161](#)

[OAR 581-022-2030\(3\)\(c\)](#)  
[OAR 581-022-2225](#)



# West Linn-Wilsonville School District 3J

Code: **EBCB**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EBCB

## **Emergency Drills and Instruction**

Each building administrator will conduct emergency drills in accordance with the provisions of the Oregon Revised Statutes.

All schools are required to instruct and drill students on emergency procedures so that students may respond to an emergency without confusion and panic. The emergency procedures shall include drills and instruction concerning fires, earthquakes and safety threats.

Instruction on fires, earthquakes and safety threats and drills for students, shall be conducted for at least 30 minutes each school month.

### **Fire Emergencies**

The district will conduct monthly fire drills in each school. At least one fire drill will be held within the first 10 days of the school year. At least two drills on earthquakes and two drills on safety threats shall be conducted each year. Drills and instruction on fire emergencies shall include routes and methods of exiting the school building.

### **Earthquake Emergencies**

Drills and instruction for earthquake emergencies shall include the earthquake emergency response procedure of “drop, cover and hold on” during the earthquake. When based on the evaluation of specific engineering and structural issues related to a building, the district may include additional response procedures for earthquake emergencies.

### **Safety Threats**

Drills and instruction on safety threats shall include procedures related to lockdown, lockout, shelter in place, evacuation and other appropriate actions to take when there is a threat to safety.

The Board may use ORS 192.660(2)(k) to conduct an executive session to consider matters related to school safety or a plan that responds to safety threats made toward a school in the district.

Local units of government and state agencies associated with emergency procedures training and planning shall review the emergency procedures and assist the district with the instruction and the conducting of drills for students in these emergency procedures.

END OF POLICY

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**Legal Reference(s):**

[ORS 192.660\(2\)\(k\)](#)

[ORS 336.071](#)

[ORS 476.030\(1\)](#)

[OAR 581-022-1420](#)

OREGON STATE FIRE MARSHAL, OREGON FIRE CODE (2014).

**Cross Reference(s):**

GBE - Staff Health and Safety

# West Linn-Wilsonville School District 3J

Code: **ECAA**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): ECAA

## Access to Buildings

Buildings secured for the night may be entered only by the members of the central staff, the administrator of such facility, the supervisor of maintenance and such personnel as each of these may authorize for a specific date, time, or purpose.

An adequate key system shall be established and maintained which will limit access to buildings to only authorized personnel. The supervisor of maintenance shall be responsible for the control and issuance of building keys.

END OF POLICY

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### Legal Reference(s):

[ORS 164.205 - 164.270](#)

[ORS 332.107](#)

[ORS 332.172](#)

# West Linn-Wilsonville School District 3J

Code: **ECAC**  
Adopted: 6/12/17

## Video Monitoring

The Board authorizes the use of video cameras on district property to support the health, welfare and safety of all staff, students and visitors to district property, and to safeguard district facilities and equipment. Video cameras may be used in locations as deemed appropriate by the superintendent or designee.

The district shall notify staff and students that video monitoring may occur on district property and transportation vehicles.

END OF POLICY

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### Legal Reference(s):

[ORS 30.864](#)  
[ORS 192.420 - 192.505](#)  
[ORS 326.565](#)  
[ORS 326.575](#)

[ORS 332.105](#)  
[ORS 332.107](#)  
[ORS 336.187](#)  
[ORS 342.850](#)

[OAR 581-021-0210 to -0440](#)  
[OAR 581-022-1660](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).

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

In the matter of A.O., A Minor (March 28, 1988) (Superintendent of Public Instruction Ruling).

# West Linn-Wilsonville School District 3J

Code: **ECB**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): ECB

## Buildings and Grounds Maintenance

The operation of the school plants involves all activities necessary to keep the physical plant open and ready for use, while maintenance refers to the regular upkeep, repair or replacement of any part of the facility.

The principal of each building and the director of operations must work closely and cooperatively together to maintain a high level in the operation and maintenance programs so that the instructional program can operate at a high level. It shall be the principal's responsibility to make recommendations regarding employment, assignment, transfer or dismissal of custodians in his/her building. The principal shall also make periodic inspections of his building and grounds with his building committee and shall make requests for needed repairs and desirable improvements through proper channels to the director of operations.

Teachers should always be aware of any situation in the classroom that can affect learning. Classrooms should be clean, orderly and attractive, and the furniture and equipment should fit the needs of the students. Problems in the classroom should be properly reported to the principal for resolution.

END OF POLICY

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### Legal Reference(s):

[ORS 332.172](#)

[OAR 437-001-0760](#)

[OAR 437-002-0020 to -0081](#)

[OAR 437-002-0140](#)

[OAR 437-002-0144](#)

[OAR 437-002-0145](#)

[OAR 437-002-0180 to -0182](#)

[OAR 437-002-0360](#)

[OAR 437-002-0368](#)

[OAR 437-002-0377](#)

[OAR 581-022-1530](#)

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2006); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2006).

### Cross Reference(s):

EBA - Buildings and Grounds Inspection

# West Linn-Wilsonville School District 3J

Code: **ECD**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): ECD

## Traffic and Parking Controls

The director of operations shall authorize parking areas and post notices on district property designated for staff, student, visitor parking and parking for persons with disabilities and other classifications of parking areas as may be necessary. The principal is authorized to establish and enforce regulations and procedures for the parking and movement of all vehicles on properties which the Board has provided and designated for those purposes. Traffic and parking regulations set forth in the West Linn City, Clackamas County and City of Wilsonville ordinances are applicable and shall be enforced on all district properties.

END OF POLICY

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### Legal Reference(s):

[ORS 332.172](#)  
[ORS 332.445](#)  
[ORS 447.233](#)

[OAR 581-022](#)-1610

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).  
Americans with Disabilities Act Amendments Act of 2008.

### Cross Reference(s):

KGB - Public Conduct on District Property

# West Linn-Wilsonville School District 3J

Code: **EDC/KGF**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EDC

## Authorized Use of District-Owned Materials

District property may be used by outside entities for any purpose authorized by the Board, so long as it does not interfere with its use by the district schools. Appropriate fees for the use of district property will be assessed. The use of district property for activities unrelated to school, civic, community or educational purposes will be discouraged.

The Board will permit district equipment to be loaned to staff members when such use is directly or peripherally related to their employment, and to students when the equipment is required in their studies or extracurricular activities. Proper regulations should be established to insure the borrower's responsibility for, and return of, all such equipment. Use of district equipment by staff shall be consistent with the Oregon Ethics Laws.

END OF POLICY

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### Legal Reference(s):

[ORS Chapter 244](#)  
[ORS 332.107](#)

[OAR 584-020-0040](#)

OREGON GOVERNMENT ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS (2008).

### Cross Reference(s):

KG - Use of District Facilities  
KGF/EDC - Authorized Use of District-Owned Materials

# West Linn-Wilsonville School District 3J

Code: **EEA**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EEA

## Student Transportation Services

School transportation services will be provided for students to and from school and for transporting students to and from curricular and extracurricular activities sponsored by the district, transporting from one school or facility to another, school-sponsored field trips that are extensions of classroom learning experiences. Transportation will be provided for homeless students to and from the student's school of origin<sup>1</sup> as required by the No Child Left Behind Act of 2001 (NCLBA). These services shall be provided throughout the regularly scheduled year and during the regular school day as determined by the Superintendent.

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

Miles from school will be determined by the director of operations in accordance with Oregon Administrative Rule (OAR) 581-023-0040 (1)(c).

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

The district may also provide transportation using federal funds<sup>2</sup> or through cooperative agreements with local victims assistance units for a student to attend a safe district school<sup>3</sup> out of the student's attendance area for any student who is a victim of a violent criminal offense occurring in or on the grounds of the school the student attends or the student attends a school identified as persistently dangerous.

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

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

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

<sup>2</sup>Federal funds means funds available through Title IV, Part A, and Title V, Part A.

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



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

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

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

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

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

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

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

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

END OF POLICY

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

**Legal Reference(s):**

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

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

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

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

**Cross Reference(s):**

EEAB - School Bus Scheduling and Routing

EEAC - School Bus Safety Program

EEACC - Student Conduct on School Buses

# West Linn-Wilsonville School District 3J

Code: **EEAB**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EEAB

## School Bus Scheduling and Routing

It shall be the responsibility of the director of operations, in consultation with the transportation contractor, to make an annual study of bus routes in each local area to make a determination of the safest, shortest and most economical way to get students to and from school. Routes should be so arranged as to equalize the length and times of routes and bus loads. Bus routes should not overlap unless absolutely necessary; and only one bus should cover a road unless overloading occurs.

Students shall not be put off the bus until the student or the bus has reached its destination.

END OF POLICY

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### Legal Reference(s):

[ORS 332.405](#)

[OAR 581-023-0040](#)

[OAR 581-053-0004](#)

[OAR 581-053-0031](#)

### Cross Reference(s):

EEA - Student Transportation Services

# West Linn-Wilsonville School District 3J

Code: **EEAC**  
Adopted: 9/10/12  
Readopted: 1/11/16  
Orig. Code(s): EEAC

## School Bus Safety Program

The district will ensure instruction for all students in school bus safety and emergency evacuation procedures is provided. Drivers shall assist in the instruction. Students who are regularly transported by the district shall receive the following instruction within the first six weeks of each half of the school year:

1. Safe school bus riding procedures, including but not limited to loading, unloading, crossing, etc;
2. Use of emergency exits; and
3. Planned and orderly evacuation of the school bus in case of emergency, including participation in actual evacuation drills.

Students who are not regularly transported by the district will be given the following instruction at least once in the first half of each school year.

1. Safe school bus riding procedures; and
2. Use of emergency exits.

The district will document and maintain records of the content and dates of instruction.

Buses will not exceed vehicle design capacity for seating at any time unless an unforeseen or unusual circumstance arises. Passengers will be provided a seat that fully supports them. A seat that fully supports each person and meets the minimum standards and specifications of law will be provided at all times. A person who weighs 40 pounds or less must be properly secured with a child safety system that meets the minimum standards and specifications established by the Department of Transportation under Oregon Revised Statute (ORS) 815.055. A person over 40 pounds or who has reached the upper weight limit for the forward-facing car seat must use a booster seat until four feet nine inches or age eight and the adult belt properly fits.<sup>1</sup> A person who is taller than four feet nine inches or eight years of age or older must be properly secured with a safety belt or harness that meets the requirements under ORS 815.055. In accordance with ORS 811.210 and 811.215 vehicles used for student transportation in excess of 10,000 pounds are exempt from this requirement unless they have been equipped with lap belts. Vehicles in excess of 10,000 pounds that have been equipped with lap belts must meet child car seat requirements as set forth in law.

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<sup>1</sup>“Proper fit” means the lap belt of the safety belt or safety harness is positioned low across the thighs and the shoulder belt is positioned over the collarbone and away from the neck.

During adverse weather conditions, the district may alter bus schedules or temporarily suspend bus services. The district will advise local radio stations and other media of any changes in bus schedules or services.

In the case of an emergency or disaster, evacuation of students will be carried out according to the district's emergency plan.

An accident review board will study accidents involving district buses and will make recommendations to avoid similar accidents.

END OF POLICY

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**Legal Reference(s):**

|   |   |   |
|---|---|---|
| <a href="#"><u>ORS 811.210</u></a>              | <a href="#"><u>OAR 581-053-0004</u></a> | <a href="#"><u>OAR 581-053-0410</u></a> |
| <a href="#"><u>ORS 811.215</u></a>              | <a href="#"><u>OAR 581-053-0010</u></a> | <a href="#"><u>OAR 581-053-0420</u></a> |
| <a href="#"><u>ORS 815.055</u></a>              | <a href="#"><u>OAR 581-053-0021</u></a> | <a href="#"><u>OAR 581-053-0430</u></a> |
| <a href="#"><u>ORS 815.080</u></a>              | <a href="#"><u>OAR 581-053-0031</u></a> | <a href="#"><u>OAR 581-053-0440</u></a> |
| <a href="#"><u>ORS 820.100 to-820.190</u></a>   | <a href="#"><u>OAR 581-053-0210</u></a> | <a href="#"><u>OAR 581-053-0445</u></a> |
|   | <a href="#"><u>OAR 581-053-0240</u></a> | <a href="#"><u>OAR 581-053-0510</u></a> |
| <a href="#"><u>OAR 437-002-0220 to-0227</u></a> | <a href="#"><u>OAR 581-053-0310</u></a> | <a href="#"><u>OAR 581-053-0520</u></a> |
| <a href="#"><u>OAR 581-022-1420</u></a>         | <a href="#"><u>OAR 581-053-0320</u></a> | <a href="#"><u>OAR 581-053-0530</u></a> |
| <a href="#"><u>OAR 581-053-0002</u></a>         | <a href="#"><u>OAR 581-053-0330</u></a> | <a href="#"><u>OAR 735-102-0010</u></a> |
| <a href="#"><u>OAR 581-053-0003</u></a>         | <a href="#"><u>OAR 581-053-0340</u></a> |   |

**Cross Reference(s):**

EEA - Student Transportation Services

## **Student Conduct on School Buses**

The following regulations will govern student conduct on school buses and Type 10 School Activity Vehicles if used for transporting students from home to school, school to home and to and from district-sponsored activities and will be posted in a conspicuous place in all buses:

1. Students being transported are under authority of the bus driver;
2. Fighting, wrestling or boisterous activity is prohibited on the bus;
3. Students will use the emergency door only in case of emergency;
4. Students will be on time for the bus, both morning and evening;
5. Students will not bring firearms, weapons or other potentially hazardous material on the bus;
6. Students will not bring animals, except approved assistance guide animals, on the bus;
7. Students will remain seated while bus is in motion;
8. Students may be assigned seats by the bus driver;
9. When necessary to cross the road, students will cross in front of the bus or as instructed by the bus driver;
10. Students will not extend their hands, arms or heads through bus windows;
11. Students will have written permission to leave the bus other than for home or school;
12. Students will converse in normal tones; loud or vulgar language is prohibited;
13. Students will not open or close windows without permission of the driver;
14. Students will keep the bus clean and must refrain from damaging it;
15. Students will be courteous to the driver, fellow students and passersby;
16. Students who refuse to promptly obey the directions of the driver or refuse to obey regulations may forfeit their privilege to ride on the buses.

Board Policy JFCF “Hazing, Harassment, Intimidation, Bullying, Cyberbullying, Teen Dating Violence and Domestic Violence – Student” is fully applicable to students’ conduct when riding the school bus between school and home and to-and-from district-sponsored activities.”

The superintendent will establish other regulations as necessary for the safe conduct of students riding district school buses or other forms of district transportation and for disciplinary procedures. Such regulations will be available to all parents and students and posted in each school bus or other district vehicle.

Students who violate bus rules of conduct may be denied the use of district transportation.

END OF POLICY

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**Legal Reference(s):**

[ORS 339.240](#)  
[ORS 339.250](#)  
[ORS 820.100 - 820.190](#)

[OAR 581-021-0050 to- 0075](#)  
[OAR 581-023-0040](#)  
[OAR 581-053-0002](#)  
[OAR 581-053-0003](#)

[OAR 581-053-0004](#)  
[OAR 581-053-0010](#)  
[OAR 581-053-0210](#)

Letter Opinion, Office of the OR Attorney General (Nov. 22, 1988).

**Cross Reference(s):**

EEA - Student Transportation Services

# West Linn-Wilsonville School District 3J

Code: **EEACCA**  
Adopted: 3/02/15  
Readopted: 1/11/16  
Orig. Code(s): EEACCA

## **Video Cameras on Transportation Vehicles**

The Board recognizes the district's continuing responsibility to maintain and improve discipline, and ensure the health, welfare and safety of its staff and students on school transportation vehicles.

The Board, after having carefully weighed and balanced the rights of privacy of students and staff with the district's duty to ensure discipline, health, welfare and safety of staff and students on school transportation vehicles, supports the use of video cameras on its transportation vehicles.

Video cameras may be used to monitor student behavior on school transportation vehicles transporting students to and from curricular and extracurricular activities.

Such equipment may also be used to monitor the performance of district employees, agents and contractors in the fulfillment of their duties on school transportation vehicles transporting students to and from curricular and extracurricular activities.

Students in violation of district conduct rules shall be subject to disciplinary action in accordance with established Board policy and administrative regulations governing student conduct and discipline.

Staff shall be subject to established Board personnel policies, administrative regulations and collective bargaining agreements including provisions related to evaluation, discipline and dismissal.

Video recordings, depending on how they are used in student disciplinary proceedings, may become a part of a student's education record. In such cases, the district shall comply with all applicable state and federal laws related to education records. Such records will also be subject to established district procedures regarding education records including access, review and release of such records.

The superintendent or designee shall develop procedures for the notification of staff, students, parents and others as necessary of the use of video cameras on school transportation vehicles and such other procedures as may be required for the implementation of this policy.

END OF POLICY

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**Legal Reference(s):**

[ORS 30](#).864

[ORS 192](#).420 - 192.505

[ORS 326](#).565

[ORS 326](#).575

[ORS 336](#).187

[ORS 342](#).850

[OAR 581-021](#)-0210 to- 0440

[OAR 581-022](#)-1660

[OAR 581-053](#)-0240(82)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).

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

In the matter of A.O., A Minor (March 28, 1988) (Superintendent of Public Instruction Ruling).

**Cross Reference(s):**

JO/IGBAB - Education Records/Records of Students with Disabilities

# West Linn-Wilsonville School District 3J

Code: **EEAE**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EEAE

## Student Transportation in Private Vehicles

All athletic teams and other school groups traveling for any reason will travel by district contracted services or by other district vehicles unless approval has been granted by the principal to travel otherwise. Exceptional cases will be determined by review of number traveling, relative costs, safety factors, adequate insurance coverage, distance and responsibility of drivers.

Occasions may arise where certain staff members may need to transport students in their own automobiles. However, this shall only be done by expressed approval of the administrator in charge, with verification of adequate insurance coverage.

END OF POLICY

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### Legal Reference(s):

[ORS 801.455](#)  
[ORS 811.210](#)

[ORS 815.055](#)  
[ORS 815.080](#)

[OAR 735-102-0010](#)

### Cross Reference(s):

IICA - Extended Field Trips

# West Linn-Wilsonville School District 3J

Code: **EEAF**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EEAF

## Student Transportation Insurance

Any bus company serving the district shall be required by the Board to maintain, at all times, adequate insurance which covers all the operations pertaining to transportation of pupils, authorized persons and school personnel. The director of operations shall request the bus company to file with the Board, certificates of insurance attesting to such coverage.

END OF POLICY

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### Legal Reference(s):

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

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

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

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

# West Linn-Wilsonville School District 3J

Code: **EFA**  
Adopted: 2/02/15  
Readopted: 1/11/16  
Orig. Code(s): EFA

## **Local Wellness Program**

The Board recognizes the importance of a comprehensive Wellness Program to support each student in becoming a self-directed person who pursues a healthy lifestyle. The Wellness Program will create the conditions for students to learn to:

1. Pursue physical, emotional and mental health.
2. Make responsible personal choices that contribute to ongoing self-development, a healthy lifestyle and a positive future.
3. Demonstrate self-control across a wide range of situations.

The components of the district comprehensive Wellness Program are:

1. Healthy Environment;
2. Health Education;
3. Nutrition/Food Service Program;
4. Physical Education;
5. Character Education;
6. Guidance and Counseling;
7. School Health Services Program;
8. Family and Community Involvement.

Objectives and goals of the district comprehensive Wellness Program are: Healthy Environment

The district will provide a school and classroom environment conducive to learning. A healthy learning environment addresses factors directly related to the well-being of students and staff, including:

1. Safe and efficient physical surroundings;
2. Aesthetics (e.g. temperature, noise, lighting, etc.);
3. Supportive climate and culture.

## **Health Education**

The district will provide a well-planned K-12 Health Education Program to include age appropriate instruction in these areas defined by the Oregon Department of Education:

1. Alcohol, Tobacco and Other Drug Prevention;
2. Prevention and Control of Disease;
3. Promotion of Environmental Health;
4. Promotion of Healthy Eating;
5. Promotion of Mental, Social and Emotional Health;
6. Promotion of Physical Activity;
7. Promotion of Sexual Health;
8. Unintentional Injury Prevention;
9. Violence and Suicide Prevention.

The district will recognize and grant credit to students who demonstrate a level of knowledge meeting or exceeding district academic standards as allowed by Board policy (IKH - Proficiency Based Credit).

## **Nutrition/Food Service Program**

The district will provide a Nutrition and Food Service Program that promotes a proactive role in encouraging students to make nutritious food choices. Foods and beverages served at district schools should be nutritious and delicious and shall meet the minimum state and federal standards. Exceptions to this requirement include items that are part of the USDA National School Lunch Program or School Breakfast Program. Other exceptions are foods and beverages provided in the following instances:

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

The superintendent or designee shall develop administrative regulations to implement nutritional guidelines and shall ensure that nutritious foods are available as an affordable option whenever food is sold or served in schools

## **Reimbursable School Meals**

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

## **Physical Education**

The district will provide a well-planned K-12 Physical Education Program to include age appropriate instruction in three major areas:

1. Expressive and efficient moving;
2. Fitness for lifetime;
3. Self-Management and social behavior.

The district will recognize and grant credit to students who demonstrate a level of knowledge and fitness meeting or exceeding district academic standards as allowed by Board policy (IKH – Proficiency Based Credit).

## **Character Education**

The district recognizes that character education is the pathway to academic achievement and personal/community character development in school and beyond. The district will facilitate school experiences that intentionally utilize opportunities to foster both qualities needed to realize one's potential for excellence and qualities needed for successful interpersonal relationships and ethical behavior.

## **Guidance and Counseling Program**

The district will provide a comprehensive K-12 Guidance and Counseling Program, focusing on the developmental needs of all students, which includes age-appropriate instruction and planning relative to three major goals:

1. Academic Development – students will participate in planning their educational experiences so that their education is consistent with educational requirements and career aspirations.
2. Career Development – students will develop knowledge and awareness of career options consistent with their interests, abilities and values; career development includes focus on vocation, avocation, family life and citizenship.
3. Personal and Social Development – students will develop appropriate behaviors for a variety of social settings; students will develop awareness of self and confidence in their own abilities.

## **School Health Services Program**

The district will provide a K-12 and Special Education School Health Services Program delivering services to appraise, protect, and promote health. Services include:

1. Development and implementation of nursing care plans for identified students with special or chronic needs;
2. Direct student health care in the case of emergency (e.g., acute illness or injury, abuse, etc.);
3. Health-related counseling, training, and resources for students and staff (e.g., classroom instruction, district and school ERTs, medication administration procedures, etc.);
4. Prevention and control of communicable disease and other health problems;
5. Assessment of student health requirements/needs (e.g., immunizations, screening, home visits, etc.);
6. Referral to health care resources for students and families with identified needs (e.g., community service agencies, school mental health specialists, etc.).

## **Family and Community Involvement**

The district recognizes the primary importance of parents and family to support students' development as self-disciplined people who pursue a healthy lifestyle. The district will invite students, parents and families into partnership through the district Wellness Program.

The superintendent or designee will regularly evaluate the implementation of the district Wellness Program in established school and program review processes. The process will involve staff (including but not limited to, physical education and school health professionals), parents, students, representatives of the school food authority, public health professionals, school administrators and the public.

END OF POLICY

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

[ORS 329.496](#)  
[ORS 332.107](#)  
[ORS 336.423](#)

[OAR 581-051-0100](#)  
[OAR 581-051-0305](#)

[OAR 581-051-0310](#)  
[OAR 581-051-0400](#)

National School Lunch Program, 7 C.F.R. Part 210 (2006).  
School Breakfast Program, 7 C.F.R. Part 220 (2006).  
Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296 Section 204.

### **Cross Reference(s):**

EFAA - District Nutrition and Food Services

# West Linn-Wilsonville School District 3J

Code: **EFAA**  
Adopted: 1/11/16

## **District Nutrition and Food Services**

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

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

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

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

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

END OF POLICY

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**Legal Reference(s):**

[ORS 327.520 to -327.535](#)

[OAR 581-051-0100](#)

[OAR 581-051-0400](#)

[OAR 581-022-1530\(2\)](#)

[OAR 581-051-0305](#)

[OAR 581-051-0310](#)

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

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

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

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

**Cross Reference(s):**

EFA - Local Wellness Program

# West Linn-Wilsonville School District 3J

Code: **EGAAA**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EGAAA

## **Reproduction of All Copyrighted Materials**

Among the facilities available to teachers in carrying out their educational assignments are a variety of machines for reproducing the written and spoken word, either in single or multiple copies.

Infringement on copyrighted material, whether prose, poetry, graphic images, music, audio tape, video or computer-programmed materials, is a serious offense against federal law and contrary to the ethical standards required of staff and students alike.

Violations may result in criminal or civil suits.

The Board therefore requires that all reproduction of copyrighted materials be conducted strictly in accordance with applicable provisions of law. Unless otherwise allowed as “fair use” under federal law, permission must be acquired from the copyright owner prior to reproduction of material in any form.

“Fair use” is not a rigidly defined term. “Fair use” is based on the following standards:

1. The purpose and character of the use;
2. The nature of the copyrighted work;
3. The amount of and the substantiality of the portion used;
4. The effect of the use upon the potential market for, or value of, the copyrighted work.

If an individual questions the legality of duplicating materials, he/she should seek permission from the copyright holders.

Employees in violation of copyright law may be required to remunerate the district in the event of loss due to litigation and may be subject to discipline up to and including dismissal.

The superintendent will develop administrative regulations that provide guidelines for the “fair use” of copyrighted materials that meet the requirements of Section 107 of the Copyright Act of 1976 and applicable amendments.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.107](#)

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

**Cross Reference(s):**

GCQBA - Copyrights and Patents

# West Linn-Wilsonville School District 3J

Code: **EHA**  
Adopted: 1/11/16

## **Health Insurance Portability and Accountability Act**

(For districts that bill for Medicaid or use a contracted service – ESD or other – to bill for Medicaid)

The Board has determined that it meets the definition of a hybrid of covered entities<sup>1</sup> under the Health Insurance Portability and Accountability Act (HIPAA). As the district offers health-care provider programs and services that include electronic billing for the reimbursement of services under Oregon Medicaid programs, or contracts with another entity to provide such services, it is subject to HIPAA.

As a covered entity, the district will meet the national electronic transaction standards and applicable requirements of federal law. In all electronic transactions involving student education records information, the district will adhere to the confidentiality requirements of the Family Educational Rights and Privacy Act (FERPA).

The superintendent will ensure that training is provided to appropriate staff with access to, and responsibility for, electronic transactions of student education records information as required by HIPAA. Notice will be provided to students and parents of their rights pertaining to the disclosure of personally identifiable information, complaint procedures and the district official to contact in the event of questions, as provided in established student education records related Board policies and administrative regulations.

END OF POLICY

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

[ORS 332.107](#)

Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. §§ 1320d-d-8 (2006); 45 C.F.R. Parts 160, 164 (2006). Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2011); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2011).

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<sup>1</sup>A “covered entity” is an entity subject to HIPAA. These include those entities defined under the Act as a health plan, health-care clearinghouse, health-care provider or a hybrid entity. A hybrid of covered entities is a single legal entity that is a covered entity and whose covered functions are not its primary function. Self-insured health plans and Internal Revenue Service Section 125 plans with 50 or more participants operated or maintained by public schools entities are covered health plans for HIPAA privacy rule purposes. Similarly, any provider of services, a provider of medical or health services as defined in section 1861 of the Act, 42 U.S.C. § 1395X(s)(5), and any person or organization who furnishes, bills or is paid for health care in the normal course as defined by 45 C.F.R. § 160.103 is also subject to HIPAA requirements as a health-care provider. District’s should review their programs and services with their legal counsel in determining HIPAA applicability.

# West Linn-Wilsonville School District 3J

Code: **FB**  
Adopted: 1/11/16

## Facilities Planning

The Board will gather and analyze appropriate data to evaluate the district's facilities needs on a long-range basis. Such data will include, but not be limited to, enrollment projections, anticipated changes in the instructional program, analysis of community building plans, analysis of sites and evaluation of present facilities.

END OF POLICY

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### Legal Reference(s):

[ORS 195.110](#)  
[ORS 197.295 - 197.314](#)  
[ORS 332.155](#)

[OAR 581-022-1530](#)

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2006); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2006).

# West Linn-Wilsonville School District 3J

Code: FC  
Adopted: 1/11/16

## Capital Construction Program

The Board may submit to voters, on any election date specified in Oregon Revised Statutes, the question of contracting a bonded indebtedness to build or renovate school buildings or to purchase school sites. Before such a bond election, the specific needs for facilities will be communicated to the public. Careful estimates will be made as to amounts required for the project.

All new construction or alterations to existing buildings will ensure to the maximum extent feasible that facilities are readily accessible and usable by individuals with disabilities.

Following approval by the voters, the bonds to be issued will be advertised appropriately. The date of issue will be coordinated with tax collection dates, payments on bonds already outstanding and favorable market conditions. Disposition of the bonds may be accomplished by public sale on a competitive bid or negotiated basis, as determined by the Board.

The Board will annually appropriate district funds in the bonded debt service fund for the purpose of paying interest and principal on outstanding bonds. If sufficient funds are not available in the debt service fund, the Board will authorize by resolution an interfund loan for the purpose of meeting debt service requirements.

The capital projects fund is the fund authorized by the approval of the bond issue. Initial receipts from the sale of bonds are deposited in, and actual expenditures made from, this fund. The Board will adopt an annual appropriation resolution authorizing payments from the fund of the amounts needed to meet contractual obligations due architects, contractors and other individuals or firms. The Board will receive periodic reports on expenditures made from this fund as compared with original appropriations for various projects.

END OF POLICY

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### Legal Reference(s):

[ORS 195.110](#)  
[ORS 197.295 - 197.314](#)  
[ORS Chapter 255](#)

[ORS Chapter 294](#)  
[ORS 328.205](#)  
[ORS 328.542 - 328.565](#)

[ORS 332.155](#)

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2006); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2006).  
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).  
Americans with Disabilities Act Amendments Act of 2008.

# West Linn-Wilsonville School District 3J

Code: **FF**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): FF

## Naming New Facilities

The Board will be responsible for approving the naming of facilities. Each new school and/or school place will be considered individually. Considerations for requests to name a facility or space will be made for memorials, cash donations, or other reasons at the discretion of the Board. Duration of any specially named facility or space shall have an expiration time. Facilities or spaces named as memorials will take into consideration service to schools, education and/or the community.

The Board reserves the right to rename any facility and may under certain circumstances remove the name of a facility.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

# West Linn-Wilsonville School District 3J

Code: **GA**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GA

## Personnel Policies Goals

The goals of the district's personnel program shall include the following:

1. To recruit, select, hire and retain the best qualified people to staff the schools;
2. To develop and manage a compensation program that will attract and retain the best employees;
3. To provide positive programs of staff development for the improvement of learning and for the career development aspirations of the staff member;
4. To develop a climate in which optimum staff performance, morale and satisfaction are produced;
5. To provide staff involvement in planning, decision making and evaluation for a successful team approach;
6. To develop positive personnel evaluation processes for the improvement of the staff capabilities and the learning program;
7. To invite only clearly superior personnel to become permanent staff members.

END OF POLICY

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### Legal Reference(s):

[ORS 332.505](#)

[ORS 342.850](#)

[OAR 581-022-1720](#)



# West Linn-Wilsonville School District 3J

Code: **GB**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GB

## General Personnel Policies

The quality of the professional and support staff is of primary importance in achieving the district's educational objectives. In filling any licensed or classified position, the district will seek out and appoint the best qualified person available for the position.

The employment of candidates to fill licensed positions is approved by the Board upon the superintendent's recommendation. The superintendent will employ all classified employees, substitutes and part-time personnel as needed.

Notice of all regular job openings is available to current staff members. Vacant positions may also be advertised through professional and institutional placement agencies, appropriate employment agencies, and general and specialized media.

Applications or inquiries concerning job openings are directed to the personnel office. The selection process is coordinated and supervised by the director of personnel, with the involvement of other appropriate administrators and supervisors.

Each candidate selected for a position with the district must possess or demonstrate eligibility for any license or permit required to fill the position, or, in certain cases, must obtain a special Certificate of Accomplishment by Board resolution to teach a certain subject area in cases in which Oregon certification is not available. In addition, the individual must be insurable by the district's insurance carrier for any position requiring liability insurance coverage or bonding.

In accordance with Oregon law, the district may require any candidate, as a condition of employment to hold a current, recognized first-aid card. A current employee required to hold a card will obtain it within 90 days from the date the district gives notification.

Initial assignments may be made by the superintendent or designee.

END OF POLICY

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### Legal Reference(s):

[ORS 342.664](#)  
[ORS 408.225](#)  
[ORS 408.230](#)  
[ORS 408.235](#)  
[ORS 653.305 - 653.326](#)

[ORS 659A.309](#)  
  
[OAR 581-022-0705\(4\)](#)  
[OAR 839-006-0435](#)  
[OAR 839-006-0440](#)

[OAR 839-006-0445](#)  
[OAR 839-006-0450](#)  
[OAR 839-006-0455](#)  
[OAR 839-006-0460](#)  
[OAR 839-006-0465](#)

### Cross Reference(s):

EBBA - First Aid

# West Linn-Wilsonville School District 3J

Policy: GBA  
Adopted: 2-7-22

## Equal Employment Opportunity

Equal employment opportunity and treatment shall be practiced by the district regardless of race<sup>1</sup>, color, religion, sex, sexual orientation, gender identity national origin, marital status, pregnancy, childbirth or a related medical condition<sup>2</sup>, age, veterans' status<sup>3</sup>, service in uniformed service, familial status, genetic information, an individual's juvenile record that has been expunged, and disability<sup>4</sup> if the employee, with or without reasonable accommodation, is able to perform the essential functions of the position.

The superintendent will appoint an employee to serve as the officer in charge of compliance with the Americans with Disabilities Act and the Americans with Disabilities Act Amendments Act (ADA), and Section 504 of the Rehabilitation Act. The superintendent will also designate a Title IX coordinator to comply with the requirements of Title IX of the Education Amendments. The Title IX coordinator will investigate complaints communicated to the district alleging noncompliance with Title IX. The name, address and telephone number of the Title IX coordinator will be provided to all students and employees.

The superintendent will develop other specific recruiting, interviewing and evaluation procedures as are necessary to implement this policy.

END OF POLICY

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<sup>1</sup> Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001 (as amended by House Bill 2935 (2011)).

<sup>2</sup> This unlawful employment practice related to pregnancy, childbirth or a related medical condition as described in House Bill 2341 (2019) (added to ORS 659A) applies to employers who employ six or more persons.

<sup>3</sup> The district grants a preference in hiring and promotion to veterans and disabled veterans. A veteran is eligible to use the preference any time when applying for a position at any time after discharge or release from service in the Armed Forces of the United States.

<sup>4</sup> This unlawful employment practice related to disability as described in ORS 659A.112 applies to employers who employ six or more persons (ORS 659A.106).

### Legal Reference(s):

[ORS 174.100](#)  
[ORS 243.317-243.323](#)  
[ORS 326.051](#)  
[ORS 332.505](#)  
[ORS 342.934](#)  
[ORS 408.225](#)  
[ORS 408.230](#)  
[ORS 408.235](#)  
[ORS 652.210 - 652.220](#)  
[ORS 659.850](#)  
[ORS 659.870](#)

[ORS 659A.003](#)  
[ORS 659A.006](#)  
[ORS 659A.009](#)  
[ORS 659A.029](#)  
[ORS 659A.030](#)  
[ORS 659A.040](#)  
[ORS 659A.082](#)  
[ORS 659A.109](#)  
[ORS 659A.112](#)  
[ORS 659A.147](#)  
[ORS 659A.233](#)  
[ORS 659A.236](#)  
[ORS 659A.309](#)  
[ORS 659A.321](#)  
[ORS 659A.409](#)  
[ORS 659A.820](#)  
[OAR 581-021-0045](#)  
[OAR 581-022-2405](#)  
[OAR 839-003-0000](#)  
[OAR 839-006-0435](#)  
[OAR 839-006-0440](#)  
[OAR 839-006-0450](#)  
[OAR 839-006-0455](#)  
[OAR 839-006-0460](#)  
[OAR 839-006-0465](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d 2018.

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, et. seq. 2018.

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 (2018); 29 C.F.R Part 1626 (2019).

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

Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2018).

Rehabilitation Act of 1973, 29 U.S.C. §§ 791,794 2018; 34 C.F.R. Part 104 (2019).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 2020.

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 2018; 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 2018.

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (2018).

Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 2018.

Chevron USA Inc. v. Echazabal, 536 U.S. 736 (2002).

Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. §§ 4301-4303 (2018).

House Bill 1935 (2021)

House Bill 3041 (2021)

# West Linn-Wilsonville School District 3J

Code: **GBB**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GBB

## Staff Involvement in Decision Making

The Board encourages employee participation in decision-making for the district. The superintendent has Board approval to establish such committees as is necessary to make policy, rules or regulations for the improved operation of the district. All policies must be adopted by the Board.

When rules, regulations or policies are to be developed, those employees who will be affected by these changes shall be included in any discussions.

The superintendent shall develop, with both the certified and the classified staffs, channels by which intercommunication of ideas and feelings may be accomplished. She/He should consider carefully the counsel offered and should inform the Board of all such counsel in presenting administrative action reports or recommendations for Board action.

END OF POLICY

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### Legal Reference(s):

[ORS 329.704](#)

[OAR 581-022-1720](#)

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

# West Linn-Wilsonville School District 3J

Code: **GBC**  
Adopted: 1/11/16

## Staff Ethics

### I. Conflict of Interest

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

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

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

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

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

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

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

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

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

## **II. Gifts**

District employees must comply with the following rules involving gifts:

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

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

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<sup>1</sup>The term spouse includes domestic partner.

2. “Relative”:
  - a. The employee’s spouse<sup>1</sup>, parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law;
  - b. The spouse of the employee’s parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law.
3. “Member of the household” means any person who resides with the employee.

### **Determining the Source of Gifts**

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

### **Determining Legislative and Administrative Interest**

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

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

### **Determining the Value of Gifts**

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

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

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

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

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

#### **Value of Unsolicited Tokens or Awards: Resale value**

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

#### **Entertainment**

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

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

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

#### **Exceptions**

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

1. Gifts from "relatives" and "members of the household" are permitted in an unlimited amount; they are not considered gifts under the ethics rules;



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

"Reception" means a social gathering. Receptions are often held for the purpose of extending a ceremonial or formal welcome and may include private or public meetings during which guests are honored or welcomed. Food and beverages are often provided, but not as a plated, sit-down meal;
5. Food or beverage consumed by employee acting in an official capacity in the course of financial transactions between the public body and another entity described in ORS 244.020(6)(b)(I)(i);
6. Waiver or discount of registration expenses or materials provided to employee at a continuing education event that the employee may attend to satisfy a professional licensing requirement;

7. A gift received by the employee as part of the usual or customary practice of the employee's private business, employment or position as a volunteer that bears no relationship to the employee's district employment;
8. Reasonable expenses paid to employee for accompanying students on an educational trip.

### **Honoraria**

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

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

END OF POLICY

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

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

[ORS 659A.309](#)

[OAR 199-005-0001](#) to -199-020-0020  
[OAR 584-020-0040](#)

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

#### **Cross Reference(s):**

GBI - Staff Gifts and Solicitations  
GCQAB - Tutoring for Pay  
KJ - Advertising in the District

# West Linn-Wilsonville School District 3J

Code: **GBCB**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GBCB

## Staff Conduct

The Board expects all employees to be familiar with, and abide by, the laws of the state of Oregon as they affect their work, policies of the Board and the administrative regulations designed to implement them.

