



# GRANT SCHOOL DISTRICT NO. 3

401 N Canyon Blvd | Canyon City, OR 97820-6111  
Phone: (541)575-1280 | Fax: (541)575-3614

**WEDNESDAY 16 AUGUST 2023 – 07:00PM**

## **SPECIAL SESSION BOARD MEETING AGENDA**

**[\* = supplement enclosed]**

**ZOOM IN BY USING THE FOLLOWING ACCESS CREDENTIALS:**

<https://us02web.zoom.us/j/2595245851?pwd=ZjFIZ2w2eDNPMmhoT1VtS0wvbk1MZz09>

**Meeting ID: 259 524 5851**

**Passcode: HelloGSD3**

- 1) **PRELIMINARY BUSINESS:**
  - 1.1 Call to order
  - 1.2 Pledge of Allegiance
  - 1.3 Agenda Review / Approval
  - 1.4 Approval of Prior Meeting Minutes \*
    - 1.4.1 7/19/2023 – Board Meeting \*
  - 1.5 Public Comments / 3-minute limit:
    - 1.5.1 1)
    - 1.5.2 2)
  
- 2) **REPORTS:**
  - 2.1 Superintendent/updates/LD \*
  
- 3) **NEW BUSINESS**
  - 3.1 **Evaluation of Vacant Zone 1 Seat Applicants:**
    - 3.1.1 Applicant 1: Alicia Griffin
    - 3.1.2 Applicant 2: Cody Wilson
    - 3.1.3 Applicant 3: Kris Beal
    - 3.1.4 Applicant 4: Jessie Huerta
  - 3.2 Projects update; Feasibility Study/Video/NG \*
  - 3.3 Certified MOU – JR High Coaches/LD \*
  - 3.4 Sports CO-OP discussion/LD
  - 3.5 **OSBA**
    - 3.5.1 Proposal; conference/LD \*
    - 3.5.2 Board Policies Recommended/LD \*
    - 3.5.3 Recommend to remove policy: GDBDAA – COVID/LD
    - 3.5.4 Readopt policy: GBA/JBA

Board of Directors:

**OPEN – Zone 1 | M.T. Anderson | Amy Charette | Chris Labhart | Zac Bailey | Will Blood | Jake Taylor**

Louis Dix – Superintendent

4) **CONSENT AGENDA:**4.1 **Accept New Hires:**4.1.1 **Humbolt Child Care Center**

- 4.1.1.1 Ashley Hall – Child Care Teacher
- 4.1.1.2 Mya Kilby – Child Care Teacher
- 4.1.1.3 Majik Myers – Child Care Teacher Assistant
- 4.1.1.4 Brilynn Combs – Child Care Aide

4.1.2 **Humbolt Elementary School**

- 4.1.2.1 Andrea Ashley – Teacher
- 4.1.2.2 Carrie Sullivan – Teacher
- 4.1.2.3 Karen Broemling – ½ Time Teacher - Kindergarten
- 4.1.2.4 Nathan Blevins – Instructional Assistant
- 4.1.2.5 KoRina Jones – Cook's Assistant
- 4.1.2.6 Ferdinand Mordeno – Cook's Assistant 1

4.1.3 **Coaching – Grant Union SR/JR High School**

- 4.1.3.1 See 2023/2024 GU Coaching Roster Attached \*

5) **EXECUTIVE SESSION:** ORS 192.660(2)(b) To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.

6) **FUTURE CALENDAR DATES – 2023 | BOARD MEETINGS: 7:00PM, UNLESS OTHERWISE STATED**

- 6.1 08/17 – Board Meeting – Work Session Supplemental Budget Meeting 6:00PM
- 6.2 09/20 – Board Meeting
- 6.3 10/18 – Board Meeting
- 6.4 11/15 – Board Meeting
- 6.5 12/20 – Board Meeting

7) **GOOD OF THE ORDER:**

- 7.1 **TBA:** \_\_\_\_\_
- 7.2 **M.T. A:** \_\_\_\_\_
- 7.3 **AC:** \_\_\_\_\_
- 7.4 **CL:** \_\_\_\_\_
- 7.5 **ZB:** \_\_\_\_\_
- 7.6 **WB:** \_\_\_\_\_
- 7.7 **JT:** \_\_\_\_\_

8) **ADJOURNED: \_\_\_\_\_ PM**

[Board Packet posted on district web site at: https://grantsd3.schoolinsites.com/](https://grantsd3.schoolinsites.com/)

*Grant Union School District No.3 does not discriminate in employment, educational programs and activities, on the basis of race, national origin, color, creed, religion, sex, age, disability, veteran status, sexual orientation, gender identity or associational preference. The District also affirms its commitment to providing equal opportunities and equal access to its facilities. For additional information or assistance contact the District office at: (541)575-1280, 401 N Canyon City Blvd, Canyon City, OR 97820 For telecommunications relay services for the deaf, hearing or speech impaired call 1(800)735-2900*

**Board of Directors:**

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## BOARD MEETING

### ZOOM IN BY USING THE FOLLOWING INSTRUCTIONS:

<https://us02web.zoom.us/j/2595245851?pwd=ZiFIZ2w2eDNPmMhoT1VtS0wvbk1MZz09>

Meeting ID: 259 524 5851

Passcode: HelloGSD3

WEDNESDAY 19 JULY 2023 - 06:00PM

# REVISED SPECIAL SESSION BOARD MEETING MINUTES

[\* = supplement enclosed]

### 1.0 PRELIMINARY BUSINESS:

- 1.1 Call to order
- 1.2 Pledge of Allegiance
- 1.3 Agenda Review / Approval/ *Approved*
- 1.4 Public Comments / 3-minute limit:
  - 1.4.1 1) King Williams: *Doesn't see his motion made to pass budget and add the Supplemental Budget CM. Approval did not mean we agreed. We asked for supplemental BC Mtg in July. Further discussion needed. Asking this to be done. Important that this body resolve any issues w/ PC for Co-op sports.*
  - 1.4.2 2) Charlene Morris: *Upset with this budget process this year. Budget officer required to present a full balanced budget. Critical issues w/ budget process – tax dollars involved/managed – if not transparent, huge issue for district. Feels district office made a decision outside/aside from motion [for supplemental budget meeting] by budget committee [feels] not transparent. Wants to know if there will be further discussion in meeting [this evening] about [my comments].*  
RESPONSE – LD: *Will be further discussed on Agenda Item No. 3.4. Per legal counsel, unless we are making a 10% change [or more] in our budget, no need for a “supplemental budget meeting”, but we can do a “resolution budget meeting”. Back and forth between CM and LD; Stacy Durych asked to address the concern about filing resolution late without BC consent following a supplemental meeting.*

### 2.0 REPORTS:

- 2.1 Superintendent/updates/LD \*/ *Presenting job description drafts completed thus far. Continuing to be a work in progress. System using: Talent Ed. Handbook will be available for staff before “in-service” time. Will share with board later. Contracts done, awaiting few signatures.*

### 3.0 NEW BUSINESS

- 3.1 Motions to Elect:
  - 3.1.1 Chair Person of the Board/ *Discussion about nomination; motion: WB by ZB/M.T.A/unanimous*
  - 3.1.2 Vice-Chair Person of the Board/ *Motion: JT/CL/unanimous*

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Board of Directors:

OPEN – Zone 1 | M.T. Anderson | Amy Charette | Chris Labhart | Zac Bailey | Will Blood | Jake Taylor





- 3.2 Capitol Projects Update: key locks/door action/NG/ *Not on original Agenda; move to the end of the agenda as 3.9(?) – motion: JT/AC/unanimous/ LD: NG may join after 7:00PM. LD presented locking systems to schools. Magnetic system – explained how system works. Cost: some discussion; final proposed amount: \$30,000.00 /installation + \$53,000.00 (5 years); (10 years: \$83,000.00) /monthly manage licensing/monitoring. Other customers: info. From Robert W – ESD. Money set aside for capitol improvements. NG [project manager – consultant for district] may present later. JT reminded former board motivated to install security locking system. ZB wants to see comparables; WB agrees. Add discussion to next board meeting.*
- 3.3 **Request to New Board of Directors – Using Robert’s Rules of Order:**
  - 3.3.1 Chair Person Keeping Meeting in Order:
    - 3.3.1.1 Public commentary about meeting topics saved until meeting is complete, including Zoom participants/ AC: *recommended EM sent in advance of public comment. With some discussion WB stated: ‘want everyone heard, but on topic and during designated time(s).’ M.T.: unsure of board bi-laws. Easy to feel unheard; frustrating. Motion: JT/AC/ discussion: M.T. WB: shut down “Zoom chats” to eliminate negative, unproductive comments. CL: public comments not required. Review bi-laws then make decision. JM offered to review “public comment policy” and present to board for approval, then to OSBA for revision; did not pass – revisit next meeting.*
    - 3.3.1.2 Identification of each speaker (board member/public)/ Discussion: CL: *important to ID comments/voting.*
    - 3.3.1.3 Disallowing speaking out of turn/ WB: *raise hand, recognized by chair/vice chair if filling in. Decorum/identity applicable to in-person and virtual participants.*
    - 3.3.1.4 Time watch on “Public Comments / 3-minute limit” session/ WB: *JM keeping time w/ stop watch. CL: asked/suggested to obtain publicly viewable countdown clock. Virtual participants MUST ID selves.*
    - 3.3.1.5 Clearly identifying motions and seconds/ WB: *Be clear in IDing selves.*
- 3.4 **Board Member Resignation: Mr. Kelly Stokes | Zone 1 | Term Expires: 2025/LD \*/ LD: Thanked KS for service. See Janet for board opening details/ When would board want to conduct interviews. ZB/CL/ discussion: AC: Zone 1. LD: When to conduct interviews; unanimous**
- 3.5 **2023/2024 Budget Resolution/SD/ Topics – Seneca: future continuation/ explanation of income/expenses; Humbolt Childcare Center (HCCC): may be at a loss fist year – too soon to adjust budget until opening and we see where the numbers land. Will have actuals in August. CM: addressing ZB concerns about adopted -vs- actual budget numbers. AC: budget approved last mtg. Supplemental/ work session to further discuss [understand] with clarity. WB: work session? ZB: can make budget changes via resolution(s). KW: budget resolution discussion. SD: send questions in advance of the meeting so she can research/prepare: Motion to reconvene for Budget Supplemental meeting: ZB/M.T./ discussion: CL: suggest others, outside board, comment on supplemental b. mtg/ unanimous/ LD: date/time? ZB suggest Survey Monkey; LD will do. CM: action? CL: action. ZB (amended motion)/M.T./unanimous. SD: funding PERS, explanation of salaries/PERS; left funds at 15%/ will continue to add 5% each year. Cushion built in to PERS UAL. LD: further clarity PERS/UAL.**
- 3.6 **OSBA Training to Continue Moving Forward?/LD/ Vince of OSBA would be the next trainer; Aug/Sept; district mission and priorities; Nov: district plan – creates road map; Dec district monitoring session. Cost: \$5,000.00 - \$8,000.00; needs board approval to move funds for this cost; AC: priorities? LD: could be added to curriculum. M.T.: Is there an opportunity to negotiate price? Has anyone ever asked? Offered business example – worthy of questioning. Find set fees. ZB: Decide what training/support we need; LD: Will plan to inquire w/OSBA/ ZB: Set training sessions after gaining feedback from community, wants/needs. CL: Agrees. Maybe October.**

