Clatskanie School District 6J

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The following symbol is used on some policies:

** As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005(4) and 125.300-125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.

Clatskanie School District 6J

Code: AC
Adopted: 1/09/23
Orig. Code: AC

Nondiscrimination

Good

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

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

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

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

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

END OF POLICY

Legal Reference(s):

ORS 174.100 ORS 192.630 ORS 326.051(1)(e)

[1] Includes discriminatory use of a Native American mascot pursuant to OAR 581-021-0047. Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001 (as amended by House Bill 2935 (2021)).

ORS 408.230
ORS 659.805
ORS 659.815
ORS 659.850 - 659.860
ORS 659.865
ORS 659A.001
ORS 659A.003
ORS 659A.006
ORS 659A.009
ORS 659A.029
ORS 659A.030
ORS 659A.040
ORS 659A.103 - 659A.145
ORS 659A.230 - 659A.233
ORS 659A.236
ORS 659A.309
ORS 659A.321
ORS 659A.409
OAR 581-002-0001 – 002-0005
OAR 581-021-0045
OAR 581-021-0046
OAR 581-021-0047
OAR 581-022-2310
OAR 581-022-2370
OAR 839-003

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-633 (2018); 29 C.F.R Part 1626 (2019).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12112 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).
Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2018).
Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2018); 34 C.F.R. Part 104 (2019).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018); 29 C.F.R. § 1601 (2019).
Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).
Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (2018).
Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (2018); 29 C.F.R. Part 1635 (2019).
House Bill 2935 (2021).
House Bill 3041 (2021).

Corrected 11/16/23

Clatskanie School District 6J

Code: **AC-AR**
Revised/Reviewed: 1/09/22
Orig. Code: AC-AR

Discrimination Complaint Procedure

Any person, including students, staff, visitors and third parties, may file a complaint.

Complaints regarding discrimination or harassment, on any basis protected by law, shall be processed in accordance with the following procedures:

Step 1: Complaints may be oral or in writing and must be filed with the principal. Any staff member that receives an oral or written complaint shall report the complaint to the principal, who shall investigate and determine the action to be taken, if any~~,~~. ~~and~~ The principal will reply, in writing, to the complainant within 10 school days of receipt of the complaint.

Step 2: If the complainant wishes to appeal the decision of the principal, the complainant may submit a written appeal to the superintendent or designee within five school days after receipt of the principal's response to the complaint. The superintendent or designee shall review the principal's decision and may meet with all parties involved. The superintendent or designee will review the merits of the complaint and the principal's decision. The superintendent or designee will respond~~,~~ in writing~~,~~ to the complainant within 10 school days.

Step 3: If the complainant is not satisfied with the decision of the superintendent or designee, a written appeal may be filed with the Board within five school days of receipt of the superintendent's or designee's response to Step 2. The Board may decide to hear or deny the request for appeal at a Board meeting. If the Board decides to hear the appeal, the Board may meet with the concerned parties and their representative at the next regular or special Board meeting. The Board's decision will be final and will address each allegation in the complaint and contain reasons for the Board's decision. A copy of the Board's final decision shall be sent to the complainant in writing or electronic form within 30~~10~~ days of receipt of the appeal by the Board~~this meeting~~.

If the principal is the subject of the complaint, the individual may start at Step 2 and should file a complaint with the superintendent.

If the superintendent is the subject of the complaint, the complaint may start at Step 3 and should be referred to the Board chair. The Board may refer the investigation to a third party.

Complaints against the Board as a whole or against an individual Board member, may start at Step 3 and should be submitted to the Board chair and may be referred to district counsel. Complaints against the Board chair may start at Step 3 and be referred directly to the Board vice chair.

The timelines established in each step of this procedure may be extended upon mutual consent of the district and the complainant in writing, but will not be longer than 30 days from the date of the submission of the complaint at any step. The overall timeline of this complaint procedure may be extended beyond 90 days from the initial filing of the complaint upon written mutual consent of the district and the complainant.

The complainant, if a person who resides in the district, a parent or guardian of a student who attends school in the district or is a student, ~~and~~ is not satisfied after exhausting local complaint procedures, the district fails to render a written decision within 30 days of submission of the complaint at any step or fails to resolve the complaint within 90 days of the initial~~initialing~~ filing of the complaint, may appeal[1] the district's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023.

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

~~The district Board, through this administrative regulation, will review an appeal of a decision reached by the Board on a complaint alleging violation of Oregon Revised Statute (ORS) 659.850 or Oregon Administrative Rule (OAR) 581-021-0045 or 581-021-0046 (Discrimination). A complainant may appeal will submit such appeal to the superintendent 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 this district Board may be appealed to the Oregon Department of Education under OAR 581-002-0001 - 581-002-0023.~~

[1] An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

Discrimination Complaint Form

Any person, including students, staff, visitors and third parties, may file a complaint.

_____

Name of Person Filing Complaint Date School or Activity

Student/Parent ☐ Employee ☐ Job applicant ☐ Other ☐ _____

Type of discrimination:

☐ Race
☐ Color
☐ Religion
☐ Sex
☐ National or ethnic origin
☐ Gender identity
☐ Mental or physical disability
☐ Marital status
☐ Familial status
☐ Economic status
☐ Veterans' status
☐ Age
☐ Sexual orientation
☐ Pregnancy
☐ Discriminatory use of a Native American mascot
☐ Other _____

Specific complaint: (Please provide detailed information including names, dates, places, activities and results of the discussion.)

_____
_____
_____
_____
_____

Who should we talk to and what evidence should we consider? _____

_____
_____
_____
_____
_____

Suggested solution/resolution/outcome: _____

_____
_____
_____
_____
_____

This complaint form should be mailed or submitted to the principal.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights. Direct complaints related to employment may be filed with the Oregon Bureau of Labor and Industries, Civil Rights Division, or the U.S. Department of Labor, Equal Employment Opportunities Commission.

Corrected 11/16/23

Clatskanie School District 6J

Code: ACA
Adopted: 4/22/13
Orig. Code: ACA

Americans with Disabilities Act

The district, in compliance with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendment Act of 2008 (ADA), is committed to maintaining employment practices, services, programs and activities that provide equity to qualified individuals with disabilities.

The district will provide reasonable accommodations for the known disabilities of all applicants ~~for positions~~ and current employees in all employment application procedures; hiring, advancement or discharge; employee compensation; job training; other terms, conditions and privileges of employment upon request and ~~with appropriate~~ advance notice.

A reasonable accommodation~~Reasonable accommodations provided~~ must not present an undue hardship for the district,~~; must not~~ be unduly costly, extensive or disruptive; nor present a direct threat to the health or~~and~~ safety of the individual or others in the workplace.

District~~All district~~ services, programs and activities will be accessible and usable by qualified individuals with disabilities~~disabled persons~~, consistent with Section 504 of the ~~federal~~ Rehabilitation Act of 1973 and the ADA. Accessibility may be achieved through nonstructural as well as structural methods.

In order to achieve equal access, the district will make available appropriate auxiliary aids and services that promote effective communications. Primary consideration will be given to the request of individuals with disabilities in the selection of appropriate aids and services. Final determination will be made by the Board. Auxiliary aids and services determinations will be based on availability, effectiveness and financial or administrative burden to the district.

The~~In its efforts to ensure equal access to disabled persons, the~~ Board directs the superintendent to develop and implement an appropriate plan that provides for district compliance with the ~~American with Disabilities Act~~ ADA, including the appointment of an ADA compliance officer and the establishment of a process for the investigation and prompt and equitable resolution of any complaint regarding noncompliance.

Retaliation is prohibited against anyone who files a complaint of discrimination, participates in an Office of Federal Contract Compliance Program proceeding or otherwise opposes discrimination under federal or state laws.

END OF POLICY

Legal Reference(s):

Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794 (2010).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2010).
Chevron U.S.A. Inc. v. Echazabal, 536 U.S. 73 (2002).
Americans with Disabilities Act Amendments Act of 2008.

Clatskanie School District 6J

Code: ACA-AR(1)
Revised/Reviewed:

Americans with Disabilities Act

In compliance with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA), the following procedures shall be followed:

Compliance Officer

1. The superintendent shall be designated as the district's ADA compliance officer. The compliance officer will:

    a. Coordinate the district's ADA responsibilities and compliance efforts;
    b. Make available to all interested individuals the name, office address and telephone number of the district ADA compliance officer;
    c. Investigate any complaint alleging noncompliance or actions prohibited under the ADA;
    d. Administer the district's ADA grievance procedure to provide for the prompt investigation and equitable resolution of complaints.

Self Evaluation

2. A self-evaluation study[1] shall be completed by the district to include:

    a. An evaluation of all current Board policies and practices to ensure district compliance with the requirements of the ADA;
    b. A description of areas examined and identification of any barriers to accessibility and usability by qualified individuals with disabilities;
    c. An opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities to participate in the self-evaluation study by submitting comments;
    d. A plan(s) for the removal of any identified barrier and/or modification of Board policies and practices necessary to ensure ADA compliance;
    e. A description of any modification made.

Self-evaluation records will be maintained and available for public inspection at the district office. The records will include a list of interested persons consulted, a description of the areas examined and the problems identified and a description of any modifications made.

PROPOSED

[1] If self-evaluation and/or transition plan requirements of Section 504 of the Rehabilitation Act of 1973 have been completed, these requirements apply only to the employment practices, services, programs and activities not included in the previous self-evaluation and/or transition plan. It is recommended that districts review their self-evaluation study and transition plan periodically for progress and continue to maintain and make available each document to interested individuals, organizations or agencies for verification purposes, as needed.

Transition Plan

3. A transition plan[1] shall be developed by the district to address any structural changes required to achieve employment practices, services, programs and activities; the accessibility to include:

   a. An opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities to participate in the development of the transition plan by submitting comments;
   b. An identification of physical obstacles in facilities that limit accessibility to individuals with disabilities;
   c. A description in detail of the methods that will be used in removing barriers and making facilities accessible and/or steps and schedule necessary to complete the identified changes;
   d. An identification of the official responsible for implementation of the plan;
   e. An identification of steps that will be taken during each year of the transition period if longer than one year.

Services, Programs, Activities Accessibility

4. All district services, programs and activities shall be readily accessible to and usable by individuals with disabilities. In order to achieve accessibility, structural and nonstructural methods such as the acquisition or redesign of equipment, assignment of aides to beneficiaries and the provision of services at alternate accessible sites will be considered. Final decision of an appropriate method of providing program accessibility will be determined by the district in accordance with the provisions of the ADA:

   a. Physical changes to an existing building, acquisition or construction of additional facilities will be required only when there is no other feasible way to make the services, programs or activities accessible;
   b. Priority will be given to the method that results in the most integrated setting to encourage interaction among all users of the services, programs or activities, including individuals with disabilities;
   c. No action will be taken that would fundamentally alter the services, programs or activities or result in undue financial or administrative burden to the district. Any such determination will take place as follows:

      (1) The decision will be made by the superintendent or designee;
      (2) All resources available for use in the funding and operation of the services, programs or activities will be considered;
      (3) A written statement of the reasons for reaching such decision will be maintained on file;
      (4) The district will take other action appropriate to ensure that individuals with disabilities receive the benefits of such services, programs and activities that would not result in such alteration or burden as determined by the district.

PROPOSED

Job Descriptions

5. Job descriptions shall be maintained and provided in oral, written and/or videorecorded form, reviewed and revised annually as needed to include:

   a. All essential job functions. "Essential job functions" are those job duties that include, but are not limited to, the following:

      (1) The function is essential because the reason the position exists is to perform that function;
      (2) The function is essential because of the limited number of employees available among whom the performance of that job function can be distributed;
      (3) The function is so specialized that the incumbent is hired for their expertise or ability to perform the particular function.

   b. Physical, mental and emotional skills for each position as appropriate, and only to the extent such skills are in fact required and in practice;
   c. Vocational and/or educational preparation requirements;
   d. Attendance standards;
   e. A statement that new job descriptions supersede prior descriptions for the position. All past and present job descriptions that do not reflect current requirements of the position are rescinded;
   f. A statement on job descriptions, "I have read this job description and agree with its contents.";
   g. A provision for the current employee's signature and the date the job description was signed.

Job Posting

6. Job postings shall be reviewed to ensure:

   a. All postings contain appropriate notice of the district's responsibilities under the ADA. For example:

      "The Clatskanie School District, in support of employment practices free of barriers to individuals with disabilities and in compliance with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA), provides reasonable accommodations necessary upon request and appropriate notice. For further information or assistance, contact the superintendent at 503-728-0587. Speech/Hearing impaired persons may reach the district through the Oregon Telecommunications Relay Service by dialing 1-800-735-2900 or 711."

   b. All postings eliminate any discriminatory references;
   c. All job advertisements provide, in addition to a telephone number to which applicants may apply for additional information, an address and/or TDD (telecommunications device for the deaf) or Oregon Telecommunication Relay Service phone number for the hearing impaired.

Job Application Forms

7. Job application forms shall be reviewed and revised as appropriate to include:

   a. Notice of the district's responsibilities under the ADA (see job posting notice);

PROPOSED

b. A statement asking applicant whether they require any reasonable accommodation for the hiring process. The hiring process may include, e.g., an interview, a timed written test or job demonstration;
c. A request for applicant to provide documentation verifying the need for a reasonable accommodation, if deemed necessary by the district;
d. The elimination of any health questions such as:

(1) Have you ever had or been treated for any of the following conditions or diseases (followed by a checklist)?
(2) Please list any conditions or diseases for which you have been treated in the past three years.
(3) Have you ever been hospitalized? If so, for what condition?
(4) Have you ever been treated by a psychiatrist or a psychologist? If so, for what condition?
(5) Have you ever been treated for any mental or emotional condition?
(6) Is there any health-related reason that may prevent you from performing the job for which you are applying?
(7) Have you had a major illness in the past five years?
(8) Do you have any physical defects which prevent you from performing certain kinds of work? If yes, describe such defects and specific work limitations.
(9) Do you have any disabilities or impairments which may affect your performance in the position for which you are applying?
(10) Are you taking any prescribed drugs?
(11) Have you ever been treated for drug addiction or alcoholism?
(12) Have you ever filed for workers' compensation benefits or had a work-related injury?