Since professional behavior of each staff member will determine the realization of the district's goals, the following will be required:

1. Neatness in attire and grooming while discharging responsibilities to the district;
2. Promptness in attendance at work;
3. Support and enforcement of the policies of the Board and the rules and regulations of the school administration;
4. Submission of reports on time;
5. Keep students under supervision at all times and to have a concern for the safety and welfare of students; and
6. Be attentive to all required duties, including student registration, attendance keeping and recording, discipline, reporting to parents, supervision of students, attending meetings and workshops, requesting, caring for and accounting for instructional materials and equipment, as well as effective classroom control, instruction and interaction.

END OF POLICY

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### Legal Reference(s):

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

[ORS 659A.309](#)

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

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

# West Linn-Wilsonville School District 3J

Code: **GBCBA**  
Adopted: **5/18/20**

## Alcohol/Controlled Substance Use

The following conduct is strictly prohibited and will subject an employee to immediate discipline, up to and including termination:

1. The buying, selling, transporting, possessing, providing or using of intoxicants, including alcohol or any controlled substances as defined by law, while on district property, during work hours (including meal periods), while assigned to extra duty or special projects, including those held after or in addition to regular school hours and while driving between worksites during the workday in either a district-supplied vehicle or a vehicle supplied by the employee;
2. Reporting for work under the influence of alcohol, intoxicants or any controlled substance. An individual is considered to be “under the influence of alcohol, intoxicants and/or any controlled substance” when, in the district’s determination, the controlled substance, alcohol or intoxicant is at a level that it may impair the individual’s ability to safely and/or efficiently perform assigned work OR prevent the employee from presenting a positive role model to students.

The district reserves the right, with prior notice and reasonable suspicion, to request the employee voluntarily submit to a drug or alcohol test at the district expense, conduct searches of district property, vehicles or equipment at any time. A refusal to submit to a search and/or test may result in disciplinary action, up to and including dismissal.

END OF POLICY

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### Legal Reference(s):

[ORS Chapter 475](#)  
[ORS 657.176](#)  
[ORS 659.840](#)  
[ORS 659A.300](#)

[OAR 581-053-0220\(3\)\(h\)](#)  
[OAR 581-053-0230\(9\)\(t\)](#)  
[OAR 581-053-0330\(1\)\(n\)\(o\)](#)  
[OAR 581-053-0420\(3\)\(c\)](#)  
[OAR 581-053-0430\(13\),\(14\)](#)

[OAR 581-053-0531-\(12\)\(13\)](#)  
[OAR 581-053-0615\(2\)\(c\)\(D\)\(ii\)](#)  
[OAR 581-053-0620\(1\)\(s\)](#)  
[OAR 584-020-0040](#)  
[OAR 839-006-0200 to -0265](#)

Controlled Substances Act, 21 U.S.C. § 812; Schedules of Controlled Substances 21 C.F.R. §§ 1308.11-1308.15 (2016).  
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2016); 28 C.F.R. Part 35 (2016).  
Americans with Disabilities Act Amendments Act of 2008.

### Cross Reference(s):

GBEC – Drug-Free Workplace

# West Linn-Wilsonville School District 3J

Code: **GBD**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GBD

## Board-Staff Communications

The Board desires to maintain open channel of communication between itself and the staff. The basic line of communication will, however, be through the district superintendent. This policy does not restrict protected labor relations communications of bargaining unit members.

All communications or reports to the Board or any Board committee from principals, supervisors, teachers or other staff members shall be submitted through the superintendent. This necessary procedure shall not be construed as denying the right of any employee to appeal to the Board from administrative decisions on important matters, provided that the superintendent shall have been notified of the forthcoming appeal and that it is processed in accordance with the Board's policy on complaints. Staff members are also reminded that Board meetings are public meetings. As such, they provide an excellent opportunity to observe first hand the Board's deliberations on problems of staff concern.

All official communications, policies and directives of staff interest and concern will be communicated to staff members through the superintendent, and the superintendent will employ all such media as are appropriate to keep staff fully informed of the Board's problems, concerns and actions.

Individual Board members interested in visiting schools or classroom will inform the superintendent of such visits and make arrangements for visitations through the principal of the various schools. Such visits shall be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes. Official visits by Board members will be carried on only under Board authorization and with the full knowledge of staff, including the superintendent, principals and other supervisors.

Staff and Board members share a keen interest in the schools and in education generally, and it is to be expected that when they meet at social affairs and other functions, they will informally discuss such matters as educational trends, issues and innovations and general school district problems. However, staff members are reminded that individual Board members have no special authority except when they are convened at a legal meeting of the Board or vested with special authority by Board action. Therefore, discussions by either party of personalities or personnel grievances will be considered as evidence of unethical conduct.

END OF POLICY

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**Legal Reference(s):**

[OAR 581-022](#)-1720

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

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

Lebanon Education Association/OEA v. Lebanon Community School District, 22 PECBR 323 (2008).

**Cross Reference(s):**

BG - Board-Staff Communications

# West Linn-Wilsonville School District 3J

Code: **GBDA**  
Adopted: 3/13/08  
Readopted: 1/11/16  
Orig. Code(s): GBDA

## Mother Friendly Workplace

The district recognizes that an important role for mothers is to have the option to provide for their child by expressing milk in the workplace. The Board directs the superintendent or designee to take measures to ensure that all district employees shall be provided with an adequate location for the expression of milk for a child 18 months of age or younger.

The superintendent or designee, shall see that the district makes a reasonable effort to provide a room or other location in close proximity to the employee's work area, other than a restroom, where an employee can express milk in privacy. This policy directs the superintendent or designee to include the advice of a school nurse or health professional, in determining the most reasonable facility accommodation.

The facility accommodation should include an accessible, private room that would allow a mother to pump breast milk to be stored for later use. Such a room should also include electrical outlets for electric pumps and sanitation facilities including a sink close by for hand washing and the rinsing of containers, and signage posting the room as "private" during use. A list of such facility accommodations will be available at each school office and in the central office.

A reasonable effort will be made to provide a flexible work schedule in consideration of the requirements of the staff member's responsibility.

The district shall provide the employee a 30-minute rest period to express milk during each 4-hour work period, or the major part of a 4-hour work period, to be taken by the employee approximately in the middle of the work period.<sup>1</sup> If feasible, the employee will take the rest period at the same time as the rest periods or meal periods provided by the district.

This policy and a list of designated locations will be published in the employee handbook. A list of designated locations must be readily available upon request in the central office of each school facility and in the district's central office.

END OF POLICY

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### Legal Reference(s):

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

[ORS 653.256](#)

[OAR 839-020-0051](#)

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<sup>1</sup>Districts should refer to their collective bargaining agreements to determine if the "rest period" is paid, nonpaid or a combination.

# West Linn-Wilsonville School District 3J

Code: **GBDB**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GBDB

## Transfer of Sick Leave for New Employees

The Board shall follow these procedures for the transfer of sick leave accumulated in another school district:

1. All employees must have been regularly employed during the previous year (not a temporary employee);
2. Only those days accumulated by the most recent employing district at the time of termination are transferable;
3. All employees must complete 30 working days in this district before becoming eligible to use transferred sick leave;
4. An employee terminating prior to the 30 day period referred to in three above will not be credited with days other than those acquired from this district during the first thirty days of employment;
5. Employees will be allowed to transfer into the West Linn-Wilsonville School District, subject to three above, the amount of sick leave accumulated in another Oregon school system or ESD at the time of their termination as stated in Oregon Revised Statute 332.507, subsection 4.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)  
[ORS 332.505](#)  
[ORS 332.507](#)



# West Linn-Wilsonville School District 3J

Code: **GBE**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GBE

## Staff Health and Safety

The Board authorizes the superintendent to take appropriate means to provide for the health and safety of all employees while engaged in the performance of their duties.

The superintendent, in consultation with district and building safety committees, will develop training and written procedures necessary to accomplish this goal and to meet the requirements of the law.

All employees will be trained to recognize and respond appropriately to the presence of hazardous materials.

All employees shall conduct their work in compliance with the safety rules of the district.

END OF POLICY

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### Legal Reference(s):

[ORS 243.650](#)  
[ORS 329.095](#)  
[ORS 453.001 - 453.275](#)

[OAR 437-001-0760](#)  
[OAR 437-002-0020 to -0075](#)

[OAR 437-002-0140](#)  
[OAR 437-002-0144](#)  
[OAR 437-002-0145](#)  
[OAR 437-002-0180 to -0182](#)  
[OAR 437-002-0360](#)

[OAR 437-002-0368](#)  
[OAR 437-002-0377](#)  
[OAR 437-002-0390](#)  
[OAR 437-002-0391](#)  
[OAR 581-022-1420](#)

### Cross Reference(s):

EB - Safety Program  
EBA - Buildings and Grounds Inspection  
EBAA - Reporting of Hazards  
EBAC - Safety Committee  
EBB - Integrated Pest Management  
EBBA - First Aid  
EBBB - Injury/Illness Reports  
EBCB - Emergency Drills and Instruction

# West Linn-Wilsonville School District 3J

Code: GBEA

Re-Adopted: 10-3-22

## Workplace Harassment

Workplace harassment is prohibited and shall not be tolerated. This includes workplace harassment that occurs between district employees or between a district employee and the district in the workplace or at a work-related event that is off district premises and coordinated by or through the district, or between a district and a district employee off district premises. Elected school board members, volunteers and interns are subject to this policy.

Any district employee who believes they have been a victim of workplace harassment may file a report with the district employee designated in the administrative regulation GBEA-AR - Workplace Harassment Reporting and Procedure, may file a report through the Bureau of Labor and Industries' (BOLI) complaint resolution process or under any other available law. The reporting of such information is voluntary. The district employee making the report is advised to document any incidents of workplace harassment.

“Workplace harassment” means conduct that constitutes discrimination prohibited by Oregon Revised Statute (ORS) 659A.030 (discrimination in employment based on race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age, or expunged juvenile record), including conduct that constitutes sexual assault<sup>1</sup> or that constitutes conduct prohibited by ORS 659A.082 (discrimination against person in uniformed service) or 659A.112 (discrimination in employment based on disability).

The district, upon receipt of a report from a district employee who believes they are a victim of workplace harassment, shall provide information about legal resources and counseling and support services, including any available employee assistance services. The district employee receiving the report, whether a supervisor of the employer or the district employee designated to receive reports, is advised to document any incidents of workplace harassment, and shall provide a copy of this policy and accompanying administrative regulation to the victim upon their disclosure about alleged workplace harassment.

All incidents of behavior that may violate this policy shall be promptly investigated.

Any person who reports workplace harassment has the right to be protected from retaliation. The district may not require or coerce a district employee to enter into a nondisclosure<sup>2</sup> or non-disparagement<sup>3</sup> agreement.

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<sup>1</sup> “Sexual assault” means unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat or intimidation.

<sup>2</sup> A “nondisclosure” agreement or provision prevents either party from disclosing the contents of or circumstances surrounding the agreement.

<sup>3</sup> A “non-disparagement” agreement or provision prevents either party from making disparaging statements about the other party.

The district may not enter into an agreement with an employee or prospective employee, as a condition of employment, continued employment, promotion, compensation, or the receipt of benefits, that contains a nondisclosure provision, a non-disparagement provision or any other provision that has the purpose or effect of preventing the employee from disclosing or discussing workplace harassment that occurred between district employees or between a district employee and the district, in the workplace or at a work-related event that is off district premises and coordinated by or through the district, or between a district employee and employer off district premises.

The district may enter into a settlement agreement, separation or severance agreement that includes one or more of the following provisions only when a district employee claiming to be aggrieved by workplace harassment requests to enter into the agreement: 1) a nondisclosure or non-disparagement provision; 2) a provision that prevents disclosure of factual information relating to the claim of workplace harassment; or 3) a no-rehire provision that prohibits the employee from seeking reemployment with the district as a term or condition of the agreement. The agreement must provide the district employee at least seven days after signing the agreement to revoke it.

If the district determines in good faith that an employee has engaged in workplace harassment, the district may enter into a settlement, separation or severance agreement that includes one or more of the provisions described in the previous paragraph.

It is the intent of the Board that appropriate corrective action will be taken by the district to stop workplace harassment, prevent its recurrence and address negative consequences. Staff members in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional workplace harassment awareness training, as appropriate. Other individuals (e.g., board members, witnesses, and volunteers) whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or the Board.

The district shall make this policy available to all district employees and shall be made a part of district orientation materials provided and copied to new district employees at the time of hire.

The superintendent will establish a process of reporting incidents of workplace harassment and the prompt investigation.

## END OF POLICY

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### Legal Reference(s):

|                                       |                                  |
|---------------------------------------|----------------------------------|
| <a href="#">ORS 174.100</a>           | <a href="#">ORS 659A.370</a>     |
| <a href="#">ORS 243.317</a> – 243.323 | <a href="#">ORS 659A.820</a>     |
| <a href="#">ORS 659A.001</a>          | <a href="#">ORS 659A.875</a>     |
| <a href="#">ORS 659A.003</a>          | <a href="#">ORS 659A.885</a>     |
| <a href="#">ORS 659A.006</a>          | <a href="#">OAR 584-020-0040</a> |
| <a href="#">ORS 659A.029</a>          | <a href="#">OAR 584-020-0041</a> |
| <a href="#">ORS 659A.030</a>          |                                  |
| <a href="#">ORS 659A.082</a>          |                                  |
| <a href="#">ORS 659A.112</a>          | Senate Bill 479 (2019)           |

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10/05/21

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000 (2018)

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e 2018

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 House Bill 3041 (2021)

Workplace Harassment \* – GBEA



# West Linn-Wilsonville School District 3J

Code: **GBEB**  
Adopted: 1/11/16

## Communicable Diseases

The district shall provide reasonable protection against the risk of exposure to communicable disease for employees while engaged in the performance of their duties. Protection from communicable disease generally shall be through immunization, exclusion or other measures provided for in Oregon Revised Statutes and Oregon Administrative Rules. Employees shall comply with all measures adopted by the district and with all rules set by Oregon Department of Human Services, Health Services, and the county health department. Employees have a responsibility to report to the district when infected with a communicable disease unless stated otherwise by law.

Employees shall provide services to students who are infected with a communicable disease except as provided by law. In those cases where a communicable disease is diagnosed and confirmed, the district shall inform the appropriate employees to protect against the risk of exposure.

Employees who have the responsibility to work with or to provide services to persons other than students, shall provide the services to all such persons, including those who are infected with a communicable disease, and shall provide the services in accordance with this policy. Where the district knows that a person is infected with a communicable disease it shall inform the employees, as appropriate, to protect against the risk of exposure.

No employee shall be denied the opportunity to provide service solely on the basis that the employee is infected with a communicable disease except as otherwise required by law. The district may require an employee infected with a communicable disease, which is diagnosed and confirmed, to comply with such reasonable measures, including submission to district paid medical examinations, as may be determined as conditions of continued employment.

The district shall protect the confidentiality of an employee's health condition/record to the extent possible.

END OF POLICY

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### Legal Reference(s):

[ORS 433.255](#)  
[ORS 433.260](#)

[OAR 437-002-0360](#)  
[OAR 437-002-0377](#)

[OAR 581-022-0705](#)

# West Linn-Wilsonville School District 3J

Code: **GBEBA**  
Adopted: 1/11/16

## Staff - HIV, AIDS and HBV

The district will strictly adhere in its policies and procedures, to the Oregon Revised Statutes and Oregon Administrative Rules as they relate to staff infected with HIV, AIDS or HBV<sup>1</sup>.

The district recognizes a staff member has no obligation under any circumstance to report his/her condition to the district and the staff member has a right to continue working.

If the staff member reports his/her condition to the district, strict adherence to written guidelines outlined by the staff member shall be followed.

These guidelines shall identify who may have the information, who will give the information, how the information will be given, where and when the information will be given. All such information will be held in confidence in accordance with Oregon Revised Statutes.

When informed of the infection, and with written, signed permission from the staff member, the district will develop procedures for formulating an evaluation team. The team shall address the nature, duration and severity of risk as well as any modification of activities. The team shall continue to monitor the staff member's condition.

Accommodations for a staff member infected with HIV, AIDS or HBV shall be the same as with any other illness.

END OF POLICY

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### Legal Reference(s):

[ORS 243.650](#)  
[ORS 342.850\(7\)](#)  
[ORS 433.008](#)  
[ORS 433.045](#)

[ORS 433.260](#)  
[OAR 333-017-0000](#)

[OAR 333-018-0000](#)  
[OAR 333-018-0005](#)  
[OAR 581-022-0705](#)

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<sup>1</sup>HIV - Human Immunodeficiency Virus; AIDS - Acquired Immune Deficiency Syndrome; HBV - Hepatitis B Virus

# West Linn-Wilsonville School District 3J

Code: **GBEC**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GBEC

## Drug-Free Workplace

The district recognizes and accepts its ongoing responsibility to protect the quality of the workplace and the safety of its employees. As one means of addressing this responsibility, the district prohibits the manufacturing, distributing, dispensing, possessing, using or promoting the use of drugs or alcoholic beverages in the workplace. The possession and use of physician prescribed drugs are excluded from this policy.

1. The “workplace” is defined as any site where district work is being performed, including, but not limited to, grounds, buildings and vehicles. Any location, on or off district property, where students or employees are under the jurisdiction of the district is considered to be a part of the workplace.
2. “Drugs” shall be defined to include any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined by the Federal Controlled Substance Act.
3. “Alcoholic beverages” shall include any beverage with identified alcohol content.

Employees who feel they may have a substance abuse problem are encouraged to seek advice and counseling from qualified sources, including the employee assistance program, bona fide drug or alcohol abuse programs or other reputable agencies.

An awareness program to include the content of this policy and the consequences of violation shall be developed by the superintendent.

As a condition of continued employment, an employee who has been convicted under any criminal drug or alcohol statute of a violation shall report the conviction to his/her supervisor within five calendar days. Violation of this policy shall result in appropriate action up to and including dismissal.

END OF POLICY

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### Legal Reference(s):

[ORS 243.650](#)  
[ORS 336.222](#)  
[ORS 342.721](#)  
[ORS 342.723](#)

[ORS 342.726](#)  
[ORS Chapter 475](#)  
[ORS 657.176](#)

[OAR 581-022-0416](#)  
[OAR 584-020-0040\(5\)\(e\)](#)

Drug-Free Workplace Act of 1988, 41 U.S.C. §§ 701-707 (2006); General Principles Relating to Suspension and Debarment Actions, 34 C.F.R. §§ 85.600 - 85.645 (2006).  
Controlled Substances Act, 21 U.S.C. § 812; Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11 - 1308.15 (2006).  
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2006).

# West Linn-Wilsonville School District 3J

Code: **GBG**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GBG

## Staff Participation in Political Activities

The Board recognizes that employees of the district have the same fundamental civic responsibilities and privileges as other citizens. Among these are campaigning for elective public office and holding an elective or appointive public office.

If the office sought involves the use of school time, the employee should notify the superintendent in writing of the office he/she intends to seek and whether he/she wishes to continue employment and under what terms and conditions. The employee and the superintendent shall then meet to work out any needed proposals that need Board action. A determining factor in any Board decision is whether the activities proposed by the employee are consistent with his/her services to the district.

The employee shall not use the district facilities, equipment or materials; nor shall the employee discuss the campaign with school personnel on school time; nor shall the employee use school time for campaigning purposes.

END OF POLICY

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### Legal Reference(s):

[ORS Chapter 244](#)  
[ORS 260.432](#)

OR. CONST., art. XV, § 8.

### Cross Reference(s):

INB - Studying Controversial Issues



# West Linn-Wilsonville School District 3J

Code: **GBH/JECAC**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GBH

## Student/Staff Relations

Staff members shall be expected to regard each student as an individual and to accord each the rights and respect due any individual. The role of staff shall be seen, not as dictators or controllers, but as resource persons, aides and guides in the learning process. Staff members shall provide for the fullest self-determination by each student in regard to his or her learning program, consistent with district and local goals and with optimum opportunities for all students.

Students shall be treated with courtesy and consideration. Neither insults nor sarcasm shall be used as a way of forcing compliance with a staff member's requirements or expectations. Students shall be expected to regard staff members as individuals, employed to provide direct or indirect contributions to learning. While students are to have considerable latitude in making choices for themselves, they shall be required to respect the right of staff members (and other students, as well) and interference with those rights shall not be condoned. No student shall have the right to interfere with the efforts of instructional staff to coordinate or assist in learning, to disseminate information for purposes of learning, or to otherwise implement a learning program; nor shall a student have the right to interfere with the motivation to learn or the learning activities and efforts of other students.

END OF POLICY

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### Legal Reference(s):

[ORS 107.154](#)  
[ORS 109.056](#)  
[ORS 163.245 - 163.257](#)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2011); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2011).  
Protection of Pupil Rights, 20 U.S.C. § 1232h (2006); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2006).

### Cross Reference(s):

JECAC/GBH - Student/Staff Relations

# West Linn-Wilsonville School District 3J

Code: **GBI**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GBI

## Staff Gifts and Solicitations

Duties performed by employees of the district shall be done according to the highest standards of conduct, free from all conflict of interest or the appearance of such conflict.

On this premise, employees will not accept gifts<sup>1</sup>, favors or other offers from vendors or representatives of any business or commercial firm. Acceptance of complimentary advertising or promotional tokens such as calendars is permitted provided these items do not have a material value which exceeds \$50.

The presentation of gifts to teachers, administrators or other staff members who exercise any direct or indirect administrative or supervisory jurisdiction over them is prohibited. Should a group, however, wish to present a group gift, the cost to each individual should be kept to a minimum, and no one should be made to feel obligated to participate.

Gifts from any person seeking preferential or special treatment should not be accepted.

No organization may solicit funds from staff members within the schools, nor may anyone distribute flyers or other materials related to fund drives through the schools without the [superintendent's] approval. Staff members may not be made responsible or assume responsibility for collecting money or distributing any fund-drive literature within the schools without the superintendent's approval.

The soliciting of staff by sales people, other staff or agents during on-duty hours is prohibited. Any solicitation should be reported at once to the principal or supervisor. Advertising is not allowed in the building without the superintendent's approval.

END OF POLICY

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### Legal Reference(s):

[ORS 244.010](#) to-244.400  
[ORS 339.880](#)

[OAR 584-020](#)-0000 to-0045  
[OAR 199-005](#)-0005 to-199-020-0020

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<sup>1</sup>“Gift” means something of economic value given to a public official or the public official's relative or household member without valuable consideration of equivalent value, including the full or partial forgiveness of indebtedness, which is not extended to others who are not public officials or the relatives or household members of public officials on the same terms and conditions; and something of economic value given to a public official or the public official's relative for valuable consideration less than that required from others who are not public officials. See ORS Chapter 244 for gift definition exceptions.

# West Linn-Wilsonville School District 3J

Code: **GBIA**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GBJ

## Staff Funds Management

Employees are responsible for their own “sunshine” or other similar funds. The management of employee funds shall be conducted on the employee’s own time and the school district is not responsible for security, insurance or accountability of these funds.

Any employee has the right to refrain from participating in employee funds. If the management or activity related to employee funds interferes with the conduct of the school business or contributes to a deterioration of goodwill among employees, the principal or department administrator may prohibit such fund’s existence.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

# West Linn-Wilsonville School District 3J

Code: **GBJ**  
Adopted: 1/11/16

## Weapons in Schools - Staff

Employees, district contractors and/or their employees and district volunteers shall not possess a dangerous or deadly weapon or firearm on district property or at school-sponsored events. This prohibition includes those who may otherwise be permitted by law to carry such weapons.

For purposes of this policy, and as defined by state and federal law, weapon includes:

1. “Dangerous weapon” - any weapon, device, instrument, material or substance, which under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury;
2. “Deadly weapon” - any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;
3. “Firearm” - any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, frame or receiver of any such weapon, any firearm silencer or any other destructive device including any explosive, incendiary or poisonous gas.

Weapons under the control of law enforcement personnel are permitted.

The superintendent will ensure notice of this policy is provided.

Employees in violation of this policy will be subject to discipline up to and including dismissal. Individuals contracting with the district and volunteers will be subject to appropriate sanctions. A referral to law enforcement may be made.

END OF POLICY

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### Legal Reference(s):

[ORS 161.015](#)  
[ORS 166.210](#) to -166.370  
[ORS 332.107](#)

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2006).  
Doe v. Medford Sch. Dist. 549C, 232 Or. App. 38, 221 P3d 787 (2009).

# West Linn-Wilsonville School District 3J

Code: **GBK/JFCG/KGC**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GBK

## **Prohibited Use, Possession, Distribution or Sale of Tobacco Products and Inhalant Delivery Systems**

It is the district's obligation to protect the health, welfare and safety of students. To be consistent with Oregon law and district curriculum, student possession, use, distribution or sale of tobacco products or inhalant delivery systems in any form on district premises, at school-sponsored activities, on or off district premises, on all district grounds, including parking lots, in district-owned, rented or leased vehicles or otherwise, or while a student is under the jurisdiction of the district, is prohibited.

The use, distribution or sale of tobacco products or inhalant delivery systems by staff and all others is prohibited on district premises, in any building or facility, on district grounds, including parking lots, in any vehicle owned, leased, rented or chartered by the district, school or public charter school and at all school-sponsored activities.

For the purpose of this policy, "tobacco products" is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew or snuff in any form. This does not include USFDA-approved tobacco products or other therapy products used for the purpose of cessation.

For the purpose of this policy, "inhalant delivery system" means a device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device; or a component of a device or a substance in any form sold for the purpose of being vaporized or aerosolized by a device, whether the component or substance is sold or not sold separately. This does not include USFDA-approved tobacco products or other therapy products marked and sold solely for the approved purpose.

Violation of this policy will lead to appropriate disciplinary action up to and including expulsion for students. When considering disciplinary action for a student with disabilities, the district must follow the requirements of Board policy JGDA/JGEA - Discipline of Students with Disabilities, including those involving functional behavioral assessment, change of placement, manifestation determination and an interim alternative educational setting. Community or school service may be required. A referral to law enforcement may be made. Parents will be notified of all violations involving their student and subsequent action taken by the school. Information about cessation support and/or tobacco education programs and how students can access these programs will be provided. At the discretion of the principal, attendance and completion of such programs, or successful completion of a behavior modification plan, may be allowed as a substitute for, or as part of student discipline.

Violation of this policy by nonstudents (the public) may result in the individual's removal from district property. The district reserves the right to restrict access to district property by individuals who are repeat offenders.

This policy shall be enforced at all times. The superintendent will develop administrative regulations as needed to implement this policy.

END OF POLICY

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**Legal Reference(s):**

|                             |   |  |
|-----------------------------|---|--|
| <a href="#">ORS 167.400</a> | <a href="#">ORS 339.883</a>               | <a href="#">OAR 581-022-0413</a>       |
| <a href="#">ORS 332.107</a> | <a href="#">ORS 431.840</a>               | <a href="#">OAR 581-053-0230(9)(s)</a> |
| <a href="#">ORS 336.222</a> | <a href="#">ORS 433.835 to- 433.990</a>   | <a href="#">OAR 581-053-0330(1)(m)</a> |
| <a href="#">ORS 336.227</a> |   | <a href="#">OAR 581-053-0430(12)</a>   |
| <a href="#">ORS 339.240</a> | <a href="#">OAR 581-021-0050 to -0075</a> | <a href="#">OAR 581-053-0531(11)</a>   |
| <a href="#">ORS 339.250</a> | <a href="#">OAR 581-021-0110</a>          | <a href="#">OAR 581-053-0630</a>       |

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

**Cross Reference(s):**

JFCG/KGC/GBK - Prohibited Use, Possession, Distribution or Sale of Tobacco Products and Inhalant Delivery Systems  
KGC/GBK/JFCG - Prohibited Use, Possession, Distribution or Sale of Tobacco Products and Inhalant Delivery Systems

# West Linn-Wilsonville School District 3J

Code: **GBL**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GBL

## Personnel Records

The administration of the district shall maintain in the office of the superintendent, a personnel file for each teacher employed. The superintendent shall be responsible for the maintenance of the files, preserving the confidentiality of each. This responsibility may be delegated to another official. The file shall include an evaluation section pertaining to any complaints, commendations or evaluations made by administrators with suggestions for corrections or improvements. A second section will include applications, record of teaching certificates and other pertinent information.

All records containing employee medical condition information such as workers' compensation reports and release/permission to return to work forms will be kept confidential, in a separate file from personnel records. Such records will be released only in accordance with the requirements of the American with Disabilities Act or other applicable law.

In making additions to the evaluation portion, no complaint, commendation, recommendation or evaluation shall be added, unless it is signed by the person making the report. The teacher shall be advised of the report and have the opportunity to review it. If a teacher takes exception to the report or any portion thereof, the teacher's statement shall become a part of the evaluation section. All charges resulting in disciplinary action shall be considered a permanent part of a teacher's personnel file and shall not be removed for any reason.

A teacher's file may be reviewed at any time without the permission of the teacher by the superintendent, the teacher's principal, a board member if it relates to that board member's official duties or by members of a review panel if the teacher requests such a review by a professional review committee.

A teacher's file may be reviewed by others only when a teacher gives written consent to release the records. The release must state what records are to be released, to whom, and when.

A teacher may have access to his/her files at any reasonable time, preferably during regular school hours.

The disciplinary records ("Disciplinary records" is defined as records related to a personnel discipline action or materials or documents supporting that action.) of a district employee convicted of a crime listed in Oregon Revised Statute (ORS) 342.143 are not exempt from disclosure under ORS 192.501 or 192.502 and may be released to any person upon request. Prior to the release of disciplinary records the district shall remove any personally identifiable information from the record that would disclose the identity of a child, a crime victim or a district employee who is not the subject of the disciplinary record.

Upon request from a law enforcement agency, the Department of Human Services or the Teacher Standards and Practices Commission, the district shall provide the records of investigations of suspected abuse of a child by a district employee.

END OF POLICY

**Legal Reference(s):**

[ORS 342.850](#)  
[ORS 652.750](#)  
[ORS 342.143](#)  
[ORS 339.370](#) - 339-375

OSEA v. Lake County Sch. District, 93 Or. App. 481 (1988).  
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).  
Americans with Disabilities Act Amendments Act of 2008.



# West Linn-Wilsonville School District 3J

Code: **GBM**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GBM

## Staff Complaints

The Board recognizes the need to provide for the orderly resolution of any grievance arising out of a purported violation, interpretation or inappropriate application of school district policies or administrative rules and regulations. Any school employee shall have the right of access to the grievance procedures adopted by this district.

The Board guarantees that there shall be no reprisals, discrimination or retaliation against any employee utilizing the grievance procedures, has in good faith reported information in a manner as to disclose employer violations of any federal or state law, rule or regulation, mismanagement, gross waste of funds, abuse of authority or substantial and specific danger to public safety or health by the Board or any employee of the school district.

The written procedures for this policy are printed in the current collective bargaining contracts and available online to all employees of the district.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)  
[ORS 659A.199](#)

[OAR 581-022-1720](#)

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

## **Sexual Harassment**

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

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

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

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

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

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

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

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

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

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

END OF POLICY

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**Legal Reference(s):**

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

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

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

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

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

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

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

**Cross Reference(s):**

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

JBA/GBN - Sexual Harassment

JFCF - Hazing, Harassment, Intimidation, Bullying, Cyberbullying, Teen Dating Violence and Domestic Violence – Student

# West Linn-Wilsonville School District 3J

Code: **GBNA**  
Adopted: 1/11/16

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

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

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

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

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

END OF POLICY

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

[ORS 163.190](#)  
[ORS 163.197](#)  
[ORS 166.065](#)

[ORS 166.155 to -166.165](#)  
[ORS 332.072](#)

[ORS 332.107](#)  
[ORS 659A.030](#)

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

### **Cross Reference(s):**

GBN/JBA - Sexual Harassment  
JFCM - Threats of Violence

# West Linn-Wilsonville School District 3J

Code: GBNAA/JHFF  
Adopted: 3-14-22

## Suspected Sexual Conduct with Students and Reporting Requirements

Sexual conduct by district employees, contractors<sup>1</sup>, agents<sup>2</sup>, and volunteers<sup>3</sup> 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.

<sup>4</sup> “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 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.

<sup>1</sup> “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.

<sup>2</sup> “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.

<sup>3</sup> “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.

<sup>4</sup> “This definition of “sexual conduct” affects all conduct that occurs before, on or after June 23, 2021, for the purpose 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 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, 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 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 Assistant Superintendent of High Schools, 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 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 the Teacher Standards and Practices Commission (TSPC) 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 take necessary actions to ensure the student's safety.

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

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 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 of the district is prohibited.

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

END OF POLICY

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**Legal Reference(s):**

ORS 332.107 ORS  
ORS 339.370-339.400

ORS419B.005-419B.045

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

House Bill 2136 (2021)

Senate Bill 51 (2021)



# West Linn-Wilsonville School District 3J

Code: GBNAB/JHFE  
Adopted: 3-14-22

## 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 abuse<sup>1</sup> 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 person**<sup>2</sup> 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, contractors<sup>3</sup>, agents<sup>4</sup>, volunteers<sup>5</sup>, 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.

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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 {<sup>6</sup>} 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 Director of Human Resources who shall also report to the Board chair.

The district will post the name 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 the 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 this duty to report suspected abuse is in addition to the requirements of reporting to a designated licensed administrator.

When the 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 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 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.

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<sup>6</sup> 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.

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 the 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.
4. 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 prohibited.

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

## END OF POLICY

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

[ORS 339.370-339.400](#)

[ORS 418.257 – 418.259](#)

[ORS 419B.005 – 419B.050](#)

[OAR 581-02202205](#)

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

Senate Bill 51 (2021)

# West Linn-Wilsonville School District 3J

Code: **GCAB**  
Adopted: 1/11/16  
Readopted: 6/5/23

## **Personal Electronic Devices and Electronic Communication - Staff**

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

A "personal electronic device" is a device not issued by the district and is capable of electronically communicating, sending, receiving, storing, recording, reproducing, and/or displaying information and data.

Personal electronic devices, when not being used in activities directly in support of the district's objectives or mission, shall be silenced during the school day, while on duty or at any other time where such use of the device would cause a disruption of school activities or interfere with work assignment.

Devices which have the capability to take photographs or record video or audio shall not be used for such purposes while on district property or while a staff member is on duty at district-sponsored activities, except in support of the district mission or objectives within the employee's assigned duties and, when used, shall be used appropriately and while observing previously solicited parental guidance regarding the use of the students' images.

The district will not be liable for loss or damage to personal electronic devices brought to district property and district-sponsored activities. Staff are allowed to bring personal electronic devices to school. Such devices will be used to support the district's mission and objectives. Use of these devices for personal objectives, while on district property or attached to the district network, shall be done outside of the work day and in a manner consistent with the district's overall appropriate use guidelines whether during work time or otherwise. Staff also acknowledge that use of personal electronic devices for school-related activities possibly makes them subject to court subpoena and records requests. Staff shall take due precaution to limit and appropriately protect any confidential school-related information, including but not limited to that of staff and students, on their personal electronic devices.

Staff members, while on duty and off duty, will utilize social media websites, public websites and blogs, judiciously by not posting confidential information about students, staff or district business.<sup>1</sup> Staff may not post images of district facilities, school activities, staff, students, volunteers or parents without permission of persons with authority to grant such a release. Staff members, while on duty and off duty, will treat fellow employees, students and the public with respect while posting on social media websites, etc., in order to prevent substantial disruption in school. Communication with students using personal electronic devices will be appropriate and professional at all times.

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

Communication with students using personal electronic devices regarding nonschool-related matters is prohibited during work hours and strongly discouraged at all other times.

Electronically communicating with students, including all forms of electronic text, video or audio, instant messaging and social networking, about nonschool-related topics during work hours is prohibited and strongly discouraged during off duty times, and should maintain an appropriate teacher/student boundary at all times. Electronically communicating with students must be done within systems provided by the district.

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

Staff are subject to disciplinary action up to and including dismissal for using a personal electronic device in any manner that is illegal or violates the terms of this policy. Staff actions on social media websites, public websites and blogs, while on or off duty, which disrupt the school environment, are subject to disciplinary action up to and including dismissal. A “disruption”<sup>2</sup> for purposes of this policy includes, but is not limited to, one or more parent threatens to remove their children from a particular class or particular school, actual withdrawal of a student or students from a particular class or particular school and/or a threatened or actual negative impact on the learning environment. The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs, will be reported to law enforcement and/or other appropriate state or federal agencies.

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

END OF POLICY

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**Legal Reference(s):**

|                             |                             |   |
|-----------------------------|-----------------------------|---|
| <a href="#">ORS 167.057</a> | <a href="#">ORS 163.688</a> | <a href="#">ORS 326.051</a>                 |
| <a href="#">ORS 163.432</a> | <a href="#">ORS 163.689</a> | <a href="#">ORS 332.072</a>                 |
| <a href="#">ORS 163.433</a> | <a href="#">ORS 163.693</a> | <a href="#">ORS 332.107</a>                 |
| <a href="#">ORS 163.684</a> |                             | <a href="#">ORS 336.840</a>                 |
| <a href="#">ORS 163.686</a> | <a href="#">ORS 163.700</a> |   |
| <a href="#">ORS 163.687</a> | <a href="#">ORS 326.011</a> | <a href="#">[OAR 584-020-0000 to -0035]</a> |

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

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

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

**Cross Reference(s):**

JHFF - Reporting Requirements Regarding Sexual Conduct with Students

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<sup>2</sup>Ibid. p. 1

# West Linn-Wilsonville School District 3J

Code: **GCBDA/GDBDA**  
Adopted: 12/02/13  
Readopted: 1/11/16  
Orig. Code(s): GCBDA

## Family Medical Leave

The district will comply with all provisions of the Family and Medical Leave Act (FMLA) of 1993, the Oregon Family Leave Act (OFLA) of 1995, the Military Family Leave Act as part of the National Defense Authorization Acts of 2008 and for Fiscal Year 2010 (which expanded certain leave to military families and veterans for specific circumstances), the Oregon Military Family Leave Act of 2009, and other applicable provisions of Board policies and collective bargaining agreements regarding family medical leave.

In order for an employee to be eligible for the benefits under federal law, he/she must have been employed by the district for at least 12 months and have worked at least 1250 hours during the past 12-month period.

In order to be eligible under state law, an employee must work an average of 25 hours per week and have been employed at least 180 days prior to the first day of the family medical leave of absence.

For parental leave purposes, however, an employee becomes eligible upon completing at least 180 days immediately preceding the date on which the parental leave begins. There is no minimum average number of hours worked per week when determining employee eligibility for parental leave.

Federal and state leave entitlements generally run concurrently.

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

END OF POLICY

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### Legal Reference(s):

[ORS 332.507](#)

[ORS 342.545](#)

[ORS 659A.090](#)

[ORS 659A.093](#)

[ORS 659A.096](#)

[ORS 659A.099](#)

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

[OAR 839-009-0200 to-0320](#)

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

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

Americans with Disabilities Act Amendments Act of 2008.

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

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

# West Linn-Wilsonville School District 3J

Code: **GCC**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GCC

## Professional Staff Recruitment

The Board is committed to securing the best personnel available who will make the greatest contribution to the total educational program of the district.

It shall be the responsibility of the deputy superintendent and the assistant superintendent, with the assistance of the other administrators to determine the personnel needs of the individual schools and the district and to recruit and to recommend individuals for employment. As far as possible, the principal shall have the responsibility for the selection of staff working within the building. Personnel within the building may be involved in the selection.

Persons employed shall have or qualify for an Oregon credential to perform the professional service desired, have above average personal characteristics, high scholastic-work, pre-service evaluations and in-service evaluations (if experienced) as determined by the candidate's transcripts, recommendations and placement file.

The superintendent shall make recommendations to the Board in hiring of new personnel who are qualified in accordance with district policies and standard operating practices.

Each licensed employee is required to complete the necessary forms as required by the district, county, state and federal agencies prior to the start of employment.