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- 3.6.1 — If Unanimous “Yes”, \$5,000.00 will be required for the Board Budget/LD
- 3.7 Proposal for Future of Seneca Elementary School/LD/ *Met w/ few board members/ future of Seneca. Budget/income clarifications reduced the cost to keep Seneca running; closer to breaking even. WB: How did we go from \$150,000.00 in the red with Seneca to close to breaking even – how did that come about?’ SD: Recalculation of amount received per student. LD: receives funds from state for all three schools in one lump sum; divided out. NG (virtually): Feasibility/ Echo NW - PDX completed district report. Last 15 years Seneca has lost an average of 4 students/year; Seneca is losing money and at the rate of loss at 4 students/year, Seneca will close itself; a policy issue the board needs to address. Issue 2: continual decline across the board, Echo NW estimates a \$1,000,000.00 loss over the next 5 years. Suggests Echo NW come back out to re-present to new board the discussion that was presented to former board 05/2023. LD: How do we make Seneca cost neutral? Presented a couple of spending scenarios. Requested feedback from board: ZB: What are we doing to try and boost enrollment? LD: Looking to turn Seneca into an outdoor historical school; flyer out on web page/Seneca. ZB: Seneca staff? 5 total employees. Spoke to 2 families in Seneca and would be willing to talk to more families to try and boost enrollment. JT: All for 2 proposals; wants to see Seneca stay open and to make sure LD is supported in his effort to keep Seneca open. M.T.: Support of option 2. Culture has changed from when M.T.’s children attended Seneca.*
- 3.8 Community Listening Session Proposed by Chris Labhart/CL/ We have changes coming with new GU Principal. Suggest meeting in new gym and hear what people are wanting. WB: Listen, engage and act. AC: discussion to gain good comments and feedback. RE: board training, setting priorities, plans and looking at data, as to meeting goals, if done properly, success can be gained. CL: ‘Superintendent’s role for our district’. Wants to see positive changes.
  - 3.8.1 First Proposed Meeting [Time] Suggestion:
    - 3.8.1.1 08/15/2023 – 7:00PM
      - 3.8.1.1.1 Frequency?/ *CL: Once we hear form public, then we can decide policies for public voice. MW [new HS Principal]: Excited to come back. Wants to conduct open public discussion session sometime in September. Working on staff feedback in August. WB: We can figure out which board member will attend each school and then bring feedback to next board meeting. ZB: Interested in hearing form public, students, former staff. MW: Agrees, however interested in current staff [their needs and goals]. JT: Previous concern former staff, why? May need to ask hard questions so we can know the answers. Good to put energy in to current staff. ZB: Wants to know why decline in enrollment.*

*WB: Opened floor to virtual participants; JM confirmed: none.*

**4.0 FUTURE CALENDAR DATES – 2023 | BOARD MEETINGS: 7:00PM, UNLESS OTHERWISE STATED**

- 4.1 08/16 – Board Meeting
- 4.2 09/20 – Board Meeting
- 4.3 10/18 – Board Meeting
- 4.4 11/15 – Board Meeting
- 4.5 12/20 – Board Meeting

**5.0 GOOD OF THE ORDER:**

- 5.1 KS: Resigned prior to meeting
- 5.2 M.T. A: Looking forward to working with everybody here to get some real change made to the district.

Board of Directors:

OPEN – Zone 1 | M.T. Anderson | Amy Charette | Chris Labhart | Zac Bailey | Will Blood | Jake Taylor

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Louis Dix – Superintendent



- 5.3 **AC:** Looking forward to listening sessions and priorities.
- 5.4 **CL:** Will be out of country [08/22 – 09/23/2023]; glad [WB] is chair
- 5.5 **ZB:** If he cannot attend a meeting, can it commence if we have a quorum? Excited about positive change. Appreciated the comments from everybody. Appreciates Budget Committee for being here.
- 5.6 **WB:** Thank King Williams for his comments: sports co-op; budget. Sports co-op, wants Andy [Lusco] to be present in August, have 4 new board members, wants added to agenda in August, need to come to agreement, even if we have to part paths. Also thanks to Charlene for her participation in the Budget Committee. Need to get word out that changes are coming.
- 5.7 **JT:** Co-op, wants to see Andy present, as well. Tough decisions ahead. LD not afraid to face the tough questions and work ahead. A lot of work to do.
- 5.8 **LD:** Passed out docs from Steve Kelly, OSBA.

6.0 ADJOURNED: 8:40PM – JT/ZB/unanimous

CLOSING STATEMENT: Compilation and completion of these minutes were drawn by reviewing the 02:38:49 Zoom recording of this 07/19/2023 SS Board Meeting in its entirety on 08/04/2023. By: Janet Myers, Board Secretary

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# GRANT SCHOOL DISTRICT #3

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Phone: (541) 575-1280 • Fax: (541) 575-3614

August, 2023

Board Report – Louis Dix

Dear GSD Board,

## Administration Update:

- Job Descriptions – When I took this position, we didn't have a file with updated job descriptions, I've worked on these all year. Jana and I have put a lot of time over the last few months in creating and updating many of these.
- Louis continues to meet with our custodians monthly to go through our Project Tracking Sheets, discuss safety, etc.
- I look forward to attending future Chamber Lunches and will work with Chris Labhart on specific dates and time. I am more than willing to attend any community meetings, etc. that you feel would benefit the district, please keep Louis posted if you know of anything.

## Facilities and Grounds:

- Heating and AC project at Humbolt continues to move forward.
- Roofing projects for both Humbolt and Grant Union are moving forward.
- Nick Green and Aaron Lieuellen continue to support our district with RFP's and other building updates.
- Nick is working with Mrs. Attlesperger and myself on updating Humbolt's playground with ESSER Grant funds.
- Mr. Lusco, Mr. Green and myself continue to work with GU on updating their office for safety/security and student commons area. We're working on creating a more welcoming environment for all students.

## Grant Updates:

- Mark Haliburton from our ESD and I will begin meeting weekly once again once school begins. Mark and I work together on Integrated guidance grant funds.

## Staff/District Updates:

- Current openings - Two bus drivers (we just hired a new one).
- Childcare Center Update – Trina Fell continues to meet with our Childcare Committee members and Kitman on moving our program forward. We continue to interview and hire new staff for this program.
- High School Accreditation – When hired, I researched our high school, finding that we had an unaccredited high school. Mark Witty and I have met with the states accreditation team to begin work on this as we go into the 23-24 school year. Mark has gone through this process before and has a strong understanding of what needs to happen along the way.

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1 | 08/2023 Board Report | Superintendent

## Board of Directors:

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- District Inservice week – August 21<sup>st</sup> through the 25<sup>th</sup>. Certified and confidential work each day, classified work Tuesday and Thursday.

**Board Priorities Update:**

- Communications with Stake Holders – I continue to send out monthly newsletters to families, staff and board members. We’re working weekly with our communications specialist and Jesse regarding website updates. We also continue to put out weekly radio advertisements. We added 3 posters to town advertising our Childcare Center registration openings. If you have suggestions on possible updates, please let Louis know. My door is always open and I invite community, staff and board members to please drop by at any time.
- Mark Witty and I have spoken to a consultant regarding creating a district wide communication plan, we’re now waiting for costs, etc. and will then decide regarding moving this forward or not.
- Budget – Our business manager will be giving monthly board updates. I would encourage our board to ask questions that they may have regarding the budget. If you have questions regarding our budget, please feel free to contact our business manager at anytime during the work day.
- Safe and Secure Schools –We’re working on getting prices for key locks, swipe entry systems and new doors at this time. Nick Green continues to support our district in this endeavor. Our safety fencing should begin this month and we’re hoping it will be completed by the beginning of the school year.
- Student Achievement: State testing is complete, we’re now waiting for ODE to complete the comparisons, etc. Once this is finished principals will be sharing out this information at an upcoming board meeting. Principals have been asked to report to the board regarding academic achievement, attendance, graduation, behavior, etc. at both the October and November board meetings. You will see presentations from our schools at this time.

**Board of Directors:**



August 10, 2023

T: 541.620.2809  
nick@catalyst.win

Grant School District 3 Budget Officer

Subject: Grant SD3 Facility Improvement Measures – Progress Update

Grant School District has multiple capital projects underway at its campuses. These projects are funded by a combination of own-source revenues and state grants from the Seismic Rehabilitation Program, House Bill 5202, and the American Rescue Plan Act (ARPA) Elementary and Secondary School Emergency Relief (ESSER) Fund. This memo provides an update for the District on the status of its independent facility improvement measures (FIMs). Enclosures referenced in this memo are available online at:

[https://drive.google.com/drive/folders/11zAYo1S\\_AFIDw-z-b4yXJxpi7xELzEXu?usp=drive\\_link](https://drive.google.com/drive/folders/11zAYo1S_AFIDw-z-b4yXJxpi7xELzEXu?usp=drive_link)

**I. ESSER II/III Funds**

ESSER Funds are monitored and reported by the Oregon Department of Education’s Data, Operations, Grant and Management Team (Joshua Halsey, Director). ODE maintains a transparency dashboard that contains the District’s allocations for all three ESSER funds: <https://www.oregon.gov/ode/schools-and-districts/grants/Pages/ESSER-Transparency.aspx>

As of this report, Grant SD3’s ESSER II and ESSER III total fund balance is \$1,162,708. ESSER Funds may be used for any eligible projects that “address student needs arising from the coronavirus pandemic and/or to emerge stronger post-pandemic, which may include reopening schools safely, sustaining their safe operation, and addressing students’ social, emotional, and mental health.” Eligible uses are documented at this [link](#). Based on the capital projects approved by the board in June, these funds are budgeted, as shown in Table 1.