Reasonable Accommodations - General

8. The district will provide reasonable accommodations to qualified individuals with disabilities who are part-time, full-time or probationary employees or applicants for employment, unless to do so would cause undue hardship. Reasonable accommodations include:

a. Modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position the qualified applicant desires; or
b. Modifications or adjustments to the work environment or to the manner or circumstances under which the position held is customarily performed that enable a qualified individual with a disability to perform the essential functions of that position; or
c. Modifications or adjustments that enable an employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by other similarly situated district employees without disabilities.

PROPOSED

Reasonable Accommodations - Requests

9. A qualified individual with a disability should request a reasonable accommodation when they knows there is a workplace barrier that is preventing them, due to a disability, from effectively competing for a position, performing a job or gaining equal access to a benefit of employment. Reasonable accommodation requests will be guided by the following provisions:

   a. To request a reasonable accommodation, an individual may use "plain English" and need not mention the ADA or use the phrase "reasonable accommodation";
   b. A request for a reasonable accommodation may be made on behalf of an individual with a disability by a family member, friend, health-care professional or other representative;
   c. Requests will not be required to be in writing;
   d. When the disability and/or the need for an accommodation is not obvious, the district may request reasonable documentation from a health-care or rehabilitation professional. The documentation requested shall be related to the particular disability for which an accommodation is requested. In requesting documentation, the district will specify what types of information it is seeking regarding the disability, its functional limitations and the need for reasonable accommodation. The district recognizes it may not request an individual's complete medical record;
   e. Documentation shall not be requested when both the disability and the need for the accommodation are obvious or the individual has already provided the district with sufficient information to substantiate that they have an ADA disability and needs the reasonable accommodation requested;
   f. The district may send an individual to a health-care professional of the district's choosing, at district expense, for the purpose of documenting a disability and/or the need for accommodation, only if the individual has provided insufficient information from their treating provider to substantiate that the disability exists or an accommodation is needed.

Job Interview Procedures

10. Job interview procedures shall be reviewed to ensure:

   a. Physical and/or other barriers in the interview setting have been eliminated. The availability of accessible locations and accessible formats, such as a reader, Braille, audio recordings, written materials, sign language and interpreters for individuals with vision and hearing impairments and personal assistance for individuals with manual impairments have been considered as appropriate;
   b. Questions relating to the health of the applicant, the applicant's disabilities and work-related injuries and benefits have been eliminated;
   c. Applicant's previous work history will be ascertained without reference to the applicant's disability. The specifics of prior job functions and the applicant's ability to perform those specific functions may be discussed;
   d. Requirements that an applicant describe or demonstrate how they would perform any or all job functions are required for all applicants in that job category. A particular applicant may be asked to describe or demonstrate how they would perform the job only when the district reasonably believes the applicant will not be able to perform a job function because of a known disability. The applicant's disability would be "known" either because it is obvious or because the applicant has voluntarily disclosed that they have a hidden disability;

PROPOSED

e. Questions related to the applicant's need to leave work to receive treatment or how often leave may be necessary as a result of a disability have been eliminated. Regular work hours, leave policies and attendance requirements may be explained and applicant asked if they will be able to meet those requirements. The district may ask about an applicant's prior attendance record (e.g., "How many days the applicant was absent from their last job?"). The district may also ask questions designed to detect whether an applicant abused their leave (e.g., "How many Mondays or Fridays were you absent last year on leave other than approved vacation leave?"). At the preoffer stage, the district may not ask how many days an applicant was sick;

f. Questions relating to applicant's current illegal use of drugs are not likely to elicit information about an applicant's lawful drug use, unless the district administers a test for illegal use of drugs and the applicant tests positive for illegal drug use. In such cases, the district may validate the test results by asking about lawful drug use or possible explanations for the positive result other than the illegal use of drugs;

g. Questions relating to an applicant's prior illegal drug use are not likely to elicit information about a disability. The district may ask, e.g., whether the applicant has ever used illegal drugs, when was the last time they used illegal drugs or if they have used illegal drugs in the last six months. The district will not ask questions about whether the applicant was a past drug addict. These questions are impermissible at the preoffer stage;

h. Questions relating to an applicant's drinking habits are not likely to elicit information related to how much alcohol an applicant drinks or whether they have participated in an alcohol rehabilitation program. The district may ask, e.g., whether the applicant drinks alcohol or whether they have been arrested for driving under the influence;

i. Questions relating to an applicant's arrest or conviction record have been included;

j. Selection and administration of employment tests will take place in a manner that leads to test results that accurately reflect the skills, aptitudes and whatever factors the tests purport to measure, rather than the impaired sensory, manual or speaking skills of the test subjects. Performance of any nonessential skills during any testing will not be allowed;

k. Physical agility/Physical fitness tests if required, will be specifically job related and administered to all applicants in a job category selected for interviews;

l. Applicant provides medical certification that they can safely perform a physical agility or physical fitness test when required by the district;

m. Applicant assumes responsibility and releases the district of liability for injuries incurred in performing physical agility/physical fitness test required by the district;

n. Applicant requests for reasonable accommodations in testing will be allowed for qualified individuals with a disability:

   (1) Tests or exercises will be postponed as needed so that a reasonable accommodation can be provided;

   (2) Modified tests or exercises will be provided unless such accommodation would change the measurement of the essential job function being tested (i.e., provide reader to assist with written test unless the ability to read is an essential job skill).

o. Drug screening tests, if required, will be administered to **all** applicants in a job category selected for interviews;

p. Preemployment offer medical examinations shall not be conducted.

PROPOSED

Reference Check Procedures

11. Reference check procedures shall be reviewed to ensure:

    a. Reference checks will be conducted on all applicants in a job category who meet the job requirements and are selected for interviews. Careful and complete notes will be taken and maintained. District officials conducting reference checks:

        (1) Before making a conditional offer of employment, may not ask previous employers or other sources about an applicant's:

            (a) Disability;
            (b) Illness;
            (c) Workers' compensation history;
            (d) Other questions that the district itself may not ask of the applicant.

        (2) May ask a previous employer or other sources about the applicant's:

            (a) Job functions and tasks performed;
            (b) The quality and quantity of work performed;
            (c) How the job functions were performed;
            (d) Other job-related issues that do not relate to disability.

Job Offers

12. The process for all job offers shall be reviewed to ensure:

    a. Job offers will be made to the most qualified applicant who with or without a reasonable accommodation can perform the essential functions of the job. The district will adhere to the following job offer procedures:

        (1) After a conditional offer of employment is extended, the district may inquire as to whether the successful applicant will need a reasonable accommodation related to anything connected with the job (i.e., job performance or access to benefits/privileges of the job, etc.). If the district makes such an inquiry, it will consistently seek similar information from all other successful applicants in the same job category;
        (2) The successful applicant will be informed of medical examination and/or medical history requirements after an offer of employment has been made and before the applicant begins their employment duties. All entering employees in the same job category will be subjected to such medical examination and/or medical history requirements. An individual's workers' compensation history will be included in all such medical history inquiries;
        (3) The successful applicant will be informed that the job offer may be contingent upon disability-related questions, medical examination and/or medical history inquiries;
        (4) A completed medical history form and release for medical records with the successful applicant's signature and date may be required;
        (5) Information obtained from medical examinations and/or medical history inquiries may be used for such purposes as:

            (a) The verification of employment history;

PROPOSED

(b) To screen out applicants with a history of fraudulent workers' compensation claims;
(c) To provide information to state officials as required by state laws regulating workers' compensation and "second injury" funds;
(d) To screen out individuals who would pose a direct threat to the health and safety of self or others in the workplace which could not be reduced to an acceptable level or eliminated by a reasonable accommodation.

(6) Reasonable accommodations will be provided if the medical examination or medical history inquiry discloses the successful applicant is a qualified individual with a disability as defined by the ADA. Reasonable accommodations will be provided by the district if such accommodation would enable the individual with a disability to perform the essential functions of the job or otherwise meet eligibility requirements. The reasonable accommodation will be established by the district. In determining the appropriate reasonable accommodation the district will:

(a) Determine the essential functions of the job;
(b) Consult with the individual who has the disability to determine their precise limitations and how they may be overcome;
(c) Identify, with assistance of the individual with the disability, potential reasonable accommodations and assess their effectiveness;
(d) Consider the preference of the individual with the disability, and then implement the reasonable accommodation that is most appropriate for the employee and the employer. (In order to be reasonable, an accommodation must be effective. It is not required that the best accommodation be selected as long as the selected accommodation provides an equal opportunity to perform the job.).

(7) Reasonable accommodations considered may include:

(a) Job restructuring;
(b) Modified work schedules;
(c) Job reassignment;
(d) Making existing facilities used by employees accessible to and usable by individuals with disabilities;
(e) Acquisitions and/or modification of work policies including:

(i) Modification of leave or attendance procedures or other such policies related to working conditions (i.e., modification of a policy prohibiting employees from eating or drinking for an employee with insulin-dependent diabetes, etc.);
(ii) Qualified interpreters, note takers, transcription services, written materials, telephone handset amplifiers, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunications devices for deaf persons (TDD's), videotext displays or other effective methods of making aurally delivered materials available to individuals with hearing impairments;
(iii) Qualified readers, taped texts, audio recordings, Braille materials, large print materials or other effective methods of making visually delivered materials available to individuals with visual impairments;

PROPOSED

(iv) Acquisition or modification of equipment or devices;
(v) Other similar services and actions for individuals with hearing, visual and/or manual impairments.

(8) A determination will be made whether an accommodation is reasonable or an undue burden by considering:

(a) Nature and cost of accommodation;
(b) Overall financial resources of facility;
(c) Number of persons employed;
(d) Impact on operation of facility;
(e) Effect on expenses and resources;
(f) Type of operation. Composition and functions of workforce. Geographic separation, fiscal or administrative relationship of facilities.

(9) The successful applicant who has been offered employment contingent on medical examination results and/or medical history inquiries will be rejected if the medical condition poses a direct threat to the health or safety of others in the workplace. The district shall consider whether the risk can be eliminated or reduced by a reasonable accommodation by considering the following:

(a) The nature and severity of the potential harm to applicant or others in the workplace;
(b) The likelihood that the potential harm will occur;
(c) Specific risk is identified and documented;
(d) Risk is current and not speculative or remote;
(e) Assessment of risk is based on objective medical or factual evidence;
(f) Medical condition is a direct threat.

(10) Should an offer of employment be withdrawn because of medical examination or medical history inquiry results, the exclusionary criteria must be job related and consistent with business necessity;
(11) Documentation will also include any determination that no reasonable accommodation was available that would enable the individual to perform the essential job functions or that accommodation would impose an undue hardship on the district;
(12) Medical information will be kept confidential:

(a) Medical information must not be maintained in personnel file;
(b) Medical information will be released only to those with "need to know" and/or "need to reach in emergency situations" (i.e., immediate supervisors, etc.);
(c) Medical information records will be maintained a minimum of one year.

Public Notice, Communications

13. Notice of the district's compliance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA) shall be displayed at each district facility and provided, as necessary, in appropriate accessible formats to applicants, participants, beneficiaries, professional organizations and other interested persons to include:

PROPOSED

a. Pertinent provisions, duties and requirements of the ADA and its applicability to the district's employment practices, services, programs and activities, including the duty to reasonably accommodate upon request and with advance notice. In its effort to provide communications with individuals with disabilities that are as effective as communications with others, the district will also provide the following:

(1) Individual to contact for services or questions, including office location and phone number;
(2) Notice of Equal Employment Opportunity Commission (EEOC) requirements displayed in conspicuous places for all job applicants and employees;
(3) Signage displayed at all inaccessible entrances to each of the district's facilities directing users to accessible entrances or to location at which information can be obtained about accessible facilities;
(4) Signage displayed at all accessible entrances to the district's facilities. The international symbol for accessibility shall be used;
(5) Appropriate auxiliary aids and services that may include:

(a) Qualified interpreters, note takers, computer-aided transcription services, written materials, telephone handset amplifiers, assistive listening systems, telephones compatible with hearing aids, telecommunications devices for deaf persons (TDD's), videotext displays and/or exchange of written notes for individuals with hearing impairments;
(b) TDD's, computer terminals and/or communications boards for individuals with speech impairments;
(c) Qualified readers, taped texts, audio recordings, Braille materials, large print materials and assistance in locating items for individuals with vision impairments;
(d) Telephone accessibility to enable individuals to seek immediate assistance from police, fire, ambulance and other emergency services;
(e) Other equally effective communications devices, services and actions.

(6) Consultation with the individual with a disability to determine the most appropriate auxiliary aid or service. Priority will be given to the auxiliary aid or service that results in the most integrated setting to encourage interaction among all users, including those with disabilities. Primary consideration will be given to the expressed request of the individual with a disability. The district may select an alternative auxiliary aid or service should it determine that another equally effective means of communication is available or that the means chosen by the individual with a disability would result in a fundamental alteration in the services, programs or activities or in undue financial and administrative burden to the district;
(7) Training to employees as needed on the acceptance and handling of telephone relay services for individuals with disabilities;
(8) Information to employees through different means, including computers, bulletin boards, mailboxes, posters and public address systems. The district will ensure that employees with disabilities have access to information that is provided to other similarly situated employees without disabilities, regardless of whether they need such information to perform their jobs.

