

# West Linn-Wilsonville School District 3J

Policy: AC  
Adopted: 10/09/06  
Re-adopted: 12/06/21

## 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<sup>1</sup>, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans' status, or because of the perceived or actual race, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans' status of any other persons with whom the individual associates.

The district prohibits discrimination and harassment, in, but not limited to, employment, assignment, and promotion of personnel; educational opportunities and services offered students; student assignment to schools and classes; student discipline; location and use of facilities; educational offerings and materials; and 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 patrons can communicate their concerns to the administration and the Board.

The superintendent shall appoint individuals at the district to contact on issues concerning the Americans with Disabilities Act and the Americans with Disabilities Act Amendments Act, (ADA), Section 504 of the Rehabilitation Act, Title VI and VII of the Civil Rights Act, Title IX of the Education Amendments, and other civil rights or discrimination issues, and notify students, parents, and staff with their names, office addresses, and phone numbers. The district will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees and the public, and such procedures will be available at the district's administrative office and available on the home page of the district's website.

The district prohibits retaliation and discrimination against an individual who has opposed any discriminatory act or practice; 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>Includes discriminatory use of a Native American mascot pursuant to OAR 581-021-0047. 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 (2021)).

### Legal Reference(s):

[ORS 174.100](#)  
[ORS 192.630](#)  
[ORS 326.051\(1\)\(e\)](#)  
[ORS 659.805](#)

[ORS 659.659.815](#)  
[ORS 659.850 to -860](#)  
[ORS 659.865](#)  
[ORS 659A.003](#)

[ORS 659A.006](#)  
[ORS 659A.009](#)  
[ORS 659A.029](#)

[ORS 659A.030](#)  
[ORS 659A.040](#)  
[ORS 659A.103 to 659A.145](#)  
[ORS 659A.230-659A.233](#)  
[ORS 659A.236](#)

[ORS 659A.309](#)  
[ORS 659A.321](#)  
[ORS 659A.409](#)  
[OAR 581-002-0001-002-0005](#)  
[OAR 581-021-0045](#)

[OAR 581-021-0046](#)  
[OAR 581-021-0047](#)  
[OAR 581-022-2310](#)  
[OAR 581-022-2370](#)  
[OAR 839-003](#)

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 2018  
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 2018; 29 C.F.R Part 1626 2019.  
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12212 2018; 29 C.F.R. Part 1630 2019; 28 C.F.R. Part 35 2019;  
Equal Pay Act of 1963, 29 U.S.C. § 206(d) 2018.  
Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 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, 2019;  
Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R.  
Part 106 2020.  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d 2018; 28 C.F.R §§ 42 101-42 106 2019.  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e 2018; 29 C.F.R. § 1601 2019.  
Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).  
Americans with Disabilities Act Amendments Act of 2008.42 E.S.C. §§12101-12133 2018; 29 C.F.R. Part 1630 (2019); 28  
C.F.R. Part 35 (2019).  
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; 29 C.F.R. Part 1635 (2019).  
House Bill 2935 (2021)  
House Bill 3041 (2021)

# West Linn-Wilsonville School District 3J

Policy: **ACB**  
Adopted: 11-16-20  
Re-adopted: 12-6-21

## **Every Student Belongs**

As stated in Board Policy JB, West Linn-Wilsonville School District is a community of learners who believe that educational excellence can only exist in the presence of educational equity.

All students are entitled to a high quality educational experience, free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability or national origin.

All employees are entitled to work in an environment that is free from discrimination or harassment based on perceived race, ethnicity, color, religion, gender identity, sexual orientation, disability, age or national origin.

All visitors are entitled to participate in a school or educational environment that is free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability, or national origin.

“Bias incident” means a person’s hostile expression of animus toward another person, relating to the other person’s perceived race, color, religion, gender identity, sexual orientation, disability or national origin, of which criminal investigation or prosecution is impossible or inappropriate. Bias incidents may include derogatory language or behavior.

“Symbol of hate” means nooses<sup>1</sup>, symbols of neo-Nazi ideology or the battle flag of the Confederacy.

The district prohibits the use or display of any symbols of hate on school property<sup>2</sup> or in an education program<sup>3</sup> except where used in teaching curriculum that is aligned with state standards of education for public schools.

In responding to the use of any symbols of hate or bias incidents, the district will use non-disciplinary remedial action whenever appropriate.

The district prohibits retaliation against an individual<sup>4</sup> because that individual has in good faith reported information that the individual believes is evidence of a violation of a state or federal law, rule or regulation.

Nothing in this policy is intended to interfere with the lawful use of district facilities pursuant to a lease or license.

The district will use Administrative Regulation ACB-AR – Bias Incident Complaint Procedure to process reports or complaints of bias incidents.