END OF POLICY

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### Legal Reference(s):

[ORS 326.051](#)

[ORS 332.505](#)

[ORS 342.934](#)

[ORS 659.805](#)

[ORS 659.850](#)

[ORS 659A.009](#)

[ORS 659A.029](#)

[ORS 659A.030](#)

[ORS 659A.109](#)

[ORS 659A.142](#)

[ORS 659A.145](#)

[ORS 659A.233](#)

[ORS 659A.236](#)

[ORS 659A.309](#)

[ORS 659A.409](#)

[OAR 581-021-0045](#)

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

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

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2006).

Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2006).

Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794 (2006).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2006).

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. § 4212.

Title II of the Genetic Information Nondiscrimination Act of 2008.



# West Linn-Wilsonville School District 3J

Code: **GCDA/GDDA**  
Adopted: 2/04/13  
Readopted: 1/11/16  
Orig. Code(s): GCDA/GDDA

## **Criminal Records Checks/Fingerprinting**

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

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

The Board shall require a nationwide criminal history check and/or fingerprinting for other individuals considered for contract or volunteer service for the district who have direct, unsupervised contact with students.

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

The district will terminate an employee immediately if it receives notification by the Superintendent of Public Instruction that the person has been convicted of the crimes prohibiting employment that are listed in section (9) of OAR 581-021-0500.

Individuals may not begin to carry out terms of a contract or employment on a probationary basis pending the return of criminal record checks.

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

District employees not requiring licensure may pay for fingerprint processing at time of hire or may request that the required processing fees be withheld from the employee’s first paycheck.

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

END OF POLICY

**Legal Reference(s):**

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

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

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

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

# West Linn-Wilsonville School District 3J

Code: **GCEA**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GCE

## Substitute Teachers

Building administrators must use the list of the qualified substitute teachers as prepared by the Clackamas Education Service District to replace regular teachers who are absent.

Principals shall be responsible for seeing that the work of the substitute is as effective as possible and shall provide the substitute with materials and information to assist in obtaining the best possible results. Substitute teachers should make every effort to become as familiar as possible with each teaching situation.

END OF POLICY

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### Legal Reference(s):

[ORS 332.507](#)

[ORS 342.420](#)

[ORS 342.610](#)

[ORS 342.815](#)

[OAR 584-020-0000 to -0045](#)

# West Linn-Wilsonville School District 3J

Code: **GCL**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GCL

## Staff Development – Licensed

The Board recognizes the need to establish a continuing professional development program for all licensed staff in order to enhance professional performance, promote achievement of high standards for all students, and assist employees in meeting the licensure requirements of the Teacher Standards and Practices Commission (TSPC).

Employee continuing professional development (CPD) plans shall be consistent with the district's mission and goals, assist educators to meet the requirements for license renewal and may contain such other provisions as deemed appropriate by the district. Individual CPD plans shall be developed collaboratively by the employee and his/her supervisor. Activities shall have as their primary purpose increased student learning by enhancing the professional skills of the employee. Such activities may relate to the individual's current or potential future assignment as determined by the district.

Appropriate learning activities may include, but are not limited to, college courses, workshops, conferences, curriculum development, research, peer- or student-teacher mentoring and other approved individual and committee endeavors.

Requests for release time for attendance at professional development activities may be approved as deemed appropriate by the district and with the stipulation that requests are to be submitted sufficiently in advance to permit district consideration.

Meetings or conferences for which district funds are contributed—whether for fees, travel or hiring of substitutes—shall directly relate to the employee's CPD plan.

The Board directs the superintendent to develop administrative regulations, staff CPD handbooks and/or other related materials as may be necessary to implement this policy. Regulations shall include CPD procedures and practices that incorporate plans for the district's improvement and individual building, grade level, students and employee needs and goals.

END OF POLICY

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### Legal Reference(s):

[ORS 329.095](#)

[ORS 329.125](#)

[ORS 329.704](#)

[ORS 342.135\(2\)\(a\)](#)

[ORS 342.138\(3\)](#)

[OAR 581-022-0606](#)

[OAR 581-022-1720](#)

[OAR 584-018-0105](#)

[OAR 581-018-0205](#)

[OAR 584-090-0100-0120](#)

Clackamas IED Assn. v. Clackamas IED, No. C-141-77, 3 PUB. EMPL. COLL. BARG. REP. 1848 (ERB 1978).  
Eugene Educ. Ass'n v. Eugene Sch. Dist. 4J, No. C-93-79, 5 PUB. EMPL. COLL. BARG. REP. 3004 (ERB 1980).  
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).  
Americans with Disabilities Act Amendments Act of 2008.

# West Linn-Wilsonville School District 3J

Code: **GCN/GDN**  
Adopted: 12/04/12  
Readopted: 1/11/16  
Orig. Code(s): GCN/GDN

## **Evaluation of Staff**

An effective evaluation program is essential to a quality educational program. It is an important tool to determine the current level of an educator's performance of teaching responsibilities. Under Board policy, administrators are charged with the responsibility of evaluating the staff. An evaluation program provides a tool for administrators and supervisors who are responsible for making decisions about promotion, demotion, contract extension, contract non-extension, contract renewal or non-renewal, dismissal and discipline.

The evaluation program is designed to provide an opportunity for all staff to set goals and objectives, including plans for professional growth and career opportunities and to receive administrative responses to them; to have peer assistance as appropriate; to have formal and informal classroom observations of licensed employees; to assess performance of other duties and job responsibilities of all staff; to receive verbal and written comments and suggestions for improvement from supervisors; and to have opportunities to make required improvement(s) within specific timelines.

### **Licensed Staff**

Evaluation of licensed staff shall be conducted to conform to applicable Oregon Revised Statutes and any applicable collective bargaining provisions.

Teachers' evaluation system shall be customized based on collaborative efforts and include the core teaching standards adopted by the State Board of Education.

Evaluations must attempt to:

1. Strengthen the knowledge, skills, disposition and classroom practices of teachers;
2. Refine the support, assistance and professional growth opportunities offered to a teacher, based on the needs of the teacher and the needs of the school and the district;
3. Allow the teacher to establish a set of classroom practices and student learning objectives that are based on the individual circumstances of the teacher, including classroom and other assignments;
4. Establish a formative growth process for each teacher that supports professional learning and collaboration with other teachers;
5. Use evaluation methods and professional development, support and other activities that are based on curricular standards and are targeted to the needs of the teacher and district programs.

## **Classified Staff**

The effective functioning of all classified support personnel is a key to the success of the school district. The evaluation program shall be designed to assess the performance of the employee and provide the basis for improvement.

Administrators and supervisors are charged with the responsibility of evaluating all classified employees in relation to position descriptions, performance standards, district regulations and any applicable collective bargaining provisions.

END OF POLICY

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

[ORS 243.650](#)

[ORS 332.505](#)

[ORS 342.850](#)

[ORS 342.856](#)

[OAR 581-022-1720](#)

[OAR 581-022-1723](#)

[OAR 581-022-1724](#)

# West Linn-Wilsonville School District 3J

Code: **GCPB/GDPB**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GCDA

## Resignation of Teachers or Administrators

In order to provide the best continuity and quality of education for all children during the school year, the Board believes that teachers and administrators should fulfill the terms of their contracts, with the exceptions as allowed by state law; therefore, teachers and administrators who resign from a position with the district will give, in writing, at least 60 days notice of resignation. Upon receipt of written notice of resignation, the superintendent's office will initiate the process for properly filling the vacancy.

In instances where an employee wishes to leave on shorter notice, the superintendent will consider an earlier release on condition that effective arrangements can be made for a replacement.

Once a resignation is tendered, it will be considered final unless its withdrawal is approved by the superintendent.

END OF POLICY

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### Legal Reference(s):

[ORS 342.553](#)

[ORS 652.140](#)

[OAR 581-022-1720](#)

Pierce v. Douglas County Sch. Dist., 297 Or. 363 (1984).

# West Linn-Wilsonville School District 3J

Code: **GCQAB**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GCQAB

## Tutoring for Pay

Private tutors will not be allowed to provide their services to students in the school buildings during the time school is in session. Such activities shall take place before or after the regular school day, and at the private tutor's location of business.

END OF POLICY

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### Legal Reference(s):

[ORS 244.010](#)  
[ORS 332.505](#)

### Cross Reference(s):

GBC - Staff Ethics



# West Linn-Wilsonville School District 3J

Code: **GCQB**  
Adopted: 5/07/07  
Readopted: 1/11/16  
Orig. Code(s): GCQB

## **Professional Research and Publishing**

Employees are encouraged by the Board to write and to prepare professional materials and devices for publication. The administration is willing and agreeable to offer advice, assistance and encouragement to employees who engage in these efforts.

If employees have prepared and developed materials on their own time, have not used district materials, equipment or facilities, there is no requirement that these materials be submitted for review prior to publication. If the materials have been developed on school time and with district equipment and facilities, the Board recognizes that it has certain proprietary rights to such materials.

The superintendent is authorized by the Board to review materials prepared by a staff member prior to copyright or patent for subsequent publication or distribution, and to waive all or part of the Board's proprietary rights in favor of those employees preparing such materials.

The superintendent is authorized by the Board to sell instructional materials which have been prepared by the West Linn-Wilsonville schools to other school systems, organizations or commercial firms wishing to purchase copies or obtain production rights.

END OF POLICY

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

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2011); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2011).  
Protection of Pupil Rights, 20 U.S.C. § 1232h (2006); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2006).

# West Linn-Wilsonville School District 3J

Code: **GCQBA**  
Adopted: 1/11/16

## Copyrights and Patents

The Board asserts the district's proprietary rights to publications, instructional materials and other devices prepared by district employees during their paid work time. The Board also recognizes the importance of encouraging its professional staff to engage in professional writing, research and other creative endeavors. Publications, articles, materials, models and other items produced by district personnel for district use with district time, money and facilities as part of an employee's job responsibilities remain the property of the district.

The district will apply for copyrights and patents when deemed appropriate by the superintendent. Employees will be expected to cooperate in the district's efforts.

In the event that an employee produces items described above partly on his/her own time and partly on district time, the district reserves the right to claim full ownership. The employee, however, may petition the district for assignment of copyright or patent rights. Employees will not attempt to copyright or patent such items without the knowledge and consent of the superintendent.

Royalties may not be paid on textbooks used which have been written on district time by licensed staff of the district. In all cases where textbooks, written by faculty members, have been adopted by the district, royalties earned shall be donated to the John Paul Brown Scholarship Fund in the name of the author(s).

END OF POLICY

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### Legal Reference(s):

[ORS 332.745](#)

Copyrights, 17 U.S.C. §§ 101- 1332; 19 C.F.R. Part 133 (2006).  
Patents, 35 U.S.C. §§ 1-376 (2006).

### Cross Reference(s):

EGAAA - Reproduction of All Copyrighted Materials

# West Linn-Wilsonville School District 3J

Code: **IA**  
Adopted: 12/05/11  
Readopted: 3/07/16  
Orig. Code(s): IA

## Instructional Goals

The focus of the district is on the learner, the student. The student's educational development toward the schools' goals is the main concern of the Board's policies and administrative regulations. In seeking to meet this commitment, the Board declares its aim to provide, within financial limitations set by the community, the best educational opportunities so that all children will succeed personally and as citizens of the community, state and nation. The efforts of the Board and all employees of the district shall be directed to this end.

The goals of the district shall be to permit and assist every child regardless of linguistic background, socio-economic status, culture, race, sex, sexual orientation, capability or geographic location:

1. To be proficient in the knowledge and skills of their current grade level.
2. To be graded on how well the student is achieving course requirements at the student's current grade level and progress toward becoming proficient in a continuum of knowledge and skills.
3. To acquire the knowledge, habits and attitudes that will promote good physical and mental health and cooperation among individuals.
4. To acquire an understanding, respect and appreciation for persons belonging to the many social, cultural and ethnic groups in our society.
5. To help students achieve to the fullest extent the mastery of the basic skills in the use of language arts – listening, speaking, writing, reading – and of mathematics for obtaining information, communicating effectively, thinking critically, reasoning logically and solving problems.
6. To help students acquire basic information and a scientific approach pertaining to the principles of the physical, earth and life sciences, and their impact on life today and in the future.
7. To help students gain a knowledge of the history of the United States and our constitutional form of government and to acquire the attitudes of responsible citizenship for effective participation in the decision-making processes of the public institutions of our country, community, state and nation.
8. To acquire the best understanding of himself or herself and an appreciation of his/her worth as an individual and as a member of society.

9. To develop artistic values across the curriculum through an instructional program which provides students with opportunities for appreciation, production and performance activities.

END OF POLICY

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**Legal Reference(s):**

[ORS 329.025](#)  
[ORS 329.125](#)  
[ORS 336.067](#)

[OAR 581-022-1020](#)  
[OAR 581-022-1030](#)  
[OAR 581-022-1210](#)

[OAR 581-022-1340](#)

## **Freedom of Expression**

Students have a general right to freedom of expression within the school system. The district requires, however, that students exercise their rights fairly, responsibly and in a manner not disruptive to other individuals or to the educational process.

### **Freedom of Student Inquiry and Expression**

1. Generally, students and student organizations are free to examine and discuss questions of interest to them and to express opinions publicly and privately within the school system, provided such examination and expression is fair and responsible and is not disruptive to other individuals or to the educational process. Students may support or oppose causes by orderly means which do not disrupt other individuals or the operation of the school.
2. In the classroom, students are free to examine views offered in any course of study, provided such examination is expressed in a responsible manner.

### **Freedom of Association**

Students are free to organize associations to promote their common interests. Student organizations should be open to all students. Membership criteria may not exclude students on the basis of age, race, religion, color, national origin, disability, marital status, sex or sexual orientation<sup>1</sup>. Each student organization must have a staff adviser to counsel and, when necessary, supervise students in the organization. All student organizations must submit to the school a statement of purpose, criteria for membership, rules and procedures and a current list of officers. School administrators may establish reasonable rules and regulations governing the activity of student organizations.

### **Publications K-8, Displays and Productions**

On occasion, materials such as leaflets, newsletters, cartoons and other items including displays and productions are prepared, produced and/or distributed by students as part of the educational process and free expression in an academic community. Materials may be subject to administrative review, restricted or prohibited, however, pursuant to legitimate educational concerns. Such concerns include:

1. The material is or may be defamatory;
2. The material is inappropriate based on the age, grade level and/or maturity of the audience;

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<sup>1</sup>“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.

3. The material is poorly written, inadequately researched, biased or prejudiced;
4. Whether there is an opportunity for a named individual or named individuals to make a response;
5. Whether specific individuals may be identified even though the material does not use or give names;
6. The material is or may be otherwise generally disruptive to the school environment. Such disruption may occur, for example, if the material uses, advocates or condones the use of profane language or advocates or condones the commission of unlawful acts;
7. Students, parents and members of the public might reasonably perceive the materials to bear the sanction or approval of the district.

### **High School Student Journalists**

Generally, high school student journalists have the right to exercise freedom of speech and of the press in school-sponsored media. School sponsored media means materials that are prepared, substantially written, published or broadcast by student journalists, that are distributed or generally made available, either free of charge or for a fee, to members of the student body and that are prepared under the direction of a student media adviser. School-sponsored media does not include media intended for distribution or transmission solely in the classrooms in which they are produced.

School-sponsored media prepared by student journalists are subject to reasonable time, place and manner restrictions, pursuant to state and federal law. School-sponsored media cannot contain material that:

1. Is libelous or slanderous;
2. Is obscene, pervasively indecent or vulgar;
3. Is factually inaccurate or does not meet journalistic standards established for school-sponsored media;
4. Constitutes an unwarranted invasion of privacy;
5. Violates federal or state law; or
6. So incites students as to create a clear and present danger of:
  - a. The commission of unlawful acts on or off school premises;
  - b. The violation of district policies; or
  - c. The material and substantial disruption of the orderly operation of the school. A school official will base a forecast of material and substantial disruption on specific facts, including past experience in the school and current events influencing student behavior, and not on undifferentiated fear or apprehension.

Modifications or removal of items may be appealed in writing to the superintendent or designee. The superintendent shall schedule a meeting within three school days of receiving the written appeal. Those

present at the meeting shall include the individual(s) making the appeal, the individual(s) who made the decision to modify or remove materials and the superintendent. At the superintendent's discretion, the district's legal counsel may also attend the meeting. The superintendent shall make his/her decision within three school days of the meeting.

If the complainant is not satisfied with the decision of the superintendent, he/she may appeal to the Board under established district procedures.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.072](#)

[ORS 332.107](#)

[ORS 336.477](#)

[ORS 339.880](#)

[ORS 339.885](#)

[OAR 581-021-0050](#)

[OAR 581-021-0055](#)

Equal Access Act, 20 U.S.C. §§ 4071-4074 (2006).

Westside Cmty. Bd. of Educ. v. Mergens, 496 U.S. 226 (1990).

Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988).

U.S. CONST. amend. I; U.S. CONST. amend. XIV.

OR. CONST., art. I, § 8.

**Cross Reference(s):**

IGDA - Student Organizations

INB - Studying Controversial Issues

### **Relations with Home-Schooled Students\*\***

The district recognizes the rights of parents to educate students at home and acknowledges the education service district's role in registering and monitoring test results for students who are being taught at home.

Students may, upon parent request, be allowed to participate in district programs such as physical education programs, instrumental and vocal music programs, or other selected options if space and materials are available. Such students must then adhere to regular attendance procedures as established by the school and must avoid disruption of said programs. Parents are responsible for transportation for students attending selected school offerings.

The Board shall evaluate transcripts and determine the value of prior credits and number of years of school attendance or equivalent for home-schooled students on a case-by-case basis.

Home-schooled students may participate in interscholastic activities if the following criteria are met:

1. The student can meet the district eligibility requirements except the district or class attendance requirements;
2. The student need not meet class requirements of the voluntary association administering the interscholastic activities;
3. The student can achieve the minimum score on an examination from the list adopted by the State Board of Education. The minimum composite test score that a student must achieve shall place the student at or above the 23rd percentile based on national norms. The examination shall be taken at the end of each school year; (Students may participate while awaiting test results.)
4. The parent shall submit the examination results to the district; or the district may adopt alternative requirements, in consultation with the parent, that a student must meet to participate in interscholastic activities, including, but not limited to, a requirement that a student submit a portfolio of work samples to the district for review to determine whether a student is eligible to participate in interscholastic activities;
5. The student must fulfill the same responsibilities and standards of behavior and performance including related class or practice requirements of other students participating in the interscholastic activity. The student must meet the same standards for acceptance on the team or squad. The student must also comply with all public school requirements during the time of participation;
6. The student must reside in the attendance boundaries of the school for which the student participates.



An interscholastic activity is defined as an activity:

1. With optional student participation which complements the curriculum, encourages students' physical, academic or social development;
2. Supervised by school personnel;
3. Generally conducted outside the instructional day.

END OF POLICY

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**Legal Reference(s):**

[ORS 326.051](#)  
[ORS 339.030](#)  
[ORS 339.035](#)  
[ORS 339.430](#)

[ORS 339.460](#)  
[ORAR 581-021](#)-0026 to-0029  
[ORAR 581-021](#)-0033

[ORAR 581-021](#)-0071  
[ORAR 581-021](#)-0210  
[ORAR 581-022](#)-1350

# West Linn-Wilsonville School District 3J

Code: **ICA**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): ICA

## School Calendar

The superintendent shall develop the calendar for the coming school year with input from teachers, classified staff and administrators. This process should be completed by early spring. The calendar should provide for the opening and closing dates, holidays, in-service days, teacher work days and vacations. Before final adoption by the Board, school employees shall have the opportunity to review the proposed calendar.

END OF POLICY

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### Legal Reference(s):

[ORS 187.010](#)  
[ORS 243.650](#)  
[ORS 332.075\(1\)\(a\)](#)  
[ORS 336.010](#)

[OAR 581-022-1620](#)

# West Linn-Wilsonville School District 3J

Code: **IE**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): IE

## Organization of Instruction

The Board is responsible for the education of students in the district and will assume the responsibility for the kindergarten, elementary and secondary education.

The grouping of students and housing of instructional levels shall be developed by the superintendent and his staff and approved by the Board.

END OF POLICY

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### Legal Reference(s):

[ORS 329.025](#)

[ORS 332.075](#)

[ORS 336.067](#)

[OAR 581-021-0045](#)

[OAR 581-021-0046](#)

[OAR 581-022-0606](#)

[OAR 581-022-0807](#)

[OAR 581-022-1020](#)

[OAR 581-022-1130](#)

[OAR 581-022-1140](#)

[OAR 581-022-1210](#)

[OAR 581-022-1340](#)

[OAR 581-022-1610](#)

# West Linn-Wilsonville School District 3J

Code: **IF**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): IF

## Curriculum Development

The ultimate authority and decisions on matters of curriculum are the responsibilities of the Board. The Board feels it is necessary to continually develop and modify its curriculum to meet the changing needs and diversity of our society and directs the professional staff to investigate new curricular ideas, develop and improve programs and evaluate results. To accomplish this, it authorizes the superintendent to organize advisory committees to periodically review the curriculum and advise the Board on curriculum changes.

END OF POLICY

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### Legal Reference(s):

[ORS 243.650](#)  
[ORS 332.075\(1\)](#)  
[ORS 336.035](#)  
[ORS 336.067](#)

[OAR 581-021-0045](#)  
[OAR 581-021-0046](#)  
[OAR 581-022-0606](#)  
[OAR 581-022-0807](#)  
[OAR 581-022-1020](#)

[OAR 581-022-1130](#)  
[OAR 581-022-1140](#)  
[OAR 581-022-1210](#)  
[OAR 581-022-1340](#)  
[OAR 581-022-1610](#)

# West Linn-Wilsonville School District 3J

Code: **IFCA**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): IFCA

## 21<sup>st</sup> Century Schools Councils

The purpose of 21st Century Schools Councils (aka Site Councils) is to increase student achievement. In compliance with provisions of the Oregon Educational Act for the 21st Century, it is the policy of the Board to establish 21st Century Schools Councils in each of the district's schools. It is the Board's belief that when a group of people who represent different parts of an educational community come together to work in a collaborative manner to improve education, student achievement will increase.

The Board believes that all students can learn and should have the opportunity to achieve their maximum learning potential. Achieving this goal will best be accomplished through school-based decision making with equitable family-school-community partnerships.

All positions and recommendations of the councils shall be in compliance and consistent with state law, Board policy, the district's vision, goals and operating procedures.

END OF POLICY

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### Legal Reference(s):

[ORS 192.660](#) to -192.690  
[ORS 243.650](#)  
[ORS 243.782](#)  
[ORS 329.125](#)  
[ORS 329.704](#)  
[ORS 329.788](#)  
[ORS 330.080](#)

[ORS 330.083](#)  
[ORS 330.115](#)  
[ORS 332.172](#)  
[ORS 339.333](#)  
[ORS 342.513](#)  
[ORS 342.521](#)  
[ORS 342.545](#)

[ORS 342.553](#)  
[ORS 342.608](#)  
[ORS 342.610](#)  
  
[OAR 581-020-0105](#)  
[OAR 581-020-0115](#)  
[OAR 581-020-0130](#)

### Cross Reference(s):

KC - Community Involvement in Decision Making

# West Linn-Wilsonville School District 3J

Code: **IGAC**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Readopted: 1/8/18  
Orig. Code(s): IGAC

## Teaching about Religion

The First Amendment to the United States Constitution provides both freedom of religion and prohibition against the establishment of religion by the government. Religious education is the responsibility of the home and church and within the district's schools shall remain the free choice of the individual, true to the American heritage and Constitution.

Religion does influence many areas of education such as history and literature and religion's role in civilization can, and should be, properly taught. It will be proper for teachers to emphasize the generally accepted moral and ethical principles of all religions and to provide information and the opportunity to study the various forms of religion. It is proper for teachers to teach about religion as opposed to teaching sectarian beliefs, although study of religious materials and sacred documents as literary forms may inform students concerning particular sectarian beliefs.

Teachers shall not, openly or covertly, favor or disfavor a particular religion or religious belief, but may be permitted to expose students to information concerning religions and religious beliefs.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)  
[ORS 336.035](#)

U.S. CONST. amend. I.  
OR. CONST., art. I.

# West Linn-Wilsonville School District 3J

Code: **IGAEB**  
Adopted: 3/07/16

## **Drug, Alcohol and Tobacco Prevention, Health Education\*\***

Students have a right to attend school in an environment conducive to learning. Since student drug, alcohol and tobacco use is illegal and harmful and interferes with both effective learning and the healthy development of students, the school has a fundamental legal and ethical obligation to prevent unlawful drug, alcohol and tobacco use and to maintain a drug-free educational environment.

After consulting with parents, teachers, school administrators, local community agencies and persons from the drug, alcohol or health service community who are knowledgeable of the latest research information, the Board will adopt a written plan for a drug, alcohol and tobacco prevention and intervention program.

### **Drug Prevention Program**

The district's drug, alcohol and tobacco curriculum will be age-appropriate, reviewed annually and updated as necessary to reflect current research and Oregon's Health Education Academic Content Standards.

Drug, alcohol and tobacco prevention instruction will be integrated in the district's health education courses for grades K-12. Students not enrolled in health education shall receive such instruction through other designated courses. At least annually, all high school students, grades 9-12, shall receive instruction about drug and alcohol prevention. Instruction shall minimally meet the requirements set forth in Oregon Administrative Rules.

The district will include information regarding the district's intervention and referral procedures, including those for drug-related medical emergencies in student/parent and staff handbooks.

Intervention is defined as the identification and referral of students whose behavior is interfering with their potential success socially, emotionally, physiologically, and/or legally as a result of prohibited drug, alcohol and/or tobacco use.

Any staff member who has reason to suspect a student is in possession of, or under the influence of unlawful drugs, alcohol, other intoxicants or tobacco on district property, on a school bus or while participating in any district-sponsored activity, whether on district property or at sites off district property, will escort the student to the office or designated area and will report the information to the principal or his/her designated representative.

Students possessing, using and/or selling unlawful drugs, including drug paraphernalia, alcohol and tobacco on district property, in district vehicles, at district-sponsored activities on or off district grounds shall be subject to discipline up to and including expulsion. When considering disciplinary action for a child with disabilities, the district must follow the requirements of Board policy JGDA/JGEA – Discipline of Students with Disabilities including those involving functional behavioral assessment, change or placement, manifestation determination and an interim alternative educational setting. Students may also be referred to law enforcement officials.

In general, drug-related medical emergencies will be handled like a serious accident or illness. Immediate notification of the community emergency care unit is required. Trained staff members will assist the student in any way possible. Parents shall be contacted immediately. A staff member shall be designated to accompany the student to the hospital or emergency medical facility. Procedures to be taken, including those for students participating in district-sponsored activities off district grounds, shall be included in the district's comprehensive first aid/emergency plan.

The district is encouraged to coordinate drug-free school efforts with other districts, community agencies and/or the education service district.

A planned staff development program that includes current drug, alcohol and tobacco prevention education, an explanation of the district's plan and staff responsibilities within that plan will be developed by the superintendent. The input of staff, parents and the community is encouraged to ensure a staff development program that best meets the needs of district students.

The district will develop a public information plan for students, staff and parents.

The district's Drug, Alcohol and Tobacco Prevention, Health Education policy, related board policies, rules and procedures will be reviewed annually and updated as needed.

END OF POLICY

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**Legal Reference(s):**

|                                  |                                  |                                  |
|----------------------------------|----------------------------------|----------------------------------|
| <a href="#">ORS 163.575</a>      | <a href="#">OAR 581-015-2060</a> | <a href="#">OAR 581-015-2420</a> |
| <a href="#">ORS 336.067</a>      | <a href="#">OAR 581-015-2070</a> | <a href="#">OAR 581-015-2425</a> |
| <a href="#">ORS 336.222</a>      | <a href="#">OAR 581-015-2075</a> | <a href="#">OAR 581-015-2430</a> |
| <a href="#">ORS 339.873</a>      | <a href="#">OAR 581-015-2205</a> | <a href="#">OAR 581-015-2435</a> |
| <a href="#">ORS Chapter 475</a>  | <a href="#">OAR 581-015-2220</a> | <a href="#">OAR 581-015-2440</a> |
|                                  | <a href="#">OAR 581-015-2225</a> | <a href="#">OAR 581-015-2600</a> |
| <a href="#">OAR 581-011-0052</a> | <a href="#">OAR 581-015-2230</a> | <a href="#">OAR 581-015-2605</a> |
| <a href="#">OAR 581-015-2000</a> | <a href="#">OAR 581-015-2235</a> | <a href="#">OAR 581-021-0050</a> |
| <a href="#">OAR 581-015-2040</a> | <a href="#">OAR 581-015-2240</a> | <a href="#">OAR 581-021-0055</a> |
| <a href="#">OAR 581-015-2045</a> | <a href="#">OAR 581-015-2325</a> | <a href="#">OAR 581-022-0413</a> |
| <a href="#">OAR 581-015-2050</a> | <a href="#">OAR 581-015-2410</a> | <a href="#">OAR 581-022-1210</a> |
| <a href="#">OAR 581-015-2055</a> | <a href="#">OAR 581-015-2415</a> |                                  |

Drug-Free Workplace Act of 1988, 41 U.S.C. §§ 701-707 (2006); General Principles Relating to Suspension and Debarment Actions, 34 C.F.R. §§ 85.600 - 85.645 (2006).  
Controlled Substances Act, 21 U.S.C. § 812; Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11 - 1308.15 (2006).  
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2006).  
34 C.F.R. §§ 300.108.

**Cross Reference(s):**

IGAEC - Anabolic Steroids and Performance-Enhancing Substances



# West Linn-Wilsonville School District 3J

Code: **IGAEC**  
Adopted: 3/07/16

## **Anabolic Steroids and Performance-Enhancing Substances**

The district will not tolerate the possession, selling or use of unlawful drugs or hormonal substances chemically or pharmacologically related to testosterone.

### **Definitions**

“Anabolic steroid” includes any drug or hormonal substance chemically or pharmacologically related to testosterone, all prohormones, including dehydroepiandrosterone and all substances listed in the Anabolic Steroid Control Act of 2004. Anabolic steroid does not include estrogens, progestins, corticosteroids and mineralocorticoids.

“Performance-enhancing substance” means a manufactured product or oral ingestion, intranasal application or inhalation containing compounds that contain a stimulant, amino acid, hormone precursor, herb or other botanical or any other substance other than an essential vitamin or mineral; and are intended to increase athletic performance, promote muscle growth, induce weight loss or increase an individual’s endurance or capacity for exercise.

“School district employee” means an administrator, teacher or other person employed by a school district; a person who volunteers for a school district; and a person who is performing services on behalf of a school district pursuant to a contract.

The Board directs the superintendent to ensure that anabolic steroid and performance-enhancing substance abuse by students is addressed and may be a part of the district’s Prevention Program (OAR 581-022-0413).

END OF POLICY

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

[ORS 326.051](#)  
[ORS 332.107](#)  
[ORS 342.721](#)

[ORS 342.726](#)

[OAR 581-022-0413](#)  
[OAR 581-022-0416](#)

Controlled Substances Act, 21 U.S.C. § 812; Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11 - 1308.15 (2006).  
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2006).  
34 C.F.R. §§ 300.108.

### **Cross Reference(s):**

IGAEB - Drug, Alcohol and Tobacco Prevention, Health Education  
JFC - Student Conduct  
JGDA/JGEA - Discipline of Students with Disabilities

# West Linn-Wilsonville School District 3J

Code: **IGAI**  
Adopted: 3/07/16

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

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

Course material and instruction for all human sexuality education courses that discuss human sexuality shall enhance a student's understanding of sexuality as a normal and healthy aspect of human development. In addition, the HIV/AIDS and sexually transmitted infections and disease prevention education and the human sexuality education comprehensive plan shall provide adequate instruction at least annually, for all students in grade 6-8 and at least twice during grades 9-12.

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

The Board shall approve the plan of instruction and require that it be reviewed and updated biennially in accordance with new scientific information and effective educational strategies.

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

END OF POLICY

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

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

[ORS 339.370](#)  
[OAR 581-022-0705](#)

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

# West Linn-Wilsonville School District 3J

Code: **IGBA**  
Adopted: 3/13/08  
Readopted: 3/07/16  
Orig. Code(s): IGBA

## **Students with Disabilities - Students with Disabilities**

The district implements an ongoing system to locate, identify and evaluate all children birth to age 21 residing within its jurisdiction that have disabilities and need early intervention, early childhood special education (EI/ECSE) or special education services. For preschool children the district is responsible for the evaluation(s) used to determine eligibility; the designated referral and evaluation agency, Clackamas Educational Service District, is responsible for determining the eligibility of children for EI/ECSE services in accordance with Oregon Administrative Rule (OAR) 581-015-2100. The district identifies all children with disabilities, regardless of the severity of their disabilities, including those who are:

1. Highly mobile, such as migrant and homeless children;
2. Wards of the state;
3. Native American preschool children living on reservations;
4. Suspected of having a disability even though they have not failed, been retained in a course or a grade, and are advancing from grade to grade;
5. Home schooled;
6. Resident and nonresident students, including residents of other states, attending private (religious or secular) school located within the boundaries of the district;
7. Attending a public charter school located in the district;
8. Below the age of compulsory school attendance; or
9. Above the age of compulsory school attendance who have not graduated from high school with a regular diploma and have not completed the school year in which they reach their 21st birthday.

The district determines residency in accordance with Oregon Revised Statute (ORS) Chapter 339 and, for the purposes of charter school students with disabilities, in accordance with ORS Chapter 338 and ORS Chapter 339. The district enrolls all students who are five by September 1 of the school year. Students with disabilities are eligible to enroll in the district through the school year in which they reach the age of 21 if they have not graduated with a regular diploma.

The district shall annually submit data to the Oregon Department of Education (ODE) regarding the number of resident students with disabilities who have been identified, located and evaluated are receiving special education and related services. The district conducts an annual count of the total number of private school children attending private schools located within the boundaries of the district, and a count of all

children with disabilities attending private schools located within the boundaries of the district, in accordance with OAR 581-015-2465. The district reports any additional data to ODE required by the ODE to meet the requirements of federal or state law and the applicable reporting dates.

END OF POLICY

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**Legal Reference(s):**

|                                     |                                  |                                  |
|-------------------------------------|----------------------------------|----------------------------------|
| <a href="#">ORS 332.075</a>         | <a href="#">ORS 343.517</a>      | <a href="#">OAR 581-015-2190</a> |
| <a href="#">ORS 338.165</a>         | <a href="#">ORS 343.533</a>      | <a href="#">OAR 581-015-2195</a> |
| <a href="#">ORS 339.115 to -137</a> |                                  | <a href="#">OAR 581-015-2315</a> |
| <a href="#">ORS 343.151</a>         | <a href="#">OAR 581-015-2040</a> | <a href="#">OAR 581-015-2480</a> |
| <a href="#">ORS 343.157</a>         | <a href="#">OAR 581-015-2045</a> | <a href="#">OAR 581-021-0029</a> |
| <a href="#">ORS 343.193</a>         | <a href="#">OAR 581-015-2080</a> | <a href="#">OAR 581-022-1340</a> |
| <a href="#">ORS 343.221</a>         | <a href="#">OAR 581-015-2085</a> |                                  |

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1412 (a)(3).  
Early Intervention Program for Infants and Toddlers with Disabilities, 34 C.F.R. Part 303 (2006).  
Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.111 (2006).

# West Linn-Wilsonville School District 3J

Code: **IGBAB/JO**  
Adopted: 3/07/16

## **Education Records/Records of Students with Disabilities\*\***

Education records are those records maintained by the district that are directly related to a student.

The primary reason for the keeping and maintaining of education records for students is to help the individual student in his/her educational development by providing pertinent information for the student, his/her teachers and his/her parents. These records also serve as an important source of information to assist students in seeking productive employment and/or post-high school education.

The district shall maintain confidential education records of students in a manner that conforms with state and federal laws and regulations.

Information recorded on official education records should be carefully selected, accurate, verifiable and should have a direct and significant bearing upon the student's educational development.

The district annually notifies parents or adult students that it forwards educational records requested by an educational agency or institution in which the student seeks to enroll or receive services, including special education evaluation services.

The district may impose certain restrictions and/or penalties until fees, fines or damages are paid. Records requested by another district to determine a student's appropriate placement may not be withheld. Students or parents will receive written notice at least 10 days in advance of any restrictions and/or penalties to be imposed until the debt is paid. The notice will include the reason the student owes money to the district, an itemization of the fees, fines or damages owed and the right of parents to request a hearing. The district may pursue fees, fines or damages through a private collection agency or other method available to the district. The district may waive fees, fines and charges if the student or parents cannot pay, the payment of the debt could impact the health and safety of the student or if the cost of collection would be more than the total collected or there are mitigating circumstances, as determined by the superintendent.

The district shall comply with a request from parents or an adult student to inspect and review records without unnecessary delay. The district provides to parents of a student with a disability or to an adult student with a disability the opportunity at any reasonable time to examine all of the records of the district pertaining to the student's identification, evaluation, educational placement and free appropriate public education. The district provides parents or an adult student, on request, a list of the types and locations of education records collected, maintained and used by the district.

The district annually notifies parents of all students, including adult students, currently in attendance that they have to right to:

1. Inspect and review the student's records;
2. Request the amendment of the student's educational records to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy or other rights;

3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the student educational record rules authorize disclosure without consent. (See Board policy JOB – Personally Identifiable Information);
4. File with the U.S. Department of Education a complaint concerning alleged failures by the district to comply with the requirements of the Family Educational Rights and Privacy Act; and
5. Obtain a copy of the district's education records policy.

Regarding records to be released to district officials within the agency, the district's notice includes criteria for determining legitimate educational interest and the criteria for determining which school officials have legitimate educational interests. School officials may also include a volunteer or contractor who performs an institutional service on behalf of the school.

The district annually notifies parents and adult students of what it considers to be directory information and the disclosure of such. (See Board policy JOA – Directory Information).

The district shall give full rights to education records to either parent, unless the district has been provided legal evidence that specifically revokes these rights. Once the student reaches age 18 those rights transfer to the student.

A copy of this policy and administrative regulation shall be made available upon request to parents and students 18 years of age or older or emancipated and the general public.

END OF POLICY

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**Legal Reference(s):**

[ORS 30.864](#)  
[ORS 107.154](#)  
[ORS 326.565](#)  
[ORS 326.575](#)

[ORS 339.270](#)  
[ORS 343.177\(3\)](#)

[OAR 166-400-0010 to 166-450-0010](#)  
[OAR 581-021-0220 to -0430](#)  
[OAR 581-022-1660](#)  
[OAR 581-022-1670](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).

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

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.501 (2006).

**Cross Reference(s):**

JO/IGBAB - Education Records/Records of Students with Disabilities

JOA - Directory Information

JOB - Personally Identifiable Information

JN - Student Fees, Fines and Charges

# West Linn-Wilsonville School District 3J

Code: **IGBAC**  
Adopted: 3/07/16

## **Special Education - Personnel**

Consistent with Teacher Standards and Practices Commission requirements, district personnel are appropriately and adequately prepared to implement special education and related services and have the content knowledge and skills to serve children with disabilities.

The district takes measurable steps to recruit, hire, train and retain highly qualified personnel to provide special education and related services to children with disabilities.

The district's plan for providing personnel development programs in the district is found in Board policy GCL - Staff Development – Licensed.

END OF POLICY

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

Individuals with Disabilities Education Act [20 U.S.C. § 1412 (a)(14)(D) and] 20 U.S.C. § 1413 (a)(3).  
Assistance to States for the Education of Children with Disabilities [34 C.F.R. § 300.156 (d) and] 34 C.F.R. § 300.207.

# West Linn-Wilsonville School District 3J

Code: **IGBAE**  
Adopted: 3/13/08  
Readopted: 3/07/16  
Orig. Code(s): IGBAE

## Special Education - Participation in Regular Education Programs

The district ensures that to the maximum extent appropriate, students with disabilities, including students in public or private institutions or other care facilities, are educated with students without disabilities.