PROPOSED

New Construction/Alterations

14. All facilities designed, constructed or altered after January 26, 1992 shall be readily accessible and usable by individuals with disabilities. The district will ensure:

    a. Alterations to existing facilities will take place in a manner that results in the altered portion of the facility being readily accessible to persons with disabilities. Alterations must not decrease accessibility;
    b. Alterations deemed necessary to the path of travel in existing facilities requiring extensive restructuring or burdensome expense will be made in a timely fashion. Priority will be given to the following (in order):

        (1) Entrances and routes to the altered area;
        (2) One accessible restroom;
        (3) Accessible drinking fountains;
        (4) Additional, accessible parking.

    c. Appropriate requirements of either the Uniform Federal Accessibility Standards (UFAS) or Americans with Disabilities Act Accessibility Guidelines (ADAAG) will be met, including accessibility requirements related to work areas, parking, signs, entrances, water fountains, storage and shelves, telephones, assembly areas, bathrooms, detectable warnings, carpet and carpet tile, curb ramps and visual alarms.

Posthires/Current Employees

15. All posthire and current employee Board policies and practices shall be reviewed to ensure:

    a. Medical examinations and/or medical history inquiries required by the district will be job related and consistent with business necessity. This will not prohibit the district from requiring proof of illness to substantiate a request for sick leave. Medical examinations and/or medical history inquiries may be administered by the district when:

        (1) An employee is having difficulty performing their job effectively. The medical examination may be necessary to determine if the employee can perform essential job functions with or without a reasonable accommodation;
        (2) An employee becomes disabled. An employee injured on or off the job, who becomes ill or otherwise suffers any other condition that meets the requirements of a disability as defined by the ADA is protected by the Act if they can perform the essential functions of the job with or without a reasonable accommodation. Such an examination or inquiry may also be required when the employee wishes to return to work after an illness or injury. The district will:

            (a) Determine if the employee meets the ADA definition of an individual with a disability if a reasonable accommodation has been requested;
            (b) Determine if the employee can perform the essential functions of the job currently held (or held before the injury or illness), with or without reasonable accommodation, and without posing a direct threat to the health or safety of others which could not be reduced or eliminated by a reasonable accommodation;

PROPOSED

(c) Identify an effective accommodation that would enable the employee to perform the essential job functions in the current (previous) job or in a vacant job for which the person is qualified with or without a reasonable accommodation.

(3) An employee requests a reasonable accommodation on the basis of disability;
(4) Administered as part of a voluntary employee "wellness" and health screening program.

b. Procedures for reporting and investigating employee on-the-job injury or illness will be implemented. The district will:

(1) Require employees complete workers' compensation form;
(2) Investigate, as necessary, documenting circumstances that led to injury and review all employee work-related injury or illness on a case-by-case basis.

c. Procedures for communicating with health-care providers regarding employees off-work due to any injury or illness will be implemented. The district, as necessary, and at its discretion will:

(1) Provide health-care provider with detailed description of regular job activities, physical movement, duration of physical exertions and job description;
(2) Write detailed questions for the health-care provider to answer that may assist the district in determining any reasonable accommodation that may be necessary;
(3) Ask for employee written release authorizing district representative to consult with the employee's own health-care provider.

d. Procedures for employees not able to perform essential job functions completely after illness or injury will be implemented. The district will:

(1) Determine whether temporary light duty assignment is possible. In accordance with the ADA, the district is not required to create a "light duty" position unless the "heavy duty" tasks an injured employee can no longer perform are marginal job functions which may be reallocated to co-workers as part of a reasonable accommodation;
(2) Determine whether job can be restructured, shifting or trading duties with other workers. Job restructuring as a reasonable accommodation may involve reallocating or redistributing the marginal functions of the job, altering when and/or how an essential or marginal function is performed. Marginal functions of a job that cannot be performed by an individual with a disability may be exchanged for marginal job functions performed by one or more other employees. The district is not required to reallocate essential functions of a job as a reasonable accommodation. The district may switch the marginal functions of two or more employees in order to restructure a job as a reasonable accommodation;
(3) Determine whether a modified or part-time work schedule may be selected as a reasonable accommodation unless modifications would cause an undue hardship. A modified schedule may involve adjusting arrival or departure times, providing periodic breaks, altering the time when certain functions are performed, allowing the employee to use accrued paid leave or providing additional unpaid leave. If modifying an employee's work schedule poses an undue hardship, the district shall consider reassignment to a vacant position that would enable the employee to work the hours requested. Requests for modified or part-time work schedules for an employee covered under both the ADA and Oregon Family Leave Act (OFLA) or Family Medical Leave Act (FMLA) will be

considered separately. The district will determine the employee's rights under each statute to determine the appropriate actions to take;

(4) Determine whether reassignment to a vacant position is possible. "Vacant" means that the position is available after the employee asks for a reasonable accommodation or that the district knows that it will become available within a reasonable amount of time. Reassignment is the reasonable accommodation of last resort and required only after it has been determined that there are no effective accommodations that will enable the employee to perform the essential functions of their current position or all other reasonable accommodations would impose undue hardship.

(a) The employee must be qualified for the position — satisfy the requisite skill, experience, education and other job-related requirements of the position — but need not be the best qualified person to fill the position.
(b) The employee must be able to perform the essential functions of the position with or without a reasonable accommodation.
(c) The district is not required to bump an employee from a job in order to create a vacancy, nor does it have to create a new position.

(5) Gather information from employee, health-care provider(s), consultants, etc. as to needed modifications in policies, facilities, equipment, special aids and services that may be provided as a reasonable accommodation;
(6) Document all district efforts to provide reasonable accommodations.

e. Qualified individuals with a disability not fully recovered from injury will not be returned to work when:

(1) The employee cannot perform the essential functions of the job they hold or desires with or without a reasonable accommodation;
(2) The return of the employee to work would pose a significant risk of substantial harm to self or others in the workplace and that could not be reduced to an acceptable level with a reasonable accommodation;
(3) The return of the employee to a light duty position involves a totally different job from the job that the employee performed before the injury. A vacant light duty position already available for which an injured employee is qualified may be a reasonable accommodation;
(4) It is demonstrated that the accommodation will cause an undue hardship or result in excessive financial and administrative burden as defined by the ADA, and as evidenced by the district.

f. Unpaid leaves will be provided to qualified individuals with a disability when a reasonable accommodation cannot be made in the employee's current job. The district will comply with all workers' compensation reinstatement rights to available and suitable employment;
g. Leave of absence or attendance policies will not discriminate against qualified individuals with disabilities. (Uniformly applied leave policies are not subject to challenge because they have a more severe effect on individuals due to their disability. "No leave" policies, such as those forbidding leave during the first six months of employment are also not subject to challenge because they may have a more severe impact upon individuals with disabilities. An employer with a "no-leave" policy, however, may have to consider providing leave as a reasonable accommodation unless doing so would impose an undue hardship on its operation.) The

PROPOSED

district will not provide additional paid leave, but accommodations may include leave flexibility and unpaid leave;

h. Drug and alcohol policies will meet the requirements of the ADA. Policies will state:

(1) Illegal use of drugs and the use of alcohol at the workplace is prohibited by all employees;
(2) Employees will be required to behave in conformance with the requirements of the Drug-Free Workplace Act of 1988;
(3) Employees who engage in the illegal use of drugs or alcohol will be held to the same qualification standards for employment or job performance and behavior to which all other employees are held, even if unsatisfactory performance or behavior is related to employee's drug use or alcoholism;
(4) Employees taking drugs under the supervision of licensed health-care professionals will be protected by the provisions of the ADA;
(5) Employees who are no longer illegally using drugs and who have been either rehabilitated successfully or are in the process of completing a rehabilitation program will be protected by the provisions of the ADA (i.e., in-patient or out-patient programs, employee assistance programs, professionally recognized self-help programs, such as Narcotics Anonymous, or other programs that provide professional assistance and counseling for individuals).

i. Health, life insurance, pension plans and other benefit plans offered by the district will not discriminate against qualified individuals with a disability (The ADA does not affect preexisting condition clauses in health insurance plans as long as the clauses are not used as a means to avoid complying with the ADA, and such clauses do not require that additional coverage be purchased to cover expenses related to a disability.). Employees will not be denied coverage for illness or injuries unrelated to the preexisting condition;

j. Contractual or other business arrangements and relationships entered into by the district will not discriminate against qualified individuals with a disability. The district will:

(1) Not do indirectly what it is prohibited by the ADA from doing directly;
(2) Provide reasonable accommodations to enable access by employees with disabilities to training programs provided by the district and/or third parties, on district premises or elsewhere;
(3) Specify in contracts with outside entities providing training on behalf of the district, who have responsibility to fulfill the obligations of providing reasonable accommodations, as needed.

Corrected 11/16/23

PROPOSED

Clatskanie School District 6J

Code: **ACA-AR(2)**
Revised/Reviewed: 4/01/13
Orig. Code(s): ACA-AR

ADA Grievance Procedure

Good
The compliance officer is responsible for coordinating the district's efforts to comply with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA). The compliance officer shall be a neutral party having had no involvement in the complaint presented.

Step 1 Any complaint shall be presented in writing to the compliance officer within 180 days from date of alleged discrimination. It must include the following:

a. Name and address of the individual or the representative filing the complaint;
b. Description of the alleged discriminatory action in sufficient detail to inform the district of the nature and date of the alleged violation;
c. Signature by the complainant or by someone authorized to do so on their~~his/her~~ behalf;
d. Identification (by name, if possible) of the alleged victims of the discrimination for any complaint filed on behalf of classes or third parties.

Step 2 The compliance officer shall thoroughly investigate the complaint, notify the person who has been accused of discriminating, permit a response to the allegation and arrange a meeting to discuss the complaint with all concerned parties within 10 working days after receipt of the written complaint, if deemed necessary. The compliance officer shall give a written answer to the complainant within 15 working days after receipt of the written complaint.

Step 3 If the complainant is not satisfied with the answer of the compliance officer, they~~he/she~~ may submit a written appeal to the superintendent or designee indicating with particularity the nature of disagreement with the answer and reason underlying such disagreement. Such appeal must be filed within 10 working days after receipt of the compliance officer's answer. The superintendent or designee shall arrange a meeting with the complainant and other affected parties, if requested by the complainant, at a mutually agreeable time to discuss the appeal.

The superintendent or designee shall give a written answer to the complainant's appeal within 10 working days.

Step 4 If the complainant is not satisfied with the answer, an appeal to the Board may be filed within 10 working days after receipt of the Step 3 answer. The Board shall, within 20 working days, conduct a hearing at which the complainant shall be given an opportunity to present the complaint. The Board shall give a written answer to the complainant within 10 working days following completion of the hearing.

Step 5 If the complainant is not satisfied with the decision of the Board, a complaint may be filed with the Coordination and Review Section, Civil Rights Division, U.S. Department of Justice (student complaints) or the U.S. Department of Labor,

Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries (employment complaints).

Individuals may initiate complaint procedures and/or civil actions with or without first complying with local complaint procedures.

Corrected 11/16/23

Clatskanie School District 6J

Code: ACB
Adopted: 5/09/22
Orig. Code: ACB

Every Student Belongs

Good

The Clatskanie School District (CSD) Board of Directors firmly believes that being inclusive and eliminating inequities, discrimination, and institutional bias will increase achievement and graduation rates for our students while closing achievement and opportunity gaps. We are committed to providing an environment where dreams and goals are nurtured, history and cultural heritage are celebrated, love of learning is fostered, and educational, physical, emotional, and social needs are met; while ensuring each student develops the skills and knowledge needed to pursue a productive and fulfilling life amidst a diverse and evolving global society. We recognize the responsibility for excellence, diversity and inclusion lies with each of us.

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

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

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

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

"Symbol of hate" means nooses[1], symbols of neo-Nazi ideology or the battle flag of the Confederacy. The district prohibits the use or display of any symbols of hate on school property[2] or in an education program[3] except where used in teaching curriculum that is aligned with state standards of education for public schools.

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

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

[2] "School property" means any property under the control of the district.

[3] "Education program" includes any program, service, school or activity sponsored by the district.

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

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

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

END OF POLICY

Legal Reference(s):

ORS 174.100
ORS 339.347
ORS 659.850
ORS 659.852
OAR 581-002-0005
OAR 581-022-2312
OAR 581-022-2370

Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969).
Dariano v. Morgan Hill Unified Sch. Dist., 767 F.3d 764 (9th Cir. 2014).
State v. Robertson, 293 Or. 402 (1982).

Corrected 11/16/23

Clatskanie School District 6J

Code: ACB-AR
Adopted: 5/09/22

Bias Incident Complaint Procedure

The terms "bias incident" and "symbols of hate" are defined in policy. Persons impacted by a bias incident or display of a symbol of hate shall be defined broadly to include persons directly targeted by an act, as well as the community of students as a whole who are likely to be impacted by the act.[1]

Step 1: When a staff member learns of a potential bias incident or display of a symbol of hate, the staff member will prioritize the safety and well-being of all persons impacted ~~and~~ promptly, and without unreasonable delay, report the incident to the building or program administrator.

Step 2: The administrator or designee shall acknowledge receipt of the complaint, reduce the complaint to writing, and investigate any complaint of a bias incident. Responding staff will recognize the experience of all persons impacted, acknowledge the impact, commit to taking immediate action, and commit to preventing further harm against those persons impacted from taking place. Educational components and redirection procedures, if any, will:

- Address the history and impact of bias and hate;
- Advance the safety and healing of those impacted by bias and hate;
- Promote accountability and transformation for people who cause harm; and
- Promote transformation of the conditions that perpetuated the harm.

The administrator or designee must consider whether the behavior implicates other district policies or civil rights laws, and if so, respond accordingly[2].

The administrator or designee will make a decision within 10 school days of receiving the complaint.

All persons impacted by the act will be provided with information[3] relating to the investigation and outcome of the investigation, including:

- Notice that an investigation has been initiated;
- Notice when an investigation has been completed;
- Findings of the investigation and the final determination based on those findings;
- Actions taken to remedy a person's behavior and prevent reoccurrence; and

[1] The term "complainant" in this administrative regulation includes persons filing formal complaints and persons reporting bias incidents, regardless of whether the complainant is a victim. Similarly, the term "complaint" includes any report, information or complaint.