Table 1. Capital Improvement Plan for ESSER II/III Funds

Project	Project Tag	Funding Source	Project Allocation	Funds Remaining
Humbolt Fitness and ADA-Accessible Playground Equipment	2008-06A	ESSER II	\$186,771.66	\$0
Humbolt Fitness and ADA-Accessible Playground Equipment	2008-06B	ESSER III	\$113,228.34	\$862,707.66
GUHS Student Commons	2008-07	ESSER III	\$100,000	\$762,707.66
GUHS HVAC	2008-08	ESSER III	\$762,707.66	\$0

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**Humbolt Playground Equipment (\$300,000).** The District has set aside \$300,000 to order new ADA-accessible equipment at Humbolt with poured-in-place surfaces to make the playground equipment ADA-accessible. This project is being solicited under NPPGov's cooperative purchasing agreement, which allows the District to direct order from a pre-selected vendor list. The total quote for a turnkey installation by the vendor (Buell) is \$349,453 (Enclosure 1). Of this cost, \$92,200 is for installation. We are \$50K over budget with this bid but likely can get local contractors to install it so we can come in under budget. The board must approve the equipment order downpayment of \$186,771.66 and authorize it so you can use up the balance of the ESSER II funds before they expire on September 30.

**GUHS Student Commons and Outdoor Area (\$100,000):** The School Board approved a \$17,500 agreement with DITROEN Inc. on May 3, 2023, following a competitive request for quotes (RFQ 2023-02). DITROEN is assisting the District with planning for the Student Commons furniture and building improvements. The remaining \$82,500 is available for furniture, construction, and other materials and labor costs. Ditroen has submitted a conceptual plan for these renovations (Enclosure 2). These will need to be solicited through a competitive RFQ process since the total cost of the improvements is \$100,000.

**Grant Union HVAC & Building Improvements (\$762,707).** The District has recently begun an assessment of HVAC improvements that can be installed throughout the Jr./Sr. High School building to address heating and cooling issues impacting student wellness. This project is concurrent with the GUHS Roof Repairs (discussed in HB 5202). No contracts have been issued for construction. We are working with ZCS Engineering and Marcia Karr (PE) to evaluate design options for the HVAC system before soliciting improvements. The current plan set is provided (Enclosure 3).

This cost estimate will need to be reduced to accomplish the 20% ESSER III set aside required by the state to address unfinished learning activities. The District's Integrated Planning Tool (IPT) also needs to be updated before the ODE will approve the remaining ESSER fund expenditures, but they have approved the ESSER II spending on the playground equipment. All capital expenditures using ESSER II or ESSER III funds must be approved by ODE to be considered an eligible use of funds. Capital Expenditures are defined as expenditures that: have a useful life of more than one year and cost greater than \$5,000. Districts must also have school board approval for Capital Expenditures over \$25,000. Deadlines for ESSER funds are:

- September 30, 2023 – Last date to expend ESSER II funds
- September 30, 2023 - Last date to obligate ESSER III funds
- September 30, 2024 - Last date to expend ESSER III funds

**Recommendations:**

- Approve the Humbolt Playground Equipment downpayment of \$186,771.66.
- Authorize District staff to publish a competitive RFQ for the Student Commons improvements.
- Request staff update the IPT and resubmit it to ODE for approval based on the spending plan documented in Table 1, less 20% for unfinished learning.

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**II. HB5202 Funds**

The HB5202 grant from the Department of Administrative Services (DAS) funds three facility improvement projects. These projects were explicitly identified in the legislative appropriation and grant agreement with the DAS (Table 2).

*Table 2. HB5202 Projects*

<b>Project</b>	<b>Budget Allocation (HB5202)</b>	<b>Spent</b>	<b>Remaining</b>	<b>Percent Remaining</b>
Humbolt HVAC	\$700,000	\$642,650	\$57,350	8%
Grant Union Roof Repairs	\$1,124,550	\$1,070,000	\$54,550	5%
GUHS Replacement Feasibility Study	\$250,000	\$86,512	\$163,488	65%
Contingency	\$175,450	\$0	\$175,450	100%
<b>Total</b>	<b>\$2,250,000</b>	<b>\$1,799,162</b>	<b>\$450,838</b>	<b>20%</b>

**Humbolt HVAC (\$700,000).** Marcia Karr (PE) and ZCS Engineering are currently designing this project. The District previously awarded the electric work to S&C Electric and the HVAC mechanical work to Milburn Heating and Cooling. The project began construction this summer. The plan set is now permitted for construction and is enclosed (Enclosure 4). The system is expected to be operational by the end of December.

**Grant Union Roof Repairs (\$1,124,550).** ZCS Engineering designed this project and oversaw the construction by JB’s Roofing. The District awarded the JB’s roofing contract on May 3, 2023, for \$1,070,000 for the construction cost. JB’s Roofing has submitted two pay applications and has \$54,550 remaining for the final pay app. During construction, the asphalt behind GU (between the buildings) was damaged by the construction crew’s loader. The company has agreed to remit \$9,510 as payment for the repairs, which was based on a conservative estimate prepared by Sisul Engineering (Enclosure 5). The District can contract these repairs separately or as part of the Student Commons project.

**GUHS Replacement Feasibility Study (\$250,000).** Following a competitive procurement last spring, this project was awarded by the school board on June 1, 2022. It was awarded to a team of eight firms led by Catalyst Public Policy advisors. An interim progress report was presented to the school board on May 3, and the final report is due by December 31, 2023. As of July 31, \$86,512.22 has been expensed, and \$163,487.78 is remaining. The board will need to determine how they would like to proceed with this project, which will be the subject of a future work session tentatively scheduled for August 30.

We have included a site plan for the conceptual layout recommended by the prior board in May (Enclosure 6). We can discuss the pros and cons of this location and why it was selected. That said, it is ultimately up to the new board how we proceed with the final design and report. We recommend a no-cost time extension to our contract to extend the period of performance to June 30, 2024, to give the board and staff ample time to review the report, engage the

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community, and discuss the options for the new school location. The grant agreement is good for five years from the time of award, so we are still within the period of performance for the grant agreement.

The basis for the feasibility study is the need to replace the school in a warm, safe, and dry location before the 100-year flood renders the building unusable. Our teammate, Straw to Gold, has prepared a website to address these concerns and a 12-minute video of interviews with students, teachers, and community members. The video and website are available at this link:

*Planning for our Future*  
<https://grant-country-school.webflow.io/>

**III. Seismic Rehabilitation Funds**

Business Oregon awarded a seismic rehabilitation grant of \$1,445,205 for Humbolt Elementary’s annex (Project Number: SC21090). This project was designed by ZCS Engineering and was awarded to CB Construction under a CM/GC contract for \$1,197,212. The project began in June. CB Construction has invoiced \$923,293 and has \$320K as their balance to finish, which includes retainage. This project is on schedule to be completed this month.

**IV. Facility Improvement and Capital Equipment Funds (Discretionary Spending)**

The District has been saving funding for facility improvements for several years. These are allocated to the Facility Improvement Fund (Fund 400). As of July 1, Fund 400 had just under \$4 million budgeted for capital improvement projects. The estimated cost for each of the District’s planned projects is shown in Table 3. With this project plan and current cost estimates, the District will still have roughly \$3 million in funding remaining in Fund 400 for future projects after the list in Table 3 is completed.

*Table 3. School District-funded Facility Improvements*

<b>Project</b>	<b>Budget Allocation</b>	<b>Status</b>
<b>District Wide Improvements</b>		
School District 3 Security Fencing	\$250,000	In construction
Building Security Improvements (Doors/Locks)	\$100,000	Pre-solicitation
Repainting (All Schools)	\$150,000	Pre-solicitation
<b>Grant Union Jr./Sr. High</b>		
GUHS Storage Building	\$250,000	Pre-solicitation
GUHS Asphalt Sealing	\$35,000	Ready for Award
GUHS Asphalt Repairs	\$200,000	Pre-solicitation
<b>Humbolt Elementary</b>		
Asphalt Sealing and BB Court Repairs	\$17,000	Ready for Award
Dropoff Area and Drainage Fixes	\$72,250	Ready for Award
ADA Concrete Entrance Repairs		
HVAC Concrete Equipment Pad		
Special Education Hallway Renovation	\$7,500	In construction

*3.2*  
*4/7*



Sub-Total	\$1,041,750	
<i>Less FY23 spending</i>	(\$120,000)	
<b>Total Budgeted (FY24)</b>	<b>\$961,750</b>	

**District-Wide Improvements.** Three district-wide improvements are currently planned:

- 1) Security Fencing. The District approved an agreement with Timber Basin Contracting to install fencing at Humbolt and Grant Union for \$206,340. You made a downpayment of \$120,000 for materials in FY23. The balance will be paid in September upon completion of the project.
- 2) Building Security Improvements. District has received quotes from one vendor for door lock and rekeying of Grant Union and a separate quote from one vendor for electronic keycard access. These quotes did not anticipate new fencing being installed and also did not include Humbolt or Seneca. We propose the District formalize this as an RFQ for all three buildings, so the vendors can update their pricing and submit a proposal for the board to award at their September meeting, with installation to proceed after that.
- 3) Repainting (All Schools). We have budgeted \$150,000 to repaint all three schools. This will occur next summer.

**GUHS Improvements.** Three Grant Union-specific improvements are currently planned:

- 1) Storage building. The GUHS storage building has been designed, and site preparation is complete for the construction to commence. A building permit and general contractor will need to be secured before construction can begin. This project is estimated to cost \$250,000 and will be a prevailing wage job.
- 2) Asphalt sealing. Central Oregon Asphalt quoted \$35,000 for crack sealing, recoating the parking lot, and re-striping (Estimate No. 1744).
- 3) Asphalt repairs. Alligator cracking and degraded asphalt will need to be pulverized and repaired. This will be a prevailing wage job, estimated to cost \$200,000.

**Humbolt Improvements.** There are five projects in progress or planned for Humbolt:

- 1) Asphalt Sealing and BB Court Repairs. Central Oregon Asphalt has bid \$17,000 to crack seal, recoat, and re-stripe the Humbolt parking lot and basketball court area (Estimate No. 2357).
- 2) Dropoff Area and Drainage Fixes. Hueckman bid \$60,000 on the repairs to the damaged carpool lane and then to fix the drainage issues on the north end of the parking lot to prevent future runoff damage (Estimate No. 0000042).
- 3) ADA Concrete Entrance Repairs. Hueckman's bid to repair the ADA concrete to the main entrance of Humbolt is \$7,900 (Estimate No. 0000044).
- 4) HVAC Concrete Equipment Pad. Hueckman's bid to pour the pad for the ground-mounted HVAC units on the north side of the building is \$7,350.00 (Estimate No. 0000043). This work is chargeable to the HVAC grant from the Department of Administrative Services (HB5202).

3.2  
5/7

- 5) Special Education Hallway Renovation. We have one contractor doing the framing (Mike Strong), another one doing the sheetrock (Travis Smith), and a third doing the electrical (Tye Parsons). This will close off the accordion door in the library with a fixed wall and create a new hallway for the SpEd classroom and office.