Special classes, separate schooling or other removal of students with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.

END OF POLICY

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### Legal Reference(s):

[ORS 343.223](#)

[OAR 581-015-2040](#)

[OAR 581-015-2045](#)

[OAR 581-015-2050](#)

[OAR 581-015-2055](#)

[OAR 581-015-2060](#)

[OAR 581-015-2065](#)

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.114-330.118 (2006).



# West Linn-Wilsonville School District 3J

Code: **IGBAF**  
Re-adopted: 10/03/22

## **Special Education - Individualized Education Program (IEP)\*\***

An individualized education program (IEP) shall be developed and implemented for each student with disabilities who is eligible for special education services in the district, kindergarten through 21, including those who attend a public charter school located in the district, are placed in or referred to a private school or facility by the district. The district is responsible for initiating and conducting the meetings to develop, review and revise the IEP of a student with disabilities. The district will ensure that one or both parents are present at each meeting or are afforded the opportunity to participate and are given a copy of the IEP. A meeting to develop an IEP shall be held within 30 calendar days of a determination that the student needs special education and related services, once every 365 days thereafter and when considering a change in the IEP or placement.

If a student is to be placed or referred to a private school or facility or attends a private or parochial school, the district will ensure that a representative of the private school or facility attends the IEP meeting. If the representative of the private school or facility is unable to attend the IEP meeting, the district shall use other methods to ensure participation including but not limited to, individual or conference telephone calls, or individual meetings.

END OF POLICY

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

[ORS 343.151](#)  
[ORS 343.155](#)

[OAR 581-015-2000](#)  
[OAR 581-015-2190](#)  
[OAR 581-015-2195](#)  
[OAR 581-015-2200](#)

[OAR 581-015-2205](#)  
[OAR 581-015-2210](#)  
[OAR 581-015-2215](#)  
[OAR 581-015-2220](#)  
[OAR 581-015-2225](#)  
[OAR 581-015-2229](#)  
[OAR 581-015-2230](#)

[OAR 581-015-2235](#)  
[OAR 581-015-2055](#)  
[OAR 581-015-2600](#)  
[OAR 581-015-2065](#)  
[OAR 581-015-2265](#)

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.5-300.6, 300.22-300.24, 300.34, 300.43, 300.105-106, 300.112, 300.325, 300.328, 300.501.

# West Linn-Wilsonville School District 3J

Code: **IGBAG**  
Adopted: 3/13/08  
Readopted: 3/07/16  
Orig. Code(s): IGBAG

## **Special Education - Procedural Safeguards\*\***

### **Procedural Safeguards – General**

A district ensures that students with disabilities and their families are afforded their procedural safeguards related to:

1. Access to students' educational records;
2. Parent and adult student participation in special education decisions;
3. Transfer of rights to students who have reached the age of majority;
4. Prior written notice of proposed district actions;
5. Consent for evaluation and for initial placement in special education<sup>1</sup>;
6. Independent educational evaluation;
7. Dispute resolution through mediation, state complaint investigation, resolution sessions and due process hearings;
8. Discipline procedures and protections for students with disabilities, including placements related to discipline;
9. Placement of students during the pendency of due process hearings;
10. Placement of students by their parents in private schools;
11. Civil actions; and
12. Attorney's fees.

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<sup>1</sup>If, at any time subsequent to the initial provision of special and related services, the parent of a child revokes consent in writing for the continued provision of special education and related services, the district: 1) may not continue to provide special education and related services to the child, but must provide prior written notice before ceasing the provision of special education and related services; 2) may not use mediation or due process procedures to obtain an agreement or ruling that the services may be provided to the child; 3) the district will not be considered to be in violation of the requirement to make a free appropriate public education (FAPE) available to the child because of the failure to provide the child with further special education and related services; and 4) the district is not required to convene an individualized education program (IEP) team meeting or develop an IEP for the child for further provision of special education or related services.

## **Procedural Safeguards Notice**

1. The district provides to parents a copy of the *Procedural Safeguards Notice*, published by the Oregon Department of Education, at least once per year and upon initial referral or parent request for special education evaluation and upon any other parent request. The district also gives a copy to the student at least a year before the student's 18th birthday or upon learning that the student is considered emancipated.
2. The district provides the *Procedural Safeguards Notice* in the parent's native language or other mode of communication unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, the district takes steps to ensure that the notice is translated orally or by other means understandable to the parent and that the parent understands the content of the notice. The district maintains written evidence that it meets these requirements.

## **Parent or Adult Student Meeting Participation**

1. The district provides parents or adult students an opportunity to participate in meetings with respect to the identification, evaluation, individualized education program (IEP) and educational placement of the student, and the provision of a free appropriate public education to the student.
2. The district provides parents or adult students written notice of any meeting sufficiently in advance to ensure an opportunity to attend. The written notice:
  - a. States the purpose, time and place of the meeting and who is invited to attend;
  - b. Advises that parents or adult students may invite other individuals who they believe have knowledge or special expertise regarding the student;
  - c. Advises that the team may proceed with the meeting even if the parents are not in attendance;
  - d. Advises the parents or adult students who to contact before the meeting to provide information if they are unable to attend; and
  - e. Indicates if one of the meeting's purposes is to consider transition services or transition services needs. If so:
    - (1) Indicates that the student will be invited; and
    - (2) If considering transition services, identifies any agencies invited to send a representative (with parent or adult student consent).
3. The district takes steps to ensure that one or both parents of a child with a disability are present at each IEP or placement meeting or are afforded the opportunity to participate, including:
  - a. Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and
  - b. Scheduling the meeting at a mutually agreed upon time and place.
4. If neither parent can attend, the district will use other methods to ensure participation, including, but not limited to, individual or conference phone calls or home visits.

5. The district may conduct an IEP evaluation planning or eligibility meeting without the parent or adult student if the district provided meeting notice to the parent or adult student sufficiently in advance to ensure an opportunity to attend.

END OF POLICY

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**Legal Reference(s):**

[ORS 343.155](#)

[ORS 343.165](#)

[ORS 343.177](#)

[ORS 343.181](#)

[OAR 581-001-0005](#)

[OAR 581-015-2000](#)

[OAR 581-015-2030](#)

[OAR 581-015-2090](#)

[OAR 581-015-2095](#)

[OAR 581-015-2190](#)

[OAR 581-015-2195](#)

[OAR 581-015-2305](#)

[OAR 581-015-2310](#)

[OAR 581-015-2325](#)

[OAR 581-015-2330](#)

[OAR 581-015-2345](#)

[OAR 581-015-2360](#)

[OAR 581-015-2385](#)

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.500 - 300.505, 300.515, 300.517 (2006).

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.300 (2008).

**Cross Reference(s):**

JGDA/JGEA - Discipline of Students with Disabilities

# West Linn-Wilsonville School District 3J

Code: **IGBAH**  
Adopted: 3/13/08  
Readopted: 3/07/16  
Orig. Code(s): IGBAH

## **Special Education - Evaluation Procedures\*\***

Consistent with its child find and parent consent obligations, the district responds promptly to requests initiated by a parent or public agency for an initial evaluation to determine if a child is a child with a disability. Upon receiving a request from a parent or public agency for an initial evaluation, the district will designate a team to determine whether an initial evaluation will be conducted.

A full and individual evaluation of a student's educational needs that meets the criteria established in the Oregon Administrative Rules will be conducted before determining eligibility and before the initial provision of special education and related services to a student with a disability. The district implements an ongoing system to locate, identify and evaluate all children birth to 21 residing within its jurisdiction who have disabilities and need early intervention, early childhood special education or special education services.

The district identifies all children with disabilities, regardless of the severity of their disabilities, including children who are:

1. Highly mobile, such as migrant and homeless children;
2. Wards of the state;
3. Native American preschool children living on reservations;
4. Suspected of having a disability even though they advance from grade to grade;
5. Home schooled;
6. Attending private (religious or secular) school located within the boundaries of the district;
7. Attending a public charter school located in the district;
8. Below the age of compulsory school attendance; or
9. Above the age of compulsory school attendance who have not graduated from high school with a regular diploma and have not completed the school year in which they reach their 21st birthday.

The district is responsible for evaluating and determining eligibility for special education services for all children, birth through 21 years of age. The district is responsible for evaluating children who may be eligible for Early Intervention/Early Childhood Special Education (EI/ECSE) services. The district's designated referral and evaluation agency is responsible for determining eligibility.

Before conducting any evaluation or reevaluation, the district:

1. Plans the evaluation with a group that includes the parent(s);
2. Provides prior written notice to the parent that describes any proposed evaluation procedures the agency proposes to conduct as a result of the evaluation planning process; and
3. Obtains informed written consent for evaluation.

The district conducts a comprehensive evaluation or reevaluation before:

1. Determining that a child has a disability;
2. Determining that a child continues to have a disability;
3. Changing the child's eligibility;
4. Providing special education and related services;
5. Terminating the child's eligibility for special education, unless the termination is due to graduation from high school with a regular diploma or exceeding the age of eligibility for a free appropriate public education.

Upon completion of the evaluation, the district provides the parent or eligible child a copy of the evaluation report at no cost. The evaluation report describes and explains the results of the evaluation. Upon completion of the eligibility determination, the district provides the parent or eligible child documentation of eligibility determination at no cost.

The district ensures that assessments and other evaluation materials, including those tailored to assess specific areas of education need, used to assess a child:

1. Are selected and administered so as not to be racially or culturally discriminatory;
2. Are provided and administered in the child's native language or other mode of communication and form most likely to yield accurate information on what the child knows and can do academically, developmentally and functionally unless it is clearly not feasible to do so;
3. Are used for purposes for which assessments or measures are valid and reliable;
4. Are administered by trained and knowledgeable personnel; and
5. Are administered in accordance with any instructions provided by the producer of such assessments.

Materials and procedures used to assess a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills.

A student must meet the eligibility criteria established in the Oregon Administrative Rules.

The district conducts reevaluations:

1. When the educational or related services needs, including improved academic achievement and functional performance of the children warrant a reevaluation;
2. When the child's parents or teacher requests a reevaluation; and
3. At least every three years, unless that parent and the district agree that a reevaluation is unnecessary.

The district does not conduct reevaluation more than once a year, unless the parent and district agree otherwise and at least once every three years, unless the parent and district agree that a reevaluation is unnecessary.

END OF POLICY

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**Legal Reference(s):**

[ORS 343.155](#)

[ORS 343.157](#)

[ORS 343.164](#)

[OAR 581-015-2000](#)

[OAR 581-015-2095](#)

[OAR 581-015-2105 to-2190](#)

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.7, 300.530 - 300.534, 300.540 - 300.543.

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.300.

# West Linn-Wilsonville School District 3J

Code: **IGBAI**  
Adopted: 3/13/08  
Readopted: 3/07/16  
Orig. Code(s): IGBAI

## Special Education - Private Schools

IDEA requires special education services for two different groups of private school students: those referred or placed by the district and those enrolled by parents. The law, rules and requirements for these groups of students are vastly different. It is the policy of the district to implement differentiated procedures and services for these districts.

The district shall ensure that a student with a disability who is placed in or referred to a private school or facility by the district is provided special education and related services at no cost to the parents, is provided an education that meets the standards that apply to education provided by the district and has all of the rights of a student with a disability who is served by the district.

If a student with a disability has a free appropriate public education available to him/her and the parents choose to place the student in a private school, the district is not required to pay the cost of the student's education at the private school. The district will offer a service plan and annual consultation.

All parentally-placed private school students attending a private school within the district's boundaries will be included in the district's special education private school student count and the private school students for whom the district may provide services.

END OF POLICY

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### Legal Reference(s):

[ORS 343.155](#)

[OAR 581-015-2080](#)

[OAR 581-015-2085](#)

[OAR 581-015-2265](#)

[OAR 581-015-2270](#)

[OAR 581-015-2280](#)

[OAR 581-015-2450](#)

[OAR 581-015-2455](#)

[OAR 581-015-2460](#)

[OAR 581-015-2470](#)

[OAR 581-015-2480](#)

[OAR 581-015-2515](#)

[OAR 581-021-0029](#)

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.221, 300.380 - 300.382 (2006).



# West Linn-Wilsonville School District 3J

Code: **IGBAJ**  
Adopted: 3/13/08  
Readopted: 3/07/16  
Orig. Code(s): IGBAJ

## **Special Education - Free Appropriate Public Education (FAPE)**

1. The district admits all resident school age children with disabilities and makes special education and related services available at no cost to those:
  - a. Who have reached five years of age but have not yet reached 21 years of age on or before September 1 of the current school year, even if they have not failed or have not been retained in a course or grade or are advancing from grade to grade;
  - b. Who have not graduated with a regular diploma;
  - c. Who have been suspended or expelled in accordance with special education discipline provisions; or
  - d. Who reach age 21 before the end of the school year. These students remain eligible until the end of the school year in which they reach 21 years of age.
2. The district determines residency in accordance with Oregon law.
3. The district takes steps to ensure that its children with disabilities have available to them the variety of educational programs and services available to nondisabled children in the area served by the district and provides a continuum of services to meet the individual special education needs of all resident children with disabilities and children with disabilities who are enrolled in public charter schools located in the district.
4. State law prohibits the district from recommending to parents, or requiring a child to obtain, a prescription for medication to affect or alter thought processes, mood or behavior as a condition of attending school, receiving an evaluation to determine eligibility for early childhood special education or special education, or receiving special education services.
6. If the placement team determines that placement in a public or private residential program is necessary to provide FAPE, the program, including nonmedical care and room and board, must be at no cost to the parents of the child.
7. If a parent revokes consent for a student receiving special education and related services, the district will not be considered to be in violation of the requirement to make FAPE available to the student because of the failure to provide the student with further special education and related services.

END OF POLICY

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**Legal Reference(s):**

[ORS 338.165](#)  
[ORS 339.115](#)  
[ORS 343.085](#)  
[ORS 343.224](#)

[OAR 581-015-2020](#)  
[OAR 581-015-2035](#)  
[OAR 581-015-2040 to-2065](#)  
[OAR 581-015-2050](#)  
[OAR 581-015-2075](#)

[OAR 581-015-2530](#)  
[OAR 581-015-2600](#)  
[OAR 581-015-2605](#)  
[OAR 581-021-0029](#)

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.17, 300.101-110, 300.113 (2006).  
Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.300 (2008).

# West Linn-Wilsonville School District 3J

Code: **IGBAK**  
Adopted: 3/13/08  
Readopted: 3/07/16  
Orig. Code(s): IGBAK

## Special Education - Public Availability of State Application

The superintendent or designee will be responsible for ensuring that all documents relating to the district's eligibility for funds under Part B of the Individuals with Disabilities Education Act (IDEA) are available to parents of children with disabilities and to the general public for inspection, review and comment.

1. In complying with this requirement the district does not release or make public personally identifiable information.
2. Information available for public review includes, but is not limited to:
  - a. How the district implements policies, procedures and programs for special education consistent with state and federal requirements;
  - b. Performance of student with disabilities on statewide assessments;
  - c. Results of the state's general supervision and monitoring of district programs for special education, including the timeliness and accuracy of required data submissions;
  - d. District achievement of performance targets established in the State Performance Plan (SPP);
  - e. Financial information related to revenue and expenditures for students with disabilities, including but not limited to, district information about:
    - (1) Excess costs of educating students with disabilities;
    - (2) Maintaining financial support for programs and services for students with disabilities (maintenance of effort or MOE); and
    - (3) Schoolwide programs under Title I of the Elementary and Secondary Education Act (ESEA) or No Child Left Behind (NCLB);
    - (4) Annual district application for IDEA funds; and
    - (5) Official audit reports, complaints and due process hearings.
  - f. District dispute resolution information, including the resolution of state complaints and due process hearings.

END OF POLICY

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### Legal Reference(s):

State-Administered Programs, 34 C.F.R. § 76.304 (2006).  
Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 34 C.F.R. 300.212 (2006).

# West Linn-Wilsonville School District 3J

Code: **IGBAL**  
Adopted: 3/07/16

## **Special Education - Services for Home-Schooled Students with Disabilities\*\***

If the district receives notice that a parent intends to home school a student with a disability, the district will offer an opportunity for an individualized education program (IEP) meeting to consider providing special education and related services in conjunction with home schooling and will provide written notice to the parent that a free appropriate public education will be provided if the student enrolls in the district.

This notice shall be provided annually as long as:

1. The student remains eligible for special education; and
2. The student is exempt from compulsory education as a home-schooled student; and
3. The student is not receiving special education and related services from the district.

END OF POLICY

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

[ORS 339.020](#)  
[ORS 339.030](#)  
[ORS 339.035](#)  
[ORS 343.165](#)

[OAR 581-015-2080](#)  
[OAR 581-015-2130 to 2190](#)  
[OAR 581-015-2210](#)  
[OAR 581-015-2310](#)

[OAR 581-015-2315](#)  
[OAR 581-021-0026 to -0029](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).

# West Linn-Wilsonville School District 3J

Code: **IGBB**  
Adopted: 9/10/07  
Readopted: 12/5/22  
Orig. Code(s): IGBB

## **Talented and Gifted Program and/or Services**

The district is committed to an educational program that recognizes, identifies and serves the unique strengths and needs of students identified as talented and gifted. Talented and gifted students demonstrate exceptional performance when compared to applicable developmental or learning progressions, with consideration given for variations in student's opportunity to learn, and to culturally relevant indicators of ability.

The Board directs the superintendent or designee to develop a process for identification of talented and gifted students in kindergarten through grade 12.

The district will develop a written plan of instruction for talented and gifted students in accordance with law that:

1. Includes a statement of the district policy on the education of talented and gifted students;
2. Identifies and assesses special talented and gifted programs and services available in the district;
3. States goals related to providing such programs and services, including timelines for achievement;
4. Describes the programs and services intended to accomplish stated goals;
5. Describes how the district provides parents an opportunity to discuss and provide input on programs and services for their child;
6. Describes how the district will evaluate progress of the plan; and
7. States the name and contact information for the district's talented and gifted coordinator

The plan will be provided at the school or the district office, when requested, and will be published on the district's website. The district website shall provide the name and contact information of the district's coordinator of special education and programs for talented and gifted. The district will annually report the name and contact information of the district's TAG coordinator to the Oregon Dept. of Education.

The district may also identify and provide programs for students who demonstrate outstanding ability or potential in creative ability in using original or nontraditional methods in thinking and producing leadership ability in motivating the performance of others in educational or non-educational settings and/or ability in the visual or performing arts, such as dance, music or art.

Complaints regarding programs and/or services can be filed in accordance with Board Policy KL – Public Complaints.

END OF POLICY

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

[ORS 343.391](#)  
[ORS 343.395](#)  
[ORS 343.396](#)  
[ORS 343.397](#)  
[ORS 343.401](#)

[ORS 343.407](#)  
[ORS 343.409](#)  
[ORS 343.413](#)  
[OAR 581-022-2370](#)  
[OAR 581-022-2325](#)

# West Linn-Wilsonville School District 3J

Code: **IGBBA**  
Adopted: 3/07/16

## Identification – Talented and Gifted\*\*

In order to serve academically talented and intellectually gifted students in grades K-12, the district directs the superintendent after due consideration of the input of staff, parents and the community to establish a written identification process. This process shall include as a minimum:

1. Behavioral, learning and/or performance information;
2. A nationally standardized mental ability test for assistance in identifying intellectually gifted students;
3. A nationally standardized academic achievement test for assistance in identifying academically talented students or Smarter Balanced or state assessment.

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

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

END OF POLICY

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### Legal Reference(s):

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

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

[OAR 581-022-1940](#)

### Cross Reference(s):

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

# West Linn-Wilsonville School District 3J

Code: **IGBBB**  
Adopted: 3/07/16

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

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

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

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

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

END OF POLICY

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

[ORS 343.395](#)

[ORS 343.407](#)

[ORS 343.411](#)

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

[OAR 581-022-1940](#)

### **Cross Reference(s):**

IGBBA - Identification – Talented and Gifted

IGBBC - Programs and Services – Talented and Gifted

# West Linn-Wilsonville School District 3J

Code: **IGBBC**  
Adopted: 3/07/16

## **Programs and Services – Talented and Gifted\*\***

A written plan will be developed by the district for programs and services that accommodate assessed levels and rates of learning for identified talented and gifted students. The curriculum and instruction in all classes will be at the appropriate rate and level to provide continued learning and engagement. Talented and gifted students will have opportunities to develop critical thinking skills and to extend and apply their learning.

The district plan for talented and gifted students will be used to develop plans for individuals that address their areas of giftedness and are reviewed with parents and students. School principals are prepared to answer questions, address concerns and collaborate with parents about programs and services, options and the implementation of the students' talented and gifted plans.

END OF POLICY

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

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

### **Cross Reference(s):**

IGBBA - Identification – Talented and Gifted  
IGBBB - Identification – Talented and Gifted Students among Nontypical Populations



# West Linn-Wilsonville School District 3J

Code: **IGBC**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): IGBC

## **Title I/Parental Involvement\*\***

The Board recognizes that parent involvement is vital to achieve maximum educational growth for students participating in the district's Title I program. Therefore, in compliance with federal law and Oregon Department of Education guidelines, the district shall meet with parents to provide information regarding their school's participation in the Title I program and its requirements.

The Board directs the superintendent to ensure that such meetings are held annually and at a convenient time. All parents of participating students shall be invited to attend. Title I funds may be provided for transportation, childcare, home visits or other parental involvement services, as appropriate. The superintendent shall ensure equivalence among schools in teachers, administration and other staff and in the provisions of curriculum materials and instructional supplies.

Parents shall be informed of their right to be involved in the development of the district's parental involvement policy, Title I plan and school-parent compact.

### **Parental Involvement Policy**

A parental involvement policy shall be developed jointly and agreed upon with parents of participating students. The district shall ensure:

1. Involvement of parents in the joint development of the district's overall Title I plan and the process of school review and improvement;
2. Coordination, technical assistance and other support necessary to assist participating schools in planning and implementing effective parent involvement activities to improve student academic achievement and school performance;
3. Development of activities that promote the schools' and parents' capacity for strong parent involvement;
4. Coordination and integration of parental involvement strategies with appropriate programs as provided by law;
5. Involvement of parents in the annual evaluation of the content and effectiveness of the policy in improving the academic quality of schools served under Title I;
6. Barriers to participation by parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority are identified;

7. Findings of annual evaluations are used to design strategies for more effective parental involvement and to revise, if necessary, the requirements of this policy;
8. Parents are involved in the activities of schools served under Title I.

### **Title I Plan**

As a part of the district's overall Title I plan, the district shall ensure effective involvement of parents by promoting activities that support a partnership among the school, parents and the community and that promote the improvement of student achievement. Participating district schools individually or collectively may develop plans.

District schools:

1. Shall provide assistance to participating parents of students served by the school in such areas as understanding such topics as the state's academic content standards and state student academic achievement standards, Title I plan requirements, state and local academic assessments and how to monitor a student's progress and work with educators to improve the performance achievement of their student as well as information on how parents can participate in decisions relating to the education of their student;
2. Shall provide materials and training, such as:
  - a. Coordinating necessary literacy training from other sources to help parents work with their student to improve their student's achievement, such as literacy training and using technology, as appropriate, to foster parental involvement;
  - b. Training to help parents work with their student to improve their student's achievement.
3. Shall educate teachers, student services personnel, principals and other staff, with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with and work with parents as equal partners, implement and coordinate parent programs and build ties between home parents and the school;
4. Shall coordinate and integrate parent-involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program and public preschool programs and other programs, to the extent feasible and appropriate;
5. Shall ensure, to the extent possible, that information related to school and parent programs, meetings and other activities is sent to the homes of participating students in the a format and in a language used in such homes the parent can understand;
6. May involve parents in the development of training of teachers, principals and other educators to improve the effectiveness of such training in improving instruction and services to the students of such parents;

7. May provide necessary literacy training from Title I funds received if the district has exhausted all other reasonably available sources of funding for such activities training;
8. May pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child-care costs, to enable parents to participate in school-related activities;
9. May train and support parents to enhance the involvement of other parents;
10. May arrange school meetings at a variety of times, such as in the mornings and evenings, in order to maximize the opportunities for parents to participate in school-related activities or conduct in-home conferences between teachers or other educators in order to maximize parental involvement and participation;
11. May arrange for teachers or other educators who work directly with participating students to conduct in-home conferences with parents who are unable to attend such conferences at school;
12. May establish a district-wide parent advisory council to provide advice on all matters related to parental involvement in Title I programs;
13. May develop appropriate roles for community-based organizations and businesses in parental-involvement activities;
14. May adopt and implement model approaches to improving parental involvement, such as Even Start; and
15. Shall provide such other reasonable support for parental involvement activities as parents may request consistent with Title I requirements.

### **School-Parent Compact**

A school-parent compact shall be developed for each of the district's Title I schools. The compact shall:

1. Describe the school's responsibility to provide high quality curriculum and instruction in a supportive and effective learning environment that enables students to meet the state's student performance academic achievement standards;
2. Describe the ways in which each parent will be responsible for supporting their student's learning;
3. Stress the importance of ongoing communication between teachers and parents through annual parent-teacher conferences at the elementary school level.

The district shall, to the extent practicable, provide full opportunities for the participation of parents with limited English proficiency, or parents with disabilities, parents of homeless students and parents of migratory students. Including information and school profiles reports will be provided in a format and language and form parents understand.

The district's policy, plan and compact shall be adopted by the Board, reviewed annually and updated periodically to meet the changing needs of parents and the school and distributed to parents of participating students in an understandable and uniform format and, to the extent practicable, in a language the parents can understand.

END OF POLICY

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**Legal Reference(s):**

[ORS 343.650](#)

[ORS 343.660](#)

[OAR 581-015-0750](#)

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

# West Linn-Wilsonville School District 3J

Code: **IGBHA**  
Adopted: 03/07/16  
Re-Adopted: 02/07/22

## Alternative Education Programs\*\*

The Board is dedicated to providing educational options for all students. It is recognized there will be students in the district whose needs and interests are best served by participation in an alternative education program.

A list of alternative education programs will be approved by the Board annually. The superintendent may provide for the involvement of staff, parents and the community in recommending alternative education programs for Board approval. Annual evaluation of alternative education programs will be made in accordance with Oregon Revised Statute (ORS) 336.655 and OAR 581-022-1350. The superintendent will develop administrative regulations as necessary to implement this requirement.

Alternative education programs will consist of instruction or instruction combined with counseling. These programs may be public or private. Private alternative education programs shall be registered with the Oregon Department of Education. Alternative education programs must meet all the requirements set forth in ORS 336.625, 336.631 and 336.637.

Students, after consultation with a parent or guardian, may be placed in an alternative education program if the district determines that the placement serves the student's educational needs and interests and assists the student in achieving district and state academic content standards. Such placement must have the approval of the student's resident district and, as appropriate, the attending district. The district will also consider and propose alternative education programs for students prior to expulsion or leaving school as required by law.

The district shall pay the actual alternative education program cost or an amount equal to 80 percent of the district's estimated current year's average per-student net operating expenditure, whichever is less. When contracting with a private alternative education program, the district's contract will meet the requirements of the law.

END OF POLICY

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### Legal Reference(s):

[ORS 329.485](#)

[ORS 332.072](#)

[ORS 336.014](#)

[ORS 336.145](#)

[ORS 336.175](#)

[ORS 336.615 to -336.665](#)

[ORS 339.030](#)

[ORS 339.250](#)

[OAR 581-021-0045](#)

[OAR 581-021-0065](#)

[OAR 581-021-0070](#)

[OAR 581-021-0071](#)

[OAR 581-022-2320](#)

[OAR 581-022-2505](#)

[OAR 581-023-0006](#)

[OAR 581-023-0008](#)

# West Linn-Wilsonville School District 3J

Code: **IGBHB**  
Adopted: 1/07/08  
Readopted: 3/07/16  
Orig. Code(s): IGBHB

## **Establishment of Alternative Education Programs**

The Board is dedicated to providing educational options for all students. It is recognized there will be students in the district whose needs and interests are best served by participation in an alternative education program.

The superintendent will develop alternative education program options in compliance with Oregon Administrative Rules and Oregon Revised Statutes:

1. For students who are unable to succeed in the regular programs because of erratic attendance or behavioral problems;
2. For students who have not met or who have exceeded all of Oregon's academic content standards;
3. When necessary to meet a student's educational needs and interests;
4. To assist students in achieving district and state academic content standards;
5. When a public or private alternative education program is not readily available or accessible.

Alternative education programs implemented by the district are to maintain learning options that are flexible with regard to environment, time, structure, pedagogy and may include:

1. A separate school.
2. Evening classes.
3. Tutorial instruction.
4. Summer programs.
5. Computer-assisted instruction.
6. Professional technical programs.
7. Cooperative work experience and/or supervised work experience, in accordance with the student's educational goals.
8. Instructional activities provided by institutions accredited by the Northwest Accreditation Commission.

9. Supervised community service activities performed as part of the instructional program.
10. Supervised independent study in accordance with a student's educational goals.
11. The district's Expanded Options Program.

The superintendent will develop administrative regulations for establishing alternative education programs.

END OF POLICY

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**Legal Reference(s):**

|  |   |   |
|--|---|---|
| <a href="#"><u>ORS 329.035</u></a>             | <a href="#"><u>ORS 339.250</u></a>      | <a href="#"><u>OAR 581-021-0071</u></a> |
| <a href="#"><u>ORS 329.485</u></a>             | <a href="#"><u>ORS Chapter 340</u></a>  | <a href="#"><u>OAR 581-022-1350</u></a> |
| <a href="#"><u>ORS 332.072</u></a>             |   | <a href="#"><u>OAR 581-022-1620</u></a> |
| <a href="#"><u>ORS 336.145</u></a>             | <a href="#"><u>OAR 581-021-0045</u></a> | <a href="#"><u>OAR 581-023-0006</u></a> |
| <a href="#"><u>ORS 336.175</u></a>             | <a href="#"><u>OAR 581-021-0065</u></a> | <a href="#"><u>OAR 581-023-0008</u></a> |
| <a href="#"><u>ORS 336.615 to -336.665</u></a> | <a href="#"><u>OAR 581-021-0070</u></a> |   |

**Cross Reference(s):**

IGBHA - Alternative Education Programs  
IGBHC - Alternative Education Notification  
JGEA - Alternative Education Programs Following Expulsion

# West Linn-Wilsonville School District 3J

Code: **IGBHC**  
Adopted: 3/07/16

## **Alternative Education Notification\*\***

General notification of the alternative education law, the availability of existing programs and the procedures to request the establishment of new alternative education programs shall be contained in the student/parent handbook distributed each year.

Individual notification to students and parents regarding the availability of alternative education programs will be given semiannually or when new programs become available under the following situations, as appropriate:

1. When two or more severe disciplinary problems occur within a three-year period (Severe disciplinary problems will be defined in the student/parent handbook.);
2. When attendance is so erratic the student is not benefitting from the educational program (Erratic attendance will be defined on a case-by-case basis.);
3. When a student's parent or emancipated student applies for exemption from attendance on a semiannual basis;
4. When an expulsion is being considered;
5. When a student is expelled.

Individual notification shall be **hand delivered** or sent by certified mail. Parents shall receive individual notification prior to an actual expulsion.

Notification shall include:

1. The student's action;
2. A list of alternative education programs for this student;
3. The program recommendations based upon the student's learning styles and needs;
4. Procedures for enrolling the student in the recommended program.



The superintendent will develop notification procedures in accordance with Oregon Revised Statutes.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.072](#)  
[ORS 336.175](#)  
[ORS 336.615 to -336.665](#)  
[ORS 339.250\(9\), \(11\)](#)

[OAR 581-021-0045](#)  
[OAR 581-021-0065](#)  
[OAR 581-021-0070](#)  
[OAR 581-021-0071](#)  
[OAR 581-021-0076](#)

[OAR 581-022-1350](#)  
[OAR 581-022-1620](#)  
[OAR 581-023-0006](#)  
[OAR 581-023-0008](#)

**Cross Reference(s):**

IGBHA - Alternative Education Programs  
IGBHB - Establishment of Alternative Education Programs  
JGEA - Alternative Education Programs Following Expulsion

# West Linn-Wilsonville School District 3J

Code: **IGBHE**  
Adopted: 3/07/16

## Expanded Options Program

The Board is committed to providing additional options to students enrolled in grades 11 and 12 to continue or complete their education, to earn concurrent high school and college credits and to gain early entry into post-secondary education. The district's Expanded Options Program will comply with all requirements of Oregon law.

### Eligible Students

Eligible students may apply to take courses at a post-secondary institution through the Expanded Options Program. A student is eligible for the Expanded Options Program if he/she: (1) is 16 years or older at the time of enrollment in a course under the Expanded Options Program; (2) is in grade 11 or 12 or has not yet completed the required credits for grade 11 or 12, but the district has allowed the student to participate in the program; (3) has developed an educational learning plan; and (4) has not successfully completed the requirements for a high school diploma. A student who has graduated from high school may not participate.

END OF POLICY

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### Legal Reference(s):

[ORS 329.035](#)  
[ORS 329.485](#)  
[ORS 332.072](#)

[ORS 336.615 to -336.665](#)  
[ORS Chapter 340](#)

[OAR 581-022-1363 to -1373](#)

# West Linn-Wilsonville School District 3J

Code: **IGBI**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): IGBI

## Bilingual Education

Students whose primary language is a language other than English will be provided appropriate assistance as they learn English in a manner that allows effective, relevant participation in regular classroom instruction.

Parents who are not able to use English in a manner that allows effective, relevant participation in educational planning for their student will be provided with relevant written, verbal or signed communication in a language they can understand.

END OF POLICY

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### Legal Reference(s):

[ORS 336.074](#)  
[ORS 336.079](#)

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

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).  
No Child Left Behind Act of 2001, 20 U.S.C. §§ 6811-7014 (2006).

# West Linn-Wilsonville School District 3J

Code: **IGDA**  
Adopted: 3/07/16

## Student Organizations

The district encourages curriculum-related student organizations. District staff will facilitate such organizations and district resources may be used to support them.

The principal will develop general guidelines for student organizations. Among other provisions, such guidelines will require the assignment of at least one staff adviser to each student organization.

Voluntary student-organized clubs which are not curriculum-related may meet on school premises during noninstructional time. If the content of such a club's meetings is religious in nature, school staff may attend only in a nonparticipatory manner. Staff may be assigned to attend such meetings for custodial purposes only, but will not be compelled to attend a meeting if the content of the speech at the meeting is contrary to that person's beliefs.

END OF POLICY

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### Legal Reference(s):

[ORS 339.880](#)

[ORS 339.885](#)

[OAR 581-021-0050](#)

[OAR 581-021-0055](#)

Equal Access Act, 20 U.S.C. §§ 4071-4074 (2006).

Lamb's Chapel v. Center Moriches Unified Sch. Dist., 508 U.S. 384 (1993).

Westside Cmty. Bd. of Educ. v. Mergens, 496 U.S. 226 (1990).

### Cross Reference(s):

IB - Freedom of Expression

# West Linn-Wilsonville School District 3J

Code: **IGDF**  
Adopted: 3/07/16

## **District Fund-Raising Activities**

Students, with the permission of the principal and under the direct supervision of their advisers, may carry out fund-raising activities in which no outside fund-raising agency or contract is concerned. Where funds are to be raised through an outside agency or contracted activity, the activity must receive prior approval by the superintendent or designee. Activities concerned with fund raising for charitable or other causes not relating to school activities may not be carried on without prior approval of the principal and the superintendent.

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

END OF POLICY

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

[ORS 339.880](#)

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

# West Linn-Wilsonville School District 3J

Code: **IGDG**  
Adopted: 3/07/16

## Student Activity Funds

Student activity funds shall be defined as those funds which include all moneys raised or collected by and/or for school-approved student groups, excluding those moneys budgeted in the general fund.

Student activity fund moneys shall be collected and expended for the purpose of supporting the school's cocurricular/extracurricular activities program.

Cocurricular/Extracurricular activities are comprised of the group of school-sponsored activities, under the guidance or supervision of qualified adults, designed to provide opportunities for students to participate in such experiences on an individual basis, in small groups or in large groups — at school events, public events or combination of these — for motivation, enjoyment and/or improvement of skills.

The principal and the person in charge of the student activities program shall be responsible for administration of the building's student activity funds.

The student-treasurer of the school-recognized student government organization may serve as a representative of that organization in partial administration of the building's student activity funds.

All student activity fund moneys shall be receipted and deposited into a checking account under the supervision of the business manager.

All expenditures from the general account of student activity funds shall be expended to benefit the student body as a whole and must also be approved by the school-recognized student government organization and its adviser, if such organization exists.

All expenditures from a specific account of student activity funds related to other school-recognized student groups shall be expended to benefit the specific club or organization, and in so far as possible, to benefit those students currently in school who have contributed to the accumulation of those funds. Such expenditures must be approved by the members of that organization and their adviser.

All student activity fund expenditures must be approved by the principal.

END OF POLICY

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### Legal Reference(s):

[ORS 294.305 - 294.565](#)

[ORS 328.441 - 328.470](#)

[OAR 581-022-1660\(2\)](#)

# West Linn-Wilsonville School District 3J

Code: **IHGA**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): IHGA

## Alternative Instructional Programs

In addition to the regular curriculum and courses offered, it is possible for students to obtain credit from the following activities with prior administrative approval:

1. Community college and college/university courses;
2. Correspondence courses from accredited educational institutions;
3. Challenge tests developed by appropriate school faculty;
4. Independent study designed by appropriate school faculty;
5. Distance learning from accredited educational institutions;
6. GED preparation courses;
7. Other approved by the Board.

END OF POLICY

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### Legal Reference(s):

[ORS 329.860](#)  
[ORS 332.072](#)  
[ORS 336.175](#)  
[ORS 336.615 to -336.665](#)  
[ORS 336.800](#)  
[ORS 339.141 to -339.147](#)

[ORS Chapter 340](#)  
  
[OAR 581-021-0045](#)  
[OAR 581-021-0065](#)  
[OAR 581-021-0070](#)

[OAR 581-021-0071](#)  
[OAR 581-022-1130](#)  
[OAR 581-022-1350](#)  
[OAR 581-023-0006](#)  
[OAR 581-023-0008](#)

# West Linn-Wilsonville School District 3J

Code: **IIA**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): IIAA

## Textbook/Instructional Materials Selection and Adoptions

The superintendent shall recommend to the board textbooks to be used in the schools in accordance with the procedure adopted by the Board.

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

Teachers involved in the use of particular instructional materials will play a major role in their selection. A textbook committee, under the direction of the superintendent or designee will review and study the materials available. Following the completion of the study, recommendations will be submitted to the Board for approval.

END OF POLICY

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### Legal Reference(s):

|                             |   |                                  |
|-----------------------------|---|----------------------------------|
| <a href="#">ORS 336.035</a> | <a href="#">ORS 337.260</a>               | <a href="#">OAR 581-021-0045</a> |
| <a href="#">ORS 336.840</a> | <a href="#">ORS 337.511</a>               | <a href="#">OAR 581-021-0046</a> |
| <a href="#">ORS 337.120</a> | <a href="#">ORS 339.155</a>               | <a href="#">OAR 581-022-1140</a> |
| <a href="#">ORS 337.141</a> |   | <a href="#">OAR 581-022-1520</a> |
| <a href="#">ORS 337.150</a> | <a href="#">OAR 581-011-0050 to -0117</a> | <a href="#">OAR 581-022-1640</a> |

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

### Cross Reference(s):

INB - Studying Controversial Issues  
KH - Gifts  
KL - Public Complaints



## **Electronic Communications System**

In a free and democratic society, access to information is a fundamental right of citizenship. Accordingly, the Board is committed to the development and establishment of a quality, equitable and cost-effective communication system. The system's purpose shall be for the advancement and promotion of learning and teaching. The system will be used to provide statewide, national and global communications opportunities for staff and students.