[2] The nature of the behavior or act must determine the process used to respond; what rights and protections are available to the person(s) impacted by the behavior or act; and an individual's right to appeal to the Oregon Department of Education or the U.S. Department of Education.

[3] For additional information regarding required notices, see OAR 581-022-2312(4)(e)(E).

When applicable, the legal citation of any law prohibiting disclosure of any information described above, and an explanation of how that law applies to the current situation.

Step 3: If complainant or a respondent wishes to appeal the decision of the administrator or designee, the complainant or respondent may submit a written appeal to the superintendent within five school days after receipt of the administrator or designee's response to the complaint.

The superintendent or designee shall acknowledge receipt of the appeal and may meet with all parties involved. The superintendent or designee will review the merits of the complaint and the administrator or designee's decision. The superintendent or designee will respond in writing to the complainant within 10 school days.

The superintendent or designee will ensure that the requirements in Steps 1 and 2 (redirection procedures, notice, etc.) are continued to be met through Step 3, as appropriate.

Step 4: If the complainant or respondent is not satisfied with the decision of the superintendent or designee, a written appeal may be filed with the Board within five school days of receipt of the superintendent or designee's response to Step 3. The Board may decide to hear or deny the request for appeal at a Board meeting. The Board may use an executive session if the subject matter qualifies under Oregon law. If the Board decides to hear the appeal, the Board may meet with the concerned parties and their representative at a Board meeting. The Board's decision will be final and will address each allegation in the complaint and contain reasons for the Board's decision. A copy of the Board's final decision shall be sent to the complainant in writing within 10 days of this meeting.

The Board will ensure that the requirements in Steps 1 and 2 (redirection procedures, notice, etc.) are continued to be met through Step 4, as appropriate.

Complaints can be filed with or communicated directly to the administrator or designee, in which case Step 1 will be skipped. Complaints against the administrator can be directed to the superintendent or designee and will begin at Step 3. Complaints against the superintendent or a Board member(s) can be directed to the Board and will begin at Step 4. If complaints begin later than Step 1, the individuals reviewing the complaint will ensure that all requirements are met.

The complainant, if a person who resides in the district, ~~or~~ a parent or guardian of a student who attends school in the district or a student, is not satisfied after exhausting local complaint procedures, the district fails to render a written decision within 30 days of submission of the complaint at any step or fails to resolve the complaint within 90 days of the initial filing of the complaint, may appeal[4] the district's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023.

Complaints may also be filed directly with the U.S. Department of Education Office for Civil Rights.[5]

Building administrators will develop and implement instructional materials to ensure that all school employees, staff and students are made aware of the policy, this administrative regulation and related

[4] An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

[5] Complaints must meet criteria as established by law. For more information, visit http://www.ed.gov/about/offices/list/ocr/complaintintro.html

practices. The materials will include reporting procedures, educational processes, and possible consequences.

When necessary, timelines may be adjusted by the district by communicating to all parties in writing. This communication must include a new timeline and an explanation of why the timeline must be adjusted.

Corrected 11/16/23

Clatskanie School District 6J

Code: BA
Adopted:

Board Goals

The Board is responsible to the people for whose benefit the district has been established. Further, the Board's current decisions will influence the future course of education in the district's schools. By virtue of this responsibility, the Board and each of its members must look to the future and to the needs of all district patrons. This requires a comprehensive perspective and long-range plan in addition to addressing immediate problems.

The Board's primary responsibility is to establish policies, purposes and programs which will best produce educational achievement. The Board is charged with accomplishing this while also being responsible for wise management of available resources. The Board must fulfill these responsibilities by functioning primarily as a legislative body which formulates and adopts policy, by selecting a chief executive officer to implement policy and by evaluating the results. Further, it must carry out its functions openly and seek the involvement of students, staff and the public during its decision-making processes.

In accordance with these principles, the Board, through its operations, will review and vote to adopt Board goals that align with the following:

1. Concentrate the Board's collective effort on policy-making and planning responsibilities;

2. Formulate Board policies that best serve each student's educational interests;

3. Provide the superintendent with sufficient and adequate guidelines for implementing Board policies;

4. Maintain effective communication with the students, staff and the public to maintain awareness of attitudes, opinions, desires and ideas;

5. Conduct Board business openly, soliciting and encourage broad-based involvement of the students, staff and the public in the Board's decision-making processes.

END OF POLICY

Legal Reference(s):

ORS 332.107

Corrected 11/16/23

PROPOSED

Clatskanie School District 6J

Code: BB
Adopted: 4/22/13
Orig. Code: BB

Board Legal Status

The Constitution of the state~~State~~ of Oregon charges the Legislature with providing – by statute – for a uniform and general system of common schools. The Legislature enacts laws to delegate the immediate control of the schools to locally elected boards of directors; thus~~Board members. Thus~~, the Board is the governing body of the Clatskanie School District.

Federal and state statutes and the State Board of Education rules define and outline the general powers and duties of the Board. The Oregon statutes authorize the Board to transact all business within the jurisdiction of the district, control the district schools~~,~~ and educate the children residing in the district. Oregon Administrative Rules establish further requirements and guidelines for the district~~districts~~. The Board's duty is to carry out those statutes and rules~~regulations~~ that are mandatory, e.g., "The Board shall...;" where the laws are permissive, e.g., "The Board may...," the Board is empowered to exercise judgment and discretion.

This district will be known as the Clatskanie School District.

The regular term of office for Board members will be four years. The terms of office will commence on the first day of July following regular district elections.~~an election.~~ The term of office for members appointed to fill a vacancy will be until June 30 following the next regular district~~Board~~ election. The term of office for members elected to fill a vacancy will be the time remaining in the vacated Board position.

END OF POLICY

Legal Reference(s):

ORS 255.335
ORS 332.018(1)
ORS 332.030(4)
ORS 332.072
ORS 332.075
ORS 332.105
ORS 332.107
ORS 335.505

OR. CONST., art. VIII, § 3.

Corrected 11/16/23

Clatskanie School District 6J

Code: **BBA**
Adopted: 4/22/13
Orig. Code: BBA

Board Powers and Duties

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

1. Legislative or Rule-Making Authority

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

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

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

2. Judicial Authority

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

3. Executive/Administrative Authority

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

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

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

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

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

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

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

END OF POLICY

Legal Reference(s):

ORS 192.630
ORS 243.656
ORS Chapters 279A, 279B and 279C
ORS 294.305 to -294.565
ORS 328.205 to -328.304
ORS 332.072
ORS 332.075
ORS 332.105
ORS 332.107
ORS Chapter 339
ORS 342.805 to -342.937
ORS Chapter 343

Corrected 11/16/23

Clatskanie School District 6J

Code: BBAA
Adopted: 5/09/22
Orig. Code: BBAA

Individual Board Member's Authority and Responsibilities

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

A Board member has the authority to act in the name of the Board when authorized by a specific Board motion. The affirmative vote of the majority of members of the Board is required to transact any business. When authorized to act as the district's designated representative in collective bargaining, a Board member may make and accept proposals in bargaining subject to subsequent approval by the Board.

When expressing personal opinions in public, the Board member should clearly identify the opinions as their own.

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

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

1. Request for Information

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

2. Requests for Legal Opinions

   Requests for legal advice or opinions by a Board member that will incur a cost for the district must be approved by a majority vote of the Board before the request is made to legal counsel. The Board chair is authorized to obtain legal advice or opinions if advantageous to do so prior to the next meeting (e.g., advice regarding an executive session or a decision to invite district legal counsel) without a need for Board approval. Legal counsel is responsible to the Board.

3. Action on Complaints or Requests Made to Board Members

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

4. Board Member's Relationship to Administration

Individual Board members will be informed about the district's educational program, may visit schools or other facilities to gain information, and may request information from the superintendent. No individual Board member may direct the superintendent to action without Board authorization. Board members will not intervene in the administration of the district or its schools.

5. Contracts or Agreements

All contracts of the district must be approved by the Board, unless otherwise delegated by the Board to the superintendent or designee for approval, before an order can be drawn for payment. If a contract is made without authority of the Board, the individual making such contract shall be personally liable.

END OF POLICY

Legal Reference(s):

ORS 332.045
ORS 332.055
ORS 332.057
ORS 332.075

38 OR. ATTY. GEN. OP. 1995 (1978)
S. Benton Educ. Ass'n v. Monroe Union High Sch. Dist., 83 Or. App. 425 (1987).

Corrected 11/16/23

Clatskanie School District 6J

Code: **BBB**
Adopted: 4/22/13
Orig. Code: BBB

Board Elections

1. Number of Directors

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

2. Designation of Board Positions

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

   Individuals may seek more than one elected position such as school board and education service district board.

   Reelections~~Re-elections~~ for Board positions will occur as follows:

   Position No. 1: Spring ~~2007~~2027, and every four years thereafter
   Position No. 2: Spring ~~2007~~2027, and every four years thereafter
   Position No. 3: Spring ~~2009~~2025, and every four years thereafter
   Position No. 4: Spring ~~2009~~2025, and every four years thereafter
   Position No. 5: Spring ~~2009~~2025, and every four years thereafter

END OF POLICY

Legal Reference(s):

ORS 249.013
ORS 255.235
ORS 255.245
ORS 332.011
ORS 332.018
ORS 332.118 to -332.138

Corrected 11/16/23

Clatskanie School District 6J

Code: BBBA
Adopted: 4/22/13
Orig. Code: BBBA

Board Member Qualifications

A person is eligible to serve as a Board member if the person~~he/she~~ is a qualified~~an~~ elector[1] of the district and has been a resident within the district for one year immediately preceding the election or appointment. ~~An "elector" means an individual qualified to vote under Section 2, Article II of the Oregon Constitution. The individual must be 18 years of age or older, registered to vote at least 20 calendar days immediately preceding any election in the manner provided by law and must have been a resident within the district for one year immediately preceding the election or appointment. Additionally, if the district is zoned, the individual must meet the requirements of ORS 332.124 - 332.126.~~

A~~No~~ person who is an employee of the district is not eligible to serve as a Board member while so employed. A person who is an employee of a public charter school may not serve as a member of the Board of the district in which the public charter school that employs the person is located.

END OF POLICY

Legal Reference(s):

ORS 247.002
ORS 247.035
ORS 249.013
ORS 332.016
ORS 332.018
ORS 332.030
ORS 332.124
ORS 332.126

OREGON CONSTITUTION, ARTICLE II, Section 2.

Corrected 11/16/23

[1] "Elector" means an individual qualified to vote under Article II, section 2, Oregon Constitution.

Clatskanie School District 6J

Code: **BBBB**
Adopted: 4/22/13
Orig. Code: BBBB

Board Member Oath of Office

Any elected or appointed~~New~~ Board member~~members~~ must qualify by taking an oath of office before assuming the duties of office. The oath of office will be in the following form:

> I, _____, do solemnly swear (or affirm) that I will support the Constitution of the United States, the Constitution of the state~~State~~ of Oregon and the laws thereof, and the policies of the Clatskanie School District 6J. During my term, I will faithfully and impartially discharge the responsibilities~~duties~~ of the Office of School Board Member to the best of my ability.

END OF POLICY

Legal Reference(s):

ORS 332.005

Corrected 11/16/23

Clatskanie School District 6J

Code: BBC
Adopted: 6/19/17
Orig. Code: BBC

Board Member Resignation

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

When a member decides to terminate service, the Board requests earliest possible notification of intent to resign so ~~that~~ the Board may plan for the continuity of Board business. Resignations must be made in writing. Board members can resign the office effective at a future date. If the resignation is effective at a future date, the resignation is binding unless withdrawn in writing by the end of the third business day after the resignation is made.

The Board will announce the resignation and declare the vacancy at a Board meeting.

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

END OF POLICY

Legal Reference(s):

ORS 236.320 ORS 236.325 ORS 332.030

Corrected 11/16/23

Clatskanie School District 6J

Code: BBD
Adopted: 4/22/13
Orig. Code: BBD

Board Member Removal from Office

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

1. The death or resignation of an incumbent;

2. When an incumbent ceases to be a resident of the district;

3. When an incumbent ceases to discharge the duties of office for two consecutive months unless prevented by sickness or unavoidable cause;

4. When an incumbent is removed from office by judgment ~~or decree~~ of any competent court;

5. When an incumbent has been recalled from office by district voters;

~~6. When an incumbent is elected by zone and moves from the zone to which he/she was elected;~~

~~7.~~6. When an incumbent ceases to discharge the duties of office for four consecutive months for any reason.

Vacancies will be filled through appointment by the Board unless a majority of the positions are vacant at the same time. In that case, vacancies will be filled by the local Northwest Regional Education Service District.

END OF POLICY

Legal Reference(s):

ORS 249.865 to -249.877 ORS 332.030 ORS 408.240

Corrected 11/16/23

Clatskanie School District 6J

Code: BBE
Adopted: 4/22/13
Orig. Code: BBE

Vacancies on the Board

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

~~The appointee will serve until June 30. If, however, a vacancy occurs on a Board after the filing date for candidates, the appointee will serve until June 30 of the following year. At the next regular annual election, a replacement will be duly elected.~~
~~A Board member so elected as a replacement will serve the remaining year(s) of the term of office of the Board member being replaced.~~

In the event of multiple vacancies, the position vacated~~of the Board member who resigned~~ first will be filled first.

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

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

Board elections are held every odd-numbered year, which for the purposes of this policy, are termed "election" years.

The appointee will:

1. Serve until June 30 following the next election, at which time the individual elected in May of that year will fill the remaining portion of an unexpired term or serve a full four-year term; or

2. Serve until June 30 of a subsequent election year if the vacancy occurs after the filing date in an election year.

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

END OF POLICY

Legal Reference(s):

ORS 249.865 to -249.877	ORS 255.335	ORS 332.122
ORS 255.245	ORS 332.030	ORS 332.124

Corrected 11/16/23

Clatskanie School District 6J

Code: BBF
Adopted: 4/13/20
Orig. Code: BBF

Board Member Standards of Conduct

Individual Board members and the Board as a public entity must comply with the ethics laws for public officials provided in state law.