### **Recommendations for Fund 400 Discretionary Spending**

#### Items for approval:

- Approve the \$34,995 quote for Central Oregon Asphalt sealing at Grant Union (Enclosure 7).
- Approve the \$16,995 quote for Central Oregon Asphalt sealing at Humbolt (Enclosure 8).
- Approve a not-to-exceed cost of \$75,250 for Hueckman pavement and concrete repairs and the new HVAC pad at Humbolt (Enclosure 9).

#### Items for discussion:

- Plans and procurement approach for building security improvements (door/locks and electronic access)
- Plans for storage building construction at GU.
- Plans for pavement repairs next summer.
- Plans for painting next summer.

### **V. Summary & Next Steps**

The board should discuss these projects and make recommended motions to approve the procurements for capital expenditures. The staff will then need to prepare form WH-81 and WH-39 for specific projects requiring Prevailing Wage Rates, and a summary of the approved projects must be filed on form WH-118 (Planned Public Improvement Summary). Staff will also publish the procurements and contracts for award.

3.2  
6/7

## Janet Myers

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**From:** Nicholas Green <nick@catalyst.win>  
**Sent:** Thursday, August 10, 2023 3:37 PM  
**To:** Louis Dix; Janet Myers  
**Cc:** Stacy Durych; Aaron Lieuallen; Janine Attlesperger; Andy Lusco; Mark Witty  
**Subject:** Capital Projects Memo for Board and Budget Committee  
**Attachments:** Facility Improvement Measures - Progress Update - August 2023.pdf

Louis,

Here's the memo on the capital projects for the board and budget committee meetings next week.

There are nine enclosures referenced in my memo. Those are posted on a google share drive at this link: [https://drive.google.com/drive/folders/11zAYo1S\\_AFIDw-z-b4yXJxpi7xELzEXu?usp=drive\\_link](https://drive.google.com/drive/folders/11zAYo1S_AFIDw-z-b4yXJxpi7xELzEXu?usp=drive_link).

Recommendations from the memo are below (we can discuss these tomorrow):

1. Approve the Humbolt Playground Equipment downpayment of \$186,771.66.
2. Authorize District staff to publish a competitive RFQ for the Student Commons improvements.
3. Request staff to update the IPT and resubmit it to ODE for approval based on the spending plan documented in Table 1, less 20% for unfinished learning.
4. Approve the \$34,995 quote for Central Oregon Asphalt sealing at Grant Union (Enclosure 7).
5. Approve the \$16,995 quote for Central Oregon Asphalt sealing at Humbolt (Enclosure 8).
6. Approve a not-to-exceed cost of \$75,250 for Hueckman pavement and concrete repairs and the new HVAC pad at Humbolt (Enclosure 9).

We can discuss the door locks and security measures as well. I spoke with Strawberry Mountain Locks and Dru Davis this week, as well as the GU admin team, and we have a revised approach I'd like to discuss with you to get that work awarded.

Nick Green | President  
Tel. (541) 620-2809



3.2  
7/7

## Junior High Assistant Coach Proposal

Due to the addition of 6<sup>th</sup> graders to all Junior High teams we need to add a Junior High Coach to Volleyball, Girls Basketball, Boys Basketball, and Wrestling.

This would retroactive to the start of the year. Volleyball, Boys Basketball, Girls Basketball, and Wrestling would all receive a Junior High Assistant Coaching Salary to compensate the people who filled those positions.

A column will be added to the Extra Duty Positions and Post Season chart on page 37 of the JDEA CBA with Assistant Junior High Coach for the sports of Volleyball, Basketball, and Wrestling.

A column "D" will be added to the Extra Duty Salary Schedule. The ratio of Assistant Junior High Coach to Junior High Coach will be the same as the ratio of column B to Column A (.869).

For the 2022-23 School year the pay scale would be as follows:

Step	0	\$2069
	1	\$2194
	2	\$2325
	3	\$2465
	4	\$2613
	5	\$2769

3.3  
1/1





# GRANT SCHOOL DISTRICT #3

401 N Canyon City Blvd • Canyon City, OR 97820  
Phone: (541) 575-1280 • Fax: (541) 575-3614

August 17, 2023

OSBA Proposal:

Step 1: Complete Board Roles and District Priorities/Strategic Planning (after building/community meetings)

Step 2: Work on Mission and Vision Statements for GSD3. Will give us guidance as we move forward

Cost: \$1,932 for each session. This covers all travel costs, preparation, and work session.

Total cost for 2 OSBA Work Sessions with Vince Adams: \$3,864.

3 Sessions would cost: \$5,796. Could include Superintendent Evaluation Process

3,5  
1/2

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**BOARD OF DIRECTORS:**

ZONE 1 <OPEN> | M.T. Anderson | Amy Charette | Chris Labhart | Zach Bailey | Will Blood | Jake Taylor



# 2023 OSBA ANNUAL CONVENTION



**NOV. 9: PRECONFERENCE | NOV. 10-11: CONFERENCE**

Mark your calendar to attend and participate in OSBA's 77th Annual Convention at the Portland Marriott Downtown Waterfront Hotel.

DETAILS	VENUE
Start:	Portland Marriott
November 9	Downtown Waterfront
End:	
November 11	

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## CONTENTS

- Summer Board Conference  
August 11-13  
Salem Convention Center  
(Please note date and location change)
- 1) AC-AR – Discrimination Complaint Procedure, Required
  - EHB – Cybersecurity, Optional – *New*
  - EHB-AR – Cybersecurity, Optional – *New*
  - A) GCBDF/GDBDF – Paid Family Medical Leave Insurance \*, *Version 1, Highly Recommended – New*
  - GCBDF/GDBDF – Paid Family Medical Leave Insurance \*, *Version 2, Optional – New*
  - B) GCBDF/GDBDF-AR – Paid Family Medical Leave Insurance, (*aligns with Version 1 of policy only*), *Highly Recommended – New*
  - ICB – Religious and Cultural Holidays\*\*, *Optional – New*
  - C) IGBHD – Program Exemptions\*\*, *Highly Recommended*
  - 2) JFCF-AR – [Hazing, ]Harassment, Intimidation, Bullying, [Menacing, ]Cyberbullying, or Teen Dating Violence Reporting Procedures – Student, *Required*
  - 3) JGE – Expulsion\*\*, *Required*
  - 4) KL – Public Complaints\*/\*\*, *Version 4, Highly Recommended*
  - 5) KL-AR(1) – Public Complaint Procedure, *Highly Recommended*

Policy Update is a subscription publication of the Oregon School Boards Association

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Policy Services Specialist  
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Senior Policy Services Assistant  
Jean Chiappisi  
Policy Services Assistant

If you have questions regarding this publication or OSBA, please call our offices:  
503-588-2800 or 800-578-6722

## COMPLAINT PROCEDURES

### Summary

The revisions to the complaint procedures are to clarify timelines and more closely align with legal requirements.

### Collective Bargaining Impact

None

### Local District Responsibility

Revise and re-approve administrative regulations AC-AR – Discrimination Complaint Procedure (Required) and JFCF-AR – [Hazing, ]Harassment, Intimidation, Bullying, [Menacing, ]Cyberbullying, or Teen Dating Violence Reporting Procedures – Student (Required). Some districts have AC-AR as a board adopted policy: if your district has done this, the board should adopt any changes. OSBA currently has four versions of policy KL, Public Complaints. Of these, versions one, two and three have an accompanying AR, while version four does not. If the district has version four (includes the complaint procedure in the policy), revise and re-adopt KL – Public Complaints\*/\*\* (Highly Recommended). If the district uses version one, two or three of KL – Public Complaints\*/\*\*, revise and re-approve KL-AR(1) – Public Complaints (Highly Recommended).

This publication is designed to provide accurate and authoritative information regarding the subject matter covered. It is furnished with the understanding that policies should be reviewed by the district's legal counsel.

 = action now → 1-3\*  
 = action soon → A-E

\* Approved by former Board Members

~~1/17~~ ~~1/10~~  
~~3/10~~  
 Policy Update – March 2023  
 3.5.2  
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 Page 1 of 4



# OSBA Model Sample Policy

Code: GCBDF/GDBDF  
Adopted:

## Paid Family Medical Leave Insurance \* (Version 1)

*{Highly recommended policy. This version is designed for districts who are participating in Paid Leave Oregon (PLO). If the district is using an approved equivalent plan, the district should not adopt this version or use the accompanying administrative regulation. Contributions for PLO begin on January 1, 2023 with benefits available starting September 3, 2023. There is a possibility the Oregon Legislature or the Oregon Department of Employment will change laws prior to the September start date, so the district may choose to wait on adoption. If there are new laws, OSBA will update this sample prior to the effective date. Many districts are bargaining aspects of this leave: policy language should not conflict with language in collective bargaining agreements.}*

The district participates in Paid Family and Medical Leave Insurance (PFMLI) and Paid Leave Oregon (PLO)<sup>1</sup>. This includes submitting employee and employer contributions to the Employment Department (“Department”) as required by state law.<sup>2</sup> The district does not administer PFMLI or PLO. All applications and questions should be directed to the Department.

### Definitions

1. “Family leave” means leave from work taken by a covered individual:
  - a. To care for and bond with a child during the first year after the child’s birth or during the first year after the placement of the child through foster care or adoption; or
  - b. To care for a family member with a serious health condition.
  
2. “Family leave” does not mean:
  - a. Leave described in Oregon Revised Statute (ORS) 659A.159 (1)(d) (non-serious health condition of child or school or child care provider closure due to public health emergency);
  - b. Leave described in ORS 659A.159 (1)(e) (death of a family member); or
  - c. Leave authorized under ORS 659A.093 (leave for spouses of members of the military upon deployment or call to active duty).
  
3. “Family member” means:
  - a. The spouse of a covered individual;
  - b. A child of a covered individual or the child’s spouse or domestic partner;

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<sup>1</sup> Paid Leave Oregon is the program developed by the Oregon Department of Employment to administer Paid Family and Medical Leave Insurance.