Electronic information research skills are now fundamental to learning and teaching. The Board supports access by students and staff to rich information resources along with the development of appropriate skills to analyze and evaluate them. Resources need to be appropriate to curriculum and instruction standards and practices that are consistent with district-adopted goals and that are congruent with the district's high standards of learning and teaching. The Board expects that staff will blend thoughtful use of electronic information throughout the curriculum and that the staff will provide guidance and instruction to students in its appropriate use.

Students and staff are responsible for good behavior on school computer networks just as they are in a classroom or elsewhere on school property. Communications on the network should be considered public in nature. Access to network services will be provided to all students and staff who use them in a considerate and responsible manner.

Students and staff are to use prudent judgment when accessing political and lobbying sources, chat rooms, electronic mail (e-mail), news user groups, social media and other sites. Students and staff are required by this policy to avoid threatening, hate-related, discriminatory and pornographic sites.

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

1. Technology protection measures, installed and in continuous operation, that protect against Internet access by both adults and minors to visual depictions that are obscene, child pornography or, with respect to the use of the computers by minors, harmful to minors;
2. Educating minors about appropriate online behavior, including cyberbullying awareness and response, and how to interact with other individuals on social networking sites and in chat rooms;
3. Monitoring the online activities of minors;
4. Denying access by minors to inappropriate matter on the Internet and World Wide Web;

5. Ensuring the safety and security of minors when using e-mail, social media, chat rooms and other forms of direct electronic communication;
6. Prohibiting unauthorized access, including so-called “hacking” and other unlawful activities by minors online;
7. Prohibiting unauthorized disclosure, use and dissemination of personal information regarding minors;
8. Installing measures designed to restrict minors’ access to materials harmful to minors.

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

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

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

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

END OF POLICY

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**Legal Reference(s):**

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

Children’s Internet Protection Act, 47 U.S.C. Sections 254 (h) and (l) (2008); 47 CFR Section 54.520 (2001).  
Copyrights, Title 17, as amended, United States Code; 19 CFR Part 133 (2000).

*Oregon Attorney General’s Public Records and Meetings Manual*, pp. 24-26, Appendix H, Department of Justice (2001).

Safe and Drug-Free Schools and Communities Act, 20 U.S.C. Sections 7101-7117.  
Drug-Free Workplace Act of 1988, 41 U.S.C. Sections 701-707; 34 CFR Part 85, Subpart F.  
Controlled Substances Act, 21 U.S.C. Section 812, schedules I through V, 21 CFR 1308.11-1308.15 (2000).  
Drug-Free Schools and Communities Act Amendments of 1989, P.L. 101-226, 103 Stat. 1928.  
Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).  
Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 CFR Part 99 (2000).  
Oregon Government Standards and Practices Commission, Advisory Opinion No. 98A-1003 (July 9, 1998).  
No Child Left Behind Act of 2001, P.L. 107-110, Title II, Section 2441.  
Americans with Disabilities Act Amendments Act of 2008.

# West Linn-Wilsonville School District 3J

Code: **IICA**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): IICA

## Extended Field Trips\*\*

The district will allow students to participate in extended field trips when:

1. The field trip is an integral part of the curricular program.
2. All volunteers and chaperones participating on the field trip have met the district supervision criteria including fingerprint and background checks.
3. The field trip and its funding have been approved by the principal prior to any plans being made by the supervising teacher and/or students.
4. It is funded from the district budget, **or** it is funded by the total student group participating with the following stipulations:
  - a. If money-raising activities are planned, it be readily demonstrated that an excessive burden will not be placed upon staff, students or parents;
  - b. No student of the group will be eliminated due to an inability to raise his/her share of the total amount required;
  - c. Money-raising activities may not use or disrupt any regular school time.

All field trips will be planned and carried out using the criteria of proper transportation and supervision as required by the district.

For purposes of this policy, an “extended field trip” is defined as one that extends beyond one day, requiring lodging and meals in addition to basic transportation.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)  
[ORS 336.014](#)  
[ORS 339.155](#)

[OAR 581-022-1020](#)

### Cross Reference(s):

EEAE - Student Transportation in Private Vehicles  
KI - Public Solicitations in the District  
KK - Visitors to School

# West Linn-Wilsonville School District 3J

Code: **IK**  
Adopted: 1/09/12  
Readopted: 3/07/16  
Orig. Code(s): IK

## **Academic Achievement\*\***

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

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

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

1. Parents and students will be informed at least four times a year of their student's progress toward achieving the academic content standards, including but not limited to:
  - a. Information on progress in each subject area to meet or exceed the academic content standards at the student's current grade level or course content level, including major goals used to determine the information;
  - b. Specific evidence of student progress toward mastery of a continuum of academic knowledge and skills (academic content standards) of a subject area, upon request from a parent;
  - c. Student scores on all state and local assessments indicating any of the requirements that have been waived for the district or the individual and time periods for the waiver; and
  - d. Student progress toward completion of diploma requirements to parents of students in grades 9-12, including credits earned, demonstration of extended application and demonstration of the Essential Skills.
2. Parents will be alerted and conferred with as soon as possible when a student's performance or behavior becomes unsatisfactory or shows marked or sudden deterioration;
3. Grades and/or portfolio content assessment will be based upon academic performance and will not include student behavior. Grades will not be used for disciplinary purposes. Absenteeism or misconduct shall not be the sole criterion for the reduction of a student's grade;
4. At comparable levels, the school system will strive for consistency in grading and reporting except when this consistency is inappropriate for certain classes or certain students;
5. When no grades are given but the student is evaluated in terms of progress, the school staff also will provide a realistic appraisal of the student's standing in relation to his/her peers;

6. The staff will take particular care to explain to parents the meaning of marks and symbols used to reflect student performance.

END OF POLICY

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**Legal Reference(s):**

[ORS 107](#).154

[ORS 329](#).485

[ORS 343](#).295

[OAR 581-021](#)-0022

[OAR 581-022](#)-1660

[OAR 581-022](#)-1670

# West Linn-Wilsonville School District 3J

Code: **IKAD**  
Adopted: 3/07/16

## **Grade Reduction/Credit Denial \*\***

Grade reduction or credit denial determinations may include student attendance. Student attendance may not be a sole criterion. If attendance is a factor, **prior** to a grade reduction or credit denial, the following shall occur:

1. The teacher will identify how the attendance and class participation is related to the instructional goals of the subject or course and will inform and parents and students will be informed;
2. The districts' procedures will include due process for the student when the grade is reduced or credit denied for attendance rather than academic reasons;
3. The reasons for nonattendance are considered and the grade is not reduced or credit denied based upon absences due to:
  - a. Religious reasons;
  - b. A student's disability; or
  - c. An excused absence, as determined by the district's policy.

END OF POLICY

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

[ORS 339.280](#)

# West Linn-Wilsonville School District 3J

Code: **IKE**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): IKE

## **Promotion and Retention of Students\*\***

The Board believes that children shall be placed at the grade level to which they are best adjusted academically, socially and emotionally. The educational program shall provide for the continuous progress of children from grade to grade, with children spending one year in each grade. A small number of children, however, may benefit from staying another year in the same grade or advancing a grade.

### **Retention**

Retentions, or staying another year in the same grade, may be considered when:

1. Retention would not cause undue social and/or emotional adjustment to the child.
2. Retention would have a reasonable chance of benefitting the child totally.

### **Promotion**

Promotions at greater than one grade per year may be considered when:

1. The child is achieving significantly above grade level as evidenced by a variety of assessments, student work and teacher observation.
2. A promotion would aid social and emotional development.

### **Determination of Retention or Promotion**

Whenever such retention or promotion is being considered, the teacher shall confer with the principal and other staff members involved with the child, such as a specialist or counselor.

The parents may initiate or be invited to a meeting with the principal, teacher and any other staff members for discussion of the matter. A determination of retention or promotion shall be agreed upon jointly by the school team and the parents. If the parents disagree with the retention or promotion, the school staff will note the reasons and keep the child at the current grade level. If the school staff disagrees with the retention or promotion request by the parents, the denial holds and the child will stay at the current grade level. Parents may appeal the decision to the assistant or deputy superintendent.

END OF POLICY

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

[OAR 581-022-1130](#)  
[OAR 581-022-1670](#)



# West Linn-Wilsonville School District 3J

Code: **IKF**  
Adopted: 3/07/16  
Readopted: 2/6/23

## Graduation Requirements

The West Linn-Wilsonville School Board establishes graduation requirements for awarding high school diplomas. See Policy IKFA. The information below outlines the requirements for each of the districts' diplomas.

### Standard WLWV Diploma

#### Credit Requirements:

The WLWV High School Diploma will be awarded to students in grades 9 through 12 who complete a minimum of **27 credits** and additional requirements as stated herein. The 27 credits will include at least:

1. Three credits of mathematics (must be Algebra 1 and above). Courses aligned to the adopted Algebra, Geometry and Data Reasoning standards
2. Four credits of language arts
3. Three credits of science (must include Scientific Inquiry and Lab experiences)
4. Three credits of social sciences (must include .5 credit from Civics)
5. One credit of health education
6. One credit of physical education
7. Three credits of career and technical education, the arts or world language (credits may be earned in any one or a combination)
8. One credit of personal growth and development
9. One credit of college/career and future planning (developing an educational plan and profile; developing extended application learning through a collection of evidence; participating in career-related learning experiences outlined in the education plan)
10. Seven credits of elective coursework

#### Schedule of Increasing Credit Requirements (in addition to current state minimum 24 credits):

- Class of 2024: .5 credit in career planning
- Class of 2025: 1 credit in career planning and .5 credit in elective
- Class of 2026: 1 credit in career planning, .5 credit in personal growth & development, .5 credit in elective
- Class of 2027: Full 27 credits outlined above required

#### Skill Requirements:

1. Meet standards in reading, writing and mathematics
2. Develop an education plan and build an education profile;
3. Demonstrate extended application through a collection of evidence; and
4. Participate in career-related learning experiences.

As the district is establishing diploma requirements beyond the state minimum requirements, the district shall grant a waiver for the additional district requirements to any student who, at any time from grade 9 to 12, was, as defined under the law:

1. A foster child;
2. Homeless;
3. A runaway;
4. A child in a military family covered by the Interstate Compact on Educational Opportunity for Military Children;
5. A child of a migrant worker; or
6. Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education Program.

For any student identified above for a waiver, the district shall accept any credits earned by the student in an educational program in this state, applying those credits toward the state requirements for a diploma if the credits satisfied those requirements in that other district or public charter school.

### **Modified Diploma**

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

A student's school team shall decide that a student should work toward a modified diploma no earlier than the end of grade six and no later than two years before the student's anticipated exit from high school. A student's school team may decide to revise a modified diploma decision. A student's school team may decide that a student who was not previously working toward a modified diploma should work toward one when the student is less than two years from anticipated exit from high school if the documented history has changed.

A modified diploma may only be awarded to a student who meets the eligibility criteria below and other criteria, if applicable, outlined in OAR 581-022-2010(3):

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

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

1. Three credits in language arts
2. Two credits in mathematics
3. Two credits in science
4. Two credits in social sciences
5. One credit in health
6. One credit in physical education
7. One credit in career technology, the arts or a world language (credits may be earned in any one or a combination)
8. One credit of personal growth and development
9. One credit of career planning (developing an educational plan and profile; developing extended application learning through a collection of evidence; participating in career-related learning experiences outlined in the education plan)
10. Ten credits of elective coursework

## Skill Requirements:

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

## Extended Diploma

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

- An inability to maintain grade level achievement due to significant learning and instructional barriers;
- A medical condition that creates a barrier to achievement; or
- A change in the student's ability to participate in grade level activities as a result of a serious illness or injury that occurred after grade eight.

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

## Credit Requirements:

While in grade nine through completion of high school, complete 12 credits, which must include and will include:

1. Two credits of mathematics;
2. Two credits of language arts;
3. Two credits of science;
4. Three credits of history, geography, economics or civics;
5. One credit of health;
6. One credit of physical education; and One credit of the arts or a world language.

## Alternative Certificates

Alternative certificates will be awarded to students who do not satisfy the requirements for a diploma, a modified diploma or an extended diploma if the students meet minimum credit requirements established by the district. Alternative certificates will be awarded based on individual student needs and achievement.

## Oregon Diploma

An Oregon State diploma is an option for some students and will be determined on a case by case basis. Students can submit applications for the Oregon State Diploma beginning the fall of senior year. Earning an Oregon Diploma is met by earning all the requirements set out by the State of Oregon and does not include the additional requirements of the West Linn-Wilsonville School District.

## Other District Responsibilities

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

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

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

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

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

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

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

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

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

The district may not deny a diploma to a student who has opted out of statewide assessments if the student is able to satisfy all other requirements for the diploma. Students may opt out of the Smarter Balanced or alternate Oregon Extended Assessment by completing the Oregon Department of Education's Opt-out Form<sup>1</sup> and submitting the form to the district.

The district will issue a high school diploma, pursuant to Oregon law (ORS 332.114) to a veteran if the veteran resides within the boundaries of the district or is an Oregon resident and attended a high school of the district, or to a deceased veteran, upon request from a representative of the veteran, if the deceased veteran resided within the boundaries of the district at the time of death or was an Oregon resident at the time of death and attended a high school of the district.

### **Graduation Ceremonies**

The Board believes that completion of the requirements for a diploma, a modified diploma, an extended diploma or an alternative certificate from public schools is an achievement that improves the community as well as the individual. The Board wishes to recognize this achievement in a publicly celebrated graduation exercise. Every student who is receiving a standard diploma, modified diploma, an extended diploma or an alternative certificate that year will have the option of participating in a high school graduation ceremony with the student's class. Graduating students will be allowed to wear Native American or other items of cultural significance.

END OF POLICY

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

Legal Reference(s):  
ORS 329.007 ORS 329.045  
ORS 329.451 ORS 329.479  
ORS 332.107 ORS 332.114  
ORS 336.585 ORS 336.590  
ORS 339.115 ORS 339.505  
ORS 343.295  
OAR 581-021-0009  
OAR 581-022-0102  
OAR 581-022-2000  
OAR 581-022-2005  
OAR 581-022-2010  
OAR 581-022-2015  
OAR 581-022-2020  
OAR 581-022-202  
OAR 581-022-2030  
OAR 581-022-2115  
OAR 581-022-2120  
OAR 581-022-2505

### **Cross Reference(s):**

IKFA- Early Graduation

# West Linn-Wilsonville School District 3J

Code: **IKFA**  
Adopted: 3/07/16

## Early Graduation

A student who wishes to graduate from high school in less time than the ordinary grade 9-12 sequence may request permission to complete graduation requirements on an altered schedule. The student and his/her parents will consult with high school guidance personnel to develop a graduation plan. Their intention to accomplish this plan will be stated in writing to the superintendent.

A student may satisfy graduation requirements in less than four years. The district will award a diploma to a student fulfilling graduation requirements in less than four years upon the student's request and if the student's parent or guardian consents, if required.

END OF POLICY

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### Legal Reference(s):

[ORS 339.030](#)

[ORS 339.115](#)

[ORS 343.295](#)

[OAR 581-022-0102\(17\)](#)

[OAR 581-022-1130](#)

[OAR 581-022-1210](#)

[OAR 581-022-1350](#)

### Cross Reference(s):

IKF - Graduation Requirements

# West Linn-Wilsonville School District 3J

Code: **IKH**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): IKH

## Proficiency Based Credit

The district shall grant required and elective credit toward graduation with either a diploma or modified diploma to students, provided the method for accruing such credit is described in the student's personal education plan and the student earns the credit by one or more of the options below.

A district may grant credit to a student if the student demonstrates defined levels of proficiency or mastery of recognized standards, i.e., knowledge and skills, (e.g., state academic content standards and essential skills, industry-based or other national or international standards) by one or more of the following options:

1. Successfully completing classroom or equivalent work (e.g., supervised independent study, career-related learning experiences, project based learning) that meets Common Curriculum Goals and academic content standards required by Oregon Administrative Rule (OAR) 581-022-1210;
2. Successfully completing classroom or equivalent work, in class or out of class, where hours of instruction may vary;
3. Successfully passing an appropriate exam;
4. Providing a collection of work or other assessment evidence; or
5. Providing documentation of prior learning activities or experiences (e.g., certification of training, letters, diplomas, awards, etc.).

END OF POLICY

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### Legal Reference(s):

[ORS 329.885](#)  
[ORS 332.107](#)  
[ORS 336.615 to -336.665](#)

[OAR 581-022-0102](#)  
[OAR 581-022-1130](#)  
[OAR 581-022-1131](#)

[OAR 581-022-1140](#)  
[OAR 581-022-1350](#)  
[OAR 581-023-0008](#)

# West Linn-Wilsonville School District 3J

Code: **IL**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): IL

## Assessment Program\*\*

The district's assessment program shall be designed to determine district and school program improvement and individual student needs, and to meet the requirements of Oregon Administrative Rules. Each year the district shall determine each student's progress in relation to federal, state and district achievement goals.

Accordingly, the district shall maintain the following assessment program:

1. Criterion-reference assessments, including performance-based assessments, content-based assessments, assessments of English Language Development and other valid assessments required by state and federal regulations;
2. Assessment of Essential Skills;
3. Individual diagnostic and ability evaluations in all grades when students have been referred and parental permission obtained (e.g., Talented and Gifted, Special Education);
4. Assessments by individual teachers, including formative assessments that occur as students are learning;
5. Other districtwide and schoolwide assessments approved by designees of the superintendent.

It is the intent of the Board, that progress be measured in a manner that clearly enables the student and parents to know whether the student is making progress in relation to academic content standards and Essential Skills. The district, school and individual results shall be reported to the Board, parents and the community, as prescribed by law.

The district shall not discriminate in the methods, practices and materials used for assessment, evaluating and counseling students on the basis of sex, sexual orientation<sup>1</sup>, race, national origin, creed or physical, mental, emotional or learning disability. Discrimination complaints shall be processed in accordance with established procedures.

Staff will receive in-service education in the use of designated assessments and interpretation of assessment results.

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<sup>1</sup>"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.



A periodic review and evaluation of the district's assessment program will be conducted.

END OF POLICY

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**Legal Reference(s):**

[ORS 40.245](#)  
[ORS 326.565](#)  
[ORS 326.575](#)  
[ORS 329.485](#)  
[ORS 336.187](#)  
[ORS 659.870](#)

[OAR 581-021-0030](#)  
[OAR 581-022-0606](#)  
[OAR 581-022-0610](#)  
[OAR 581-022-0612](#)  
[OAR 581-022-0615](#)  
[OAR 581-022-1140](#)

[OAR 581-022-1210](#)  
[OAR 581-022-1510](#)  
[OAR 581-022-1670](#)  
[OAR 581-022-1910](#)  
  
HB 2655 (2015)

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

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

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).

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

Elementary and Secondary Education Act (ESEA) Flexibility Waiver; July 23, 2015.

### **Studying Controversial Issues**

The Board supports the inclusion of controversial issues as part of students' education. The presentation and discussion of controversial issues will be informative. The development of ability to meet issues without prejudice and to withhold judgments while facts are being collected, assembled and weighed and to see relationships before drawing inferences or conclusions are among the most valuable outcomes of a free educational system.

Teachers will present an overall view of controversial issues and will guard against giving personal opinions until students have had an opportunity to:

1. Find, collect and assemble factual material on the subject;
2. Interpret the data without prejudice;
3. Reconsider assumptions and claims and to reach their own conclusions.

By refraining from expressing personal views before and during the period of research and study, the teacher will encourage students to explore the subject matter and use critical thinking skills to come to their own conclusion.

Before beginning a class in the study of an obviously controversial topic, a teacher will discuss with the principal:

1. Its appropriateness to the course;
2. Its appropriateness for the students' maturity level;
3. The approach to instruction;
4. The instructional materials to be used.

Students will be given the opportunity to not participate in the discussion, and will be given an alternative similar assignment.

END OF POLICY

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**Legal Reference(s):**

[ORS 336.067](#)

[OAR 581-022-1020](#)

[OAR 581-022-1910](#)

U.S. CONST. amend. I.

OR. CONST., art. I.

**Cross Reference(s):**

GBG - Staff Participation in Political Activities

IIA - Textbook/Instructional Materials Selection and Adoptions

IB - Freedom of Expression

# West Linn-Wilsonville School District 3J

Code: **INDB**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): INDB

## Flag Displays

The national flag will be flown on the school grounds from before the opening until after the close of school on all school days.

In any assembly or gathering where the flag is to appear on the stage or speaker's stand, it is the teacher's, advisor's, or principal's responsibility to see that the flag appears correctly at the right of the speaker.

A United States flag and an Oregon flag shall be displayed on or near each school building under the control of the Board or used by the district, during school hours, except in unsuitable weather and at any other time the Board deems proper.

The district shall obtain and display a United States flag of an appropriate size for each classroom.

Students shall receive instruction in respect for the national flag, and be provided an opportunity to salute the United States flag at least once each week by reciting *The Pledge of Allegiance*.

A flag salute may be implemented at assemblies, before or after school, at lunch, special events, home room class, athletic contests or at other times deemed appropriate by the principal. Individual staff members and students who do not participate in the salute must maintain a respectful silence during the salute.

END OF POLICY

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### Legal Reference(s):

[ORS 336.067](#)  
[ORS 339.875](#)

[OAR 581-021-0043](#)

W. Va. St. Bd. of Educ. v. Barnette, 319 U.S. 624 (1943).

# West Linn-Wilsonville School District 3J

Code: **JB**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Readopted: 12/4/17  
Orig. Code(s): JB

## Equal Educational Opportunity

Every student of the district will be given equal educational opportunities regardless of age, sex, sexual orientation<sup>1</sup>, race, religion, color, national origin, immigration status, disability, marital status or capability.

Further, no student will be excluded from participation in, denied the benefits of, or subjected to discrimination under any educational program or activity conducted by the district. The district will treat its students without discrimination on the basis of sex as this pertains to course offerings, athletics, counseling, employment assistance and extracurricular activities.

The superintendent will designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX. The Title IX coordinator will investigate complaints communicated to the district alleging noncompliance with Title IX. The name, address and telephone number will be provided to all students and employees.

The Board will adopt and the district will publish grievance procedures providing for prompt and equitable resolution of student and employee complaints under Title IX.

Persons having questions about Title VI or Title IX should contact the personnel director, questions about ADA should contact the director of operations, and questions about Section 504 should contact the director of student services at the West Linn-Wilsonville School District at 503-673-7000.

END OF POLICY

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### Legal Reference(s):

[ORS 174.100](#)  
[ORS 192.630](#)  
[ORS 326.051](#)  
[ORS 329.025](#)  
[ORS 329.035](#)  
[ORS 336.067](#)  
[ORS 336.082](#)

[ORS 336.086](#)  
[ORS 342.123](#)  
[ORS 659.850](#)  
[ORS Chapter 659](#)  
[ORS Chapter 659A](#)  
[ORS 659A.003](#)  
[ORS 659A.006](#)

[ORS 659A.030](#)  
  
[OAR 581-021-0045](#)  
[OAR 581-021-0046](#)  
[OAR 581-022-1140](#)  
[OAR 839-003-0000](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2006).  
Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2006).

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<sup>1</sup>“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 behaviors differs from that traditionally associated with the individual’s sex at birth.

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2006); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2006).  
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).  
Americans with Disabilities Act Amendments Act of 2008.

**Cross Reference(s):**

AC - Nondiscrimination

## **Sexual Harassment**

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

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

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

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

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

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

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

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

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

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

END OF POLICY

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**Legal Reference(s):**[ORS 243.706](#)[ORS 342.700](#)[ORS 342.704](#)[ORS 342.708](#)[ORS 342.850](#)[ORS 342.865](#)[ORS 659.850](#)[ORS 659A.006](#)[ORS 659A.029](#)[ORS 659A.030](#)[OAR 581-021-0038](#)[OAR 584-020-0040](#)[OAR 584-020-0041](#)

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

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

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

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

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

**Cross Reference(s):**

GBN/JBA - Sexual Harassment

JFCF - Hazing, Harassment, Intimidation, Bullying, Cyberbullying, Teen Dating Violence and Domestic Violence – Student

# West Linn-Wilsonville School District 3J

Code: **JBAA**  
Adopted: 3/07/16

## Section 504 – Students

In compliance with the requirements of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA), the district shall ensure that no otherwise qualified individual with disabilities shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity conducted by the district or those provided by the district through contractual or other arrangements. Programs and activities shall be accessible and usable by individuals with disabilities as prescribed by law.

The superintendent will ensure all Section 504-qualified students with disabilities are identified annually. Students will be evaluated by a team of individuals knowledgeable about the student, the meaning of the evaluation data and placement options. Services will be provided as required by law.

The superintendent will develop administrative regulations as needed for the implementation of this policy and to meet the requirements of state and federal law. Regulations will include provisions to ensure notice of the district's responsibilities are provided as required and that procedures are established for students, parents and staff with complaints concerning district compliance with the provisions of law.

END OF POLICY

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### Legal Reference(s):

[ORS 192.630](#)  
[ORS 326.051 \(1\)\(e\)](#)  
[ORS 659.850](#)  
[ORS 659.865](#)

[ORS 659A.103](#)  
[ORS 659A.109](#)  
  
[OAR 581-015-0054](#)

[OAR 581-021-0045](#)  
[OAR 581-021-0046](#)  
[OAR 581-021-0049](#)  
[OAR 581-022-1140](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).  
Rehabilitation Act of 1973, 29 U.S.C. § 791, 793-794 (2006).  
Americans with Disabilities Act Amendments Act of 2008.

# West Linn-Wilsonville School District 3J

Code: **JC**  
Adopted: 9/10/07  
Readopted: 8/14/17  
Orig. Code(s): JC

## Attendance Areas

The Board is responsible for approving attendance areas within the school district that have been established by the administration. The Board shall review any revisions deemed necessary.

Factors to be considered in setting or changing attendance areas include:

1. Distance and convenience by regularly traveled routes;
2. Age and grade level of children involved;
3. School facilities available and their effective use;
4. Consideration of the effects on enrollments, use of space, and other factors in adjacent schools;
5. Reasonable distance for as many students as possible.

Each year, or whenever necessary, revised “School Attendance Area Maps” will be provided for the coming year. These maps will outline areas for each primary, middle, and high school. School maps will be available online.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)  
[ORS 339.010](#) to -339.090

# West Linn-Wilsonville School District 3J

Code: **JEA**  
Adopted: 3/07/16

## **Compulsory Attendance\*\***

Except when exempt by Oregon law, all students ages 7- 18 who have not completed the 12th grade are required to attend regularly, a school full-time during the entire school term.

All students five or six years of age who have been enrolled in a public school are required to attend regularly.

Persons having legal control of a student ages 7- 18 who has not completed the 12th grade are required to have the student attend school. Persons having legal control of a student who is five or six years of age and has enrolled the child in a public school, are required to have the student attend and maintain regular attendance.

Under the superintendent's direction and supervision, attendance supervisors shall monitor and report any violation of the compulsory attendance law to the superintendent or designee. Failure to send a student and to maintain a student in regular attendance is a Class C violation.

A parent who is not supervising his/her student by requiring school attendance may also be in violation of Oregon Revised Statute (ORS) 163.577 (1)(c). Failing to supervise a child is a Class A violation.

### **Exemptions from Compulsory School Attendance**

In the following cases, students shall not be required to attend public schools full-time:

1. Students being taught in a private or parochial school in courses of study usually taught in grades 1-12 in the public schools and in attendance for a period equivalent to that required of students attending public schools;
2. Students proving to the Board's satisfaction that they have acquired the courses of study taught in grades 1-12 in the public schools;
3. Students being taught by a private teacher the courses of study usually taught in grades 1-12 in the public school for a period equivalent to that required of students attending public schools;
4. Students excluded from attendance as provided by law;

5. An exemption may be granted to the parent of any student 16 or 17 years of age who is lawfully employed full-time, or who is lawfully employed part-time and enrolled in school, a community college or an alternative education program as defined in ORS 336.615.

END OF POLICY

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**Legal Reference(s):**

[ORS 153.018](#)  
[ORS 163.577](#)  
[ORS 336.615](#) to -336.665  
[ORS 339.010](#) to -339.090  
[ORS 339.095](#)

[ORS 339.990](#)  
[ORS 807.065](#)  
[ORS 807.066](#)  
  
[OAR 581-021](#)-0026

[OAR 581-021](#)-0029  
[OAR 581-021](#)-0071  
[OAR 581-021](#)-0077  
  
SB 321 (2015)

# West Linn-Wilsonville School District 3J

Code: **JEBA**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): JEB

## Early Entrance\*\*

A student will be admitted into the first grade if his/her sixth birthday occurs on or before September 1, as established by law. In addition, a student whose sixth birthday occurs after that date may be admitted to the first grade if he/she:

1. Is a first grade student transferring from a public school in another district, or from a private school;
2. Completed a successful full day and full year in a public or fully accredited kindergarten the previous year and would be continuing his/her formal education.

A student will be admitted to kindergarten if his/her fifth birthday occurs on or before September 1, as established by law. In addition, a student whose fifth birthday occurs after that date may be admitted to kindergarten if he/she is a kindergarten student transferring from a public school in another district.

Early entry into school will be allowed for a student whose fifth birthday occurs after September 1, but not later than September 15, and whose needs would best be met in the school program as determined by the school principal in consultation with the parents and deputy superintendent.

END OF POLICY

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### Legal Reference(s):

[ORS 327.006](#)  
[ORS 336.092](#)  
[ORS 336.095](#)

[ORS 339.115](#)  
[ORS 343.395](#)

SB 321 (2015)

# West Linn-Wilsonville School District 3J

Code: **JECA**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): JECA

## **Admission of Resident Students\*\***

All persons 5 through 21 years of age, who reside within the district's boundaries, may attend its public schools. Proof of residency or legal guardianship may be required by the school administration.

School-age students who live within the district attendance area between the ages of 5-19 shall attend school without paying tuition.

1. Students who turn 19 years of age during the school year shall continue to be eligible for a free and appropriate public education for the remainder of the school year.
2. The Board may admit otherwise eligible students who are not receiving special education and who have not yet attained 21 years of age prior to the beginning of the current school year if they are shown to be in need of additional education in order to receive a diploma. These students may attend school without paying tuition for the remainder of the school year.
3. The Board shall admit otherwise eligible students who have not yet attained age 21 prior to the beginning of the current school year if the student is receiving special education services and:
  - a. Has not yet received a regular high school diploma; or
  - b. Has received a modified diploma, an extended diploma or an alternative certificate.
4. Students with disabilities voluntarily placed outside the home by their parent may continue to attend the school the student was attending prior to the placement as a district resident, when the student's parent and school staff can demonstrate it is in the student's best interest.
5. The Board may, based on district criteria, deny regular school admission to students who have become residents and who are under expulsion from another district for reasons other than a weapons policy violation.
6. The Board shall deny, for at least one calendar year from the date of the expulsion, regular school admission to students who have become residents and who are under expulsion from another district for a weapons policy violation.
7. The Board may, based on district criteria, provide alternative programs of instruction to students expelled for a weapons policy violation.

END OF POLICY

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**Legal Reference(s):**

[ORS 109.056](#)

[ORS 327.006](#)

[ORS 339.115](#)

[ORS 339.133](#)

[ORS 339.134](#)

[ORS 433.267](#)



# West Linn-Wilsonville School District 3J

Code: **JECAC/GBH**  
Adopted: 5/07/07  
Readopted: 3/07/16  
Orig. Code(s): GBH

## Student/Staff Relations

Staff members shall be expected to regard each student as an individual and to accord each the rights and respect due any individual. The role of staff shall be seen, not as dictators or controllers, but as resource persons, aides and guides in the learning process. Staff members shall provide for the fullest self-determination by each student in regard to his or her learning program, consistent with district and local goals and with optimum opportunities for all students.

Students shall be treated with courtesy and consideration. Neither insults nor sarcasm shall be used as a way of forcing compliance with a staff member's requirements or expectations. Students shall be expected to regard staff members as individuals, employed to provide direct or indirect contributions to learning. While students are to have considerable latitude in making choices for themselves, they shall be required to respect the right of staff members (and other students, as well) and interference with those rights shall not be condoned. No student shall have the right to interfere with the efforts of instructional staff to coordinate or assist in learning, to disseminate information for purposes of learning, or to otherwise implement a learning program; nor shall a student have the right to interfere with the motivation to learn or the learning activities and efforts of other students.

END OF POLICY

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### Legal Reference(s):

[ORS 107.154](#)  
[ORS 109.056](#)  
[ORS 163.245](#) to -163.257

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2011); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2011).  
Protection of Pupil Rights, 20 U.S.C. § 1232h (2006); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2006).

### Cross Reference(s):

GBH/JECAC - Student/Staff Relations

# West Linn-Wilsonville School District 3J

Code: **JECB**  
Adopted: 4/09/12  
Readopted: 3/07/16  
Orig. Code(s): JECB

## Admission of Nonresident Students – Interdistrict Transfers

The district may enroll nonresident students as follows:

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

Admission of nonresident students under expulsion:

1. The superintendent or designee shall deny regular school admission to nonresident students who are under expulsion from another district for a weapons policy violation.
2. The superintendent or designee may, based on district criteria, deny admission to nonresident students who are under expulsion from another district for reasons other than a weapons policy violation.

### Consent for Admission of a Nonresident Student by Interdistrict Transfer or Consent for Admission of a Tuition Paying Student

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

The Board reserves the right to accept/reject nonresident students based upon the availability of space and resources. The Board may not consider nor ask for any information from the student about race, religion, sex, sexual orientation, ethnicity, national origins, disability, health, whether a student has an individualized education program (IEP) or the terms of that IEP, identified as talented and gifted, income level, residence, proficiency in English, athletic ability or academic records. The Board may not request or require the student to participate in an interview, tour any of the schools or facilities, or otherwise meet with any representatives of the school or district prior to the district deciding whether to give consent.

The Board may ask for the student's name, contact information, date of birth, grade level, whether the student may be given priority on consent for admission (e.g., sibling in the district; change in legal residence; completion of public charter school in the district), information about which schools the student prefers to attend and whether the student is currently expelled.

If the number of students seeking consent exceeds the number of spaces, the Board will use an equitable lottery selection process. The process may give priority to students who have siblings currently enrolled in the district; to students who previously received consent for admission and because of a change in legal residence; or to students who attended a public charter school located in the same district in which the student seeks to attend, for three consecutive years, completed the highest grade offered by the public charter school and did not enroll and attend school in another district following completion of that highest grade in the public charter school.

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

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

The district may require minimum standards of behavior and/or attendance once the student has been accepted. The minimum standards must be the same for all students that are given consent. The district is not allowed to establish minimum standards for academics as a criteria for the student to remain in the district. Students whose consent is revoked for violation of set attendance and/or behavior standards will not be allowed to apply for consent to return to this district in the same or the following school year.

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

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

The attending district is responsible for a free appropriate public education for those students on an IEP.

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

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

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

Applications for consent shall be submitted by non-residents to the district no later than April 1, prior to the school year of requested consent.

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

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

By May 1, the district shall provide written notification of attendance to the district of the student's legal residence.

END OF POLICY

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**Legal Reference(s):**

[ORS 109.056](#)  
[ORS 327.006](#)  
[ORS 329.485](#)

[ORS 335.090](#)  
[ORS 339.115](#) to -339.133  
[ORS 339.141](#)

[ORS 339.250](#)  
[ORS 343.221](#)  
[ORS 433.267](#)

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

# West Linn-Wilsonville School District 3J

Code: **JECBA**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): JECBA

## Admission of Exchange Students

The district actively participates in programs for foreign student exchange on a tuition-free basis for grades 9-12 provided that the students involved entered the United States on a J-1 immigration status.

Foreign students who qualify for tuition-free attendance in the district must be placed through programs which meet the following criteria:

1. The exchange program has an orientation program in the home and/or receiving country;
2. Students are admitted into the program in such a way as to insure selectivity with respect to academic ability;
3. The exchange organization has representatives locally who can provide assistance to the host family, the school, or the student should problems arise;
4. The school is provided with family and school records to assist in proper placement in academic classes;
5. The exchange program provides opportunity for students to participate in similar study experiences abroad with a corresponding waiver of tuition;
6. The exchange program provides the district with objective evidence of the student's oral and written proficiency;
7. The number of students the school will serve through foreign exchange programs will be limited to .5 percent of the high school student body.

The district will maintain a list of programs which meet the above criteria. Parents who wish to host foreign exchange students will be referred to these programs.

Only students with a J-1 immigrant status will be accepted as foreign exchange students in the district.

END OF POLICY

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### Legal Reference(s):

[ORS 339.133](#)  
[ORS 433.267](#)

[OAR 581-022](#)-1130

Illegal Immigration and Immigration Reform Act of 1996, 8 U.S.C. §§ 1101, 1221, 1252, 1324, 1363, 1367 (2006).

# West Linn-Wilsonville School District 3J

Code: **JECBB**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Readopted: 6-18-18  
Orig. Code(s): JECBB

## **In-District Student Transfers**

It is the policy of the Board that every student attends the school that serves the attendance area in which the student lives. However, the Board also recognizes that in certain situations, a student transfer to another attendance area within the district may be in the best interest of the individual student.

Therefore, parent/guardian requests for student transfers to another attendance area may be approved by the superintendent in the order in which they are received subject to the following conditions:

1. The requested school is open to in-district transfers;
2. There is adequate space at this student's grade level for added enrollment;
3. The student's parent/guardian assumes responsibility for transporting the student to the school he/she would be attending;
4. Attendance plays an integral role in the success of your child and is a consideration regarding the ongoing viability of any transfer.
5. This approval will be annually reviewed by district staff and reassignment to the school that serves the attendance area in which the student lives may be necessary in any subsequent year.

A one-time transfer application is needed for the requested school unless the parent/guardian wishes to change their child to a different school outside of the child's attendance area within the district. Additionally, a one-time transfer application is needed when a child moves from primary-to-middle school and from middle-to-high school.

END OF POLICY

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

[ORS 329.485](#)  
[ORS 332.107](#)

No Child Left Behind Act of 2001, 20U.S.C. §§ 6316, 7912  
Elementary and Secondary Education Act (ESEA) Flexibility Waiver, July 18, 2012

# West Linn-Wilsonville School District 3J

Code: **JECBD**  
Adopted: 3/07/16

## Homeless Students

Homeless students in the district will have access to the education and other services needed to ensure that an opportunity is available to meet the same academic achievement standards to which all students are held.

A liaison for students in homeless situations will be designated by the district to carry out duties as required by law.

The district will ensure that homeless students are not stigmatized nor segregated on the basis of their status as homeless. A homeless student will be admitted to the district school in the attendance area in which the student is actually living or to the student's school of origin as requested by the parent and in accordance with the student's best interest. Transportation will be provided to and from the student's school of origin at the request of the parent, or in the case of an unaccompanied student, the district's liaison for homeless students.

The superintendent will develop administrative regulations to implement this policy.

END OF POLICY

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### Legal Reference(s):

[ORS 109.056](#)  
[ORS 327.006](#)  
[ORS 339.115](#)

[ORS 339.133](#)  
[ORS 433.267](#)

[OAR 581-021-0045](#)  
[OAR 581-021-0046](#)

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

No Child Left Behind Act of 2001, 20 U.S.C. § 6315 (2006).

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

Letter Opinions, Office of the OR Attorney General (March 15, April 18, June 30 1988).

OR. DEP'T OF EDUC., ODE EXECUTIVE MEMORANDA 23-1988-89, 42-1994-95.

# West Linn-Wilsonville School District 3J

Code: **JECE**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): JECE

## Student Withdrawal from School

The Board is interested in exercising every option possible to encourage students, who are potential or immediate dropouts, to remain in school or to seek other educational offerings.

Where the need arises, the student's counselor should discuss the reason(s) for leaving school and the plans for the future. The counselor should then meet with the student's teachers to discuss the problem. A conference should be held involving the student, the parents, counselor, and the principal or his designee to review all information and to make recommendations.