Board members will treat other Board members, the superintendent, staff and the public with dignity and courtesy and will provide an opportunity for all parties to be heard with due respect for their opinions.

Board members will recognize the superintendent as the chief executive officer to whom the Board has delegated administrative authority to establish regulations and oversee the implementation of Board policy.

When a Board member expresses personal opinions in public, the Board member should clearly identify the opinions as personal.

A Board member will respect the privacy rights of individuals when dealing with confidential information gained through association with the district.

A Board member will keep information and documents discussed in executive session confidential.

A Board member will not post confidential information or documents about students, staff or district business online, including but not limited to, on social media.

Board members will treat fellow Board members, staff, students and the public with respect while posting online or to social media and will adhere to Oregon Public Meetings Laws, including when communicating with other Board members via websites or other electronic means.

A Board member is a mandatory reporter of child abuse. A Board member having reasonable cause to believe that any child with whom the Board member comes in contact with has suffered abuse or that any person with whom the Board member comes in contact with has abused a child shall immediately make an oral report by telephone or otherwise to the local Department of Human Services (DHS), to the designee of the department or to a local law enforcement within the county where the person making the report is located at the time of contact.

END OF POLICY

Legal Reference(s):

ORS 162.015 - 162.035
ORS 162.405 - 162.425
ORS 192.610 - 192.710
ORS 244.040
ORS Chapter 244
ORS 332.055
ORS 419B.005
ORS 419B.010
ORS 419B.015

Corrected 11/16/23

Clatskanie School District 6J

Code: BBFA
Adopted: 6/20/16
Orig. Code: BBF

Board Member Ethics and Conflicts of Interest

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

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

I. Conflicts of Interest

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

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

"Relative" means the spouse[1], parent, step-parent, child, sibling, step-sibling~~, son-in-law~~ or child~~daughter~~-in-law of the Board member; or the parent, step-parent, child, sibling, step-sibling~~, son-in-law~~ or child~~daughter~~-in-law of the spouse of the Board member. Relative also includes any individual for whom the Board member has a legal support obligation, whose employment provides benefits[2] to the Board member, or who receives any benefit from the Board member's public position~~employment~~.

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

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[1] The term spouse includes~~include~~ domestic partner.

[2] Examples of benefits may include, but not be limited to, elements of an official compensation package including benefits such as insurance, tuition or retirement allotments.

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

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

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

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

Potential Conflict of Interest

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

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

Actual Conflict of Interest

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

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

Class Exception

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

II. Gifts

Board members are public officials and therefore will not solicit or accept a gift or gifts with an aggregate value in excess of $50 from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. All gift related provisions apply to the Board member, their relatives, and members~~member~~ of their household. The $50 gift limit applies separately to the Board member and to the Board member's relatives or members of household, meaning that the Board member~~, and~~ each member of their household and relative can accept up to $50 each from the same source/gift giver. "Gift" means something of economic value given to a Board member without valuable consideration of equivalent value, which is not extended to others who are not public officials on the same terms and conditions.

"Relative" means: the spouse[3], parent, step-parent, child, sibling, step-sibling~~, son-in-law~~ or child~~daughter~~-in-law of the Board member; or the parent, step-parent, child, sibling, step-sibling~~, son-in-law~~ or child~~daughter~~-in-law of the spouse of the Board member. Relative also includes any individual for whom the Board member has a legal support obligation, whose employment provides benefits[4] to the Board member, or who receives any benefit from the Board member's public position.~~employment.~~

"Member of the household" means any person who resides with the Board member.

Determining the Source of Gifts

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

Determining Legislative and Administrative Interest

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

Determining the Value of Gifts

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

"Fair market value" is the dollar amount goods or services would bring if offered for sale by a person who desired, but was not obligated, to sell and purchased by one who is willing, but not obligated, to buy. Any portion of the price that was donated to charity, however, does not count toward the fair market value of

[3] Ibid. p. 1

[4] Ibid. p. 1

the gift if the Board member does not claim the charitable contribution on personal tax returns. Below are acceptable ways to calculate the fair market value of a gift:

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

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

2. For receptions and meals with multiple attendees, but with no price established to attend, the source of the Board member's meal or reception will use reasonable methods to determine the per person value or benefit conferred. The following examples are deemed reasonable methods of calculating value or benefit conferred:

   a. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons whom the payor reasonably expects to attend the reception or dinner;
   b. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons who actually attend the reception or dinner; or
   c. The source calculates the actual amount spent on the Board member.

3. Upon request by the Board member, the source will give notice of the value of the merchandise, goods, or services received.

4. Attendance at receptions where the food or beverage is provided as an incidental part of the reception is permitted without regard to the fair market value of the food and beverage provided.

Value of Unsolicited Tokens or Awards: Resale Value~~value~~

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

Entertainment

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

1. The entertainment is incidental to the main purpose of another event (i.e., a band playing at a reception). Entertainment that involves personal participation is not incidental to another event (such as a golf tournament at a conference); or

2. The Board member is acting in their official capacity for a ceremonial purpose.

   Entertainment is ceremonial when a Board member appears at an entertainment event for a "ceremonial purpose" at the invitation of the source of the entertainment who requests the presence

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

Exceptions

The following are exceptions to the ethics rules on gifts:

1. Campaign contributions are not considered gifts under the ethics rules;

2. Gifts from "relatives" and "members of the household" to the Board member are permitted in an unlimited amount; they are not considered gifts under the ethics rules;

3. Informational or program material, publications, or subscriptions related to the recipient's performance of official duties;

4. Contributions made to a legal expense trust fund if certain requirements are met;

5. Food, lodging, and travel generally count toward the $50 aggregate amount per year from a single source with a legislative or /administrative interest, with the following exceptions:

    a. Organized Planned Events. Board members are permitted to accept payment for travel conducted in the Board member's official capacity, for certain limited purposes:

        (1) Reasonable expenses (i.e., food, lodging, travel, fees) for attendance at a convention, fact-finding mission or trip, or other meeting do not count toward the $50 aggregate amount IF:

            (a) The Board member is scheduled to deliver a speech, make a presentation, participate on a panel, or represent the district; AND

                (i) The giver is a unit of a:

                1) Federal, state, or local government;
                2) An Oregon or federally recognized Native American Tribe; OR
                3) Nonprofit corporation.

            (b) The Board member is representing the district:

                (i) On an officially sanctioned trade-promotion or fact-finding mission; OR
                (ii) Officially designated negotiations or economic development activities *where receipt of the expenses is approved in advance by the Board.*

        The purpose of this exception is to allow Board members to attend organized, planned events and engage with the members of organizations by speaking or answering questions, participating in panel discussions or otherwise formally discussing matters in their official capacity. This exception to the gift definition does not authorize private meals where the participants engage in discussion.

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

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

7. Food or beverage consumed by Board member acting in an official capacity in the course of financial transactions between the public body and another entity described in ORS 244.020(7~~6~~)(b)(I)(i);

8. Waiver or discount of registration expenses or materials provided to Board member at a continuing education event that the Board member may attend to satisfy a professional licensing requirement;

9. A gift received by the Board member as part of the usual or customary practice of the Board member's private business, employment or position as a volunteer that bears no relationship to the Board member's holding of public office.

Honoraria

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

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

END OF POLICY

Legal Reference(s):

ORS 162.015 - 162.035
ORS 162.405 - 162.425
ORS 244.010 - 244.400
ORS 332.055
OAR 199-005-0001 - 199-010-0150

38 OR. ATTY. GEN. OP. 1995 (1978)
OR. ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS.

Corrected 11/16/23

Clatskanie School District 6J

Code: BBFB
Adopted: 6/20/16
Orig. Code(s): BBFB

Board Member Ethics and Nepotism

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

1. A Board member may not appoint, employ, promote, discharge, fire, or demote or advocate for such an employment decision for a relative or ~~a~~ member of the household, unless the Board member complies with the conflict of interest requirements of Oregon Revised Statute (ORS) Chapter 244.~~;~~

   This policy does not apply to decisions regarding unpaid volunteer positions unless it is a Board member position or another Board-related unpaid volunteer position (i.e., a Board committee position);

2. A Board member may not participate as a public official in any interview, discussion, or debate regarding the appointment, employment, promotion, discharge, firing, or demotion of a relative or member of the household. A Board member may still serve as a reference or provide a recommendation.

For the purposes of this policy:

"Member of the household" means any person who resides with the Board member.

"Relative" means: the spouse[1], parent, step-parent, child, sibling, step-sibling, child~~son~~-in-law~~ or daughter-in-law~~ of the Board member; or the parent, step-parent, child, sibling, step-sibling, child~~son-in-law or daughter~~ -in-law of the spouse of the Board member. Relative also includes any individual for whom the Board member has a legal support obligation, whose employment provides benefits[2] to the Board member, or who receives any benefit from the Board member's public employment.

Class Exception

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

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[1] The term spouse includes domestic partner.

[2] Examples of benefits may include, but not be limited to, elements of an official compensation package including benefits such as insurance, tuition or retirement allotments.

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

END OF POLICY

Legal Reference(s):

ORS 244.010 to -244.400 ORS 659A.309 OAR 199-005-0001 to -199-010-0150

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

Corrected 11/16/23

Clatskanie School District 6J

Code: BBFC
Adopted: 4/13/20
Orig. Code(s): BBFC

Reporting of Suspected Abuse of a Child

Call 855-503-SAFE (7233)
Call to report abuse or neglect of a child or adult in Oregon. If someone is being hurt or is in danger right now, call 911.

A Board member is a mandatory reporter of child abuse. A Board member having reasonable cause to believe that any child with whom the Board member comes in contact with has suffered abuse or that any person with whom the Board member comes in contact with has abused a child shall immediately notify the Oregon Department of Human Services (DHS) or local law enforcement pursuant to Oregon Revised Statute (ORS) 419B.015.

The Board member making a report of child abuse, as required by ORS 419B.010, shall make an oral report by telephone or otherwise to the local office of the Department of Human Services, to the designee of the department or to a law enforcement agency within the county where the Board member making the report is located at the time of the contact.

The report shall contain, if known: the names and addresses of the child and the parents of the child or other persons responsible for the care of the child; the child's age; the nature and extent of the abuse, including any evidence of previous abuse; the explanation given for the abuse; and any other information that the Board member making the report believes might be helpful in establishing the cause of the abuse and the identity of the perpetrator.

END OF POLICY

Legal Reference(s):

ORS 332.107
ORS 419B.005
ORS 419B.010
ORS 419B.015

Corrected 11/16/23

Clatskanie School District 6J

Code: BC/BCA
Adopted: 4/22/13
Orig. Code: BC/BCA

Board Organization/Board Organizational Meeting

No later than the next regular meeting following~~Immediately after~~ July 1, the Board will~~shall meet and~~ organize itself for the year. In a ~~Board~~ district election year, the Board organizational meeting must be no later than July 31st.

The organizational meeting will consist of, but not be limited to, the following actions:

1. Election of a Board chair;

2. Election of a vice chair;

3. Provision for a time and place for regular meetings;

4. Other organizational actions prescribed by law or by Board practice.

The incumbent Board chair will preside until a successor is elected, whereupon the successor will assume the chair. In the event no incumbent chair or vice chair remains on the Board, or neither is able to continue to serve as an officer, the Board will select a temporary chair to conduct the election.

END OF POLICY

Legal Reference(s):

ORS 255.335 ORS 332.040 to -332.045 ORS 332.057

Corrected 11/16/23

Clatskanie School District 6J

Code: BCB
Adopted: 4/22/13
Orig. Code: BCB

Board Officers

At its ~~first scheduled~~organizational meeting~~ in July~~, the Board will elect one of its members to serve as chair and one to serve as vice chair. No member of the Board may serve as chair more than four years in succession. If a Board member is unable to continue to serve as an officer, a replacement will be elected immediately. The replacement officer will serve the remainder of the officer's term until the following July.

The Board chair will:

1. Work with the superintendent to establish~~in establishing~~ the agenda for regular Board meetings;

2. Call special meetings when required;

3. Preside at all meetings of the Board and enforce the rules of order;

4. Sign official documents that require the signature of the chair;

5. Represent the district and the Board at official functions, unless this duty is delegated by the ~~chair of the~~ Board chair to another Board member;

6. Appoint all committees ~~and will be an ex-officio member of all such committees~~ unless otherwise ordered by the Board;

7. Have the right to discuss issues and ~~may~~ vote.~~ on any issue;~~

In the absence, incapacitation or death of the chair, the vice chair will perform the duties of chair and, when so acting, will have the chair's powers. The vice chair will perform other functions as designated by the Board.

The superintendent will designate a staff member to serve as Board secretary~~,~~ and will directly supervise and evaluate the secretary. In absence of the designated Board secretary, the Board may name anyone present to serve as secretary for that meeting. The secretary to the Board will take notes at Board meetings, compile minutes and perform related work as assigned by the superintendent or requested by the Board chair. These duties will include, but not be limited to, the following:

1. Record the disposition of all matters on which the Board considered action;

2. Prepare~~, check~~ and distribute minutes in advance for approval at the next Board meeting;

3. Maintain properly authenticated official copies of the minutes;

4. Maintain the official record of Board policies;

5. Properly post all Board meetings.

Board or District Spokesperson

The Board may appoint one of its members, usually the chair, or another person to make authorized statements to the public or the media when the Board deems that, under the circumstances, the district's position should be articulated by a single voice. The spokesperson serves at the Board's direction and may be removed or replaced at any time by action of a majority of the ~~entire~~ Board.

END OF POLICY

Legal Reference(s):

ORS 255.335	ORS 332.045	OAR 166-400-0010(9)
ORS 332.040	ORS 332.057	

Corrected 11/16/23

Clatskanie School District 6J

Code: BCD
Adopted: 4/22/13
Orig. Code: BCD

Board-Superintendent Relationship

The superintendent shall be the chief executive officer and shall be responsible for the professional leadership necessary to translate the will of the Board into administrative action.

