

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

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

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

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

Readopted: 5/18/20

Equal Employment Opportunity

Equal employment opportunity and treatment shall be practiced by the district regardless of race, color, religion, sex, sexual orientation¹, national origin, marital status, pregnancy, childbirth or a related medical condition², age, veterans' status³, service in uniformed service, familial status, genetic information, an individual's juvenile record that has been expunged, and disability⁴ 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 of 1990, the Americans with Disabilities Act Amendments Act of 2008 (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 of 1972. 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

Legal Reference(s):

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

¹ "Sexual orientation" means an individual's actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual's gender identity, appearance, expression or behavior differs from that traditionally associated within the individual's sex at birth.

² 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.

³ 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.

⁴ 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).

[ORS 659A.112](#)
[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](#)

House Bill 2341 (2019)
Senate Bill 479 (2019)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2012).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, et. seq. (2012).
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 (2012).
Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2018).
Rehabilitation Act of 1973, 29 U.S.C. §§ 791,794 (2012); 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 (2019).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2012); 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 (2012).
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 (2012).
Chevron USA Inc. v. Echazabal, 536 U.S. 736 (2002).

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

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 spouse¹, parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law;
2. The spouse of the employee's parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law.

II. Gifts

District employees must comply with the following rules involving gifts:

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

1. "Gift" means something of economic value given to an employee without valuable consideration of equivalent value, which is not extended to others who are not public officials on the same terms and conditions.

¹The term spouse includes domestic partner.

2. “Relative”:

- a. The employee’s spouse¹, parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law;
- b. The spouse of the employee’s parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law.

3. “Member of the household” means any person who resides with the employee.

Determining the Source of Gifts

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

Determining Legislative and Administrative Interest

A “legislative or administrative interest” means an economic interest, distinct from that of the general public, in any action subject to the official decision of an employee.

A decision means an act that commits the district to a particular course of action within the employee’s scope of authority and that is connected to the source of the gift’s economic interest. A decision is not a recommendation or work performed in an advisory capacity. If a supervisor delegates the decision to a subordinate but retains responsibility as the final decision maker, both the subordinate and supervisor’s actions would be considered a “decision.”

Determining the Value of Gifts

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

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

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

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

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

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

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.¹ 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

Legal Reference(s):

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

[ORS 653.256](#)

[OAR 839-020-0051](#)

¹Districts 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

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

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

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, national origin, marital status, age, or expunged juvenile record), including conduct that constitutes sexual assault¹ 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 nondisclosure² or nondisparagement³ agreement.

¹ “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.

² A “nondisclosure” agreement or provision prevents either party from disclosing the contents of or circumstances surrounding the agreement.

³ A “nondisparagement” 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 nondisparagement 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 nondisparagement 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

Legal Reference(s):

[ORS 659A.001](#)
[ORS 659A.003](#)
[ORS 659A.006](#)
[ORS 659A.029](#)
[ORS 659A.030](#)

[ORS 659A.082](#)
[ORS 659A.112](#)
[ORS 659A.820](#)
[ORS 659A.875](#)
[ORS 659A.885](#)

[OAR 584-020-0040](#)
[OAR 584-020-0041](#)
Senate Bill 479 (2019)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000 (2012).

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

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 (2019).

Bartsch v. Elkton School District, FDA-13-011 (March 27, 2014).

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

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 HBV¹.

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

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](#)

¹HIV - 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

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

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

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 gifts¹, 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

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

¹“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

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

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

Legal Reference(s):

ORS 167.400	ORS 339.883	OAR 581-022-0413
ORS 332.107	ORS 431.840	OAR 581-053-0230(9)(s)
ORS 336.222	ORS 433.835 to- 433.990	OAR 581-053-0330(1)(m)
ORS 336.227		OAR 581-053-0430(12)
ORS 339.240	OAR 581-021-0050 to -0075	OAR 581-053-0531(11)
ORS 339.250	OAR 581-021-0110	OAR 581-053-0630

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

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

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

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: 10/5/2020

Reporting Requirements Regarding Sexual Conduct with Students

Sexual conduct by district employees, contractors¹, agents², and volunteers³ 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.

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

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

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

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

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).

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.¹ 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.

¹Nothing in this policy is intended in any form to limit the right of employees to engage in protected labor activities via the use of social media.

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”² 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

Legal Reference(s):

[ORS 167.057](#)
[ORS 163.432](#)
[ORS 163.433](#)
[ORS 163.684](#)
[ORS 163.686](#)
[ORS 163.687](#)

[ORS 163.688](#)
[ORS 163.689](#)
[ORS 163.693](#)

[ORS 163.700](#)
[ORS 326.011](#)

[ORS 326.051](#)
[ORS 332.072](#)
[ORS 332.107](#)
[ORS 336.840](#)

[\[OAR 584-020-0000 to -0035\]](#)

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

²Ibid. 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

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 (9th 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

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

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

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

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

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

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

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

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