If the student decides to leave school, the counselor should meet with the student to discuss educational and/or occupational opportunities that might be open, such as graduate equivalency diploma, community college, vocational training and work-study programs.

When the student has been gone for two weeks, the counselor should attempt to confer with the student for an evaluation of the situation, with the option offered to return to school as a student in good standing, depending upon the student's attitude towards making up missed assignments.

Every effort shall be made to keep students in school and to assist each to earn a diploma.

END OF POLICY

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### Legal Reference(s):

[ORS 332.072](#)  
[ORS 332.107](#)  
[ORS 336.635](#)  
[ORS 336.645](#)  
[ORS 336.665](#)  
[ORS 339.030](#)

[ORS 339.250](#)  
  
[OAR 581-021-0045](#)  
[OAR 581-021-0065](#)  
[OAR 581-021-0070](#)

[OAR 581-021-0071](#)  
[OAR 581-022-1350](#)  
[OAR 581-022-1620](#)  
[OAR 581-023-0006](#)  
[OAR 581-023-0008](#)



# West Linn-Wilsonville School District 3J

Code: JECF  
Adopted: 3/07/16

## **Interdistrict Transfer of Resident Students\*\***

### **Interdistrict Transfer**

The district offers a variety of programs and services designed to meet the individual needs of its students. Nevertheless, the Board recognizes there may be circumstances that arise in which a resident student may benefit from attendance in another public school in the state. Consequently, a student who resides within district boundaries may be released to attend school in another district that agrees to accept the student. The agreement will be by written consent of the affected school boards or designees whereby the student becomes a “resident student” of the attending district, allowing the attending district to receive State School Fund moneys. Any additional fees or tuition costs are the responsibility of the parent.

When the resident district approves the release of a resident student to another school district, the student or his/her parent(s) will be solely responsible for transportation unless federal or state law requires transportation to be provided by the district. When a resident student, who is on an individualized education plan (IEP), is accepted to another district by an interdistrict transfer, the attending district becomes responsible for a free appropriate public education (FAPE).

Additionally, an interdistrict transfer of a resident student will be permitted, as appropriate, to meet the requirements to provide a safe public school choice in the No Child Left Behind Act of 2001 (NCLBA).

The resident district may not impose any limitations on the length of time for which consent is given to the student requesting release to another district.

The resident district shall not require a student to receive consent more than one time when the student requests admission to the same receiving district, regardless of any time limitations imposed by the receiving district.

The district shall allow the student whose legal residence changes to a different district during the school year, to complete the school year in the district if the student chooses to do so.

### **Open Enrollment**

A student who resides within district boundaries may make a request to attend school in another district that agrees to accept the student. The agreement will be by written consent of the attending district only whereby the student becomes a “resident student” of the attending district, allowing the attending district to receive State School Funding. When the attending district approves the admission of the student, the attending district shall notify the district in which the student resides no later than May 1. The student or his/her parent(s) will be solely responsible for transportation to the attending/receiving district unless federal or state law requires transportation to be provided by the attending/receiving district. Students under the Individuals with Disabilities Act (IDEA) will become the primary responsibility of the attending district.

## Safe Public School Choice Transfer Requests

An interdistrict transfer<sup>1</sup> may be permitted in the event a student has been a victim of a violent criminal offense occurring in or on the grounds of a school the student attends, or the student attends a school identified as persistently dangerous and all other district schools the student may transfer to are also identified as persistently dangerous or there is no other district school to which the student may transfer. The transfer must be to a safe school.

### Homeless Student

A homeless student residing in the district and the student's parent, or in the case of an unaccompanied student, the district's liaison for homeless students, may request that the student attend his/her school of origin<sup>2</sup>, located out-of-district. The request will be considered based on the best interest of the student. The student may continue in his/her school of origin for the duration of the student's homelessness when the student's family becomes homeless during or between an academic year, or for the remainder of the academic year if the student becomes permanently housed during the school year. Transportation to an out-of-district school will be provided in accordance with McKinney-Vento Homeless Education Assistance Improvements Act.

The superintendent is directed to establish procedures for the review of any student request to attend school in another district.

END OF POLICY

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#### Legal Reference(s):

[ORS 109.056](#)  
[ORS 327.006](#)  
[ORS 329.485](#)  
[ORS 332.107](#)  
[ORS 335.090](#)

[ORS 339.115 to -339.133](#)  
[ORS 339.141](#)  
[ORS 339.250](#)  
[ORS 343.221](#)

[ORS 433.267](#)  
  
[OAR 581-021-0019](#)  
[OAR 581-022-0705](#)

Illegal Immigration and Immigration Reform Act of 1996, 8 U.S.C. §§ 1101, 1221, 1252, 1324, 1363, 1367 (2006).  
McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42 U.S.C. §§ 11431-11435 (2006).  
No Child Left Behind Act of 2001, 20 U.S.C. §§ 6316, 7912.  
Elementary and Secondary Education Act (ESEA) Flexibility Waiver; July 18, 2012.

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<sup>1</sup>Districts are encouraged, but not required, to explore other appropriate options such as an agreement with a neighboring district to accept transfer students, if there is not another school in the district in which the student legally resides for the transferring student.

<sup>2</sup>“School of origin” means the school that the student attended when permanently housed or the school in which the student was last enrolled.

# West Linn-Wilsonville School District 3J

Code: **JED**  
Adopted: 9/12/11  
Readopted: 3/07/16  
Orig. Code(s): JED

## Student Absences and Excuses\*\*

Students in the district are expected to attend school regularly. Students may be excused for illness, severe weather, extenuating circumstances and for the observance of religious holidays. It is expected that students meet the assignments missed.

On the superintendent's recommendation and with Board approval, individual students may be excused from school attendance.

Each school shall notify parents/guardians by the end of the school day if their child has an unplanned absence. The notification will be either in person, by telephone or by other methods identified in writing by the district. If the parent/guardian can not be reached, a message shall be left, if possible.

END OF POLICY

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### Legal Reference(s):

[ORS 109.056](#)  
[ORS 332.107](#)  
[ORS 339.030](#)  
[ORS 339.055](#)

[ORS 339.065](#)  
[ORS 339.071](#)  
[ORS 339.420](#)

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

# West Linn-Wilsonville School District 3J

Code: **JEDA**  
Adopted: 3/07/16

## Truancy

Truancy is defined as absence from school without permission.

The district believes irregular attendance is one of the factors associated with student failure and frustration with the school experience. A fundamental purpose for insisting on punctual, regular school attendance is to help each student develop habits of responsibility.

With these beliefs in mind, the district will develop procedures that foster a partnership with parents in the early detection of truancy, related counseling and appropriate consequences<sup>1</sup>.

END OF POLICY

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### Legal Reference(s):

[ORS 339.040](#) to -339.090

[ORS 339.240](#)

[ORS 339.250](#)

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

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<sup>1</sup>Expulsion may not be used to address truancy. (ORS 339.250(2)(b)(B))

# West Linn-Wilsonville School District 3J

Code: **JEDB**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): JEDB

## **Student Dismissal Precautions\*\***

Students are not to be excused during the course of the school day or into the custody of any person, without the direct, prior approval of the building principal or the administrator designated responsible for student management.

A student shall not be excused from school before the end of the school day, without a request for early dismissal by the student's parents.

Any further precautions to protect students should be taken by the building principal depending on the age of students and as the need arises.

END OF POLICY

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

[ORS 107.154](#)  
[ORS 163.245 to -163.257](#)  
[ORS 332.107](#)

# West Linn-Wilsonville School District 3J

Code: **JEFA**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): JEFA

## **Regulated Campus\*\***

Each high school will establish and communicate clearly to parents and students the expectations for when and under what circumstances students are allowed to leave campus.

No student in the primary and middle schools may leave during the school day unless prior arrangements have been made.

END OF POLICY

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

[ORS 332.107](#)

### **Cross Reference(s):**

JEFB - Release Time for Religious Instruction

# West Linn-Wilsonville School District 3J

Code: **JEFB**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): JEFB

## Release Time for Religious Instruction\*\*

When requested in writing by a child's parents, permission will be granted whereby the student may be excused from school to receive religious instruction at the church of their choice. Students in the elementary and middle school grades may be excused for two hours per week and high school students for five hours per week.

The courses in religious observance and education must be maintained and operated by or under the control of a duly constituted religious body. In approving the release of students, the Board will assume no responsibility for the amount or character of the religious instruction.

END OF POLICY

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### Legal Reference(s):

[ORS 339.420](#)

[ORS 659.850](#)

[OAR 581-021-0046](#)

Dilger v. Sch. Dist. 24CJ, 222 Or. 108 (1960).

### Cross Reference(s):

JEFA - Regulated Campus

# West Linn-Wilsonville School District 3J

Code: **JEFC**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): JEFC

## Release Time for Private Instruction

Students may be released from school to engage in private instruction provided the following criteria are met:

1. Approval is granted by the building principal; and
2. Parents assume responsibility for transportation and student liability during the period of time away from school.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)  
[ORS 339.420](#)



# West Linn-Wilsonville School District 3J

Code: **JF/JFA**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): JF

## Student Rights and Responsibilities\*\*

Students shall be expected to comply with the law, with the policies and regulations of the district and the rules of the school attended, pursue the curriculum prescribed and to follow the authority of the school staff. Student conduct will respect the property rights and privileges of others and an understanding for the need for cooperation among all members of the school community. Students shall have all rights to which they are entitled as delineated in the handbooks of each individual building as well as the following:

1. Civil rights — including the rights to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others;
2. The right to attend free public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school;
3. The right to due process of law with respect to suspension, expulsion and decisions which the student believes injure his/her rights;
4. The right to free inquiry and expression; the responsibility to observe reasonable rules regarding these rights;
5. The right to privacy, which includes privacy with respect to the student's education records.

Students have the right to know the behavior standards expected of them as well as to know the consequences of their behavior. Students' rights and responsibilities, including standards of conduct, will be made available to students, their parents and employees through information distributed annually.

END OF POLICY

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### Legal Reference(s):

[ORS 332.061](#)  
[ORS 332.072](#)  
[ORS 337.150](#)  
[ORS 339.155](#)

[ORS 339.240](#)  
[ORS 339.250](#)  
[ORS 659.850](#)  
[ORS 659.865](#)

[OAR 581-021-0045](#)  
[OAR 581-021-0046](#)  
[OAR 581-021-0050 to -0075](#)  
[OAR 581-022-1140](#)

Hazelwood Sch. District v. Kuhlmeier, 484 U.S. 260 (1988).  
Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986).

### Cross Reference(s):

JFC - Student Conduct

# West Linn-Wilsonville School District 3J

Code: **JFB**  
Adopted: 10/09/06  
Readopted: 3/07/16  
Orig. Code(s): ABC

## Student Involvement in Decision Making

The Board recognizes its responsibility to develop school policies that reflect the hopes and desires of the community and are in the best interests of students. An outgrowth of this is to create a stimulating learning climate which develops active involvement of students in their education. Students should be encouraged to take part in establishing course goals, planning activities and improving courses; feel free to express ideas and opinions; be involved in planning assemblies; participate in school government affairs and extracurricular activities.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

# West Linn-Wilsonville School District 3J

Code: JFC  
Adopted: 03/07/16  
Readopted: 02/07/22

## Student Conduct\*\*

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

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

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

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 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.

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

END OF POLICY

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**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 695.652**  
**Legal Reference(s):**

[ORS 339.240](#)  
[ORS 339.250](#)  
[ORS 659.850](#)

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

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

Student Conduct\*\* - JFC

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).

No Child Left Behind Act of 2001, 20 U.S.C. § 7912 (2006).

**Cross Reference(s):**

IGAEC - Anabolic Steroids and Performance-Enhancing Substances

JG - Student Discipline

# West Linn-Wilsonville School District 3J

Code: **JFCA**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): JFCA

## **Student Dress and Grooming\*\***

The responsibility for the appearance of students of the district rests with parents and the students themselves. When dress and grooming disrupt the learning process in school for the individual student, other students, or the learning climate of the school, it becomes a matter for counseling with the student and/or parents.

Provisions for dress and grooming in voluntary extracurricular activities should arise directly out of the needs of the activity so as not to disrupt the performance or constitute a health hazard to the individual or other students.

END OF POLICY

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

[ORS 339.240](#)

[ORS 339.250](#)

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

# West Linn-Wilsonville School District 3J

Code: **JFCEB**  
Adopted: 3/07/16  
Readopted: 6/05/23

## **Personal Electronic Devices and Electronic Communication\*\***

(Student may possess a personal electronic device with certain restrictions)

Student possession or use of personal electronic devices on district property, in district facilities during the school day and while the student is in attendance at district-sponsored activities may be permitted subject to the limitations set forth in this policy and consistent with any additional school rules as may be established by the principal and approved by the superintendent.

A “personal electronic device” is a device that is capable of electronically communicating, sending, receiving, storing, recording, reproducing and/or displaying information and data.

“Independent communication” means communication that does not require assistance or interpretation by an individual who is not part of the communication but that may require the use or assistance of an electronic device.

Personal electronic devices shall be away during instructional or class time (unless explicitly allowed by the teacher for a specific purpose) and at any other time where such use of the device would cause a disruption of school activities. Devices which have the capability to take photographs or record video or audio shall not be used for such purposes while on district property or while a student is engaged in district-sponsored activities, unless as expressly authorized in advance by the principal or designee. Computers, tablets, iPads or similar devices brought to school will be restricted to academic activities and independent communications.

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

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

The district will not be liable for information or comments posted by students.

Exceptions to the prohibitions set forth in this policy may be made for health, safety or emergency reasons with prior principal or designee approval or when use is provided for in a student’s individualized education program (IEP) or 504 plan.

Students are subject to disciplinary action up to and including expulsion for using a personal electronic device in any manner that is academically dishonest, illegal or violates the terms of this policy<sup>1</sup>. A referral to law enforcement officials may also be made. Personal electronic devices brought to district property or used in violation of this policy are subject to confiscation and will be released to the student's parent or property owner, as appropriate.

The superintendent shall ensure that the Board's policy and any subsequent school rules developed by building administrators are reviewed and approved in advance to ensure consistency with this policy and that pertinent provisions of policy and school rules are communicated to staff, students and parents through building handbooks and other means.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.107](#)

[ORS 336.840](#)

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

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

## **Harassment, Intimidation, Bullying, Cyberbullying, Teen Dating Violence, or Domestic Violence – Student\*\***

The Board, in its commitment to providing a safe, positive, and productive learning environment for all students, will consult with parents/guardians, employees, volunteers, students, administrators, and community representatives in developing this policy in compliance with applicable Oregon law.

Harassment, intimidation or bullying and acts of cyberbullying by students, staff, or third parties toward students is strictly prohibited in the district. Teen dating violence is unacceptable behavior and prohibited. Each student has the right to a safe learning environment.

Retaliation against any person who is a victim of, who reports, is thought to have reported, or files a complaint about an act of harassment, intimidation or bullying, an act of cyberbullying, or teen dating violence, or otherwise participates in an investigation or inquiry is strictly prohibited. A person who engages in retaliatory behavior will be subject to consequences and appropriate remedial action. False charges shall also be regarded as a serious offense and will result in consequences and appropriate remedial action.

Students whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial action which may include discipline, up to and including expulsion.

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

Students, staff, or third parties may also be referred to law enforcement officials.

The principal and the superintendent are responsible for ensuring that this policy is implemented.

### **Definitions**

“District” includes district facilities, district premises, and nondistrict property if the student is at any district-sponsored, district-approved, or district-related activity or function, such as field trips or athletic events where students are under the jurisdiction of the district.

“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.



“Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or performance, that takes place on or immediately adjacent to district grounds, at any district-sponsored activity, on district-provided transportation, or at any official district bus stop, that may be based on, but not limited to, the protected class status of a person, and having the effect of:

1. Physically harming a student or damaging a student’s property;
2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property; or
3. Creating a hostile educational environment including interfering with the psychological well-being of the student.

“Protected class” means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, familial status, source of income, or disability.

“Teen dating violence” means:

1. A pattern of behavior in which a person uses or threatens to use physical, mental, or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or
2. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

“Domestic violence” means abuse between family and/or household members, as those terms are described in ORS 107.705.

“Cyberbullying” is the use of any electronic communication device to harass, intimidate or bully.

“Retaliation” means any acts of, including but not limited to, harassment, intimidation or bullying, or cyberbullying toward the victim, a person in response to an actual or apparent reporting of, or participation in the investigation of, harassment, intimidation or bullying, teen dating violence, acts of cyberbullying, or retaliation.

## **Reporting**

The Principal or designee will take reports and conduct a prompt investigation of any reported acts of harassment, intimidation or bullying, cyberbullying, or teen dating violence. Any employee who has knowledge of conduct in violation of this policy shall immediately report concerns to the [employee position title] who has overall responsibility for all investigations. Any employee who has knowledge of incidents of teen dating violence that took place on district property, at a district-sponsored activity, or in a vehicle used for district-provided transportation shall immediately report the incident to the principal or designee. Failure of an employee to report any act of harassment, intimidation or bullying, cyberbullying, or teen dating violence to the principal or designee may be subject to remedial action, up to and including dismissal. Remedial action may not be based solely on an anonymous report.

Any student who has knowledge of conduct in violation of this policy or feels they have been subjected to an act of harassment, intimidation or bullying or cyberbullying or feel they have been a victim of teen dating violence in violation of this policy, is encouraged to immediately report concerns to the [employee position title] who has overall responsibility for all investigations. Any volunteer who has knowledge of conduct in violation of this policy is encouraged to immediately report concerns to the principal or designee. A report made by a student or volunteer may be made anonymously. A student or volunteer may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate district official.

Reports against the principal shall be filed with the superintendent. Reports against the superintendent shall be filed with the Board chair.

The person who makes the report shall be notified when the investigation has been completed and, as appropriate, the findings of the investigation and any remedial action that has been taken. The person who made the report may request that the superintendent or designee review the actions taken in the initial investigation, in accordance with district complaint procedures.

### **Notification to Parents or Guardians**

The principal or designee shall notify the parents or guardians of a student who was subject to an act of harassment, intimidation, bullying or cyberbullying, and the parents or guardians of a student who may have conducted an act of harassment, intimidation, bullying or cyberbullying.

The notification must occur with involvement and consideration of the needs and concerns of the student who was the subject to an act of harassment, intimidation, bullying or cyberbullying. The notification is not required if the principal or designee reasonably believes notification could endanger the student who was subjected to an act of harassment, intimidation, bullying or cyberbullying or if all of the following occur:

1. The student who was subjected to an act of harassment, intimidation, bullying, or cyberbullying requests that notification not be provided to the student's parents or guardians.
2. The principal or designee determines that notification is not in the best interest of the student who was subjected to an act of harassment, intimidation, bullying, or cyberbullying; and
3. The principal or designee informs the student that federal law may require the student's parents and guardians to have access to the student's education record, including any requests of nondisclosure (from item 1 above).

If the principal or designee determines the notification is not in the best interest of the student, they must inform the student of that determination prior to providing notification.

When notification is provided, the notification must occur:

1. Within a reasonable period of time; or
2. Promptly, for acts that caused physical harm to the student.

## Training and Education

The district shall incorporate into existing training programs for students, information related to the prevention of, and the appropriate response to, acts of harassment, intimidation or bullying, and acts of cyberbullying and this policy.

The district shall incorporate age-appropriate education about teen dating violence and domestic violence into new or existing training programs for students in grades 7 through 12.

The district shall incorporate into existing training programs for staff information related to the prevention of, and the appropriate response to, acts of harassment, intimidation or bullying, teen dating violence, domestic violence, and acts of cyberbullying and this policy.

## Notice

The superintendent or designee shall be responsible for ensuring annual notice of this policy is provided in a student or staff handbook, school and district's website, and school and district office and the development of administrative regulations, including reporting and investigative procedures. Complaint procedures, as established by the district, shall be followed.

Domestic violence posters provided by the Oregon Department of Education (ODE) shall be posted in clearly visible locations on school campuses in accordance with rules adopted by ODE.

END OF POLICY

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### Legal Reference(s):

[\[ORS 163.190\]](#)

[\[ORS 163.197\]](#)

[ORS 107.705](#)

[ORS 166.065](#)

[ORS 166.155 - 166.165](#)

[ORS 174.100](#)

[ORS 332.072](#)

[ORS 332.107](#)

[ORS 339.240](#)

[ORS 339.250](#)

[ORS 339.351 - 339.368](#)

[OAR 581-021-0045](#)

[OAR 581-021-0046](#)

[OAR 581-021-0055](#)

[OAR 581-022-2310](#)

[OAR 581-022-2370](#)

House Bill 2631 (2021)

House Bill 3041 (2021)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).

# West Linn-Wilsonville School District 3J

Code: **JFCG/KGC/GBK**  
Adopted: 5/07/07  
Readopted: 3/07/16  
Orig. Code(s): GBK

## **Prohibited Use, Possession, Distribution or Sale of Tobacco Products and Inhalant Delivery Systems**

It is the district's obligation to protect the health, welfare and safety of students. To be consistent with Oregon law and district curriculum, student possession, use, distribution or sale of tobacco products or inhalant delivery systems in any form on district premises, at school-sponsored activities, on or off district premises, on all district grounds, including parking lots, in district-owned, rented or leased vehicles or otherwise, or while a student is under the jurisdiction of the district, is prohibited.

The use, distribution or sale of tobacco products or inhalant delivery systems by staff and all others is prohibited on district premises, in any building or facility, on district grounds, including parking lots, in any vehicle owned, leased, rented or chartered by the district, school or public charter school and at all school-sponsored activities.

For the purpose of this policy, "tobacco products" is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew or snuff in any form. This does not include USFDA-approved tobacco products or other therapy products used for the purpose of cessation.

For the purpose of this policy, "inhalant delivery system" means a device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device; or a component of a device or a substance in any form sold for the purpose of being vaporized or aerosolized by a device, whether the component or substance is sold or not sold separately. This does not include USFDA-approved tobacco products or other therapy products marked and sold solely for the approved purpose.

Violation of this policy will lead to appropriate disciplinary action up to and including expulsion for students. When considering disciplinary action for a student with disabilities, the district must follow the requirements of Board policy JGDA/JGEA - Discipline of Students with Disabilities, including those involving functional behavioral assessment, change of placement, manifestation determination and an interim alternative educational setting. Community or school service may be required. A referral to law enforcement may be made. Parents will be notified of all violations involving their student and subsequent action taken by the school. Information about cessation support and/or tobacco education programs and how students can access these programs will be provided. At the discretion of the principal, attendance and completion of such programs, or successful completion of a behavior modification plan, may be allowed as a substitute for, or as part of student discipline.

Violation of this policy by nonstudents (the public) may result in the individual's removal from district property. The district reserves the right to restrict access to district property by individuals who are repeat offenders.

This policy shall be enforced at all times. The superintendent will develop administrative regulations as needed to implement this policy.

END OF POLICY

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**Legal Reference(s):**

|                                     |   |  |
|-------------------------------------|---|--|
| <a href="#"><u>ORS 167</u></a> .400 | <a href="#"><u>ORS 339</u></a> .883               | <a href="#"><u>OAR 581-022</u></a> -0413       |
| <a href="#"><u>ORS 332</u></a> .107 | <a href="#"><u>ORS 431</u></a> .840               | <a href="#"><u>OAR 581-053</u></a> -0230(9)(s) |
| <a href="#"><u>ORS 336</u></a> .222 | <a href="#"><u>ORS 433</u></a> .835 to- 433.990   | <a href="#"><u>OAR 581-053</u></a> -0330(1)(m) |
| <a href="#"><u>ORS 336</u></a> .227 |   | <a href="#"><u>OAR 581-053</u></a> -0430(12)   |
| <a href="#"><u>ORS 339</u></a> .240 | <a href="#"><u>OAR 581-021</u></a> -0050 to -0075 | <a href="#"><u>OAR 581-053</u></a> -0531(11)   |
| <a href="#"><u>ORS 339</u></a> .250 | <a href="#"><u>OAR 581-021</u></a> -0110          | <a href="#"><u>OAR 581-053</u></a> -0630       |

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

**Cross Reference(s):**

GBK/JFCG/KGC - Prohibited Use, Possession, Distribution or Sale of Tobacco Products and Inhalant Delivery Systems  
KGC/GBK/JFCG - Prohibited Use, Possession, Distribution or Sale of Tobacco Products and Inhalant Delivery Systems

# West Linn-Wilsonville School District 3J

Code: **JFCH**  
Adopted: 3/07/16

## Alcohol

Consumption, possession, under the influence of, or sale of any alcoholic beverage on or about the school premises or at any school-sponsored activity is prohibited.

Violation of this policy may result in suspension or expulsion. Violations occurring at times other than during school hours or school activities on school property may be referred to the proper law enforcement agencies.

In all the above cases, the parents or guardians shall be notified as soon as possible. School officials will also report violations to the appropriate legal authorities. A conference between a school district administrator and the parents or guardians shall be required for reinstatement after suspension or expulsion.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)  
[ORS 336.067](#)  
[ORS 336.222](#)  
[ORS 336.227](#)  
[ORS 339.240](#)

[ORS 339.250](#)  
[OAR 581-021-0050 to -0075](#)  
[OAR 581-021-0110](#)  
[OAR 581-022-0413](#)  
[OAR 581-053-0230\(9\)\(t\)](#)

[OAR 581-053-0330\(1\)\(n\),\(o\)](#)  
[OAR 581-053-0430\(13\),\(14\)](#)  
[OAR 581-053-0531\(12\),\(13\)](#)  
[OAR 581-053-0630](#)

Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2006).

### Cross Reference(s):

JFCI - Substance/Drug Abuse

# West Linn-Wilsonville School District 3J

Code: **JFCI**  
Adopted: 3/07/16

## **Substance/Drug Abuse\*\***

Substance abuse or the possession, use, under the influence of, sale or supply of any unlawful drug, including drug paraphernalia, or any substance purported to be an unlawful drug on or near the district premises or at any school-sponsored activity is prohibited.

The following definitions apply to this policy:

“Substance abuse” means the use of any chemical or chemical compound which releases vapors or fumes or substance not otherwise excepted by law, Board policy or administrative regulation, which is toxic, corrosive, an irritant, a strong sensitizer, flammable, combustible, generates or is used to generate pressure, if such chemical or chemical compound, substance or mixture of substances is used in a manner that may cause intoxication, inebriation, stupefaction, personal injury or illness when induced by any means into the human body.

An “unlawful drug” means any drug as defined by the Controlled Substances Act including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP). As used in this policy, an unlawful drug also means possession, use, sale or supply of prescription and nonprescription drugs in violation of Board policy and any accompanying administrative regulation.

“Drug paraphernalia” means all equipment, products and materials of any kind which are marketed for the use or designed for the use in manufacturing, compounding, producing, processing, preparing, analyzing, packaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise inducing a controlled substance or intoxicant into the human body.

If possession or use occurred on school grounds or while participating in school-sponsored activities, students will be subject to discipline up to and including expulsion. If possession or use occurred near school grounds, disciplinary action may include removal from any or all extracurricular activities and/or forfeiture of any school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). Appropriate health and law enforcement agencies may be involved in at least a consultative and investigative capacity. Parents will be notified.

In all the above cases, the parents or guardians shall be notified as soon as possible. School officials will also report violations to the appropriate legal authorities. A conference between a school district administrator and the parents or guardians shall be required for reinstatement after suspension or expulsion.

Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of school property is a Class A felony as provided by ORS 475.904.

END OF POLICY

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**Legal Reference(s):**

[ORS 161.605](#)  
[ORS 161.625](#)  
[ORS 332.107](#)  
[ORS 336.067](#)  
[ORS 336.222](#)  
[ORS 336.227](#)  
[ORS 339.240](#)

[ORS 339.250](#)  
[ORS Chapter 475](#)  
  
[OAR 581-021-0050](#) to -0075  
[OAR 581-021-0110](#)  
[OAR 581-022-0413](#)

[OAR 581-053-0230](#)(9)(s),(t)  
[OAR 581-053-0330](#)(1)(n),(o)  
[OAR 581-053-0430](#)(13),(14)  
[OAR 581-053-0531](#)(12),(13)  
[OAR 581-053-0630](#)  
[OAR 584-020-0040](#)

Controlled Substances Act, 21 U.S.C. § 812; Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11 - 1308.15 (2006).  
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2006).

**Cross Reference(s):**

JFCH - Alcohol



# West Linn-Wilsonville School District 3J

Code: **JFCJ**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): JFCJ

## **Weapons in the Schools\*\***

Appropriate disciplinary and legal action shall be taken against students who bring a weapon to or possess a weapon on district property or at district events and against students who assist the bringing or possessing in any way.

Students bringing a weapon to or possessing a weapon on district property or at district events shall be expelled for a period of not less than one year. The superintendent may, on a case-by-case basis, modify this expulsion requirement.

For purposes of this policy, a weapon includes the following:

1. A “dangerous weapon” as defined by Oregon law means any weapon, device, instrument, material or substance, which under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.
2. A “deadly weapon” as defined by Oregon law means any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;
3. A “firearm” as defined by Federal law means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, frame or receiver of any such weapon, any firearm silencer or any destructive device.
4. A “destructive device” means any explosive, incendiary or poison gas component or any combination of parts either designed or intended for use in converting any device into any destructive device or from which a destructive device may be readily assembled. A destructive device does not include any device which is designed primarily or redesigned primarily for use as a signaling, pyrotechnic, line-throwing, safety or similar device.

Weapons may also include, but are not limited to, knives, metal knuckles, straight razors, noxious or irritating gases, poisons, unlawful drugs or other items fashioned with the intent to use, sell, harm, threaten or harass students, staff members, parents and patrons.

Replicas of weapons, fireworks and pocket knives are also prohibited by Board policy. Exceptions to the district’s replicas prohibition may be granted only with prior principal approval for certain curriculum or school-related activities.

Prohibited weapons, replicas of weapons, fireworks and pocket knives are subject to seizure or forfeiture.

In accordance with Oregon law, any employee who has reasonable cause to believe a student or other person has, within the previous 120 days, unlawfully been in possession of a firearm or destructive device as defined by this policy, shall immediately report such violation to an administrator, his/her designee or law enforcement. Employees who report directly to law enforcement shall also immediately inform an administrator.

Administrators shall promptly notify the appropriate law enforcement agency of staff reports received and at any other time there is reasonable cause to believe violations have occurred or that a student has been expelled for bringing, possessing, concealing or using a dangerous or deadly weapon, firearm or destructive device. Parents will be notified of all conduct by their student that violates this policy.

Employees shall promptly report all other conduct prohibited by this policy to an administrator.

Students found to have brought, possessed, concealed or used a firearm in violation of this policy or state law shall be expelled for a period of not less than one year. All other violations of the policy will result in discipline up to and including expulsion and/or referral to law enforcement, as appropriate. The superintendent may, on a case-by-case basis, modify this expulsion requirement. The district may also request suspension of a student's driving privileges or the right to apply for driving privileges with the Oregon Department of Transportation, as provided by law. Appropriate disciplinary and/or legal action will be taken against students or others who assist in activity prohibited by this policy.

Special education students shall be disciplined in accordance with federal law and Board policy JGDA/JGEA – Discipline of Students with Disabilities and accompanying administrative regulation.

Weapons under the control of law enforcement personnel or a person who has a valid license under ORS 166.291 and 166.292 are permitted. The superintendent may authorize other persons to possess weapons for courses, programs and activities approved by the district and conducted on district property including, but not limited to, hunter safety courses, weapons-related vocational courses or weapons-related sports.

The district may post a notice at any site or premise off district grounds that at the time is being used exclusively for a school program or activity. The notice shall identify the district as the sponsor, the activity as a school function and that the possession of firearms or dangerous weapons in or on the site or premises is prohibited under ORS 166.370.

In accordance with the federal Gun-Free School Zone Act, possession or discharge of a firearm in a school zone is prohibited. A "school zone," as defined by federal law, means in or on school grounds or within 1,000 feet of school grounds.

"Gun-Free School Zone" signs may be posted in cooperation with city and/or county officials as appropriate. Violations, unless otherwise accepted by law or this policy, shall be reported to the appropriate law enforcement agency.

END OF POLICY

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**Legal Reference(s):**

[ORS 161.015](#)  
[ORS 166.210 to -166.370](#)  
[ORS 166.382](#)  
[ORS 332.107](#)  
[ORS 339.115](#)  
[ORS 339.240](#)  
[ORS 339.250](#)

[ORS 339.315](#)  
[ORS 339.327](#)  
[ORS 809.135](#)  
[ORS 809.260](#)  
  
[OAR 581-021](#)-0050 to -0075

[OAR 581-053](#)-0010(5)  
[OAR 581-053](#)-0230(9)(k)  
[OAR 581-053](#)-0330(1)(r)  
[OAR 581-053](#)-0430(17)  
[OAR 581-053](#)-0531(16)  
[OAR 581-053](#)-0630

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2006).  
Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).  
Youth Handgun Safety Act, 18 U.S.C. §§ 922(x), 924(a)(6) (2006).  
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2006).

**Cross Reference(s):**

JFCM - Threats of Violence  
JGDA/JGEA - Discipline of Students with Disabilities

# West Linn-Wilsonville School District 3J

Code: **JFCM**  
Adopted: 3/07/16

## **Threats of Violence\*\***

The Board is committed to promoting healthy relationships and a safe learning environment. To this end, student threats of harm to self or others, threatening behavior or acts of violence, including threats to severely damage school property, shall not be tolerated on district property or at activities under the jurisdiction of the district.

Students shall be instructed of the responsibility to inform a teacher, counselor or administrator regarding any information or knowledge relevant to conduct prohibited by this policy. Parents and others will be encouraged to report such information to the district. Staff shall immediately notify an administrator of any threat, threatening behavior or act of violence he/she has knowledge of, has witnessed or received. All reports will be promptly investigated.

Students found in violation of this policy shall be subject to discipline up to and including expulsion. A referral to law enforcement shall be made for any infraction involving a student bringing, possessing, concealing or using a weapon or destructive device as prohibited by state and federal law and Board policy.

The principal shall, in determining appropriate disciplinary action, consider:

1. Immediately removing from the classroom setting, any student who has threatened to injure another person or to severely damage district property;
2. Placing the student in a setting where the behavior will receive immediate attention from an administrator, counselor, licensed mental health professional or others;
3. Requiring the student to be evaluated by a licensed mental health professional before allowing the student to return to the classroom setting.

The principal shall ensure notification is provided to:

1. The parent of any student in violation of this policy and the disciplinary action imposed;
2. The parent of a student when the student's name appears on a targeted list that threatens violence or harm to the students on the list, or when threats of violence or harm to the student are made by another student;
3. Any district employee whose name appears on a targeted list threatening violence or harm to the district employee and when threats of violence or harm are made by a student or others.

Notification to the above shall be attempted by telephone or in person within 12 hours of discovery of a targeted list or learning of a threat. Regardless, a written follow-up notification shall be sent within 24 hours of discovery of a targeted list or learning of a threat.

The principal will provide necessary information regarding threats of violence to law enforcement, child protective services and health care professionals in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. Additionally, he/she may provide such information to other school officials, including teachers, within the district or other districts who have a legitimate educational interest in the student(s) consistent with state and federal education records laws and district policies.

The district may enter into contracts with licensed mental health professionals to perform student evaluations. Funds for evaluations or other disciplinary options as may be required by law and this policy shall be provided by the district.

END OF POLICY

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**Legal Reference(s):**

[ORS 161.015](#)  
[ORS 166.210 - 166.370](#)  
[ORS 332.107](#)  
[ORS 339.115](#)  
[ORS 339.240](#)  
[ORS 339.250](#)

[ORS 339.327](#)  
[ORS 809.060](#)  
[ORS 809.260](#)  
  
[OAR 581-021-0050 to -0075](#)  
[OAR 581-053-0010\(5\)](#)

[OAR 581-053-0230\(9\)\(k\)](#)  
[OAR 581-053-0330\(1\)\(r\)](#)  
[OAR 581-053-0430\(17\)](#)  
[OAR 581-053-0531\(16\)](#)  
[OAR 581-053-0630](#)

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

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).

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

**Cross Reference(s):**

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

JFCF - Hazing, Harassment, Intimidation, Bullying, Cyberbullying, Teen Dating Violence and Domestic Violence – Student

JFCJ - Weapons in the Schools

# West Linn-Wilsonville School District 3J

Code: **JFE**  
Adopted: 3/07/16

## **Pregnant and Parenting Students**

A pregnant and/or parenting student may continue with an educational program and to participate in all school-sponsored activities. The district shall ensure that pregnant and parenting students receive appropriate services.

Neither pregnancy nor parenting constitute an exemption from Oregon compulsory attendance law.

No pregnant or parenting student shall be excluded from the public schools on the basis of pregnancy or parenthood.

The district shall, in considering and obtaining services for pregnant and parenting students:

1. Inform pregnant and parenting students and their parents of the availability of such services in the district, education service district or in the community;
2. Facilitate the provision of such services, including counseling, life skills and parenting education, child care, transportation, career development and health and nutrition services to pregnant and parenting students;
3. Inform pregnant and parenting students and their parents of the availability of resources provided by other agencies, including health and social services;
4. Provide educational programs and schedules that address the individual learning styles and needs of pregnant and parenting students in their current school;
5. Develop individualized plans to address the needs of pregnant and/or parenting students when their educational needs cannot be met by the regularly provided school program.

The superintendent will develop administrative regulations as necessary to ensure compliance with the provisions of state and federal law.

END OF POLICY

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

[ORS 109.520](#)

[ORS 336.640](#)

[OAR 581-021-0046](#)

# West Linn-Wilsonville School District 3J

Code: **JFF**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): JFF

## Married Students

The Board believes that the marital, maternal or paternal status of students shall not affect the rights and privileges to receive a public education nor to take part in any extracurricular activity offered by the school.

END OF POLICY

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### Legal Reference(s):

[ORS 109.520](#)  
[ORS 659.850](#)

# West Linn-Wilsonville School District 3J

Code: **JFG**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): JFG

## **Student Searches\*\***

The Board seeks to ensure a learning environment which protects the health, safety and welfare of students and staff. To assist the Board in attaining these goals, district officials may, subject to the requirements below, search a student's person and property, including property assigned by the district for the student's use. Such searches may be conducted at any time on district property or when the student is under the jurisdiction of the district at school-sponsored activities.

All student searches conducted by the district shall be subject to the following requirements:

1. The district official shall have individualized, "reasonable suspicion" based upon specific and articulated facts to believe that the student personally poses or is in possession of some item that poses an immediate risk or serious harm to the student, school officials and/or others at the school;
2. The search shall be "reasonable in scope." That is, the measures used are reasonably related to the objectives of the search, the unique features of the official's responsibilities, and the area(s) which could contain the item(s) sought and not excessively intrusive in light of the age, sex, maturity of the student and the nature of the infraction.

Routine inspections of district property assigned to students may be conducted at any time.

Use of drug-detection dogs and metal detectors, or similar detection devices, may be used only on the express authorization of the superintendent.

District officials may seize any item which is evidence of a violation of law, Board policy, administrative regulation or school rule, or which the possession or use of is prohibited by such law, policy, regulation or rule.

Students may be searched by law enforcement officials on district property or when the student is under the jurisdiction of the district. Law enforcement searches ordinarily shall be based upon a warrant. District officials will attempt to notify the student's parent(s) in advance and will be present for all such searches, whenever possible.

END OF POLICY



**Legal Reference(s):**

[ORS 332](#).107

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

New Jersey v. T.L.O., 469 U.S. 325 (1985).

State ex. rel. Juv. Dept. v. M.A.D., 233 P3d. 437, 348 Or. 381 (2010).

State v. B.A.H., 263 P3d. 1046, 245 Or. App. 203 (2011).

State v. A.J.C., 326 P3d. 1195, 355 Or. 552 (2014).