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

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

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

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

END OF POLICY

Legal Reference(s):

ORS 332.107 ORS 332.505 ORS 332.515

Corrected 11/16/23

Clatskanie School District 6J

Code: BCE
Adopted: 4/22/13
Orig. Code: BCE

Board Committees

The Board may~~shall~~ have ~~no~~ standing committees, e.g., policy committee. ~~It shall authorize such special committees as are deemed necessary.~~

Special committees may be appointed by the Board for specific purposes to serve until their assignment is completed. ~~Special committees shall report recommendations to the Board for appropriate action. A special committee shall be dissolved when its report is acted upon by the Board.~~ The function of special committees will be fact-finding, deliberative and advisory, rather than legislative or administrative. The committee will make~~Committee~~ recommendations ~~will be made~~ directly to the Board as a whole, which alone may take action. Committee meetings may be called by the Board chair, the committee chair or any committee member.

The entire Board may meet as a committee-of-the-whole. Committee-of-the-whole meetings, called "work sessions," may be held. Committee-of-the-whole meetings may be called by the Board chair or any two Board members.

All meetings~~Meetings~~ of special committees and of committees-of-the-whole will follow the Public Meetings Law. The ~~public meeting laws; however, the~~ Board or~~and~~ its committees may sit in an executive session~~sessions~~ to discuss matters when such session is~~sessions are~~ required or~~and~~ permitted by law.

All matters referred to a committee will be thoroughly investigated. A committee will not have the power to act for the Board except as the Board has specifically authorized, but will make recommendations to the Board. Committee recommendations and reports will become an official part of Board minutes.

A Board committee may appoint~~, subject to Board approval,~~ advisory members from the staff, student body or community with approval of the Board. Advisory members will be instructed in the committee's functions and their status. Advisory~~These~~ members may not be included in considering whether a quorum of the committee is present, nor may they vote on recommendations to be made to the Board. Either an advisory member or an ex-officio member may present a written minority report to the Board.

END OF POLICY

Legal Reference(s):

ORS 192.610 to -192.690 ORS 332.045 ORS 332.105

Corrected 11/16/23

Clatskanie School District 6J

Code: BCF
Adopted: 4/22/13
Orig. Code: BCF

Advisory Committees to the Board

In an ongoing effort to increase communication with the public and to provide for community~~citizen~~ involvement, the Board may appoint advisory committees which include community members to consider matters of districtwide importance. Such committees will not be appointed on a permanent basis, but will be appointed to assist in a particular area of activity.

Recommendations of such committees will be given careful consideration by the Board, but such recommendations will not relieve the Board of its legal responsibility to make final decisions about such matters.

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

The composition of advisory committees to the Board will be broadly representative and will take into consideration the specific tasks assigned to the committee. The process for the appointment of community members to an advisory committee will be determined by the Board. When requested and approved by the Board, appointment~~Appointment~~ of staff members, when appropriate, will be made by the superintendent.

The Board will adopt guidelines for each committee as appropriate, which will include, but not be limited to, the following:

1. The committee's written charge which shall include, but not be limited~~task, setting forth the service the Board wishes the committee~~ to, a statement of purpose~~ render~~ and responsibility~~the extent and limitations of its responsibilities~~;

2. The resources the Board will provide;

3. The length of time the committee is asked to serve and the approximate date(s) on which the Board wishes to receive the committee report(s).

Except as specifically provided by the Board, ~~citizen~~ advisory committees will cease to function when their reports have been received by the Board or when the purposes for which they were established have been accomplished.~~ or cease to be relevant.~~

The Board may be represented on lay and professional committees that serve the Board in an advisory capacity, with specific Board members appointed by the chair, but normally such Board members will function as ex-officio members of the committees.

The Board's responsibility cannot be delegated or surrendered to others; therefore, all recommendations of an advisory committee must be submitted to the Board for action and must be recognized as advisory in nature.

END OF POLICY

Legal Reference(s):

ORS 192.610	ORS 294.414	ORS 329.711
ORS 192.630	ORS 329.704	ORS 332.107

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

Corrected 11/16/23

Clatskanie School District 6J

Code: **BCH**
Adopted: 4/22/13
Orig. Code: BCH

Consultants to the Board

The Board may engage persons in an advisory capacity when specific services are required that are beyond the capabilities or responsibilities of regularly employed personnel.

Such advisors may include attorneys, auditors, architects, agents of record and others with technical skills or professional training.

The Board may appoint such advisors to serve for a specified period of time or may engage such advisors to perform specific tasks on a temporary basis. Except where the advisor serves under a written contract for a specified period of time, the Board has sole discretion for terminating such advisory services.

The Board will conduct periodic reviews of the services and may request periodic reports to the Board.

Prior to reappointment, the district may open proposals for service.

END OF POLICY

Legal Reference(s):

ORS 332.072 ORS 332.075 ORS 332.505

Corrected 11/16/23

DELETE

Clatskanie School District 6J

Code: BD/BDA
Adopted: 5/09/22
Orig. Code: BD/BDA

Board Meetings

The Board has the authority to act only when a quorum is present at a duly called regular, special or emergency meeting. "Meeting" means the convening[1] of a quorum of the Board as the district's governing body to make a decision[2] or to deliberate[3] toward a decision on any matter. This includes meeting for the purpose of gathering information to serve as the basis for a subsequent decision or recommendation by the Board~~governing body~~, i.e. a work session. "Meeting" does not include any on-site inspection of any project or program or the attendance of members of the Board at any national, regional or state association to which the Board or its members belong.

The affirmative vote of the majority of members of the Board is required to transact any business.

All regular, special and emergency meetings of the Board will be open to the public except as provided by law. Access to and the ability to attend all meetings (excluding executive sessions) by telephone, video or other electronic or virtual means will be made available when reasonably possible. All meetings will be conducted in compliance with state and federal statutes. ~~For i~~Information on how to give or submit public comment is posted on the district's website.

All Board meetings, including Board retreats and work sessions, will be held within district boundaries, except as allowed by law[4]. The Board may attend training sessions outside the district boundaries but cannot deliberate or discuss district business. No meeting will be held at any place where discrimination on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, age or national origin is practiced.

The Board will give public notice reasonably calculated to give actual notice to interested persons, including the news media which have requested notice~~those with disabilities~~, of the time and place for all Board meetings and of the principal subjects to be considered. The Board may consider additional subjects at a meeting, even if they a~~we~~re not included in the notice.

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[1] "Convening" means: (a) Gathering in a physical location; (b) Using electronic, video or telephonic technology to be able to communicate contemporaneously among participants; (c) Using serial electronic written communications among participants; or (d) Using an intermediary to communicate among participants.

[2] "Decision" means any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of a governing body is required, at any meeting at which a quorum is present.

[3] "Deliberation" means discussion or communication that is part of a decision-making process.

[4] ORS 192.630(4). Meetings of the governing body of a public body shall be held within the geographic boundaries over which the public body has jurisdiction, or at the administrative headquarters of the public body or at the other nearest practical location. Training sessions may be held outside the jurisdiction if no deliberations toward a decision are involved.

If requested to do so at least 48 hours before a meeting held in public, the Board shall make a good faith effort to provide an interpreter for hearing-impaired persons. If the meeting is being held upon less than 48 hours' notice and a request for an interpreter is made, the Board shall make a reasonable effort to have an interpreter present. ~~impaired persons.~~ Other appropriate auxiliary aids and services will be provided upon request and appropriate advance notice.

If requested to do so at least 72 hours before a meeting held in public, the Board will make a reasonable effort to provide translation services.

All meetings held in public shall comply with the Oregon Indoor Clean Air Act.

The possession of dangerous or deadly weapons and firearms, as defined in law and Board policy, is prohibited on district property.

1. Regular, Special and Emergency Meetings

   Generally, a regular Board meeting will be held each month. The regular meeting schedule will be established at the annual organizational meeting and may be changed by the Board with proper notice. The purpose of each regular monthly meeting will be to conduct the regular Board business.

   No later than the next regular meeting following July 1, the Board will hold the annual organizational meeting to elect Board officers for the coming year and to establish the year's schedule of Board meetings. In Board election years (odd numbered years), the first meeting will be held no later than July 31.

   Special meetings can be convened by the Board chair, upon request of three Board members, or by common consent of the Board at any time to discuss any topic. A special meeting may ~~also~~ be scheduled if less than a quorum is present at a meeting, ~~or~~ additional business still needs to be conducted at the ending time of a meeting, conducting business prior to the next regular meeting would be advantageous to the district or other reasons. At least 24 hours' notice must be provided to all Board members, the news media~~,~~ which have requested notice, and the general public for any special meeting.

   Emergency meetings can be called by the Board in the case of an actual emergency upon appropriate notice under the circumstances. The minutes of the emergency meeting must describe the emergency. Only topics necessitated by the emergency may be discussed or acted upon at the emergency meeting.

2. Communications Outside of Board Meetings

   Communications, to, by and among a quorum of Board members outside of a legally called Board meeting, in their capacity as Board members, shall not be used for the purpose of discussing district business. This includes electronic, video or telephonic communications, serial electronic communications among participants and using an intermediary to communicate among participants. Such ~~communication. Electronic~~ communications among Board members shall be limited to messages not involving deliberation, debate, decision-making or gathering of information on which to deliberate.

Communications outside of a Board meeting ~~Electronic communications~~ may contain:

a. Communications to, between or among members of a governing body that are:
~~b. Agenda item suggestions;~~
~~c. Reminders regarding meeting times, dates and places;~~
~~d. Board meeting agendas or information concerning agenda items;~~
~~e. One-way information from Board members or the superintendent to each Board member (e.g., an article on student achievement or to share a report on district progress on goals);~~

(1) Purely factual or educational in nature and that convey no deliberation or decision on any matter that might reasonably come before the Board (including agendas and information concerning agenda items);
(2) Not related to any matter that, at any time, could reasonably be foreseen to come before the Board for deliberation and decision; or
(3) Nonsubstantive in nature, such as communication relating to scheduling, leaves of absence and other similar matters; or

~~f.~~b. Individual responses to questions posed by community members, subject to other limitations in Board policy.

E-mails sent to other Board members will have the following notice:

Important: Please do not reply or forward this communication if this communication constitutes a decision or deliberation toward a decision between and among a quorum of a governing body which could be considered a public meeting. Electronic communications on district business are governed by public meetings law.

3. Private or Social Meetings

Private or social meetings of a quorum of the Board for the purpose of making a decision or to deliberate toward a decision on any matter are prohibited by public meetings law.

4. Work Sessions

The Board may use regular or special meetings for the purpose of conducting work sessions to provide its members with opportunities for planning and thoughtful discussion. Work sessions will be conducted in accordance with the state law on public meetings, including notice and minutes. The Board may make. Generally, Boards do not take official action during work sessions, although there is no legal prohibition to do so.

5. Executive Sessions

Executive sessions may be held as an agenda item during regular, special or emergency meetings for a reason permitted by law. (See Board policy BDC - Executive Sessions)

Complaints regarding public meetings laws can be filed with the Board in accordance with Board Policy KL – Public Complaints. The Board will respond and provide a copy of the complaint and response to the Oregon Government Ethics Commission within 21 days in accordance with state law.[5]

END OF POLICY

Legal Reference(s):

ORS Chapter 192

ORS 255.335
ORS 332.040 - 332.061

ORS 433.835 - 433.875

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2020); 28 C.F.R. Part 35 (2020).
Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).
OR. ATTY. GEN. Public Records and Meetings Manual.
House Bill 2805 (2023).

Corrected 11/16/23

[5] See House Bill 2805 (2023) Section 5(2) for requirements of the response.

Clatskanie School District 6J

Code: BDB
Adopted: 4/22/13
Orig. Code: BDB

Special and Emergency Board Meetings

(Policy language incorporated into BD/BDA.)

Special meetings may be convened by order of the chair, upon request of three Board members or by common consent of the Board members. The district clerk will post notice at least 24 hours before such a meeting is to be convened.

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

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

END OF POLICY

Legal Reference(s):

ORS 192.640 ORS 332.045

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

Corrected 11/16/23

DELETE

Clatskanie School District 6J

Code: BDC
Adopted: 4/13/20
Orig. Code: BDC

Executive Sessions

The Board may meet in executive session to discuss subjects allowed by statute but may not take final action except for the expulsion of a student and matters pertaining to or examination of the confidential records of the~~a~~ student.

~~An executive session may be convened by the Board chair upon request of three Board members or by common consent of the Board for a purpose authorized under Oregon Revised Statute (ORS) 192.660, during a regular, special or emergency meeting. The presiding officer will announce the executive session by identifying the authorization under ORS 192.660 for holding such session and by noting the subject of the executive session.~~
An executive session may be included as an agenda item of an existing meeting [in accordance with Board policy BDDC - Board Meeting Agenda] or held as its own meeting. Proper notice is required.

If open session is held prior to the executive session, the presiding officer will announce the executive session by identifying the authorization under Oregon Revised Statute (ORS) 192.660 or ORS 332.061 for holding such session and by noting the subject of the executive session.

The Board may hold an executive session:

1. To consider the employment of a public officer, employee, staff member or individual agent.[1] (ORS 192.660(2)(a))

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

3. To conduct deliberations with persons designated by the governing body to carry on labor negotiations. (ORS 192.660(2)(d))

4. To conduct deliberations with persons designated by the governing body to negotiate real property transactions. (ORS 192.660(2)(e))

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[1] This provision does not apply to the filling of a vacancy in elective office or on any public committee, commission or other advisory group; or for the consideration of general employment policies. Prior to holding an executive session under ORS 192.660(2)(a), the Board must ensure
   a. The vacancy has been advertised;
   b. Regular hiring procedures have been adopted;
   c. If hiring an officer, the public has had the opportunity to comment on the employment of the officer; and
   d. If hiring a chief executive officer, the Board has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

[2] To determine whether the individual involved is considered a public officer, consult with legal counsel.