END OF POLICY

**Legal Reference(s):**

[ORS 659.850](#)

[ORS 659.852](#)

House Bill 2697 (2021)

House Bill 3041 (2021)

[OAR 581-002-0005](#)

[OAR 581-022-2312](#)

[OAR 581-022-2370](#)

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

*Dariano v. Morgan Hill Unified Sch. Dist.*, 767 F.3d 764 (9th Cir. 2014).

*State v. Robertson*, 293 Or. 402 (1982).

<sup>1</sup> The display of a noose on public property with the intent to intimidate may be a Class A Misdemeanor under Senate Bill 398 (2021).

<sup>2</sup> “School property” means any property under the control of the district.

<sup>3</sup> “Education program” includes any program, service, school or activity sponsored by the district.

<sup>4</sup> {ORS 659.852 prohibits retaliation only against students. Other statutes (and other complaint procedures) prohibit retaliation against staff and others for reporting or providing information regarding a complaint or investigation.}

# 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 3J

Code: **BCEA**  
Adopted: 5/03/10  
Readopted: 1/11/16  
Readopted: 4/04/16  
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 unanimous 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 in 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: 1/10/22

## Public Comment at Board Meetings

All Board meetings, with the exception of executive sessions, will be open to the public. The Board invites the district's community members to attend Board meetings to become acquainted with the program and operation of the district. The public has a right to attend public meetings held in open session, and may be invited to share comments, ideas and opinions with the Board during designated times on the agenda.

It is the intent of the Board to ensure communications with individuals with disabilities are as effective as communications with others. An individual with a disability will be given an equal opportunity to participate in Board meetings. Primary consideration will be given to requests of qualified individuals with disabilities in selecting appropriate auxiliary aids and services.

### Procedures for Oral Public Comment

The Board establishes the following procedures for oral public comment at regular Board meetings held in open session. The Board may conduct a work session or special meeting with or without oral public comment. Written public comment is always welcome.

1. The Board vests in its chair or other presiding officer authority to terminate the remarks of any individual when those remarks do not adhere to the rules established in this policy or guidance provided regarding appropriate decorum and procedures for a board meeting.
2. Oral public comment is limited to its designated place on the agenda and while time allows.
3. A person wishing to provide public comment, if an opportunity is provided by the Board during a meeting open to the public, will either sign up to speak on the public comment sheet provided for an in-person meeting; or submit their name and comment topic electronically to the Board Secretary 24 hours prior to the Board meeting.<sup>1</sup> A request to give public comment in-person or electronically (audio format only) does not guarantee time will be available.
4. A person speaking during the public comment portion of the meeting may comment on any topic.
5. A person speaking during the public comment portion of the meeting should state their name, city of residence and, if speaking for an organization, the name of the organization. A spokesperson should be designated to represent a group with a common purpose.
6. A person giving public comment is limited to an established time limit of 3 minutes. Public comment during a Board meeting is limited to 45 minutes, unless extended by the Board and depending on the agenda at any specific meeting. If a person has more comments than time allows or is unable to comment due to time constraints, the person is encouraged to submit additional written comments to the Board

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<sup>1</sup> When in-person attendees are allowed to provide oral comment, virtual attendees will be afforded the same opportunity.

through the Board Secretary. Oral public comment time allotted will be divided between speakers who attend in-person and those who have pre-arranged to speak remotely.

7. Inquiries from the public during the designated portion of the agenda will not generally be responded to immediately by the Board chair and may be referred to the superintendent for reply at a later date.
8. Comments Regarding Staff Members or Students: A person speaking during the designated portion of the agenda for public comment may offer objective criticism of district operations and programs. The Board will not hear comments regarding (or identifiable to) any individual district staff member or student. The Board chair will direct the visitor to the procedures in Board policy KL - Public Complaints for consideration of a legitimate complaint involving a staff member. A commendation involving a staff member should be sent to the superintendent, who will forward it to the employee, their supervisor and the Board.

### Procedures for Written Comment

Members of the public may submit written comments or materials to the Board at any time at the district office, by mail or by email to the Board Secretary. Materials or comments submitted by 8:00 a.m. the day of the meeting will be provided to the Board before the Board meeting but will not be read aloud at the Board meeting. Written materials or comments submitted may not warrant action by the Board.

END OF POLICY

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#### Legal Reference(s):

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

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

[ORS 332.107](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2020); 28 C.F.R. Part 35 (2020).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).

*Baca v. Moreno Valley Unified Sch. Dist.*, 936 F. Supp. 719 (C.D. Cal. 1996).

*Leventhal v. Vista Unified Sch. Dist.*, 973 F. Supp. 951 (S.D. Cal. 1997).

Oregon House Bill 2560 (2021).

# 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: **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](#)