**Cross Reference(s):**

KN - Relations with Law Enforcement

# West Linn-Wilsonville School District 3J

Code: **JG**  
Adopted: 3/07/16

## **Student Discipline\*\***

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

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

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

The Board seeks to ensure a school climate which is appropriate for learning and which assures the safety and welfare of personnel and students. The superintendent will develop administrative regulations whereby those students who disrupt the educational setting or who endanger the safety of others, will be offered corrective counseling and be subject to disciplinary sanctions that are age appropriate, and to the extent practicable, that uses practices that are shown through research to be effective.

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

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

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

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

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

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

END OF POLICY

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**Legal Reference(s):**

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

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

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

**Cross Reference(s):**

JFC - Student Conduct  
JGD - Student Suspension  
JGE - Expulsion

# West Linn-Wilsonville School District 3J

Code: **JGA**  
Adopted: 3/07/16

## **Corporal Punishment\*\***

The use of corporal punishment in any form is strictly prohibited in the district. No student will be subject to the infliction of corporal punishment.

Corporal punishment is defined as the willful infliction of, or willfully causing the infliction of, physical pain.

No teacher, administrator, other school personnel or school volunteer will subject a student to corporal punishment or condone the use of corporal punishment by any person under his/her supervision or control. Permission to administer corporal punishment will not be sought or accepted from any parent or school official.

A staff member is authorized to employ physical force when, in his/her professional judgment, the physical force is necessary to prevent a student from harming self, others or doing harm to district property. Physical force shall not be used to discipline or punish a student. The superintendent shall inform all staff members and volunteers of this policy.

END OF POLICY

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

[ORS 161.205](#)

[ORS 339.240](#)

[ORS 339.250](#)

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

[OAR 584-020-0040](#)

### **Cross Reference(s):**

JGAB - Use of Restraint and Seclusion

## **Use of Restraint or Seclusion**

The Board is dedicated to the development and application of best practices within the district's public educational/behavioral programs. The Board establishes this policy and its administrative regulation to define the circumstances that must exist and the requirements that must be met prior to, during, and after the use of restraint or seclusion as an intervention with district students.

The use of the following types of restraint on a student in the district is prohibited:

1. Chemical restraint.
2. Mechanical restraint.
3. Prone restraint.
4. Supine restraint.
5. Any restraint that involves the intentional and nonincidental use of a solid object, including a wall or the floor, to impede a student's movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.
6. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, neck or throat.
7. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, unless the restraint is necessary for the purpose of extracting a body part from a bite.
8. Any restraint that impedes, or creates a risk of impeding, breathing.
9. Any restraint that involves the intentional placement of the hands, feet, elbow, knee or any object on a student's neck, throat, genitals or other intimate parts.
10. Any restraint that causes pressure to be placed, or creates a risk of causing pressure to be placed, on the stomach or back by a knee, foot or elbow bone.
11. Any action designed for the primary purpose of inflicting pain.

Restraint or seclusion may not be used for discipline, punishment, retaliation or convenience of staff, contractors or volunteers of the district.

Restraint may be imposed on a student in the district only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and substantial physical or bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

Seclusion may be used on a student in the district only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and serious bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

If restraint or seclusion is used on a student, by trained staff or other staff available in the case of an emergency when trained staff are not immediately available due to the unforeseeable nature of the emergency, e.g., teacher or administrator, it will be used only for as long as the student's behavior poses a reasonable risk of imminent and substantial physical or bodily injury to the student or others and less restrictive interventions would not be effective. Students will be continuously monitored by staff for the duration of the restraint or seclusion.

## **Definitions**

1. "Restraint" means the restriction of a student's actions or movements by holding the student or using pressure or other means.

"Restraint" does not include:

- a. Holding a student's hand or arm to escort the student safely and without the use of force from one area to another;
- b. Assisting a student to complete a task if the student does not resist the physical contact; or
- c. Providing reasonable intervention with the minimal exertion of force necessary if the intervention does not include a restraint prohibited under Oregon Revised Statute (ORS) 339.288 and the intervention is necessary to:
  - (1) Break up a physical fight;
  - (2) Interrupt a student's impulsive behavior that threatens the student's immediate safety, including running in front of a vehicle or climbing on unsafe structures or objects; or
  - (3) Effectively protect oneself or another from an assault, injury or sexual contact with the minimum physical contact necessary for protection.

2. "Seclusion" means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. Seclusion includes, but is not limited to, the involuntary confinement of a student alone in a room with closed door, whether the door is locked or unlocked.

"Seclusion" does not include the removal of a student for a short period of time to provide the student with an opportunity to regain self-control if the student is in a setting from which the student is not physically prevented from leaving or a student being left alone in a room with closed door for a brief period of time if the student is left alone for a purpose that is unrelated to the student's behavior.

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

“Mechanical restraint” does not include:

- a. A protective or stabilizing device ordered by a licensed physician; or
  - b. A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.
6. “Chemical restraint” means a drug or medication that is used on a student to control behavior or restrict freedom of movement that is not prescribed by a licensed physician or other qualified health professional acting under the professional’s scope of practice for standard treatment of the student’s medical or psychiatric condition; and administered as prescribed by a licensed physician or other qualified health professional acting under the professional’s scope of practice.
  7. “Prone restraint” means a restraint in which a student is held face down on the floor.
  8. “Supine restraint” means a restraint in which a student is held face up on the floor.

Any student being restrained or secluded within the district whether in an emergency or as a part of a plan shall be constantly monitored by staff for the duration of the intervention. Any room used for seclusion of a student must meet the standards as outlined in Oregon Administrative Rule (OAR) 581-021-0568.

The district shall utilize the Crisis Prevention Institute (CPI) training program of restraint or seclusion for use in the district. As required by state regulation, the selected program shall be one approved by the Oregon Department of Education (ODE) and include, but not limited to, positive behavior support, conflict prevention, de-escalation and crisis response techniques. Any program selected by the district must be in compliance with state and federal law with respect to the use of restraint and seclusion.

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

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

1. The total number of incidents involving restraint;
2. The total number of incidents involving seclusion;
3. The total number of seclusions in a locked room;
4. The total number of students placed in restraint;
5. The total number of students placed in seclusion;
6. The total number of incidents that resulted in injuries or death to students or staff as a result of the use of restraint or seclusion;

7. The total number of students placed in restraint or seclusion more than 10 times in a school year and an explanation of what steps have been taken by the district to decrease the use of restraint and seclusion for each student;
8. The total number of restraint or seclusion incidents carried out by untrained individuals;
9. The demographic characteristics<sup>1</sup> of all students upon whom restraint or seclusion was imposed;
10. The total number of rooms available for use by the district for seclusion of a student and a description of the dimensions and design of the rooms.

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

At least once each school year the parents and guardians of students of the district shall be notified about how to access the report.

The district shall investigate all complaints regarding the use of restraint and/or seclusion practices according to the procedures outlined in Board policy KL - Public Complaints and KL-AR - Public Complaint Procedure. The complaint procedure is available at the district's administrative office and is available on the home page of the district's website.

The complainant, whether an organization or an individual, may appeal a district's final decision to the Oregon Department of Education, pursuant to OAR 581-002-0001 - 581-002-0023. This appeal process is identified in administrative regulation KL-AR(2) - Appeal to the Deputy Superintendent of Public Instruction.

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

END OF POLICY

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**Legal Reference(s):**

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<sup>1</sup> Including race, ethnicity, gender, disability status, migrant status, English proficiency and status as economically disadvantaged, unless the demographic information would reveal personally identifiable information about an individual student.



[ORS 161.205](#)  
[ORS 339.250](#)  
[ORS 339.285](#)  
[ORS 339.288](#)  
[ORS 339.291](#)  
[ORS 339.294](#)  
[ORS 339.297](#)  
[ORS 339.300](#)  
[ORS 339.303](#)

[OAR 581-021-0061](#)  
[OAR 581-021-0550](#)  
[OAR 581-021-0553](#)  
[OAR 581-021-0556](#)  
[OAR 581-021-0563](#)  
[OAR 581-021-0566](#)  
[OAR 581-021-0568](#)  
[OAR 581-021-0569](#)  
[OAR 581-021-0570](#)  
[OAR 581-002-2267](#)  
[OAR 581-022-2370](#)

# West Linn-Wilsonville School District 3J

Code: **JGD**  
Adopted: 5/06/13  
Readopted: 3/07/16  
Orig. Code(s): JGD

## Student Suspension

The principal of a building, or his/her designee, may deny a student the privilege to attend school and school activities on a temporary basis.

The Board encourages the use of parent-teacher-student conferences, counseling services, and the services of social and psychological agencies for students experiencing difficulties. Alternate classes, in-school suspension and the use of crisis teams and work programs should be explored.

It is the Board's desire that the administration continue to work with the student and parents to find alternative means to assist the child in receiving an education.

The Board authorizes student suspension for one or more of the following reasons:

1. Willful violation of Board policies, administrative regulations or school rules;
2. Willful conduct which materially and substantially disrupts the rights of others to an education;
3. Willful conduct which endangers the student, other students or staff members;
4. Willful conduct which damages or injures district property.

Students and parents are given notice of possible discipline actions resulting from student misconduct that may result in suspension in the *Student/Parent Handbook* made available by the district.

Each suspension will include a statement of the reasons for suspension, the length of the suspension, a plan for readmission and may include a plan for the student to make up school work. No suspension shall extend beyond 10 school days. Every reasonable and prompt effort must be made to notify the parents of suspended students. The district may require a student to attend school during nonschool hours as an alternative to suspension.

In emergency situations that are a result of risk to health and safety, the district may postpone the suspension notice process above until the emergency condition has passed.

Students who are suspended may not attend after-school activities and athletic events, be present on district property without a parent or participate in activities directed or sponsored by the district.

Suspensions may be appealed to the Board.

END OF POLICY

**Legal Reference(s):**

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

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

**Cross Reference(s):**

JG - Student Discipline

# West Linn-Wilsonville School District 3J

Code: **JGDA/JGEA**  
Adopted: 3/13/08  
Readopted: 3/07/16  
Orig. Code(s): JGDA/JGEA

## **Discipline of Students with Disabilities**

When considering student disciplinary procedures that may result in removal of the student, the district follows all special education procedures and ensures the parent and the student are afforded the procedural safeguards of the Individuals with Disabilities Education Act (IDEA) if:

1. The student is receiving individualized education plan (IEP) services;
2. For the student not yet identified as a student with a disability, the district had knowledge that the student had a disability and needed special education.

For a violation of a code of conduct, the district may remove a student with a disability from a current educational placement to an appropriate interim alternative educational setting, another setting, or suspension, for up to 10 school days in a school year to the same extent, and with the same notice, as for students without disabilities, if the removals do not constitute a pattern. The district may remove a student with disabilities for additional periods of up to 10 days if the removals do not constitute a pattern. The determination regarding whether a series of removals constitutes a pattern is subject to review in an expedited due process hearing.

Disciplinary removal of a student with a disability constitutes a change in the student's educational placement when the removal is for more than 10 consecutive school days, or the removal is for more than 10 cumulative school days and constitutes a pattern of removals. When considering whether to order a disciplinary change of placement the district may consider any unique circumstances on a case-by-case basis. Any decision to initiate a disciplinary change in placement requires a determination of whether the conduct leading to the disciplinary removal was caused by, or was substantially related to, the student's disability or was a direct result of the district's failure to implement the student's IEP.

For a violation involving drugs, weapons or the infliction of serious bodily injury, the district may remove a student with a disability from the student's current educational placement to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than 45 school days in a school year without regard to whether the behavior is a manifestation of the student's disability. This removal is considered a change in placement.

The district will provide educational services to a student who is suspended or expelled for more than 10 school days in a school year. These services may be provided in a different location or interim alternative educational setting as determined by the IEP and placement teams.

END OF POLICY

**Legal Reference(s):**[ORS 326.565](#)[ORS 326.575](#)[ORS 336.187](#)[ORS 339.240](#)[ORS 339.250](#)[ORS 339.252](#)[ORS 343.177](#)[OAR 581-015-2400](#)[OAR 581-015-2405](#)[OAR 581-015-2410](#)[OAR 581-015-2415](#)[OAR 581-015-2420](#)[OAR 581-015-2425](#)[OAR 581-015-2430](#)[OAR 581-015-2435](#)[OAR 581-015-2440](#)

Individuals with Disabilities Education Act (IDEA, 20 U.S.C. § 1415 (k)) (2006).

Assistance to States for the Education of Children with Disabilities, 34 CFR § 300.507 and § 300.508(a)-(c); §§ 300.510 - 300.514; §§ 300.530 - 300.536.

**Cross Reference(s):**

IGAEC - Anabolic Steroids and Performance-Enhancing Substances

IGBAG - Special Education - Procedural Safeguards

JFCJ - Weapons in the Schools

JGAB - Use of Restraint and Seclusion

# West Linn-Wilsonville School District 3J

Code: **JGE**  
Adopted: 3/07/16

## **Expulsion\*\***

A principal, after reviewing available information, may recommend to the superintendent that a student be expelled. Expulsion of a student shall not extend beyond one calendar year.

No student may be expelled without a hearing unless the student's parents, or the student if 18 years of age, waive the right to a hearing, either in writing or by failure to appear at a scheduled hearing. By waiving the right to a hearing, the student and parent agree to abide by the findings of a hearings officer.

When an expulsion hearing is not waived, the following procedure is required:

1. Notice will be given to the student and the parent by personal service<sup>1</sup> or by certified mail<sup>2</sup> at least five days prior to the scheduled hearing. Notice shall include:
  - a. The specific charge or charges;
  - b. The conduct constituting the alleged violation, including the nature of the evidence of the violation and reason for expulsion;
  - c. A recommendation for expulsion;
  - d. The student's right to a hearing;
  - e. When and where the hearing will take place; and
  - f. The right to representation.
2. The Board may expel, or may delegate the authority to decide on an expulsion to the superintendent or superintendent's designee, who may also act as the hearings officer. The district may contract with an individual who is not employed by the district to serve as the hearings officer. The hearings officer designated by the Board will conduct the hearing and will not be associated with the initial actions of the building administrators;
3. Expulsion hearings will be conducted in private and will not be open to the general public unless the student or the students' parents request an open session;
4. In case the parent or student has difficulty understanding the English language or has other serious communication disabilities, the district will provide a translator;

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<sup>1</sup>The person serving the notice shall file a return of service. (OAR 581-021-0070)

<sup>2</sup>When "certified mail is given to a parent of a suspended student, the notice shall be placed in the mail at least five days before the date of the hearing." (OAR 581-021-0070)

5. The student shall be permitted to have representation present at the hearing to advise and to present arguments. The representation may be an attorney and/or parent. The district's attorney may be present;
6. The student shall be afforded the right to present his/her version of the events underlying the expulsion recommendation and to introduce evidence by testimony, writings or other exhibits;
7. The student shall be permitted to be present and to hear the evidence presented by the district;
8. The hearings officer or the student may record the hearing;
9. Strict rules of evidence shall not apply to the proceedings. However, this shall not limit the hearings officer's control of the hearing;
10. If the Board is conducting the expulsion hearing, the Board may designate the Board chair or a third party as the hearings officer. The hearings officer will determine the facts of each case on the evidence presented at the hearing. Evidence may include the relevant past history and student education records. The hearings officer will provide to the Board, findings as to the facts, the recommended decision and whether or not the student has committed the alleged conduct. This will include the hearings officer's recommended decision on disciplinary action, if any, including the duration of any expulsion. This material will be available in identical form to the Board, the student if age 18 or over and the students' parents at the same time. Following the review by the Board of the hearings officer's recommendation, the Board will make the final decision regarding the expulsion;
11. If the Board has delegated authority to the superintendent or designee to act as the hearings officer, the superintendent may designate him or herself, or a third party, as the hearings officer. The hearings officer's decision is final. However, a decision of the hearings officer may be appealed by the parent or the student if age 18 or over to the Board for review. If the decision of the hearings officer is appealed to the Board for review, the findings as to the facts and the hearings officer's decision will be submitted to the Board, and will be available in identical form to the Board, the student and the students' parents at the same time. At its next regular or special meeting the Board will review the hearings officer's decision and will affirm, modify or reverse the decision;
12. A Board review of the hearings officer's decision will be conducted in executive session unless the student or the student's parent requests a public hearing. If an executive session is held by the Board or a private hearing held by the hearings officer, the following will not be made public:
  - a. The name of the minor student;
  - b. The issues involved, including a student's confidential medical record and that student's educational program;
  - c. The discussion;
  - d. The vote of Board members, which may be taken in executive session when considering an expulsion.

Prior to expulsion, the district must propose alternative programs of instruction or instruction combined with counseling to a student subject to expulsion for reasons other than a weapons policy violation. The district must document to the parent of the student that proposals of alternative education programs have been made.

END OF POLICY

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**Legal Reference(s):**

[ORS 192.660](#)  
[ORS 332.061](#)  
[ORS 336.615 to -336.665](#)

[ORS 339.115](#)  
[ORS 339.240](#)  
[ORS 339.250](#)

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

**Cross Reference(s):**

JG - Student Discipline



# West Linn-Wilsonville School District 3J

Code: **JGEA**  
Adopted: 3/07/16

## **Alternative Education Programs Following Expulsion\*\***

Prior to a student leaving school or a student's expulsion, the district will propose in writing to the student or student's parent appropriate, accessible educational alternatives as determined by the district. Such alternative education program(s) will consist of instruction or instruction combined with counseling.

The proposal of potential alternative education programs will be hand-delivered or sent by certified mail to assure that the parent receives it prior to the time of an actual expulsion or leaving school.

Appropriate accessible alternative education programs may be either public or private (nonsectarian). Programs may be provided by the district as a separate school, evening classes or tutorial instruction. Homebound instruction could be considered an appropriate alternative.

The district shall pay the actual cost of the district-proposed alternative education program or an amount equal to 80 percent of the district's estimated current year's average per student net operating expenditure, whichever is less. The district shall provide or pay for transportation.

If a parent receives an exemption on a semi-annual basis to withdraw a student age 16 or 17, the district has no obligation to pay for an alternative education program.

If a student is not successful in the alternative education program selected or the alternative education programs offered are not accepted by the student and/or parent, there is no obligation to propose or fund other alternatives.

END OF POLICY

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

[ORS 336.615 to -336.665](#)  
[ORS 339.240](#)  
[ORS 339.250](#)

[OAR 581-021-0070](#)  
[OAR 581-021-0071](#)  
[OAR 581-022-1350](#)

[OAR 581-022-1620](#)  
[OAR 581-023-0006](#)  
[OAR 581-023-0008](#)

### **Cross Reference(s):**

IGBHA - Alternative Education Programs  
IGBHB - Establishment of Alternative Education Programs  
IGBHC - Alternative Education Notification

# West Linn-Wilsonville School District 3J

Code: **JHC**  
Adopted: 3/07/16

## **Student Health Services and Requirements\*\***

Although the district's primary responsibility is to educate students, the students' health and general welfare is also a major Board concern. The Board believes school programs should be conducted in a manner that protects and enhances student and employee health and is consistent with good health practices.

The nurse(s) employed by the district shall be licensed to practice as a registered nurse or nurse practitioner in Oregon and will function as an integral member of the instructional staff, serving as a resource person to teachers in securing appropriate information and materials on health-related topics.

The district shall provide:

1. One registered nurse or school nurse for every 125 medically fragile students;
2. One registered nurse or school nurse or one licensed practical nurse under the supervision of a registered nurse or school nurse for each nursing-dependent student; and
3. One registered nurse or school nurse for every 225 medically complex students.

The district may use the most cost effective means available to meet the above requirements.

The district shall maintain a prevention-oriented health services program which provides:

1. Pertinent health information on the students, as required by Oregon statutes or rules;
2. Health appraisal to include screening for possible vision or hearing problems and dental screenings;
3. Health counseling for students and parents, when appropriate;
4. Health care and first-aid assistance that are appropriately supervised and isolates the sick or injured child from the student body;
5. Control and prevention of communicable diseases as required by Oregon Department of Human Services, Health Services, and the county health department;
6. Assistance for students in taking prescription and/or nonprescription medication according to established district procedures;
7. Services for students who are medically fragile or have special health care needs;

8. Integration of school health services with school health education programs.

The Board directs its district health staff to coordinate with health personnel from other public agencies in matters pertaining to health instruction or the general health of students and employees.

The district recognizes its responsibility to notify parents in advance of any nonemergency, invasive physical examination<sup>1</sup> or screening that is required as condition of attendance; administered and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students.

Notification will be provided at least annually or when enrolling students for the first time in school and will include the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

Procedures shall be developed and implemented to carry out this policy. All district employees will be apprised of their responsibilities in this area. Parents shall have the opportunity to request their students be exempt from participation in dental, vision or hearing screening. The district will abide by those requests.

END OF POLICY

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**Legal Reference(s):**

[ORS 329.025](#)

[ORS 336.201](#)

[OAR 581-022-0705](#)

[OAR 581-022-1420](#)

[OAR 581-022-1440](#)

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

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<sup>1</sup>The term “invasive physical examination,” as defined by law, means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening. The term does not include any physical examination or screening that is permitted or required by state law, including physical examinations or screenings that are permitted without parental notification.

# West Linn-Wilsonville School District 3J

Code: **JHCA**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): JHCA

## **Student Medical and Physical Examinations\*\***

Students participating in middle school and high school athletics must have a medical/physical examination report on file prior to the first practice of any sports season.

Examinations will be waived for students whose religion opposes such examinations. Such written requests must be on file at the school prior to the student entering school for the first time or prior to the student practicing and/or participating in any sport season.

END OF POLICY

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

[ORS 332.107](#)

[ORS 336.479](#)

[OAR 581-021-0041](#)

OREGON SCHOOL ACTIVITIES ASSOCIATION, OSAA HANDBOOK.

### **Cross Reference(s):**

IGDJ - District Athletics/Activities Philosophy

# West Linn-Wilsonville School District 3J

Code: **JHCB**  
Adopted: 9/10/07  
Readopted: 3/07/16  
Orig. Code(s): JHCB

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

Prior to and as a condition of enrollment in the district, students not previously enrolled in a private, parochial or public school in the state of Oregon must present to the school one or more of the following written verifications:

1. All documentation by the parent that the child has received the immunization as prescribed by the Oregon Health Authority;
2. A statement signed by a physician or representative of a health department that the child has received immunization as prescribed by the Oregon Health Authority;
3. A medical exemption statement signed by a physician that the physical condition of the child is such that immunization would endanger his/her health;
4. A certificate of non-health exemption from a physician or the Oregon Health Authority that the child is being reared as an adherent to religious or philosophical beliefs;
5. Students coming from out of state and requesting enrollment are subject to the above conditions, with this exception: 30 days from initial enrollment date to complete and present a verification statement.

Students not having met the conditions of immunization will be excluded from attendance in district schools until such requirements are completed and presented to the school.

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

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

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

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

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

## Dental Screening

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

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

1. The student submitted a certification to a prior education provider;
2. The dental screening is contrary to the religious beliefs of the student or the parents or guardian of the student; or
3. The dental screening is a burden, as defined by the State Board of Education, for the student or the parent or guardian of the student.

END OF POLICY

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### Legal Reference(s):

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

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

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

# West Linn-Wilsonville School District 3J

Code: **JHCCA**  
Adopted: 3/07/16

## **Students - HIV, HBV and AIDS\*\***

The district will adhere strictly in policies and procedures to the Oregon Revised Statutes and the Oregon Administrative Rules as they relate to a student infected with HIV or HBV or diagnosed with AIDS<sup>1</sup>.

The district recognizes a parent (student) has no obligation to inform the district of an HIV, HBV or AIDS condition, and that the student has a right to attend school. If the district is informed of such a student, written guidelines shall be requested of the parent (student). These guidelines shall include who may have the information, who will give the information, how the information will be given and where and when the information will be given.

When informed of the infection, and with written permission from the parent (student), the district will develop procedures for formulating an evaluation team. The team shall address the nature, duration and severity of risk as well as any modification of activities. The team shall continue to monitor the student's condition.

Notification of alternative education programs shall be made to the parent or eligible student, if an HIV, HBV or AIDS student withdraws from school.

END OF POLICY

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

[ORS 326.565](#)  
[ORS 326.575](#)  
[ORS 332.061](#)  
[ORS 336.187](#)  
[ORS 339.030](#)

[ORS 339.250](#)  
[ORS 433.008](#)  
[ORS 433.045](#)

[OAR 333-018-0000](#)  
[OAR 333-018-0005](#)  
[OAR 581-022-0705](#)  
[OAR 581-022-1660](#)

OREGON SCHOOL HEALTH SERVICES MANUAL: COMMUNICABLE DISEASES APPENDIX IV. GUIDELINES FOR SCHOOLS WITH CHILDREN WHO HAVE BLOODBORNE PATHOGENS, OREGON DEPARTMENT OF EDUCATION 2012.

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<sup>1</sup>HIV - Human Immunodeficiency Virus; HBV - Hepatitis B Virus; AIDS - Acquired Immune Deficiency Syndrome

# West Linn-Wilsonville School District 3J

Code: **JHCD**  
Adopted: 1/14/13  
Readopted: 3/07/16  
Orig. Code(s): JHCD

## **Nonprescription Medication\*\***

The district recognizes that the administering of nonprescription medication to students and/or self medication may be necessary when the failure to take such medication during school hours would jeopardize the health of the student or the student would not be able to attend.

The district reserves the right to reject a request to administer or allow self medication of a nonprescription medication when such medication is not necessary for the student to remain in school.

A request to the district to allow a student to self medicate with a nonprescription medication shall include written permission and instruction from a parent or guardian and shall include an assurance from the parent or guardian that the student has received appropriate instruction for its use.

A request to the district to administer a nonprescription medication shall include written permission and instruction from a parent or guardian.

The district shall designate staff authorized to administer medication to student. Training shall be provided as required by law.

Nonprescription medication will be handled, stored, monitored, disposed of and records maintained in accordance with established district regulations governing administering noninjectable or injectable or prescription or nonprescription medicines to student, including procedures for the disposal of sharps and glass.

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

The superintendent shall oversee the development of practices and procedures as needed to meet the requirements of law, Oregon Administrative Rules and for the implementation of this policy.

END OF POLICY

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

[ORS 109.640](#)  
[ORS 339.866](#) to -339.871  
[ORS 433.800](#) to -433.830

[OAR 166-400-0010\(17\)](#)  
[OAR 166-400-0060\(29\)](#)

[OAR 581-021-0037](#)  
[OAR 581-022-0705](#)

### **Cross Reference(s):**

JHCDA - Prescription Medication



# West Linn-Wilsonville School District 3J

Code: **JHCDA**  
Adopted: 3/07/16

## **Prescription Medication\*\***

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

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

A written treatment plan for a student who self administers medication will be developed and signed by a physician<sup>1</sup> or other Oregon licensed health care professional and kept on file. A written request and permission form signed by a parent or guardian is required and will be kept on file. If the student is deemed to have violated Board policy or medical protocol by the district, the district may revoke the permission given to a student to self-administer medication.

A request for the district to administer prescription medication to a student shall include the written permission of the parent or guardian and shall be accompanied by written instruction from a physician, physician assistant or nurse practitioner. A prescription label prepared by a pharmacist will be deemed sufficient to meet the requirements for a physician's order.

The district reserves the right to reject a request to administer or allow self administration of a medication when such medication is not necessary for the student to remain in school.

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

A process shall be established by which, upon parent written request, a backup prescribed autoinjectable epinephrine is kept at a reasonable, secured location in the student's classroom as provided by state law.

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

Training shall be provided to designated staff as required by law in accordance with approved protocols as established by the Oregon Health Authority. Staff designated to receive training shall also receive bloodborne pathogens training.

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

The superintendent will ensure student health management plans are developed as required by training protocols, maintained on file and pertinent health information is provided to district staff as appropriate.

Such plans will include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before- or after-school care programs on school-owned property and in transit to or from school or school-sponsored activities.

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

END OF POLICY

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**Legal Reference(s):**

[ORS 109.640](#)  
[ORS 339.866 to -339.871](#)  
[ORS 433.800 to -433.830](#)  
[ORS 475.005 to -475.285](#)

[OAR 166-400-0010\(17\)](#)  
[OAR 166-400-0060\(29\)](#)  
[OAR 333-055-0000 to -0035](#)  
[OAR 581-021-0037](#)

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

**Cross Reference(s):**

JHCD - Nonprescription Medication

# West Linn-Wilsonville School District 3J

Code: **JHF**  
Adopted: 3/07/16

## Student Safety

The Board directs the development and approval of a comprehensive safety program. The plan is designed to assure every student a safe, healthy environment in which to learn. The plan will comply with federal, state and local laws and regulations and with Board policy.

Local building safety and health committees will ensure that general safety regulations are reviewed with staff and students, as appropriate, to assure student safety.

Instruction in professional technical courses and other offerings such as science, family and consumer studies, art and physical education will include and emphasize accident prevention.

Safety instruction will assist students to:

1. Learn how to work, play and exercise safely and to prevent accidents;
2. Learn proper procedures to reduce the possibility of accidents;
3. Develop habits of good cleanliness, proper storage and handling of materials;
4. Become familiar with personal protective devices and the proper clothing to be worn for safety purposes;
5. Develop skills in the safe use of tools and equipment;
6. Learn how to cooperate with others in the promotion and operation of a safety program in the school;
7. Respond to emergency situations in all settings.

Safety instruction will precede the use of materials and equipment by students in applicable units of work in the courses listed above. Instructors will teach and enforce all safety rules set up for these particular courses. Rules will include, but not be limited to, wearing protective eye devices in appropriate activities.

END OF POLICY

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### Legal Reference(s):

[ORS 329.095](#)

[OAR 581-022](#)-1420

### Cross Reference(s):

EB - Safety Program

EBA - Buildings and Grounds Inspection

# West Linn-Wilsonville School District 3J

Code: **JHFE**  
Adopted: 1/09/12  
Readopted: 3/07/16  
Orig. Code(s): JHFE

## **Reporting of Suspected Abuse of a Child**

Any district employee having reasonable cause to believe that a district student has suffered abuse, as defined in state law, shall report, or cause a report to be made, to the Oregon Department of Human Services or the local law enforcement agency. The district employee shall immediately inform his/her supervisor or principal.

As mandatory reporters, all district employees are subject to this policy. Abuse of a child by district employees will not be tolerated. If a district employee is a suspected abuser, reporting requirements remain the same. The district will designate the director of human resources to receive any reports made by district employees of suspected abuse of a child. In the event the designated person is the suspected abuser, the superintendent shall receive the report of abuse. The district will post in each school building the name and contact information of the person designated to receive abuse reports, as well as the procedures the director of human resources will follow upon receipt of a report. When the director of human resources takes action on the report, the person who initiated the report must be notified.

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.

Any district employee participating in good faith in the making of a report, pursuant to this policy and Oregon law and who has reasonable grounds for the making thereof, shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making or content of any such report. Further, the initiation of a report in good faith about suspected abuse of a child may not adversely affect any terms or conditions of employment or the work environment of the complainant. If a student initiates a report of suspected abuse of a child by a district employee or a student in good faith, the student will not be disciplined by the Board or any district employee. Intentionally making a false report of abuse of a child is a Class A violation.

Upon request, the district shall provide records of investigations of suspected abuse of a child by a district employee or former district employee to law enforcement, Department of Human Services or Teacher Standards and Practices Commission.

The district shall establish procedures to provide annual training: 1) for district staff in the prevention and identification of abuse of a child and on the obligations of district employees to report suspected abuse of a child; 2) for parents, legal guardians and students attending district schools training on prevention, identification of abuse of a child including the obligation of district employees to report suspected abuse of a child, separate from district staff training.

### **Student Suicide Prevention\*\***

The district shall develop a comprehensive student suicide prevention plan for students in kindergarten through grade 12.

The plan shall include, at a minimum:

1. Procedures relating to suicide prevention, intervention and activities that reduce risk and promote healing after a suicide;
2. Identification of the school officials responsible for responding to reports of suicidal risk;
3. A procedure by which a person may request the district to review the actions of a school in responding to suicidal risk;
4. Methods to address the needs of high-risk groups, including:
  - a. Youth bereaved by suicide;
  - b. Youth with disabilities, mental illness or substance abuse disorders;
  - c. Youth experiencing homelessness or out of home settings, such as foster care; and
  - d. Lesbian, gay, bisexual, transgender, queer and other minority gender identity and sexual orientation, Native American, Black, Latinx, and Asian students.
5. A description of, and materials for, any training to be provided to employees as part of the plan, which must include:
  - a. When and how to refer youth and their families to appropriate mental health services; and
  - b. Programs that can be completed through self-review of suitable suicide prevention materials.
6. Supports that are culturally and linguistically responsive;
7. Procedures for reentry into a school environment following a hospitalization or behavioral health crisis<sup>1</sup>; and
8. A process for designating staff to be trained in an evidence-based suicide prevention program.<sup>2</sup>

The plan must be written to ensure that a district employee acts only within the authorization and scope of the employee's credentials or licenses.

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<sup>1</sup> "Behavioral health crisis" as defined by Oregon Administrative Rule (OAR) 581-022-2510, means a disruption in an individual's mental or emotional stability or functioning resulting in an urgent need for immediate treatment to prevent a serious deterioration in the individual's mental or physical health.

<sup>2</sup> ODE will provide a list of available programs.

# West Linn-Wilsonville School District 3J

Code: **GBNAA/JHFF**  
Adopted: 10/5/2020

## **Reporting Requirements Regarding Sexual Conduct with Students**

Sexual conduct by district employees, contractors<sup>1</sup>, agents<sup>2</sup>, and volunteers<sup>3</sup> is not tolerated. All district employees, contractors, agents, and volunteers are subject to this policy.

“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, hostile or offensive educational environment. “Sexual conduct” does not include touching 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.

“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.

Any district employee, 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 designated licensed administrator or the alternate designated licensed administrator for their school building. If the superintendent is the alleged perpetrator, the report shall be submitted to the Assistant Superintendent of Student Services, who shall report the suspected sexual conduct to the Board chair.

When the 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 the Teacher Standards and Practices Commission (TSPC) as appropriate, for investigation. 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.

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<sup>1</sup> “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.

<sup>2</sup> “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.

<sup>3</sup> “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.

Where 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.

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 post in each school building the names and contact information of the employees designated for the school building to receive reports of suspected sexual conduct and the procedures the designee will follow upon receipt of the report.

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 messaging 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 of the district is prohibited.

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

END OF POLICY

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**Legal Reference(s):**

ORS 332.107 ORS  
ORS 339.370-339.400

419B.005-419B.045

Senate Bill 155 (2019)

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



The plan must be available annually to the community of the district, including district students, their parents and guardians, and employees and volunteers of the district, and readily available at the district office and on the district website.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.107](#)

[ORS 339.343](#)

[OAR 581-022-2510](#)

The superintendent shall implement such regulations as are necessary to accomplish the intent of this policy and to comply with state law.

END OF POLICY

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**Legal Reference(s):**

[ORS 339](#).370 to-339.400  
[ORS 418](#).746 to-418.751

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

[OAR 581-022](#)-0711

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 (9<sup>th</sup> Cir. 2011).

**Cross Reference(s):**

JHFF - Reporting Requirements Regarding Sexual Conduct with Students

# West Linn-Wilsonville School District 3J

Code: **JHFF**  
Adopted: 6/29/10  
Readopted: 3/07/16  
Orig. Code(s): JHFF

## **Reporting Requirements Regarding Sexual Conduct with Students**

Sexual conduct by district/school employees as defined by Oregon law is not tolerated. All district employees are subject to this policy.

“Sexual conduct” as defined by Oregon law is any verbal or physical (or other) conduct by a school employee that is sexual in nature; directed toward any student in a West Linn-Wilsonville School District school or facility; unreasonably interferes with a student’s educational performance; and creates an intimidating, hostile or offensive educational environment. The definition for sexual conduct does not include behavior that would be considered child abuse as outlined by Oregon law and district Board policy JHFE - Reporting of Suspected Abuse of a Child.

Any district/school employee who has reasonable cause to believe that another district/school employee, or volunteer, has engaged in sexual conduct with a student must immediately notify his/her immediate supervisor and/or the person identified by the district to receive such reports.

When the district receives a report of suspected sexual conduct by a district employee, the district may decide to place the employee on paid administrative leave or in a position that does not involve direct, unsupervised contact with students while conducting an investigation. An investigation is a detailed inquiry into the factual allegations of a report of suspected sexual conduct that is based on interviews with the complainant, witnesses, the district employee or student who is the subject of the report. The investigation must meet any negotiated standards of an employment contract or agreement.

If, following the investigation, the report is substantiated, the district will inform the employee that the report has been substantiated and provide information regarding the appeal process. The employee may appeal the district’s decision through the appeal process provided by the district’s collective bargaining agreement. A volunteer may appeal the district’s decision through the district’s complaint process. A substantiated report is one that: a) an educational provider has reasonable cause to believe is founded based on the available evidence after conducting an investigation; and b) involves conduct that the educational provider determines is sufficiently serious to be documented in the employee’s personnel file.

If the employee decides not to appeal the determination or if the determination is sustained after an appeal, a record of the substantiated report will be placed in the employee’s personnel file. The employee will be notified that this information may be disclosed to a potential employer.

The district will post in each school building the name and contact information of the person designated to receive sexual conduct reports; as well as the procedures the superintendent or designee will follow upon receipt of a report. In the event the designated person is the suspected perpetrator, the superintendent shall receive the report. When the superintendent or designee takes action on the report, the person who initiated the report must be notified.

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 complainant. If a student initiates a report of suspected sexual conduct by a district employee in good faith, the student will not be disciplined by the Board or any district employee.

The district will provide annual training to district employees, parents and students regarding the prevention and identification of sexual conduct. The district will provide to employees at the time of hire a description of conduct that may constitute sexual conduct and a description of records subject to disclosure if a sexual conduct report is substantiated.

Educational providers shall follow hiring and reporting procedures as outlined in Oregon Revised Statute (ORS) 339.374 for all district employees.

END OF POLICY

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**Legal Reference(s):**

[ORS 339.370](#) to-339.400  
[ORS 418.746](#) to-418.751  
[ORS 419B.005](#) to-419B.045

**Cross Reference(s):**

GCAB - Personal Electronic Devices and Electronic Communication - Staff  
JHFE - Reporting of Suspected Abuse of a Child

# West Linn-Wilsonville School District 3J

Code: **JN**  
Adopted: 1/06/09  
Readopted: 3/07/16  
Orig. Code(s): JN

## **Student Fees, Fines and Charges\*\***

The Board recognizes the need for student fees to fund certain school activities which are not sufficiently funded by the district; however, no fees will be assessed for required or elective courses. The superintendent may approve exceptions to this policy.

No student will be denied an education, a class, or an activity because of his/her inability to pay supplementary fees.

No student, however, is exempt from charges for lost or damaged books, locks, materials, supplies and equipment.

All student fees and charges, both optional and required, will be listed and described annually in the student/parent handbook, or in some other written form, and distributed to each student. Students will be advised of the due dates for such fees and charges as well as of possible penalties for failure to pay them. In accordance with the law and with Board policy restrictions and/or penalties may be imposed until such fees, fines or charges are paid.

The district may waive all or a portion of the debt if one of the following conditions are met:

1. The district determines that the student or the parent or guardian of the student is unable to pay the debt;
2. The payment of the debt could impact the health or safety of the student;
3. The cost to notify the student and his/her parents would cost more than the potential total debt collected relating to the notice; or
4. There are mitigating circumstances as determined by the superintendent of the district that preclude the collection of the debt.

Education records shall not be withheld for student fees, fines and charges if requested in circumstances described in Oregon Revised Statute (ORS) 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

Prior to collection of debts, the superintendent will ensure that notice has been provided as required by ORS 339.270.