<sup>2</sup> The overall contribution will be determined by the Department director, and is initially set at 1 percent (up to \$132,900). *{For districts with 25 or more employees:}* The employer contribution is 40 percent and the employee contribution is 60 percent of this amount. *{For districts with fewer than 25 employees:}* The employee contribution is 60 percent of this amount and the employer contribution is waived. The amount will be set annually by November 15. See ORS 657B.150. *{Districts may agree to pay the employee contribution, see any applicable employment agreements.}*



- c. A parent of a covered individual or the parent’s spouse or domestic partner;
  - d. A sibling or stepsibling of a covered individual or the sibling’s or stepsibling’s spouse or domestic partner;
  - e. A grandparent of a covered individual or the grandparent’s spouse or domestic partner;
  - f. A grandchild of a covered individual or the grandchild’s spouse or domestic partner;
  - g. The domestic partner of a covered individual; or
  - h. Any individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship.
4. “Medical Leave” means leave from work taken by a covered individual that is made necessary by the individual’s own serious health condition.
5. “Safe leave” means related to domestic violence, harassment, sexual assault, stalking and relocation for health and safety reasons as provided in ORS 659A.272.
6. “Serious health condition” means an illness, injury, impairment, or physical or mental condition of a claimant or their family member that:
- a. Requires inpatient care in a medical care facility such as, but not limited to, a hospital, hospice, or residential facility such as, but not limited to, a nursing home or inpatient substance abuse treatment center;
  - b. In the medical judgment of the treating health care provider poses an imminent danger of death, or that is terminal in prognosis with a reasonable possibility of death in the near future;
  - c. Requires constant or continuing care, including home care administered by a health care professional;
  - d. Involves a period of incapacity. “Incapacity” is the inability to perform at least one essential job function, or to attend school or perform regular daily activities for more than three consecutive calendar days. A period of incapacity includes any subsequent required treatment or recovery period relating to the same condition. The incapacity must involve one of the following:
    - (1) Two or more treatments by a health care provider; or
    - (2) One treatment plus a regimen of continuing care.
  - e. Results in a period of incapacity or treatment for a chronic serious health condition that requires periodic visits for treatment by a health care provider, continues over an extended period of time, and may cause episodic rather than a continuing period of incapacity, such as, but not limited to, asthma, diabetes, or epilepsy;
  - f. Involves permanent or long-term incapacity due to a condition for which treatment may not be effective, such as, but not limited to, Alzheimer’s Disease, a severe stroke, or terminal stages of a disease. The employee or family member must be under the continuing care of a health care provider, but need not be receiving active treatment;
  - g. Involves multiple treatments for restorative surgery or for a condition such as, but not limited to, chemotherapy for cancer, physical therapy for arthritis, or dialysis for kidney disease that if not treated would likely result in incapacity of more than three calendar days;
  - h. Involves any period of disability due to pregnancy, childbirth, miscarriage or stillbirth, or period of absence for prenatal care; or
  - i. Involves any period of absence from work for the donation of a body part, organ, or tissue, including preoperative or diagnostic services, surgery, post-operative treatment, and recovery.

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## Eligibility

1. To be eligible for PLO benefits, an individual must:
  - a. Be an employee of the district<sup>3</sup>;
  - b. Earn at least \$1,000 in the base or alternate base year<sup>4</sup>;
  - c. Contribute to the PLO in accordance with state law;
  - d. Experience an event qualifying the employee for:
    - (1) Family leave;
    - (2) Medical leave; or
    - (3) Safe leave.
  - e. Submit an application to Department;
  - f. Have not exceeded maximum paid leave for the year; and
  - g. Have no current disqualifications<sup>5</sup>.

## Leave

PLO can be used for family leave, medical leave or safe leave. Up to 12 weeks of paid leave can be taken per benefit year.<sup>6</sup> Leave can be taken in one-day increments and can be consecutive or nonconsecutive.

Any family leave or medical leave taken under PLO must be taken concurrently with any leave taken by an eligible employee under ORS 659A.150 - 659A.186 (OFLA) or under the federal Family and Medical Leave Act of 1993 (P.L. 103-3, FMLA) for the same purposes.

The district will maintain an employee's existing health benefits while the employee is using leave. The employee will be required to pay the employee's contribution to premiums.

END OF POLICY

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### Legal Reference(s):

ORS 657B

OAR 471-070

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<sup>3</sup> PFMLI is a state-wide benefit, and not unique to the district. An eligible individual does not need to be an employee of the district in order to be eligible for PFMLI, but this policy only applies to employees of the district.

<sup>4</sup> Pay could come from another Oregon employer.

<sup>5</sup> Disqualifications may include eligibility for Workers' Compensation or Unemployment or determination of a willful false statement or failure to report a material fact in order to obtain benefits. See OAR 471-070-1010(1)(h).

<sup>6</sup> In some pregnancy-related situations, employees may be able to take two additional weeks, for a total for 14 weeks.

# OSBA Model Sample Policy

Code: GCBDF/GDBDF-AR  
Revised/Reviewed:

## Paid Family Medical Leave Insurance (PFMLI)

*{Highly recommended administrative regulation. This administration regulation is for use only with Version 1 of policy GCBDF/GDBDF.}*

### Application

Employees may submit applications for Paid Leave Oregon (PLO) to the Oregon Employment Department (“Department”).<sup>1</sup> Applications may be submitted up to 30 days prior to the start of the leave and up to 30 days after the start of the leave.<sup>2</sup> The Department may require verification from the employee.<sup>3</sup> The Department will make all decisions regarding acceptance and denial of an application, including determining the amount of the benefit.<sup>4</sup> The district cannot accept, file, process or make decisions on applications.

An employee may appeal an approval or denial of claim, the amount of a weekly benefit or a disqualification from receipt of benefits to the Department in accordance with Oregon Revised Statute (ORS) 657B.010 and Oregon Administrative Rule (OAR) 471-070-2220.

### Employee Notice to District

If the leave is foreseeable<sup>5</sup>, the employee must provide the district with written notice<sup>6</sup> at least 30 calendar days prior to the leave.<sup>{7}</sup> If the leave is not foreseeable<sup>8</sup> the employee must give oral notice to the district

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<sup>1</sup> For application requirements see ORS 657B.060 and Oregon Administrative Regulation (OAR) 471-070-1100. *{Include link to Department website once available.}*

<sup>2</sup> Exceptions may be granted when the applicant can demonstrate good cause for late submission.

<sup>3</sup> See verification requirements in OAR 471-070-1110 - OAR 471-070-1130.

<sup>4</sup> The benefit may be less than the employee’s salary. See ORS 657B.050.

<sup>5</sup> Examples of foreseeable leave include, but are not limited to, an expected birth, planned placement of a child, or a scheduled medical treatment for a serious health condition of the eligible employee or a family member of the eligible employee. See OAR 471-070-1310(1).

<sup>6</sup> Written notice includes, but it not limited to, handwritten or typed notices, and electronic communication such as text messages and email.

<sup>7</sup> *{OAR 471-017-1310(5) states “An employer that requires eligible employees to provide a written notice before the eligible employee commences leave, must outline the requirement in the employer’s written policy and procedures.”}*

<sup>8</sup> Leave circumstances that are not foreseeable include, but are not limited to, an unexpected serious health condition of the eligible employee or a family member of the eligible employee, a premature birth, an unexpected adoption, an unexpected foster placement by or with the eligible employee, or for safe leave.

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within 24 hours of the start of the leave, and must provide written notice within 3 days after the start of leave.<sup>9</sup> The district requests as much advanced notice as possible.

The notice must include:

1. The employee's first and last name;
2. Type of leave;
3. Explanation of the need for leave; and
4. Anticipated timing and duration of leave, including if it is continuous or intermittent.

Notice need only be given one time, but the employee shall notify the district as soon as practicable if dates of scheduled leave change, are extended, or were initially unknown. This notice does not need to mention PFMLI or PLO to satisfy the notice requirements.<sup>{10}</sup>

Failure to comply with these notice requirements may result in a penalty imposed by the Department. The Department may reduce the amount of the benefit by 25 percent in accordance with OAR 471-070-1310(9)-(10).

### **Concurrent Use of District-Provided Paid Leave<sup>{11}</sup>**

The district [allows] [does not allow] employees to use employer-provided paid leave in addition to receiving PLO benefits to replace an employee's wages up to 100 percent of the eligible employee's average weekly wage. Example:

An employee applies and is approved for PLO for a personal serious medical condition. The Department determines that the rate of pay will be 75 percent of the employee's regular salary. [The employee will not be allowed to use district-provided paid leave (sick, vacation or otherwise) for days that PFMLI is received.] [The employee will be allowed to use available district-provided paid leave (sick, vacation or otherwise) for days that PLO is received, but is limited to only utilizing an amount that increases the employee paid leave to 100 percent of regular payment. In this example, the amount would be 25 percent.]

### **Return to Work**

Upon completion of leave, the employee is entitled to return to the position held in the district prior to the leave, if that position still exists and if the employee had been employed in the district for 90 days prior to taking leave.<sup>12</sup> [*For districts with 25 or more employees:*] If the position no longer exists, the employee is

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<sup>9</sup> If other leave also applies (OFLA, FMLA, etc.), notice requirements for those types of leave may also apply.

<sup>10</sup> {A district requiring written notice must outline the requirements in policy and procedures. A copy of the written policy and procedure must be provided to all eligible employees at the time of hire and each time the policy and procedure changes and in the language that the employer typically uses to communicate with the employee.}

<sup>11</sup> {Consider any bargaining requirements prior to adopting this language.}

<sup>12</sup> If the employee's leave also qualifies for OFLA/FMLA protection, see also Board policy GCBDA/GDBDA - Family Medical Leave and its accompanying administrative regulations.

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entitled to a position equal to their previous position, with equal benefits, pay and other terms and conditions of employment.] [*For districts with fewer than 25 employees:*] If the position no longer exists, the employee may be placed in a different position with similar job duties and benefits and pay equal to the previous position.]

### **Communications Between the District and the Department**

Upon receipt of an application or update in information from a district employee for PLO, the Department will notify the district. The district may provide additional information to the Department within 10 days. This information may include, but is not limited to, information about the employee's notice to the district or verification of the employee's continued employment with the district. If the district does not report such information to the Department, the Department will proceed using available information. The district can provide additional information to the Department as it becomes available.

If the Department requests additional information from the district, the district will respond within 10 calendar days.

Once the Department has issued a decision regarding an application submitted by an employee of the district, the Department will notify the district regarding the approval or denial and any applicable dates and periods of leave. The district cannot appeal a Department decision.

### **District Notice to Employees**

At the time of hire and each time the policy or procedure changes, the district must provide notice to employees. This notice must be in the language that the employer typically uses to communicate with employees and will include:

1. The right of an eligible employee to claim and receive family and medical leave insurance benefits;
2. The procedure for filing a claim for benefits;
3. That an eligible employee must provide notice to the district before the employee commences leave, and a description of the penalties for failure to comply with the notice requirements;
4. The right of an eligible employee to job protection and benefits continuation;
5. The right of an eligible employee to appeal a decision or determination made by the Department director;
6. That discrimination and retaliatory personnel actions against an employee for inquiring about the PFMLI or PLO, taking leave under the program or claiming PFMLI or PLO benefits are prohibited;
7. The right of an employee to bring a civil action or to file a complaint for violation of ORS 657B.060 or 657B.070; and

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8. That any health information related to family leave, medical leave or safe leave provided to an employer by an employee is confidential and may not be released without the permission of the employee unless state or federal law or a court order permits or requires disclosure.<sup>13</sup>

The district will display this notice in an area that is accessible to and regularly frequented by employees in each building or worksite. The district will provide this notice to employees working remotely by hand delivery, regular mail or through an electronic delivery method at the time of hire or assignment to remote work.