5. To consider information or records that are exempt by law from public inspection. (ORS 192.660(2)(f))

6. To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. (ORS 192.660(2)(h))

7. To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing. (ORS 192.660(2)(i))

8. To consider matters relating to school safety or a plan that responds to safety threats made toward a school. (ORS 192.660(2)(k))

9. To consider matters relating to the safety of the governing body and of public body staff and volunteers and the security of public body facilities and meeting spaces. (ORS 192.660(2)(o))

10. To consider matters relating to cyber security infrastructure and responses to cyber security threats. (ORS 192.660(2)(p))

11. To review the expulsion of a minor student from a public elementary or secondary school. (ORS 332.061(1)(a))

12. To review~~discuss~~ matters pertaining to or examination of the confidential records of a student. (ORS 332.061(1)(b))

Members of the press may attend executive sessions except those matters pertaining to:

1. Deliberations with persons designated by the Board to carry on labor negotiations;

2. Hearings on the expulsion of a minor student~~s~~ or examination of the confidential records of a student; and

3. Current litigation or litigation likely to be filed if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.

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

Minutes shall be kept for all executive sessions.

Content discussed in executive sessions is confidential except as provided by law. Board members and the media are instructed not to disclose information obtained in executive session except when specifically authorized to do so or as required by law.

END OF POLICY

Legal Reference(s):

ORS 192.660 ORS 332.045 ORS 332.061

OR. ATTY. GEN. Public Records and Meetings Manual.
Oregon Government Ethics Commission, Staff Advisory Opinion No. 22-106S
House Bill 2806 (2023)

Corrected 11/16/23

Clatskanie School District 6J

Code: BDD
Adopted: 4/22/13
Orig. Code: BDD

Board Meeting Procedures

1. Quorum

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

2. Vote Needed for Exercise of Powers

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

3. Board Member Voting

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

4. Abstaining ~~F~~from Vote

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

5. Parliamentary Procedure

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

Except as otherwise provided by state law and/or Board policy, the rules of parliamentary procedure comprised in *Robert's Rules of Order~~,~~ Newly Revised*, "Procedure in~~Procedures for~~ Small Boards" as modified by the Board will govern the Board in its deliberation. Modifications will include the following: Motions will all be seconded prior to consideration for discussion by the Board and motions to close or limit debate will be acceptable.

The Board chair will decide all questions relative to points of order, subject to an appeal to the ~~entire~~ Board.

END OF POLICY

Legal Reference(s):

ORS 192.650
ORS 244.120(2)
ORS 332.045
ORS 332.055
ORS 332.057
ORS 332.107

38 OR. ATTY. GEN. OP. 1995 (1978)
41 OR. ATTY. GEN. OP. 28 (1980)

Corrected 11/16/23

Clatskanie School District 6J

Code: BDDA
Adopted: 4/22/13
Orig. Code: BDDA

Notification of Board Meetings

(Policy language is incorporated into BD/BDA; this policy no longer needed.)

The Board will give public notice, reasonably calculated to give actual notice to interested persons, of the time and place for regular meetings and of the principal subjects to be considered.

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

If an executive session is to be held, the notice will state the specific provision of law authorizing the executive session.

No special meeting will be held without at least 24 hours notice to the Board members and the general public except in cases of emergency.

In an emergency, a meeting may be held with notice as is appropriate under the circumstances, but minutes will explain the emergency situation.

Dates of regular Board meetings will be provided to district employees, interested members of the public and the news media.

END OF POLICY

Legal Reference(s):

ORS 192.610 - 192.690 ORS 332.045

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

Corrected 11/16/23

DELETE

Clatskanie School District 6J

Code: BDDC
Adopted: 4/22/13
Orig. Code: BDDC

Board Meeting Agenda

The Board chair and the superintendent will prepare an agenda for all regular meetings of the Board. Items of business may be suggested by any Board member, staff member, student or patron~~citizen~~ of the district by notifying the superintendent at least five working days prior to the meeting.

A consent agenda may be used by the Board for noncontroversial business. The consent agenda will consist of routine business that requires action but not necessarily discussion. These items may all be approved at the same time. A Board member may ask that any item be removed from the consent agenda. The removed item will then be placed on the regular agenda.

The agenda for Board meetings of a regular nature shall be in the following form. The Board will follow the order of business set up by the agenda unless the order is altered by a consensus of the Board. Opportunities for the audience to be heard may be included on the agenda.

1. Call to Order

   Flag Salute

2. Consent Agenda

   a. Minutes
   b. Financial Report

3. Reading of Communications and Hearing of Interested Parties

4. Unfinished Business

5. New Business

6. Superintendent's Report

7. Executive Session

8. Next Meeting

9. Adjournment

Items of business not on the agenda may be discussed and acted upon if the majority of the Board agrees to consider them.

The agenda, together with supporting materials, will be distributed by the district office or superintendent to Board members at least 48 hours prior to the meeting. The agenda will be available to the press and to interested patrons through the superintendent's office at the same time it is available to the Board

members. Copies of the agenda for the press and public will not contain any confidential information included in the Board members' packets.

A copy of the agenda will be posted on the district website ~~in each district facility~~ on the day of the meeting. Members of the public may request a copy of the agenda through~~at~~ the superintendent's office.

The district will ensure equally effective communications are provided to qualified persons with disabilities, upon request, as required by the Americans with Disabilities Act.

Appropriate auxiliary aids and services may include, but are not limited to, qualified interpreters, assistive listening systems, note takers, large print, Braille materials, audio recordings and readers. Primary consideration will be given to the request of the person with a disability in the selection of the appropriate auxiliary aid and/or service. Should the Board demonstrate such a request would result in a fundamental alteration in the service, program or activity or an undue financial and administrative burden, an alternate, equally effective communication will be used.

~~All minutes shall be available to the public within a reasonable time after the meeting. Minutes are available at the district office.~~Auxiliary aids and services for persons with disabilities will be available at no charge to the individual.

END OF POLICY

Legal Reference(s):

ORS 192.630 ORS 192.640

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2012); 29 C.F.R. Part 1630 (2015); 28 C.F.R. Part 35 (2015).
Americans with Disabilities Act Amendments Act of 2008.

Corrected 11/16/23

Clatskanie School District 6J

Code: BDDG
Adopted: 4/13/20
Orig. Code: BDDG

Minutes of Board Meetings

The Board secretary will take written minutes of all Board meetings. The written minutes will be a true reflection of the matters discussed at the meeting and the views of the participants. The minutes will include, but not be limited to, the following information:

1. All members of the Board who were present;

2. All motions, proposals, resolutions, orders and measures proposed and their disposition;

3. The results of all votes and the vote of each member by name;

4. The substance of any discussion on any matter;

5. Any other information required by law.

All minutes shall be available to the public within a reasonable time. The public and patrons of the district may receive, upon request, copies of minutes from the district office. A copy of the minutes of each regular and special Board meeting as they are drafted for approval will be distributed after such meeting to each Board member and administrator.

The district will maintain a hard copy[1] of the meeting minutes and make them available to staff and other interested patrons.

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

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

END OF POLICY

Legal Reference(s):

ORS 192.610 - 192.710 ORS 332.061

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

Corrected 11/16/23

[1] Oregon Administrative Rule 166-400-0010(9)

Clatskanie School District 6J

Code: **BDDH**
Adopted: 1/09/23
Orig. Code: BDDH

Public Comment at Board Meetings

All Board meetings, with the exception of executive sessions, will be open to the public. The Board invites the district's community members to attend Board meetings to become acquainted with the program and operation of the district. The public has a right to attend public meetings held in open session, and may be invited to share comments, ideas and opinions with the Board during designated times on the agenda. The Board may conduct a meeting without public comment.

Individuals with hearing, vision or speech impairments will be given an equal opportunity to participate in Board meetings and submit written comments to the Board. Individuals requesting assistance, aids or accommodations are encouraged to notify the district at least 48 hours prior to the Board meeting with the request, consistent with Board policy BD/BDA – Board Meetings.

Procedures for Oral Public Comment

The Board establishes the following procedures for public comment at Board meetings held in open session. The information will be accessible and available to all patrons accessing or attending such a Board meeting.

1. Public comment is limited to its designated place on the agenda and while time allows.

2. A person wishing to provide public comment, if an opportunity is provided by the Board during a meeting open to the public, will complete and submit the Intent to Speak card to the Board secretary or submit name electronically ~~do so~~ as directed, prior to the Board meeting.[1] A request to give public comment in-person or electronically does not guarantee time will be available.

3. A person speaking during the public comment portion of the meeting may comment on a topic not on the published agenda.

4. A person speaking during the public comment portion of the meeting should state their name, whether they are a resident of the district, and, if speaking for an organization, the name of the organization. A spokesperson should be designated to represent a group with a common purpose.

5. A person giving public comment is limited to an established time limit of three minutes. Statements should be brief and concise. The Board chair has discretion to waive time limits or extend the overall time allotted for public comment. Additional time will be allocated in a fair and equitable manner. If a person has more comments than time allows or is unable to comment due to time constraints, the person is encouraged to submit additional written comments to the Board through the district office as directed.

[1] When in-person attendees are allowed to provide oral comment, virtual attendees will be afforded an opportunity.

6. Inquiries from the public during the designated portion of the agenda will not generally be responded to immediately by the Board chair, and may be referred to the superintendent for reply at a later date. The Board will not respond to inquiries that are expected to be addressed during another designated portion of the agenda.

The Board will not hear public comment at Board work sessions.

Topics raised during the public comment portion may be considered for inclusion as agenda items at future Board meetings.

Procedures for Written Comment

Members of the public may submit written comments or materials to the Board at any time at the district office, by mail or by email to semerson@csd.k12.or.us. Materials or comments submitted at least 72 hours in advance of a Board meeting will be provided to the Board before the Board meeting, but will not be read at the Board meeting. Written materials or comments submitted may not warrant action by the Board.

Comments Regarding Staff Members

A person speaking during the designated portion of the agenda for public comment may offer objective criticism of district operations and programs. The Board will not hear comments regarding any individual district staff member. The Board chair will direct the visitor to the procedures in Board policy KL - Public Complaints ~~published complaint procedures~~ for consideration of a legitimate complaint involving a staff member. Any association contract governing the employee's rights will be followed. A commendation involving a staff member should be sent to the superintendent, who will forward it to the employee, a supervisor and the Board.

END OF POLICY

Legal Reference(s):

ORS 165.535
ORS 165.540
ORS 192.610 - 192.690
ORS 332.057
ORS 332.107

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2020); 28 C.F.R. Part 35 (2020).
Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).
Baca v. Moreno Valley Unified Sch. Dist., 936 F. Supp. 719 (C.D. Cal. 1996).
Leventhal v. Vista Unified Sch. Dist., 973 F. Supp. 951 (S.D. Cal. 1997).
Oregon House Bill 2560 (2021).

Corrected 11/16/23

Clatskanie School District 6J

Code: **BDDH-AR**
Revised/Reviewed: 1/09/23
Orig. Code: BDDH-AR

Public Comment at Board Meetings

The Board requests that a public comment add information or a perspective that has not already been mentioned previously, and that the patron refrains from repeating a similar point.

To provide public comment in person, if the opportunity is available on the Board agenda, please ~~do so as directed~~complete and submit the Intent to Speak card to the Board secretary prior to the meeting. Those choosing to attend~~ing~~ virtually and want to provide public comment should notify the Board secretary as directed prior to the start of the meeting.

A person speaking during the public comment portion of the meeting may comment on a topic not on the published agenda. A person providing public comment will be allowed three minutes. Signing up to provide public comment does not guarantee time will be available.

Any person, who is allowed to speak to the Board during a meeting, should state their name, whether they are a resident of the district and, if speaking for an organization, the name of the organization. A spokesperson should be designated to represent a group with a common purpose.

Comments about a specific employee or group of employees should comply with Board policy BDDH - Public Comment at Board Meetings:

> "A person speaking during the designated portion of the agenda for public comment may offer objective criticism of district operations and programs. The Board will not hear comments regarding any individual district staff member. The Board chair will direct the visitor to the procedures in Board policy KL - Public Complaints ~~published complaint procedures~~ for consideration of a legitimate complaint involving a staff member. Any association contract governing the employee's rights will be followed. A commendation involving a staff member should be sent to the superintendent, who will forward it to the employee, a supervisor and the Board."

SEE FORM ON REVERSE

INTENT TO SPEAK

The Board welcomes input. To provide in-person public comment please submit this completed card to the Board secretary prior the start of the meeting.

Name: _____ Phone: _____

Name of organization (if applicable): _____

Address: _____

Email (optional): _____

Topic or comment to be presented (brief description): _____

_____

_____

A complaint brought before the Board shall be referred to the proper school authorities. A complaint shall be processed in accordance with Board policy KL - Public Complaints and KL-AR - Public Complaints Procedure ~~published complaint procedures~~. A hearing conducted by the Board regarding personnel may take place in an executive session.

The Board requests that a topic or comment is limited to three minutes or less.

Corrected 11/16/23

Clatskanie School District 6J

Code: **BF**
Adopted: 4/22/13
Orig. Code: BF

Policy Development

The Board has the authority and responsibility to establish policy. The Board accepts the definition of policy set forth by the National School Boards Association:

School Board policies are statements which set forth the purposes and prescribe in general terms the organization and program of a school system. They create a framework within which the superintendent and ~~his/her~~ staff can discharge their assigned duties with positive direction. They tell what is wanted.

The formulation and adoption of policies, recorded in writing, will constitute the basic method by which the Board will exercise its leadership in the operation of the school system.

The policies shall be consistent with Oregon Revised Statutes, Oregon Administrative Rules~~,~~ and all federal laws and regulations.