END OF POLICY

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**Legal Reference(s):**

[ORS 326.565](#)

[ORS 326.575](#)

[ORS 339.115](#)

[ORS 339.155](#)

[ORS 339.270](#)

**Cross Reference(s):**

IGBAB/JO - Education Records/Records of Students with Disabilities

JO/IGBAB - Education Records/Records of Students with Disabilities

# West Linn-Wilsonville School District 3J

Code: **JO/IGBAB**  
Adopted: 3/07/16

## **Education Records/Records of Students with Disabilities\*\***

Education records are those records maintained by the district that are directly related to a student.

The primary reason for the keeping and maintaining of education records for students is to help the individual student in his/her educational development by providing pertinent information for the student, his/her teachers and his/her parents. These records also serve as an important source of information to assist students in seeking productive employment and/or post-high school education.

The district shall maintain confidential education records of students in a manner that conforms with state and federal laws and regulations.

Information recorded on official education records should be carefully selected, accurate, verifiable and should have a direct and significant bearing upon the student's educational development.

The district annually notifies parents or adult students that it forwards educational records requested by an educational agency or institution in which the student seeks to enroll or receive services, including special education evaluation services.

The district may impose certain restrictions and/or penalties until fees, fines or damages are paid. Records requested by another district to determine a student's appropriate placement may not be withheld. Students or parents will receive written notice at least 10 days in advance of any restrictions and/or penalties to be imposed until the debt is paid. The notice will include the reason the student owes money to the district, an itemization of the fees, fines or damages owed and the right of parents to request a hearing. The district may pursue fees, fines or damages through a private collection agency or other method available to the district. The district may waive fees, fines and charges if the student or parents cannot pay, the payment of the debt could impact the health and safety of the student or if the cost of collection would be more than the total collected or there are mitigating circumstances, as determined by the superintendent.

The district shall comply with a request from parents or an adult student to inspect and review records without unnecessary delay. The district provides to parents of a student with a disability or to an adult student with a disability the opportunity at any reasonable time to examine all of the records of the district pertaining to the student's identification, evaluation, educational placement and free appropriate public education. The district provides parents or an adult student, on request, a list of the types and locations of education records collected, maintained and used by the district.

The district annually notifies parents of all students, including adult students, currently in attendance that they have to right to:

1. Inspect and review the student's records;
2. Request the amendment of the student's educational records to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy or other rights;

3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the student educational record rules authorize disclosure without consent. (See Board policy JOB – Personally Identifiable Information);
4. File with the U.S. Department of Education a complaint concerning alleged failures by the district to comply with the requirements of the Family Educational Rights and Privacy Act; and
5. Obtain a copy of the district's education records policy.

Regarding records to be released to district officials within the agency, the district's notice includes criteria for determining legitimate educational interest and the criteria for determining which school officials have legitimate educational interests. School officials may also include a volunteer or contractor who performs an institutional service on behalf of the school.

The district annually notifies parents and adult students of what it considers to be directory information and the disclosure of such. (See Board policy JOA – Directory Information).

The district shall give full rights to education records to either parent, unless the district has been provided legal evidence that specifically revokes these rights. Once the student reaches age 18 those rights transfer to the student.

A copy of this policy and administrative regulation shall be made available upon request to parents and students 18 years of age or older or emancipated and the general public.

END OF POLICY

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**Legal Reference(s):**

[ORS 30.864](#)  
[ORS 107.154](#)  
[ORS 326.565](#)  
[ORS 326.575](#)

[ORS 339.270](#)  
[ORS 343.177\(3\)](#)

[OAR 166-400-0010 to 166-450-0010](#)  
[OAR 581-021-0220 to -0430](#)  
[OAR 581-022-1660](#)  
[OAR 581-022-1670](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).

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

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.501 (2006).

**Cross Reference(s):**

EEACCA - Video Cameras on Transportation Vehicles  
IGBAB/JO - Education Records/Records of Students with Disabilities  
JOA - Directory Information  
JOB - Personally Identifiable Information



# West Linn-Wilsonville School District 3J

Code: **JOA**  
Adopted: 3/07/16

## **Directory Information\*\***

Directory information means those items of personally identifiable information contained in a student education record which is not generally considered harmful or an invasion of privacy if released. The following categories are designated as directory information. The following directory information may be released to the public through appropriate procedures:

1. Student's name;
2. Major field of study;
3. Participation in officially recognized sports and activities;
4. Weight and height of athletic team members;
5. Dates of attendance;
6. Degrees or awards received;
7. Most recent previous school or program attended.

### **Public Notice**

The district will give annual public notice to parents of students in attendance and students 18 years of age or emancipated. The notice shall identify the types of information considered to be directory information, the district's option to release such information and the requirement that the district must, by law, release secondary students' names, addresses and telephone numbers to military recruiters and/or institutions of higher education, unless parents or eligible students request the district withhold this information. Such notice will be given prior to release of directory information.

### **Exclusions**

Exclusions from any or all directory categories named as directory information or release of information to military recruiters and/or institutions of higher education must be submitted in writing to the principal by the parent, student 18 years of age or emancipated student within 15 days of annual public notice. A parent or student 18 years of age or an emancipated student may not opt out of directory information to prevent the district from disclosing or requiring a student to disclose their names, identifier, institutional email address in a class in which the student is enrolled or from requiring a student to disclose a student ID card or badge that exhibits information that has been properly designated directory information by the district in this policy.

Directory information shall be released only with administrative direction.

Directory information considered by the district to be detrimental will not be released.

Information will not be given over the telephone except in health and safety emergencies.

At no point will a student's Social Security Number or student identification number be considered directory information.

END OF POLICY

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**Legal Reference(s):**

[ORS 30.864](#)  
[ORS 107.154](#)  
[ORS 326.565](#)

[ORS 326.575](#)  
[ORS 336.187](#)

[OAR 581-021-0220 to -0430](#)  
[OAR 581-022-1660](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).

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

No Child Left Behind Act of 2001, 20 U.S.C. § 7908 (2006).

**Cross Reference(s):**

IGBAB/JO - Education Records/Records of Students with Disabilities

JO/IGBAB - Education Records/Records of Students with Disabilities

# West Linn-Wilsonville School District 3J

Code: **JOB**  
Adopted: 3/07/16

## **Personally Identifiable Information\*\***

Personally identifiable information includes, but is not limited to:

1. Student's name, if excluded from directory information, as requested by the student/parent in writing;
2. Name of the student's parent(s) or other family member;
3. Address of the student or student's family, if excluded from directory information, as requested by the student/parent in writing;
4. Personal identifier such as the student's social security number or student ID number or biometric record;
5. A list of personal characteristics that would make the student's identity easily traceable such as student's date of birth, place of birth and mother's maiden name;
6. Other information alone or in combination that would make the student's identity easily traceable;
7. Other information requested by a person who the district reasonably believes knows the identity of the student to whom the educational record relates.

### **Prior Consent to Release**

Personally identifiable information will not be released without prior signed and dated consent of the parent, student 18 years of age or older or emancipated.

Notice of and/or request for release of personally identifiable information shall specify the records to be disclosed, the purpose of disclosure and the identification of person(s) to whom the disclosure is to be made. Upon request of the parent or eligible student, the district will provide a copy of the disclosed record.

### **Exceptions to Prior Consent**

The district may disclose personally identifiable information without prior consent under the following conditions:

1. To personnel within the district who have legitimate educational interests;

2. To personnel of an education service district or state regional program where the student is enrolled or is receiving services;
3. To personnel of another school, another district, state regional program or institution of postsecondary education where the student seeks or intends to enroll;
4. To authorized representatives of the U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division in connection with an audit or evaluation of federal or state-supported education programs or the enforcement of, or compliance with federal or state supported education programs or the enforcement of or compliance with federal or state regulations;
5. To personnel determining a financial aid request for the student;
6. To personnel conducting studies for or on behalf of the district;
7. To personnel in accrediting organizations fulfilling accrediting functions;
8. To comply with a judicial order or lawfully issued subpoena;
9. For health or safety emergency;
10. By request of a parent of a student who is not 18 years of age;
11. By request of a student who is 18 years of age or older or emancipated;
12. Because information has been identified as “directory information;”
13. To the courts when legal action is initiated;
14. To a court and state and local juvenile justice agencies;
15. A judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependency matters;
16. To a caseworker or other representative of a state or local child welfare agency or tribal organization that are legally responsible for the care and protection of the student including educational stability of children in foster care.

END OF POLICY

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**Legal Reference(s):**

[ORS 30.864](#)  
[ORS 107.154](#)  
[ORS 326.565](#)

[ORS 326.575](#)  
[ORS 336.187](#)

[OAR 581-015-2000](#)  
[OAR 581-021-0220 to -0430](#)  
[OAR 581-022-1660](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2011).

Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2011).

Uninterrupted Scholars Act (USA), 2013 (P.L. 112-278, Jan. 14, 2013), 20 U.S.C. § 1221.

**Cross Reference(s):**

IGBAB/JO - Education Records/Records of Students with Disabilities

JO/IGBAB - Education Records/Records of Students with Disabilities

# West Linn-Wilsonville School District 3J

Code: **KAB**  
Adopted: 3/07/16

## **Parental Rights\*\***

The Board recognizes the importance of promoting parental input in decision making related to their student's health and general well-being; in determining district and student needs for educational services; and in program development and district operations. To assist the district in this effort, and in accordance with the No Child Left Behind Act of 2001 (NCLBA), the district affirms the right of parents, upon request, to inspect:

1. A survey created by a third party before the survey is administered or distributed by the district to a student, including any district survey containing "covered survey items"<sup>1</sup> as defined by NCLBA;
2. Any instructional material used by the district as part of the educational curriculum for the student;
3. Any instrument used in the collection of personal information from students for the purpose of marketing or for selling that information or otherwise providing that information to others for that purpose.

As provided by law, parents of district students will also, upon request, be permitted to excuse their student from "covered activities"<sup>2</sup> as defined by NCLBA. The rights provided to parents under this policy, transfer to the student when the student turns 18 years old, or is an emancipated minor under applicable state law.

The superintendent will ensure that activities requiring parental notification are provided as required by law and that reasonable notice of the adoption or continued use of this policy is provided to parents of students enrolled in district schools. The input of parents will be encouraged in the development, adoption and any subsequent revision of this policy.

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<sup>1</sup>Covered survey items under NCLBA include one or more of the following items: political affiliations or beliefs of the student or the student's family; mental and psychological problems of the student or the student's family; sex behavior or attitudes; illegal, antisocial, self-incriminating or demeaning behavior; critical appraisals of other individuals with whom respondents have close family relationships; legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers; religious practices, affiliations or beliefs of the student or the student's parent; and income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program.

<sup>2</sup>Covered activities requiring notification under NCLBA include activities involving the collection, disclosure or use of personal information collected from students for the purpose of marketing or for selling that information or otherwise providing that information to others for that purpose; the administration of any survey containing one or more of covered survey items; and any nonemergency, invasive physical examination or screening that is required as a condition of attendance and administered and scheduled by the school in advance. See the administrative regulation for additional definitions.

The superintendent shall develop administrative regulations to implement this policy, including provisions as may be necessary to ensure appropriate notification to parents of their rights under federal law and district procedures to request review of covered materials, excuse a student from participating in covered activities and protect student privacy in the event of administration or distribution of a survey to a student.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.107](#)

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

# West Linn-Wilsonville School District 3J

Code: **KBA**  
Adopted: 1/07/08  
Readopted: 3/07/16  
Orig. Code(s): KBA

## **Public Records\*\***

“Public record” means any information that:

1. Is prepared, owned, used or retained by the district;
2. Is related to an activity, transaction or function of the district; and
3. Is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the district.

Public record does not include messages on voice mail or on other telephone message storage and retrieval systems or spoken communication that is not recorded.

Board meetings and records will be matters of public information subject to such restrictions as are set by federal law or regulation, by state or by pertinent court rulings.

The Board’s official minutes, its written policies and its financial records will be available at the superintendent’s office for inspection by any citizen desiring to examine them during hours when the superintendent’s office is open. All such information will be made available to individuals with disabilities in any appropriate format upon request and with appropriate advance notice. Auxiliary aids and services are available to ensure equally effective communications to qualified persons with disabilities and may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.

The Board supports the right of the people to know about programs and services of their schools and will make every effort to disseminate information. Each principal is authorized to use all means available to keep parents and others of his/her particular school’s community informed about the school’s program and activities.

No records will be released for inspection by the public or any unauthorized persons – either by the superintendent or any other person designated as custodian for district records – as such disclosure would be contrary to the public interest, as described by law.

If a copy of a record is requested, the district will provide a single certified copy. If a request to inspect a record is made and the public record is maintained in a machine readable or electronic form, the custodian shall provide in the form the public requested, if available. If not available in the form requested, it will be provided in the form the public record is maintained. If a person who is a party to a civil judicial proceeding to which the district is a party or who has filed notice under ORS 30.275(5)(a), asks to inspect or to receive a copy of a public record that the person knows relates to the proceeding or notice, the



individual must submit the request in writing to the designated custodian of district records and at the same time to the district's attorney.

Employee and volunteer addresses, electronic mail addresses (other than district electronic mail addresses assigned by the district to district employees), social security numbers, dates of birth and telephone numbers contained in personnel records maintained by the district are exempt from public disclosure pursuant to ORS 192.445 and ORS 192.502(3). Such information may be released only upon the written request of the employee or volunteer or as otherwise provided by law. This exemption does not apply to a substitute teacher, as defined in ORS 342.815, when requested by a professional education association of which the substitute teacher may be a member. District electronic email addresses assigned by the district to district employees are not exempt. Additionally, the district will not disclose the identification badge or card of an employee without the employee's written consent if the badge or card contains the employee's photograph and the badge or card was prepared solely for internal use by the district to identify district employees. A duplicate of the photograph used on the badge or card shall not be disclosed.

Upon receipt of a request, the district will respond as soon as practicable and without unreasonable delay. The response must acknowledge the receipt of the request and one of the following:

1. A statement that the district does not possess, or is not the custodian of, the public record;
2. Copies of all requested public records for which the district does not claim an exemption from disclosure under ORS 192.410 to 192.505;
3. A statement that the district is the custodian of at least some of the requested public records, an estimate of the time the district requires before the public records may be inspected or copies of the records will be provided and an estimate of the fees that the requester must pay as a condition of receiving the public records;
4. A statement that the district is the custodian of at least some of the requested public records and that an estimate of the time and fees for disclosure of the public records will be provided by the district within a reasonable time;
5. A statement that the district is uncertain whether the district possesses the public record and that the district will search for the record and make an appropriate response as soon as practicable;
6. A statement that state or federal law prohibits the district from acknowledging whether the record exists or that acknowledging whether the record exists would result in the loss of federal benefits or other sanction. A statement under this paragraph must include a citation to the state or federal law relied upon by the district.

The district may request additional information or clarification from the requester for the purpose of expediting the district's response to the request.

The Board reserves the right to establish a fee schedule which will reasonably reimburse the district for the actual cost of making copies of public records for the public. There will be no additional charge for auxiliary aids and services provided for qualified persons with disabilities.

Requests for copies of documents shall be in writing and will be presented to the superintendent.

The district shall retain and maintain its public records in accordance with Oregon Administrative Rule 166, Division 400.

END OF POLICY

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**Legal Reference(s):**

[ORS Chapter 192](#)

[OAR 137-004-0800\(1\)](#)

[OAR 166-400](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).  
OR. DEP'T OF JUSTICE, OR. ATT'Y GENERAL'S PUBLIC RECORD AND MEETINGS MANUAL.  
Americans with Disabilities Act Amendments Act of 2008.

# West Linn-Wilsonville School District 3J

Code: **KC**  
Adopted: 1/07/08  
Readopted: 3/07/16  
Orig. Code(s): KC

## Community Involvement in Decision Making

Advisory committees should be appointed to study specific matters in which the school board wants broad public participation. Members should be interested citizens rather than specialists in the specific task of the advisory committee. Citizens with special training and experience can best be used as consultants to the advisory committee.

The specific assignment of the advisory committee should be given to the committee in writing. Each advisory committee should be instructed as to:

1. The length of time each member is being asked to serve;
2. The service the school board wishes it to render;
3. The resources the school board intends to provide to help it complete its work;
4. The approximate dates on which the school board wishes it to submit reports;
5. The time and place of the first meeting;
6. The school board's policies governing advisory committees;
7. The approximate date on which the school board wishes to dissolve the advisory committee.

The Board should seek the advice of the superintendent of schools before establishing or dissolving any advisory committee, but the Board will have the sole right to establish or dissolve any advisory committee.

Upon completion of its assignment, each advisory committee will be dissolved upon receipt of its final report.

Public recognition should be given to those serving a particular advisory committee. The public should be informed of all major conclusions and recommendations made by those committees.

END OF POLICY

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### Legal Reference(s):

[ORS 329.125](#)  
[ORS 332.107](#)

### Cross Reference(s):

IFCA - 21st Century Schools Councils

# West Linn-Wilsonville School District 3J

Code: **KG**  
Adopted: 1/07/08  
Readopted: 3/07/16  
Orig. Code(s): KG

## Use of District Facilities

It is the policy of the Board that school buildings and other district facilities shall be made available for use under capable, lawful and responsible adult supervision.

Community activities of an educational, recreational, civic, partisan, political or sectarian nature may occur in district facilities. Play fields are considered district facilities within the meaning of this policy, and their use requires adherence to this application and approval process.

In the event that the district purchases property for future school sites, the superintendent is authorized to arrange for a caretaker or other means to maintain the property and any buildings or other facilities on the property at a level consistent with community standards. The arrangements of a caretaker may include allowing the caretaker the use of residential facilities in exchange for caretaker services, or the arrangement may include allowing the caretaker to grow and harvest a crop on district-owned property in exchange for maintaining the property. In no event, however, will the caretaker be permitted to conduct other private business activities on district-owned property.

All applications must be filed for approval annually. No approval will be granted for a period longer than one year. It is the intention of the school board to promote diverse use of district facilities.

Procedures to implement this policy, including general rules and regulations, will be developed and administered under the supervision of the superintendent of schools.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

[ORS 332.172](#)

### Cross Reference(s):

EDC/KGF - Authorized Use of District-Owned Materials

KGF/EDC - Authorized Use of District-Owned Materials

KI - Public Solicitations in the District

KM - Relations with Community Organizations

# West Linn-Wilsonville School District 3J

Code: **KGB**  
Adopted: 1/07/08  
Readopted: 3/07/16  
Orig. Code(s): KGB

## Public Conduct on District Property

The Board adopts the following for the maintenance of public order on real property owned, leased or otherwise used by the district.

No person on school property shall:

1. Injure or threaten to injure another person.
2. Damage the property of another or of the district.
3. Violate any local or state law relating to the maintenance of public order.
4. Conduct himself/herself in such a manner as to impede, delay, or otherwise interfere with the orderly conduct of the educational program of the district or any activity taking place on school property which has been authorized by the Board, the superintendent, a principal or other authorized school administrator.
5. Enter any portion of school premises at any time for purposes other than those which are lawful and/or authorized by school personnel.
6. Willfully violate other rules and regulations adopted by the Board or individual schools.

Violations by students and staff members will be handled by individual principals. The superintendent will be responsible for the enforcement of this policy and he/she may delegate other administrative officers to take enforcement action. The superintendent shall be responsible for the implementation of these rules.

In cases where violations do not cease after reasonable warning, the superintendent or any other school official may request assistance from local law officials and/or the courts.

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

END OF POLICY

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**Legal Reference(s):**

|  |  |   |
|--|--|---|
| <a href="#"><u>ORS 161.015</u></a>             | <a href="#"><u>ORS 166.210 to -166.370</u></a> | <a href="#"><u>ORS 806.060 to -806.080</u></a>    |
| <a href="#"><u>ORS 164.245</u></a>             | <a href="#"><u>ORS 336.109</u></a>             |   |
| <a href="#"><u>ORS 164.255</u></a>             | <a href="#"><u>ORS 339.883</u></a>             | <a href="#"><u>OAR 333-015-0025 to -0090</u></a>  |
| <a href="#"><u>ORS 166.025</u></a>             | <a href="#"><u>ORS 431.840</u></a>             | <a href="#"><u>OAR 581-021-0110</u></a>           |
| <a href="#"><u>ORS 166.155 to -166.165</u></a> | <a href="#"><u>ORS 433.835 to -433.990</u></a> | <a href="#"><u>OAR 584-020-0040(4)(e),(g)</u></a> |

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

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

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

**Cross Reference(s):**

ECD - Traffic and Parking Controls

KGC/GBK/JFCG - Prohibited Use, Possession, Distribution or Sale of Tobacco Products and Inhalant Delivery Systems

# West Linn-Wilsonville School District 3J

Code: KGBB  
Adopted: 6-6-2022

## Firearms Prohibited

No person on grounds of the schools controlled by the Board (including in school buildings), will possess any firearm<sup>1</sup>, except when said firearm is possessed by a person who is not otherwise prohibited from possessing the firearm, and is unloaded and locked in a motor vehicle. The exception provided in Oregon Revised Statute (ORS) 166.370(3)(g) for concealed carry licensees (see ORS 166.291 and 166.292) does not apply to the possession of firearms on grounds of the schools controlled by the Board.<sup>2</sup> Firearms under the control of law enforcement personnel are permitted.

Any person violating or threatening to violate the above rules, as determined by the district, may be issued a trespass citation, ejected from the premises and referred to law enforcement officials<sup>3</sup>.

The district will post clearly visible sign(s) at all normal points of entry to the school grounds subject to this policy indicating that the affirmative defense described in ORS 166.370(3)(g) does not apply. The district will post on the district's web pages designated for school board operations, identifying designated school grounds that are subject to this policy.

END OF POLICY

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### Legal Reference(s):

[ORS 161.015](#)  
[ORS 164.245](#)  
[ORS 164.255](#)

[ORS 166.210 - 166.370](#)  
[ORS 297.405](#)  
[ORS 332.107](#)

[ORS 332.172](#)  
[ORS 339.315](#)

Gun-Free Schools Act, 20 U.S.C. § 7961 (2018).  
Senate Bill 554 (2021).

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<sup>1</sup> "Firearm" has the meaning given that term in ORS 166.210, except that it does not include a firearm that has been rendered permanently inoperable.

<sup>2</sup> See Senate Bill 554 (2021).

<sup>3</sup> ORS 339.315 requires any district employee with reasonable cause to believe that a person is in possession of a firearm within a school or has possessed a firearm within a school in violation of Oregon law in the previous 120 days report such information to an administrator or law enforcement. A district employee with reasonable cause to believe that a person is in possession of a firearm within a school or has possessed a firearm within a school in the previous 120 days in violation of Oregon law, may report such information to law enforcement.

# West Linn-Wilsonville School District 3J

Code: **KGC/GBK/JFCG**  
Adopted: 5/07/07  
Readopted: 3/07/16  
Orig. Code(s): GBK

## **Prohibited Use, Possession, Distribution or Sale of Tobacco Products and Inhalant Delivery Systems**

It is the district's obligation to protect the health, welfare and safety of students. To be consistent with Oregon law and district curriculum, student possession, use, distribution or sale of tobacco products or inhalant delivery systems in any form on district premises, at school-sponsored activities, on or off district premises, on all district grounds, including parking lots, in district-owned, rented or leased vehicles or otherwise, or while a student is under the jurisdiction of the district, is prohibited.

The use, distribution or sale of tobacco products or inhalant delivery systems by staff and all others is prohibited on district premises, in any building or facility, on district grounds, including parking lots, in any vehicle owned, leased, rented or chartered by the district, school or public charter school and at all school-sponsored activities.

For the purpose of this policy, "tobacco products" is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew or snuff in any form. This does not include USFDA-approved tobacco products or other therapy products used for the purpose of cessation.

For the purpose of this policy, "inhalant delivery system" means a device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device; or a component of a device or a substance in any form sold for the purpose of being vaporized or aerosolized by a device, whether the component or substance is sold or not sold separately. This does not include USFDA-approved tobacco products or other therapy products marked and sold solely for the approved purpose.

Violation of this policy will lead to appropriate disciplinary action up to and including expulsion for students. When considering disciplinary action for a student with disabilities, the district must follow the requirements of Board policy JGDA/JGEA - Discipline of Students with Disabilities, including those involving functional behavioral assessment, change of placement, manifestation determination and an interim alternative educational setting. Community or school service may be required. A referral to law enforcement may be made. Parents will be notified of all violations involving their student and subsequent action taken by the school. Information about cessation support and/or tobacco education programs and how students can access these programs will be provided. At the discretion of the principal, attendance and completion of such programs, or successful completion of a behavior modification plan, may be allowed as a substitute for, or as part of student discipline.

Violation of this policy by nonstudents (the public) may result in the individual's removal from district property. The district reserves the right to restrict access to district property by individuals who are repeat offenders.



This policy shall be enforced at all times. The superintendent will develop administrative regulations as needed to implement this policy.

END OF POLICY

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**Legal Reference(s):**

[ORS 167](#).400  
[ORS 332](#).107  
[ORS 336](#).222  
[ORS 336](#).227  
[ORS 339](#).240  
[ORS 339](#).250

[ORS 339](#).883  
[ORS 431](#).840  
[ORS 433](#).835 to- 433.990  
  
[OAR 581-021](#)-0050 to -0075  
[OAR 581-021](#)-0110

[OAR 581-022](#)-0413  
[OAR 581-053](#)-0230(9)(s)  
[OAR 581-053](#)-0330(1)(m)  
[OAR 581-053](#)-0430(12)  
[OAR 581-053](#)-0531(11)  
[OAR 581-053](#)-0630

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

**Cross Reference(s):**

GBK/JFCG/KGC - Prohibited Use, Possession, Distribution or Sale of Tobacco Products and Inhalant Delivery Systems  
JFCG/KGC/GBK - Prohibited Use, Possession, Distribution or Sale of Tobacco Products and Inhalant Delivery Systems

# West Linn-Wilsonville School District 3J

Code: **KGF/EDC**  
Adopted: 2/12/07  
Readopted: 3/07/16  
Orig. Code(s): EDC

## Authorized Use of District-Owned Materials

District property may be used by outside agencies for any purpose authorized by the Board, so long as it does not interfere with its use by the district schools. Appropriate fees will be charged should the need arise. However, the use of district property for activities unrelated to school, civic, community or educational purposes will be discouraged.

The Board will permit district equipment to be loaned to staff members when such use is directly or peripherally related to their employment, and to students when the equipment is required in their studies or extracurricular activities. Proper regulations should be established to insure the borrower's responsibility for, and return of, all such equipment. Use of district equipment by staff shall be consistent with the Oregon Ethics Laws.

END OF POLICY

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### Legal Reference(s):

[ORS Chapter 244](#)  
[ORS 332.107](#)

[OAR 584-020-0040](#)

OREGON GOVERNMENT ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS (2008).

### Cross Reference(s):

KG - Use of District Facilities  
EDC/KGF - Authorized Use of District-Owned Materials

# West Linn-Wilsonville School District 3J

Code: **KI**  
Adopted: 1/07/08  
Readopted: 3/07/16  
Orig. Code(s): KI

## Public Solicitations in the District

The solicitation of funds, collections and drives divert time, energy and attention away from the educational program. In some cases this activity could present a financial hardship on students who may be compelled by peer pressure to make a contribution.

For these reasons all solicitations in the schools by outside groups shall be prohibited except those of an educational or cultural nature which have been approved by the superintendent. Applications for approval shall be submitted to the superintendent at least 30 days prior to the date designated for such activity.

END OF POLICY

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### Legal Reference(s):

[ORS 332.593](#)

[ORS 339.880](#)

32 OR. ATTY. GEN. OP. 209 (1965)

46 OR. ATTY. GEN. OP 239 (1989)

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

### Cross Reference(s):

DJG - Vendor Relations

GBI - Staff Gifts and Solicitations

IICAA - Nondistrict Sponsored Student Trips and Excursions

KG - Use of District Facilities

KJA - Special Interest Materials

# West Linn-Wilsonville School District 3J

Code: **KJ**  
Adopted: 1/07/08  
Readopted: 3/07/16  
Orig. Code(s): KJ

## Advertising in the District

Neither the facilities, the name of school buildings nor the district, the staff, the students, the school system, nor any part thereof shall be employed in any manner for advertising or otherwise promoting the interests of any commercial or other nonschool agency or organization except that:

1. The district may cooperate in furthering the work of any nonprofit, community-wide social service agency, provided that such cooperation does not restrict or impair the educational program of the schools.
2. The schools may use films or other educational materials bearing only simple mention of the producing or sponsoring firm.
3. The district may participate in radio and television programs under acceptable commercial sponsorship when such participation is supplementary or beneficial to the program of the schools.
4. The superintendent may announce, or authorize to be announced, any lecture or other community activity of particular educational merit.
5. The schools may, upon approval of the superintendent, cooperate with any governmental agency in promoting activities in the general public interest which are nonpartisan and noncontroversial and which promote the education or other best interests of the students.
6. School publications or venues may accept and publish paid advertising under established procedures.

END OF POLICY

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### Legal Reference(s):

[ORS 279B.055](#)

[ORS 332.107](#)

### Cross Reference(s):

GBC - Staff Ethics

GBI - Staff Gifts and Solicitations

KJA - Special Interest Materials

# West Linn-Wilsonville School District 3J

Code: **KJA**  
Adopted: 1/07/08  
Readopted: 3/07/16  
Orig. Code(s): KFA

## Special Interest Materials

Commercial organizations offer many materials for use by teachers in the classroom.

Some of these materials are of high educational value with little or no advertising emphasis. Other materials are primarily advertising and have only limited educational value.

In general, supplementary printed materials from commercial, political, religious, or other non-school sources, should have the approval of the director of curriculum before being used in the schools. This approval may be given to materials which are of obvious educational quality, which supplement and enrich text and reference book materials for definite school courses, which are timely and up-to-date.

Advertising materials of commercial, political or religious nature should not be displayed or distributed in the schools or on school grounds. Students may not be used as the agents for distributing non-school materials to the homes without the approval of the superintendent or designee.

Teachers may use special aids (nonprinted materials) such as models, cuts, films, slides, pictures, charts and exhibits for educational purposes with the approval of the principal, although such materials may bear the name of a commercial firm which may have provided the materials.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

46 OR. ATTY. GEN. OP. 239 (1989)

### Cross Reference(s):

GBI - Staff Gifts and Solicitations  
KI - Public Solicitations in the District  
KJ - Advertising in the District

# West Linn-Wilsonville School District 3J

Code: **KK**  
Adopted: 1/07/08  
Readopted: 3/07/16  
Orig. Code(s): KK

## Visitors to School

The Board encourages parents and other guests to visit district schools.

All persons visiting a district school are required to immediately report to the school office. The school administrator has discretion in admitting visitors to the school and/or grounds. All visitors will be required to sign the visitors register and receive an authorization badge to be worn visibly during the visit.

Any unauthorized person on school property will be reported to a school or district administrator. The person will be asked to leave. Law enforcement may be called if the situation warrants such measures.

Students will not be permitted to bring brothers and sisters to school. Requests to bring out-of-town visitors must be submitted to the principal for consideration and approval.

END OF POLICY

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### Legal Reference(s):

[ORS 164.245](#)  
[ORS 164.255](#)  
[ORS 166.025](#)  
[ORS 166.155 - 166.165](#)  
[ORS 332.107](#)

### Cross Reference(s):

BG - Board-Staff Communications

# West Linn-Wilsonville School District 3J

Code: **KL**  
Adopted: 1/07/08  
Readopted: 3/07/16  
Orig. Code(s): KL

## Public Complaints

No staff, student, parent or community member will be denied the right to petition the Board for redress of a grievance. Complaints will be referred through the proper process for resolution before action by the Board. Exceptions are complaints that concern the superintendent or involve Board actions or Board operations.

The Board will consider hearing citizen complaints when the administration cannot resolve them. Matters should be in writing and should be specific in the terms of action desired. The Board will not consider complaints that have not been studied or considered at the appropriate building level.

If a complaint alleges a violation of state standards or a violation of other statutory or administrative rule for which the State Superintendent of Public Instruction has appeal responsibilities, and the complaint is not resolved at the local level, the district will supply the complainant with appropriate information to file a direct appeal to the State Superintendent as outlined in Oregon Administrative Rules (OAR) 581-022-1940.

END OF POLICY

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### Legal Reference(s):

[ORS 192.610](#) to -192.690  
[ORS 332.107](#)

[OAR 581-022-1940](#)  
[OAR 581-022-1941](#)

House Bill (HB) 3371 (2015)

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

### Cross Reference(s):

IIA - Textbook/Instructional Materials Selection and Adoptions

# West Linn-Wilsonville School District 3J

Code: **KM**  
Adopted: 1/07/08  
Readopted: 3/07/16  
Orig. Code(s): KM

## Relations with Community Organizations

Parents, patrons and community organizations should be involved and encouraged to play a supportive role in the life of the school. The local school and the district should include citizens or citizen groups on advisory committees when feasible.

END OF POLICY

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### Legal Reference(s):

[ORS 329.150](#)  
[ORS 332.107](#)  
[ORS 336.505 to -336.525](#)  
[ORS 339.880](#)

32 OR. ATTY. GEN. OP. 209 (1965)

### Cross Reference(s):

KG - Use of District Facilities



# West Linn-Wilsonville School District 3J

Code: **KN**  
Adopted: 1/07/08  
Readopted: 3/07/16  
Orig. Code(s): KNAJ

## Relations with Law Enforcement

The district shall be responsible for the safety and protection of each student in its care; an effective working relationship will be established with law enforcement officials to accomplish this.

END OF POLICY

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### Legal Reference(s):

[ORS 329.150](#)  
[ORS 419B.015](#)  
[ORS 419B.045](#)

Letter Opinion, Office of the Attorney General (August 18, 1986).

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 (9<sup>th</sup> Cir. 2011).

### Cross Reference(s):

JFG - Student Searches

# West Linn-Wilsonville School District 3J

Code: **KNA**  
Adopted: 1/07/08  
Readopted: 3/07/16  
Orig. Code(s): KNAK

## **Relations with Fire Authorities**

The school administration will cooperate in every way possible in the inspection of buildings and school facilities by local fire authorities and will comply with local and state regulations.

Principals and other administrators will ask the counsel of and cooperate with fire authorities in matters of planning and execution of fire drills, housekeeping, building safety and in planning for events involving large numbers of students and adults on school premises.

END OF POLICY

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

[ORS 164.245](#)  
[ORS 164.255](#)  
[ORS 166.025](#)  
[ORS 166.155 - 166.165](#)  
[ORS 332.107](#)

# West Linn-Wilsonville School District 3J

Code: **LBE**  
Adopted: 3/07/16

## **Public Charter Schools\*\***

The district recognizes that public charter schools offer an opportunity to create new, innovative and more flexible ways of educating students in an atmosphere of learning experiences based on current research and development. Public charter schools shall demonstrate a commitment to the mission and diversity of public education while adhering to one or more of the following goals:

1. Increase student learning and achievement;
2. Increase choices of learning opportunities for students;
3. Better meet individual student academic needs and interests;
4. Build stronger working relationships among educators, parents and other community members;
5. Encourage the use of different and innovative learning methods;
6. Provide opportunities in small learning environments for flexibility and innovation;
7. Create new professional opportunities for teachers;
8. Establish additional forms of accountability for schools; and
9. Create innovative measurement tools.

Public charter schools may be established as a new public school, from an existing public school or a portion of the school or from an existing alternative education program. A public charter school may not convert an existing tuition-based private school into a charter school, affiliate itself with a nonsectarian school or religious institution or encompass all the schools in the district unless the district is composed of only one school.

The Board will not approve any public charter school proposal when it is deemed that its value is outweighed by any direct identifiable, significant and adverse impact on the quality of the public education of students residing in the district. To meet the eligibility criteria for Board approval, a public charter school proposal must meet the requirements of Oregon Revised Statutes, Oregon Administrative Rules, Board policy and regulation. Upon request of the Board, the public charter school applicant must furnish in a timely manner any other information the Board deems relevant and necessary to conduct a complete and good faith evaluation of the public charter school proposal.

The district will determine if it has any unused or underutilized buildings. Buildings may be made available for public charter school use, subject to Board approval. Approved use may be limited to instructional purposes only. Appropriate-use fees will be determined by the Board. Public charter school

use outside the district's instructional day will be subject to Board policy KG - Community Use of District Facilities and accompanying administrative regulation.

Public charter school students may, upon request, be allowed to participate in district programs such as physical education, instrumental and vocal music offerings or other selected options if space and materials are available. Students must adhere to state law, Board policies, regulations and rules concerning conduct and discipline.

The district may provide instructional materials, lesson plans or curriculum guides for use in a public charter school.

The public charter school employer will be determined with each proposal. If the Board is the employer, the terms of the current collective bargaining agreement will be examined to determine which parts of the agreement apply. If the Board is not the sponsor of the public charter school, it shall not be the employer and will not collectively bargain with public charter school employees.

The district will annually calculate the number of students residing in the district who are enrolled in a virtual public charter school. When the percentage is more than three percent, the district may choose to not approve additional students for enrollment to a virtual public charter school, subject to the requirements in 581-026-0305(2).

The district is only required to use data that is reasonably available to the district including but not limited to the following for such calculation:

1. The number of students residing in the district enrolled in the schools within the district;
2. The number of students residing in the district enrolled in public charter schools located in the district;
3. The number of students residing in the district enrolled in virtual public charter schools;
4. The number of home-schooled students who reside in the district and who have registered with the educational service district; and
5. The number of students who reside in the district enrolled in private schools located within the school district.

A parent may appeal a decision of a school district to not approve a student for enrollment to a virtual public charter school to the State Board of Education.

The superintendent will develop administrative regulations for public charter schools to include the proposal process, review and appeal procedure and charter agreement provisions.

END OF POLICY

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**Legal Reference(s):**

[ORS 327.077](#)  
[ORS 327.109](#)  
[ORS 332.107](#)

[ORS Chapter 338](#)  
[ORS 339.141](#)  
[ORS 339.147](#)

[OAR 581-026](#)-0005 to -0515

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

# West Linn-Wilsonville School District 3J

Code: **LE**  
Adopted: 1/07/08  
Readopted: 3/07/16  
Orig. Code(s): LE

## **Relations with Colleges and Universities**

The Board desires that staff and students of this school district benefit in every feasible way from resources provided by the colleges and universities of our area. The superintendent is to keep the Board informed of all opportunities for shared and cooperative services between the district and institutions of higher learning. Additionally, staff members are encouraged to seek out and utilize the services of college and university faculty members who are willing to serve our schools as instructional resource persons.

END OF POLICY

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

[ORS 329.150](#)

[ORS 336.014](#)

# West Linn-Wilsonville School District 3J

Code: **LGA**  
Adopted: 3/07/16

## Compliance with Standards

The Board recognizes the need to comply with the educational standards as outlined by the State Board of Education.

It is also recognized that a district may petition the State Superintendent of Public Instruction for a waiver of a specific standard. A petition shall specify the reason(s) the district is seeking the waiver and other relevant information. If it is determined the request conforms with the intent of the standards, the state superintendent shall recommend the waiver to the State Board of Education.

The district will maintain a record of any waiver which has been requested by the district and approved by the State Board of Education.

Procedures shall be developed whereby residents of the district or any parent of students attending school in the district may make an appeal or complaint alleging violation of standard. The district shall also include a procedure for direct appeal to the State Superintendent of Public Instruction of an alleged standards violation.

END OF POLICY

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### Legal Reference(s):

[ORS 327.102](#)  
[ORS 327.103](#)  
[ORS 329.085](#)  
[ORS 336.035 to -336.086](#)

[OAR 581-022-0102 to -1941](#)

# West Linn-Wilsonville School District 3J

Code: **LI**  
Adopted: 1/07/08  
Readopted: 3/07/16  
Orig. Code(s): LI

## **Relations with Educational Accreditation Agencies**

It shall be the policy of the Board to seek the highest status of membership for the high schools in the AdvancED cooperating in the association's evaluation of the high schools and considering its recommendations.

END OF POLICY

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

[ORS 329.150](#)  
[ORS 336.014](#)