### **District Filings**

The district will file the Oregon Quarterly Tax Report, the Oregon Employee Detail Report and any other reports required by law. If the district fails to submit required filings or report, or fails to pay all required contributions, the district may be penalized in accordance with OAR 471-070-8520.

*{For districts with fewer than 25 employees:}*[The district may apply for an assistance grant.<sup>14</sup>]

### **Employee Protections**

No employee or prospective employee will be discriminated or retaliated against for inquiring about PFMLI or PLO, giving notification of leave under PLO, taking PLO leave or claiming PLO benefits. Eligible employees have a right to file a complaint and/or bring a civil action for violations of ORS 657B.060 or ORS 657B.070.

Any health information related to family leave, medical leave or safe leave provided to the district by an employee is confidential and may not be released without the permission of the employee unless state or federal law or a court order permits or requires disclosure.

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<sup>13</sup> Paid Leave Oregon will provide a model notice, <https://paidleave.oregon.gov/DocumentsForms/Paid-Leave-ModelNotice-Poster-EN.pdf> . This policy can also be used as the notice.

<sup>14</sup> See OAR 471-070-3705 - 3710 for eligibility requirements and application.

# OSBA Model Sample Policy

Code: IGBHD

Adopted:

## Program Exemptions\*\*

*{Highly recommended policy. The content comes primarily from OAR 581-021-0009. If the district would like to add language regarding procedure or authority, it could be added to this policy or an AR could be created.}*

The district Board ~~[may]~~ ~~[shall]~~ excuse students from a state-required program or learning activity for reasons of religion, disability<sup>1</sup> or other reasons deemed appropriate by the district. Requests for excusal or accommodation must be in writing and must include the reasons for the request and a proposed alternative for an individualized learning activity which substitutes for the period of time exempt from the program and meets the goals of the learning activity or course being exempt. Requests may be filed by the student's parent or guardian, or by a student who is 18 years of age or older or who is an emancipated minor. Requests must be submitted to the [teacher or principal].

~~An alternative education program for credit [may] [may not] be provided.~~ The district will determine if credit will be granted for any alternative activity.

~~[The procedures to establish an alternative education program and alternative credit shall be developed by the superintendent.]~~

END OF POLICY

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### Legal Reference(s):

[ORS 336.035\(2\)](#)

[ORS 336.465](#)

[ORS 336.615](#)

[ORS 336.625](#)

[ORS 336.635](#)

[OAR 581-002-0035](#)

[OAR 581-021-0009](#)

[OAR 581-021-0071](#)

[OAR 581-022-2050](#)

[OAR 581-022-2110](#)

[OAR 581-022-2505](#)

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<sup>1</sup> If the district receives a request for a disability accommodation, the district should consider its obligations under the Individuals with Disabilities in Education Act and Section 504 of the Rehabilitation Act.

# OSBA Model Sample Policy

Code: KL  
Adopted:

## Public Complaints \*/\*\* (Version 4)

(This version of sample policy KL does not need an accompanying administrative regulation, it is a stand-alone policy. If this policy is chosen by the Board, recommend delete any other existing complaint procedure.)

*{Highly recommended policy. OAR 581-022-2370 requires districts to have a complaint procedure.}*

Board members recognize that complaints about schools may be voiced by [employees,] [students,] parents of students who attend a school in the district[,], and persons who reside in the district. [When such complaints are made to a Board member, the Board member shall refer the person making the complaint to the superintendent or designee. A Board member shall not attempt to respond, review, handle or resolve such complaints as the individual board member has no authority to do so.]

A complaint of retaliation against a student who in good faith reported information that the student believes is evidence of a violation of state or federal law, rule or regulation, should be made to the superintendent.

A person may initiate a complaint by discussing the matter with the [administrator] [principal]. That [administrator] [principal] shall attempt to resolve the complaint within [10] working days of initiation of the complaint with the [administrator] [principal]. If the complainant is dissatisfied, the complainant may file a written complaint with the superintendent within [10] working days of the decision from the [administrator] [principal]. The superintendent will attempt to resolve the complaint. If the complaint remains unresolved after [10] working days of receipt of the complaint by the superintendent, the complainant may appeal to the Board. A written complaint referred to the Board may be considered[ at the next regularly scheduled or special Board meeting]. A final written decision regarding the complaint shall be made by the Board within [20] days from receipt of the complaint. The written decision of the Board will be final and will address each allegation in the complaint and reasons for the district's decision. If the Board chooses not to hear the complaint, the superintendent's decision is final. The Board may hold the hearing in executive session if the subject matter qualifies under Oregon law.

The timelines may be extended upon written agreement between the district the complainant.{{1}}

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[The district may offer mediation or another alternative dispute resolution process as an option if all parties to the complaint agree in writing to participate in such mediation or resolution.]

Complaints against the principal should be filed with the superintendent. The superintendent will attempt to resolve the complaint. If the complaint remains unresolved within [10] working days of receipt by the superintendent, the complainant may request to place the complaint on the Board agenda [at the next regularly scheduled or special Board meeting]. The Board may use executive session if the subject matter

<sup>1</sup> {{For district information. The district's timeline established by each step of the district's complaint procedure for alleging a violation found in OAR 581-002-0003 must be within 30 days of the submission of the complaint at any step, unless the district and complainant have agreed in writing to a longer time period for that step. However, the district's complaint procedure should not exceed a total of 90 days from the initial filing of the complaint, regardless of the number of steps involved, unless the district and the complainant have agreed in writing to a longer time period. (OAR 581-002-0005)}}}



qualifies under Oregon law. The Board shall decide, ~~within [20] days,~~ in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within [3+0] days of receipt of the request to place the complaint on a Board meeting agenda. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. The Board shall decide, ~~within [20] days,~~ in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within [3+0] days of receipt of the complaint. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the Board as a whole or against an individual Board member should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide, ~~within [20] days,~~ in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within [3+0] days of receipt of the complaint. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the Board chair should be made directly to [district counsel] [the Board vice chair] on behalf of the Board. The [district counsel] [Board vice chair] shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide, ~~within [20] days,~~ in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within [3+0] days of receipt of the complaint. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

[A complainant must file a complaint within the later of either time limit set below, in accordance with State law:

1. Within two years after the alleged violation or unlawful incident occurred or the complainant discovered the alleged violation or unlawful incident. For incidents that are continuing in nature, the time limitation must run from the date of the most recent incident; or
2. Within one year after the affected student has graduated from, moved away from or otherwise left the district.]

The district's final decision for a complaint processed under this Board policy that alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Division 22 Standards), ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation), will be issued in writing or electronic form. The final decision will address each allegation in the complaint and contain reasons for the district's decision. If the complainant is a [student,] parent or guardian of a student attending school in the district or a person that resides in the district, and the

complaint is not resolved through the complaint process above, the complainant may file an appeal<sup>2</sup> to the Deputy Superintendent of Public Instruction under OAR 581-002-0001 – 581-002-0023 [(See KL-AR(2) - Appeal to the Deputy Superintendent of Public Instruction)].

### **Charter Schools of which the District Board is a Sponsor**

[The district Board, [through its charter agreement with [name of public charter school sponsored by the district board]] [through a board resolution] [through this policy], will review an appeal of a decision reached by the Board of [name of public charter school] on a complaint alleging a violation of ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint or Seclusion), ORS 659.852 (Retaliation), or applicable OAR Chapter 581, Division 22 (Division 22 Standards). A complainant may appeal and will submit such appeal to the [superintendent] [Board chair] on behalf of the district Board within [30] days of receipt of the decision from the public charter school board. A final decision reached by the district Board may be appealed to the Oregon Department of Education under OAR 581-002-0001 - 581-002-0023.]

OR

[The district Board, [through its charter agreement with [name of public charter school sponsored by the district board]] [through a board resolution] [through this policy], will not review an appeal of a decision reached by the Board of the [name of public charter school] on a complaint alleging a violation of ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint or Seclusion), ORS 659.852 (Retaliation), or applicable OAR Chapter 581, Division 22 (Division 22 Standards), for which the district Board has jurisdiction, and recognizes a decision reached by the Board of [name of public charter school] as the district Board's final decision. A final decision reached by this district Board may be appealed to the Oregon Department of Education under OAR 581-002-0001 - 581-002-0023.]

### **Review Process for a Public School Board Complaint Decision**

The appeal of a complaint from a public charter school to be reviewed by the district Board will be presented by the Board chair and reviewed by the Board at a Board meeting. The Board may use executive session if the subject matter qualifies under Oregon law. The Board will review the appeal and make a decision about appropriate action, which may include, but is not limited to, holding a hearing, requesting information, and recognizing the decision reached by the public charter school board. A decision will be reached, within [20] days, in open session, unless allowed in executive session. A final written decision regarding the appeal shall be issued by the district Board within [10] days. The written decision of the district Board will address each allegation in the complaint and include reasons for the district Board's decision.]

END OF POLICY

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

<sup>2</sup> An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

<sup>3</sup> {If the district Board elects to hear appeals on public charter school complaints for which the district Board has jurisdiction, as decided by statements in the charter agreement, Board policy, or a board resolution, this language is recommended for this policy to delineate the process.}}

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[ORS 192.660](#)  
[ORS 332.107](#)

[ORS 659.852](#)  
[OAR 581-002-0001 - 002-0005](#)

[OAR 581-022-2370](#)

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

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# OSBA Model Sample Policy

Code: KL-AR(1)

Revised/Reviewed:

## Public Complaint Procedure

*{Highly Recommended AR. OAR 581-022-2370 requires districts to have a complaint procedure.}*

A parent or guardian of a student attending a school in the district[, ] [or] a person who resides in the district[, a staff member] [, or a student] who wishes to express a concern should discuss the matter with the school employee involved.

### <sup>{1}</sup>The [Administrator][Supervisor]: Step One

If the individual is unable to resolve a problem or concern with the employee, the individual may file a written, signed complaint with the [administrator][supervisor] within [five] working days of the employee's response. The [administrator][supervisor] shall evaluate the complaint and render a decision within [five] working days after receiving the complaint. (A form is available, but is not required.)

### The Superintendent: Step Two

If Step One does not resolve the complaint, within [10] working days of the written response from the [administrator][supervisor], the complainant may file a written, signed complaint with the superintendent or designee clearly stating the nature of the complaint and a suggested remedy.

The superintendent or designee shall investigate the complaint, confer with the complainant and the parties involved, prepare a report of their findings and conclusion, and provide the report <sup>{2}</sup>[in writing or in an electronic form] to the complainant within [10] working days after receiving the written complaint.

### The Board: Step Three

If the complainant is dissatisfied with the superintendent's or designee's findings and conclusion, the complainant may appeal the decision to the Board within [five] working days of receiving the superintendent's decision. The Board will review the findings and conclusion of the superintendent in a public meeting to determine what action is appropriate. The Board may use executive session if the subject matter qualifies under Oregon law. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, and adopting the superintendent's decision as

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<sup>{1}</sup> {For district information. The district's timeline established by each step of the district's complaint procedure for alleging a violation found in OAR 581-002-0003 must be within 30 days of the submission of the complaint at any step, unless the district and complainant have agreed in writing to a longer time period for that step. However, the district's complaint procedure should not exceed a total of 90 days from the initial filing of the complaint, regardless of the number of steps involved, unless the district and the complainant have agreed in writing to a longer time period. (OAR 581-002-0005)}

<sup>{2}</sup> [If the Board chooses to accept the superintendent's decision as the district's final decision on the complaint, the superintendent's written decision must meet the requirements of OAR 581-022-2370(4)(b).]



the district's final decision. All parties involved, including the school administration, may be asked to attend such hearing for the purposes of making further explanations and clarifying the issues.

If the Board chooses not to hear the complaint, the superintendent's decision in Step Two is final<sup>[3]</sup>.

~~The Board may hold the hearing in executive session if the subject matter qualifies under Oregon law.~~

The complainant shall be informed in writing or in electronic form of the Board's decision within [2030{4}] days from the hearing receipt of the appeal by the Board. The Board's decision will address each allegation in the complaint and contain reasons for the district's decision. The Board's decision will be final.

The timelines may be extended upon written agreement between the district and the complainant.

The district's final decision for a complaint processed under this administrative regulation that alleges a violation of Oregon Administrative rule (OAR) Chapter 581, Division 22 (Division 22 Standards), ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation), will be issued in writing or electronic form. The final decision will address each allegation in the complaint and contain reasons for the district's decision. If the complainant, who is a [student,] parent or guardian of a student attending school in the district or a person that resides in the district, and this complaint is not resolved through the complaint process, the complainant may appeal<sup>5</sup> the district's final decision to the Deputy Superintendent of Public Instruction under Oregon OARs 581-002-0001 – 581-002-0023.

Complaints against the principal should be filed with the superintendent. The superintendent will attempt to resolve the complaint. If the complaint remains unresolved within [10] working days of receipt by the superintendent, the complainant may request to place the complaint on the Board agenda[ at the next regularly scheduled or special Board meeting]. The Board may use executive session if the subject matter qualifies under Oregon law. The Board shall decide, ~~within [20] days,~~ in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within [3+0] days of receipt of the request to place the complaint on the Board agenda. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide, ~~within [20] days,~~ in open session what action, if any, is warranted. The Board may use executive session if the subject matter qualifies under Oregon law. A final written decision regarding the complaint shall be issued by the Board within [3+0] days of receipt of the complaint. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

<sup>3</sup> [If the Board choose to accept the superintendent's decision as the district's final decision on the complaint, the superintendent's written decision must meet the requirements of OAR 581-022-2370(4)(b).]

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<sup>4</sup> { In a complaint process with more than one step, a written decision should be issued within 30 days of the submission of the complaint at any step, unless the district and complainant have agreed in writing to a longer time period for that step. }

<sup>5</sup> An appeal must meet the criteria found in OAR 581-002-0005(1)(a).



Complaints against the Board as a whole or against an individual Board member should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide, ~~within [20] days~~, in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within [3+0] days of receipt of the complaint. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the Board chair may be referred directly to the [district counsel] [Board vice chair] on behalf of the Board. The [district counsel] [Board vice chair] shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide, ~~within [20] days~~, in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within [3+0] days of receipt of the complaint. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

### **[{6}]Charter Schools of which the District Board is a Sponsor**

The appeal of a complaint from a public charter school to be reviewed by the district Board will be presented by the Board chair and reviewed by the Board at a Board meeting. The Board may use executive session if the subject matter qualifies under Oregon law. The Board will review the appeal and make a decision about appropriate action, which may include, but is not limited to, holding a hearing, requesting information, and recognizing the decision reached by the public charter school board. A decision will be reached, ~~within [20] days~~, in open session, unless allowed in executive session. A final written decision regarding the appeal shall be issued by the district Board within [3+0] days of receipt of the complaint. The written decision of the district Board will address each allegation in the complaint and include reasons for the district Board's decision.]

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[{6} If the district Board elects to hear appeals on public charter school complaints for which the district Board has jurisdiction, as decided by statements in the charter agreement, Board policy, or a board resolution, this language is recommended for this administrative regulation to delineate the process.}]

[Name of District]

COMPLAINT FORM

To:  Employee\*  Administrator/Supervisor\*  Superintendent  Board chair  Board vice chair

\* Form available but is not required.

Person Making Complaint \_\_\_\_\_

Phone Number \_\_\_\_\_ Email \_\_\_\_\_

Nature of Complaint \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Who should we talk to and what evidence should we consider? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Suggested solution/resolution/outcome: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Complainant: \_\_\_\_\_ Date: \_\_\_\_\_

.....

Office Use

Disposition of Complaint: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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

cc: District Office

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# Grant School District 3

Code: GDBDAA/GDBDAA  
Adopted: 11/18/20  
Orig. Code: GCBDAAGDBDAA

## COVID-19 Related Leave

When applicable, the district will comply with the provisions of the Families First Coronavirus Response Act (FFCRA) which includes the Emergency Paid Sick Leave Act (EPSLA) and the Emergency Family and Medical Leave Expansion Act (EFMLEA). The district will also comply with the Oregon Bureau of Labor and Industries' (BOLI) temporary rule BLI 4-2020 that amends Oregon Administrative Rule 839-009-0230 for the purpose of taking leave during the statewide public health emergency. This policy and its accompanying administrative regulation will be in effect until each of the above laws have expired.

Employees are eligible for EFMLEA leave if they have been employed for at least 30 days.

EPSLA applies to all employees no matter how long they have been employed or how many hours they have worked.

The district may exclude from the EPSLA and EFMLEA employees who are health care providers, including anyone employed at any post-secondary educational institution offering health care instruction.

The BOLI rule applies to districts with employees who are eligible for leave under the Oregon Family Leave Act.

The district shall post a notice of FFCRA requirements in conspicuous places at district facilities. The district may meet the notice requirement by emailing the notice to employees or posting notice on an internal or external website made available to employees.

The district is prohibited from retaliating against an employee who takes leave or takes actions to enforce the requirements of these acts.

This policy does not affect employee rights or benefits under any other law, collective bargaining agreement, or district policy. The district is not required to pay an employee for unused emergency paid sick time if an employee resigns, retires, or is terminated.

END OF POLICY

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### Legal Reference(s):

[ORS 332.507](#)  
[ORS 342.545](#)  
[ORS 659A.090](#)

[ORS 659A.093](#)  
[ORS 659A.096](#)  
[ORS 659A.099](#)

[ORS 659A.150 - 659A.186](#)  
[OAR 839-009-0200 - 0320](#)

BOLI Temporary Administrative Order BLI 4-2020

Families First Coronavirus Response Act, Public Law No: 116-127, Mar. 18, 2020.

Americans with Disabilities Act, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

Family and Medical Leave Act, 29 U.S.C. §§ 2601-2654 (2018); 5 U.S.C. §§ 6381-6387 (2018); Family and Medical Leave Act, 29 C.F.R. Part 825 (2019).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. § 2000ff-1 (2018).

Escriba v. Foster Poultry Farms, Inc. 743 F.3d 1236 (9<sup>th</sup> Cir. 2014).

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# Grant School District 3

Code: GBN/JBA  
Adopted: 5/09/01  
Revised/Readopted: 3/14/12; 5/09/12; 9/10/14;  
10/17/18; 8/19/20; 11/18/20  
Orig. Code: GBN/JBA

## Sexual Harassment

The district is committed to eliminating sexual harassment. Sexual harassment will not be tolerated in the district. All students, staff members and other persons are entitled to learn and work in an environment that is free of harassment. All staff members, students and third parties are subject to this policy. Any person may report sexual harassment.

The district processes complaints or reports of sexual harassment under Oregon Revised Statute (ORS) 342.700 et. al. and federal Title IX laws found in Title 34 C.F.R. Part 106. Individual complaints may require both of these procedures, and may involve additional complaint procedures.

### General Procedures

When information, a report or complaint regarding sexual harassment is received by the district, the district will review such information, report or complaint to determine which law applies and will follow the appropriate procedures. When the alleged conduct could meet both of the definitions in ORS Chapter 342 and Title IX, both complaint procedures should be processed simultaneously (*see* GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure and GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure). The district may also need to use other complaint procedures when the alleged conduct could meet the definitions for other complaint procedures.

### OREGON DEFINITION AND PROCEDURES

#### Oregon Definition

Sexual harassment of students, staff members or third parties<sup>1</sup> shall include:

1. A demand or request for sexual favors in exchange for benefits;
2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:
  - a. Interferes with a student's educational activity or program;
  - b. Interferes with a school or district staff member's ability to perform their job; or
  - c. Creates an intimidating, offensive or hostile environment.

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<sup>1</sup> "Third party" means a person who is not a student or a school or district staff member and who is: 1) on or immediately adjacent to school grounds or district property; 2) At a school-sponsored activity or program; or 3) Off school grounds or district property if a student or a school or district staff member acts toward the person in a manner that creates a hostile environment for the person while on school or district property, or at a school- or district-sponsored activity.



3. Assault when sexual contact occurs without the student's, staff member's or third party's consent because the student, staff member or third party is under the influence of drugs or alcohol, is unconscious or is pressured through physical force, coercion or explicit or implied threats.

Sexual harassment does not include conduct that is necessary because of a job duty of a school or district staff member or because of a service required to be provided by a contractor, agent, or volunteer, if the conduct is not the product of sexual intent or a person finding another person, or another person's action, offensive because of that other person's sexual orientation or gender identity.

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 sexual behaviors in front of others; or spreading rumors about or rating other students or others as to appearance, sexual activity or performance.

### Oregon Procedures

Reports and complaints of sexual harassment should be made to the following individual(s):

Name	Position	Phone	Email
<u>Bret Uptmor</u>	<u>Superintendent</u>	<u>541-575-1280</u>	<u>uptmorb@grantesd.k12.or.us</u>
<u>Ryan Gerry</u>	<u>H.S. Principal</u>	<u>541-575-1799</u>	<u>gerryr@grantesd.k12.or.us</u>
<u>Darbie Dennison</u>	<u>Elementary Principal</u>	<u>541-575-0454</u>	<u>dennisond@grantesd.k12.or.us</u>

This/These individual(s) is/are responsible for accepting and managing complaints of sexual harassment. Persons wishing to report should contact them using the above information.—This person is also designated as the Title IX Coordinator. See GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure.

### Response

Any staff member who becomes aware of behavior that may violate this policy shall report to a district official. The district official (with coordination involving the reporting staff member when appropriate) will take any action necessary to ensure the:

1. Student is protected and to promote a nonhostile learning environment;
2. Staff member is protected and to promote a nonhostile work environment; or
3. Third party who is subjected to the behavior is protected and to promote a nonhostile environment.

This includes providing resources for support measures to the student, staff member or third party who was subjected to the behavior and taking any actions necessary to remove potential future impact on the student, staff member or third party, but are not retaliatory against the student, staff member or third party being harassed or the person who reported to the district official.

Any student or staff member who feels they are a victim of sexual harassment are encouraged to report their concerns to district officials, this includes officials such as the principal, compliance officer or



superintendent. Students may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate district official.

### **Investigation**

All reports and complaints about behavior that may violate this policy shall be investigated. The district may use, but is not limited to, the following means for investigating incidents of possible harassment:

1. Interviews with those involved;
2. Interviews with witnesses;
3. Review of video surveillance;
4. Review of written communications, including electronic communications;
5. Review of any physical evidence; and
6. Use of third-party investigator.

The district will use a reasonable person standard when determining whether a hostile environment exists. A hostile environment exists if a reasonable person with similar characteristics and under similar circumstances would consider the conduct to be so severe as to create a hostile environment.

The district may take, but is not limited to, the following procedures and remedial action to address and stop sexual harassment:

1. Discipline of staff and students engaging in sexual harassment;
2. Removal of third parties engaged in sexual harassment;
3. Additional supervision in activities;
4. Additional controls for district electronic systems;
5. Trainings and education for staff and students; and
6. Increased notifications regarding district procedures and resources.

When a student or staff member is harassed by a third party, the district will consider the following:

1. Removing that third party's ability to contract or volunteer with the district, or be present on district property;
2. If the third party works for an entity that contracts with the district, communicating with the third party's employer;
3. If the third party is a student of another district or school, communicate information related to the incident to the other district or school;
4. Limiting attendance at district events; and
5. Providing for additional supervision, including law enforcement if necessary, at district events.

## No Retaliation

Retaliation against persons who initiate complaint or otherwise report sexual harassment or who participate in an investigation or other related activities is prohibited. The initiation of a complaint, reporting of behavior, or participation in an investigation, in good faith about behavior that may violate this policy may not adversely affect the:

1. Educational assignments or educational environment of a student or other person initiating the complaint, reporting the behavior, or participating in the investigation; or
2. Any terms or conditions of employment or of work or educational environment of a school or district staff member or other person initiating the complaint, reporting the behavior, or participating in the investigation.

Students who initiate a complaint or otherwise report harassment covered by the policy or who participate in an investigation may not be disciplined for violations of the district's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered because of the report or investigation, unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct.

## Notice

When a person<sup>2</sup> who may have been affected by this policy files a complaint or otherwise reports behavior that may violate the policy, the district shall provide written notification to the following:

1. Each reporting person;
2. If appropriate, any impacted person who is not a reporting person;
3. Each reported person; and
4. Where applicable, a parent or legal guardian of a reporting person, impacted person, or reported person.

The written notification must include<sup>3</sup>:

1. Name and contact information for all person designated by the district to receive complaints;
2. The rights of the person that the notification is going to;
3. Information about the internal complaint processes available through the school or district that the person who filed the complaint may pursue, including the person designated for the school or district for receiving complaints and any timelines.
4. Notice that civil and criminal remedies that are not provided by the school or district may be available to the person through the legal system and that those remedies may be subject to statutes of limitation;

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<sup>2</sup> Student, staff member, or third party, or if applicable, the student or third party's parent. If the person is a minor, the district should consider when to contact the person's parent.

<sup>3</sup> Remember confidentiality laws when providing any information.

5. Information about services available to the student or staff member through the school or district, including any counseling services, nursing services or peer advising;
6. Information about the privacy rights of the person and legally recognized exceptions to those rights for internal complaint processes and services available through the school or district;
7. Information about, and contact information for, services and resources that are available to the person, including but not limited to:
  - a. For the reporting person, state and community-based resources for persons who have experienced sexual harassment; or
  - b. For the reported persons, information about and contact information for state and community-based mental health services.
8. Notice that students who report about possible prohibited conduct and students who participate in an investigation under this policy may not be disciplined for violations of the district's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered as a result of a prohibited conduct report or investigation unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct; and
9. Prohibition of retaliation.

Notification, to the extent allowable under state and federal student confidentiality laws, must be provided when the investigation is initiated and concluded. The notification at the conclusion must include whether a violation of the policy was found to have occurred.

The notice must:

1. Be written in plain language that is easy to understand;
2. Use print that is of a color, size and font that allows the notification to be easily read; and
3. Be made available to students, students' parents, staff members and member of the public at each office, at the district office and on the website of the school or district.

### **Oregon Department of Education (ODE) Support**

The ODE will provide technical assistance and training upon request.

### **FEDERAL DEFINITION AND PROCEDURES**

#### **Federal Definition**

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;

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2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity<sup>4</sup>;
3. "Sexual assault": an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
4. "Dating violence": violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship;
5. "Domestic Violence": felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or
6. "Stalking": engaging in a course of conduct directed at a specific person that would cause a reasonable person fear for the person's own safety or the safety of others, or suffer substantial emotional distress.

This definition only applies to sex discrimination occurring against a person who is a subject of this policy in the United States. A district's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX.

### **Federal Procedures**

The district will adopt and publish grievance procedures that provide for the prompt and equitable resolution of the student and employee complaints alleging any action that would be prohibited by this policy. *See* GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure.

### **Reporting**

Any person may report sexual harassment. This report may be made in person, by mail, by telephone, or by electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. The report can be made at any time.

The Superintendent is designated as the Title IX Coordinator. The Title IX Coordinator will coordinate the district's efforts to comply with its responsibilities related to this AR. The district prominently will display the contact information for the Title IX Coordinator on the district website and in each handbook.

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<sup>4</sup> "Education program or activity" includes locations, events, or circumstances over which the recipient exercised substantial control over both the respondent and the context in which the sexual harassment occurs." (Title 34 C.F.R. § 106.44(a))

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## Response

The district will promptly respond to information, allegations or reports of sexual harassment when there is actual knowledge of such harassment, even if a formal complaint has not been filed.<sup>5</sup> The district shall treat complainants and respondents equitably by providing supportive measures<sup>6</sup> to the complainant and by following a grievance procedure<sup>7</sup> prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes, with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.<sup>8</sup>

If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place.<sup>9</sup> The district must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. A non-student employee may also be placed on non-disciplinary administrative leave pending the grievance process.

## Notice

The district shall provide notice to all applicants for admission and employment, students, parents or legal guardians, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district of the following:

1. The name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator(s);
2. That the district does not discriminate on the basis of sex in the education program or activity that it operates, as required by Title IX. This includes admissions and employment; and

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<sup>5</sup> (Title 34 C.F.R. §106.44(a)) Response cannot be deliberately indifferent. A recipient is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

<sup>6</sup> (Title 34 C.F.R. § 106.44(a)) Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment.<sup>6</sup> The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures. (Title 34 C.F.R. § 99.30(a))

<sup>7</sup> This grievance procedure must meet the requirements of Title 34 C.F.R. § 106.45 (included in accompanying administrative regulation, *see* GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure).

<sup>8</sup> The Title IX Coordinator may also discuss that the Title IX Coordinator has the ability to file a formal complaint.

<sup>9</sup> The district may still have obligations under Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the American with Disabilities Act (ADA). (Title 34 C.F.R. § 106.44(c))

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3. The grievance procedure and process, how to file a formal complaint of sex discrimination or sexual harassment, and how the district will respond.

### **No Retaliation**

Neither the district or any person may retaliate<sup>10</sup> against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. The district must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act (FERPA), as required by law, or to carry out the proceedings herein. Complaints of retaliation may be filed using these procedures.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation.

### **Publication**

This policy shall be made available to students, parents of students and staff members. This policy shall be prominently published in the district student handbook and on the district website. This policy shall also be made available at each school office and at the district office. The district shall post this policy on a sign in all grade 6 through 12 schools, on a sign that is at least 8.5 inches by 11 inches in size. A copy of the policy will be made available to any person upon request.

END OF POLICY

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

[ORS 243.706](#)  
[ORS 332.107](#)  
[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 (2018).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

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

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

AC - Nondiscrimination

ACB - All Students Belong

GBNA - Hazing/Harassment/Intimidation/Bullying/Menacing - Staff

JBA/GBN - Sexual Harassment

JFCF - Hazing, Harassment, Intimidation, Bullying, Menacing Cyberbullying, Teen Dating Violence, or Domestic Violence – Student

JHFE - Reporting of Suspected Abuse of a Child

JHFF - Reporting Requirements Regarding Sexual Conduct with Students

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<sup>10</sup> Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

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# 2023-24 Grant Union Coaching Roster

Volleyball	Football	Cross Country	Soccer	Dance	Boys Basketball	Girls Basketball
Mariah Moulton Andrea Combs Marissa Smith Mandie McQuown Jessica Sodorff	AJ McQuown Elijah Humbird Mitch Wilson Zane Rookstool Taylor Schmadeka Jayson McQuown Ty Baker	Sonna Smith Levanna James	Heather Bailey Jason Murray	Ashleigh Romero	RC Huerta Jesse Gosnell Taylor Schmadeka Jayson McQuown Amanda Gibbs	Jason Miller Mariah Moulton Jayson McQuown

Boys Wrestling	Girls Wrestling	Baseball	Softball	Golf	Track and Field
Tye Parsons Trevor Knowles Andrew Copenhaver	Andy Lusco Trinity Morris Angie Lusco Trevor Knowles Andrew Copenhaver	RC Huerta AJ McQuown Dustin Wilson Trey Thompson	Zach Williams Levi Watterson Amy Hunt	Ron Lundbom	Sonna Smith Buzz Gilmore Angie Lusco Trinity Morris Sophia Morris Marci Judd Jesse Gosnell

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