The basic responsibility for initiating, reviewing and recommending new policies or policy modification will rest with the superintendent. New~~; however, new~~ policies or changes in existing policy may be proposed by any Board member, group or organization, staff member, parent, student or other member~~resident~~ of the community to the superintendent for the Board to consider~~district~~. The superintendent, in developing these policies, may be guided by the recommendations of the staff and may seek parent and community input during the preparation and subsequent review of policy statements. Advice from legal counsel may be appropriate. The superintendent will furnish necessary background information to the Board.

The final authority and responsibility for Board policy lies with the Board.

END OF POLICY

Legal Reference(s):

ORS 332.107
ORS 332.505
ORS 339.240
OAR 581-022-2305
OAR 581-022-2405

Corrected 11/16/23

Clatskanie School District 6J

Code: BFC
Adopted: 6/19/17
Orig. Code: BFC

Adoption and Revision of Policies

(Version 1)

See new version 2

Board policies will be subject to alteration, addition or deletion upon majority vote of the Board at any regular or special meeting in which all members have been notified in writing of the proposed alteration, addition or deletion at least 24 hours in advance. In most cases, a first reading of the policy will be scheduled on a regular meeting agenda prior to its adoption at a subsequent regular or special meeting.

A proposed change in policy will not be made at the meeting in which the change is proposed unless an emergency arises. A unanimous vote of the Board is required to declare an emergency situation.

The formal adoption of policies will be recorded in the Board minutes. Only those written statements so adopted and so recorded will be regarded as official Board policy.

When additions, deletions or amendments are made to Board policy, the addition, deletion or amendment will carry the adoption date and the corrected copy will be published at the earliest opportunity.

The operation of any individual policy, section or sections of policies not established by law or specifically listed in the current collective bargaining agreement may be temporarily suspended by a majority vote of the Board at a regular or special meeting.

The policy manual will be regularly reviewed to keep it current.

END OF POLICY

Legal Reference(s):

ORS 332.107
ORS 332.505
OAR 581-022-2305
OAR 581-022-2405

Corrected 11/16/23

Clatskanie School District 6J

Code: BFC
Adopted:

Adoption and Revision of Policies
(Version 2)

Adopting new policies and changing or repealing existing policies is the Board's responsibility. Policy will be adopted and amended or repealed only by the affirmative vote of a majority of the Board members. Such action will be scheduled on the agenda of a regular or special meeting.

Proposed policies or policy changes and repeal of existing policies will be presented in writing for consideration by the Board.

To permit time for studying all new policies or amendments to policies and to provide an opportunity for interested parties to react, proposed policies or amendments will be presented as a Board agenda item in the following sequence:

1. First reading of a proposed policy (or policies): This is an information item and no action is required by the Board. A first reading announces that a new policy, a revision of an existing policy or consideration to rescind a policy, is being considered by the Board. Comments, questions, concerns and recommended edits should be forwarded to the superintendent for consideration prior to the meeting in which the policy is recommended for a second reading and/or adoption. If a Board member wishes to discuss a proposed policy or administrative regulation listed as an information item, the policy must be moved to the agenda for discussion with a consensus of the Board. Any organization which represents employees of the district shall be furnished a copy of personnel policies and revisions as they are made.

2. Second reading/Adoption of a proposed policy (or policies): This is an action by the Board and may be placed on the consent agenda. Any revisions to a policy from the first reading will not require the policy go through an additional reading, except as the Board determines that the revision(s) need(s) further study and an additional reading would be advantageous.

When, in the best interest of the district, immediate adoption of a proposed policy is necessary, the Board may adopt such policy at the first meeting in which it is presented.

Policies and amendments adopted by the Board will be attached to, and made a part of, the minutes of the meeting at which they are adopted and also will be included in the district's board policy manual.

END OF POLICY

Legal Reference(s):

ORS 332.107
ORS 332.505
OAR 581-022-2305
OAR 581-022-2405

PROPOSED

Clatskanie School District 6J

Code: BFCA
Adopted: 4/22/13
Orig. Code: BFCA

Administrative Regulations

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

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

When approved by the superintendent, administrative regulations shall be distributed to the Board and staff as appropriate.~~all parties affected.~~

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

~~The Board reserves the right to review all administrative regulations and procedures, but will revise them only when, in the Board's judgment, they are inconsistent with policies and regulations set by the Board.~~

END OF POLICY

Legal Reference(s):

ORS 332.107 OAR 581-022-2305 OAR 581-022-2405

Corrected 11/16/23

Clatskanie School District 6J

Code: BFD
Adopted: 4/28/14
Orig. Code: BFD

Board Policy Implementation

Effective Date of Policies

All new or amended policies will become effective on the day after adoption by the Board, unless a specific date is included in the motion for adoption.

Policy Implementation

The superintendent and administrative staff will implement board~~Board~~ policies. The superintendent may formulate administrative regulations and procedures to assist policy implementation.

It will be the Board's duty to evaluate the effectiveness of the policy and the effectiveness of the administration's implementation of the policy.

Policy Dissemination

The written board policies that govern the district will be maintained in a policy manual to be updated by district staff as new policies are developed or existing policies are revised or repealed.

Each Board member will be informed how to access the~~provided with a~~ current board policy manual.

Each district employee will be notified of the existence and availability of personnel policies.

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

The Board's policy manual will be considered a public record and will be open for inspection at the district~~superintendent's~~ office during regular working hours.

~~The superintendent will provide channels for disseminating appropriate policies to the community.~~

END OF POLICY

Legal Reference(s):

ORS 332.107	OAR 581-022-2305	
ORS 332.505	OAR 581-022-2405	

Corrected 11/16/23

Clatskanie School District 6J

Code: BFE
Adopted: 4/22/13
Orig. Code: BFE

Administration in the Absence of Policy

In cases where action must be taken within the school system and the Board has not provided policy to guide administrative action, the superintendent will have the power to act~~, but his/her decisions will be subject to Board review at the next regular meeting. It will be the superintendent's responsibility to promptly inform the Board of such action~~.

END OF POLICY

Legal Reference(s):

ORS 332.107 OAR 581-022-2305

Corrected 11/16/23

Clatskanie School District 6J

Code: BFF
Adopted: 4/22/13
Orig. Code: BFF

Suspension of Policies

In the event of emergency or special circumstances, the operation of any individual policy, section or sections of Board policy, including those governing its own operational procedures, may be temporarily suspended[1] by a majority of the Board members at any regular, special or emergency meeting. This suspension, however, does not apply to any section of Board policy that may be established by law, collective bargaining agreement or other ~~or~~ contract.

END OF POLICY

Legal Reference(s):

ORS 332.107 OAR 581-022-2305

Corrected 11/16/23

[1] Be sure to establish a time limit for the suspension, e.g., This policy is suspended for [.....].

Clatskanie School District 6J

Code: BG
Adopted: 4/22/13
Orig. Code: BG

Board Staff Communications

The Board desires to maintain open channels of communication between itself and the district staff. The basic line of communication will~~, however,~~ be through the superintendent.

Staff Communications to the Board

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

Board Communications to Staff

All official Board communications, policies and directives of staff interest and concern will be communicated to staff members through the superintendent. The superintendent will provide appropriate communication to keep staff fully informed of the Board's policies, priorities~~, concerns~~ and actions.

Visits to Schools

~~Informal school visits by Board members will be regarded as expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes. Official visits by Board members will be carried on~~ Visits by Board members will be conducted only under Board authorization and with the full knowledge of staff, including the superintendent, principals and other supervisors. School visits by Board members will be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes.

END OF POLICY

Legal Reference(s):

ORS 332.107 OAR 581-022-2405

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984).
Connick v. Myers, 461 U.S. 138 (1983).
Lebanon Education Association/OEA v. Lebanon Community School District, 22 PECBR 323 (2008).

Corrected 11/16/23

Clatskanie School District 6J

Code: BH/BHA
Adopted: 4/22/13
Orig. Code: BH/BHA

Orientation of New Board Members

The Board and designated~~A new member is to be given the Board's and staff's fullest measure of courtesy and cooperation. Board and~~ staff will make every effort to assist the new member to become fully informed about the Board's functions, policies, procedures and issues. In the interim between election and assuming office or following an appointment, the new Board member~~(s)~~ will be assisted in the following ways:

1. The newly elected or appointed Board member will be given materials related to~~on~~ the role of a Board member;

2. The newly elected or appointed Board member will be invited to attend Board meetings to observe the operation of the Board, but will not be a voting member until they assume office;

3. The newly elected or appointed Board member will be given a copy of Board policies, Board priorities, any long-range plans and the adopted district ~~adopted~~ budget;

4. The members of the Board will serve as mentors to a newly elected or appointed Board member;

5. The superintendent will supply material pertinent to meetings and will explain its content;

6. The newly elected or appointed Board~~The incoming~~ member will be invited to meet with the superintendent or~~and~~ other administrative personnel, by arrangement with the superintendent, to discuss services they perform for the district;

7. The newly elected or appointed Board member will be encouraged to attend the Summer Board Conference and the Board training conferences planned~~Workshop for New Board Members sponsored~~ by the Oregon School Boards Association;

8. The newly~~Newly~~ elected or appointed Board member~~members~~ will receive all materials, reports and communications normally sent to Board members.

END OF POLICY

Legal Reference(s):

ORS 332.107

Corrected 11/16/23

Clatskanie School District 6J

Code: BHB
Adopted: 4/22/13
Orig. Code: BHB

Board Member Development

The complexity of Board membership demands opportunities for development, study and training for Board members. The Board places a high priority on the importance of a planned and continuing program of professional development~~in-service education~~ for its members.

In order to develop leadership capabilities, become informed about current issues in education~~,~~ and improve their skills as members of a policy-making body, Board members will~~should~~ participate in opportunities for professional development that may include, but not be limited to, the following:

1. In-service activities planned by the Board and by the administration for staff members, as appropriate;

2. Participation in conferences, workshops~~, and~~ conventions and training held by state and national school board~~boards~~ associations and other educational organizations;

3. Subscriptions to publications addressing Board member related topics~~concerns~~.

Recognizing the need for continuing training and development of its members, the Board encourages the participation of all members in appropriate conferences, conventions and workshops. To control both the investment of time and funds necessary to implement this policy, the Board establishes these principles and procedures for its guidance:

1. The superintendent will inform Board members, in a timely manner, of upcoming conferences, conventions~~, and~~ workshops and training. The Board will decide which ~~meetings~~ appear to ~~be most likely to~~ produce the greatest benefit to the Board and the district.~~;~~

2. Funds for participation at such professional development~~meetings~~ will be included in the district budget.~~budgeted.~~ When funds are limited, the Board will designate which members will ~~would be most appropriate to~~ participate at a given meeting or training.~~;~~

3. If authorized ~~to attend, and reimbursement is approved~~ by the ~~entire~~ Board to attend, Board members will be reimbursed, upon request, for reasonable and necessary expenses actually incurred.~~;~~

4. When a conference, convention or workshop is not attended by the full Board, those who ~~do~~ participate will ~~be requested to~~ share, by means of written or oral reports, information, recommendations and materials acquired at the meeting.

END OF POLICY

Legal Reference(s):

ORS 332.018(3) ORS 332.107

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

Corrected 11/16/23

Clatskanie School District 6J

Code: BHD
Adopted: 4/22/13
Orig. Code: BHD

Board Member Compensation and Expense Reimbursement

No Board member will~~shall~~ receive any compensation for services ~~as a member of the Board~~ other than reimbursement for approved~~reasonable and necessary~~ expenses actually incurred on district~~school~~ business. Such expenses may include the cost of attendance at meetings, conferences or visitations when such attendance has been approved by the Board.

Members of the Board will be reimbursed at the district rate for mileage and expenses while on Board business.

Reimbursement includes, but is not limited to, transportation, meals, lodging and miscellaneous expenses.

~~Board members may be reimbursed, when~~ When paid admission is required of the ~~general~~ public, Board members may be reimbursed for ~~for~~ attending district ~~athletic~~ events and other activities when~~as part of~~ their attendance is consistent with board responsibilities and ~~of being informed about~~ district operations. (*See* Board policy DFEA - Admission to District Events) The district will establish accounting procedures consistent with this policy.

END OF POLICY

Legal Reference(s):

ORS 244.020 ORS 244.040 ORS 332.018(3)

OR. GOV'T STANDARDS AND PRACTICES COMM'N, STAFF OPINION 02S-015 (May 20, 2002).
OR. GOV'T STANDARDS AND PRACTICES COMM'N, STAFF OPINION 03S-015 (Sept. 11, 2003).

Corrected 11/16/23

Clatskanie School District 6J

Code: BHE
Adopted: 4/22/13
Orig. Code: BHE

Board Member Liability Insurance

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

END OF POLICY

Legal Reference(s):

ORS 30.260 to -30.300 ORS 332.072 ORS 332.435

Corrected 11/16/23

Clatskanie School District 6J

Code: BI
Adopted: 4/22/13
Orig. Code: BI

Board Legislative Program

The Board will~~may~~ represent the district's interests in legislative action to promote the welfare of public education in the state of Oregon~~,~~ or will direct those interests to be represented through~~ its executive officer,~~ the superintendent or designee.

The Board will~~may~~ periodically study, discuss and weigh the merits of pending legislation for the purpose of determining its official position through Board action.~~ If established, these official positions will be the stand of the district in the legislative process.~~

Board members, individually or as members of professional organizations, will not seek to represent any other positions on legislative matters unless it is made clear that such representation is not the official ~~stand~~ position of the district.

END OF POLICY

Legal Reference(s):

ORS 332.107

Corrected 11/16/23

Clatskanie School District 6J

Code: BJ
Adopted: 4/22/13
Orig. Code: BJ

Board Memberships

The Board may maintain memberships in the national and state school boards associations and may take an active part in the activities of these groups.

It may also maintain ~~institutional~~ memberships in other educational organizations that the superintendent and Board find to be of benefit to members and district personnel.

The materials and benefits of ~~institutional~~ memberships will be distributed and used to the best advantage of the Board and the staff.

END OF POLICY

Legal Reference(s):

ORS 332.105(2) ORS 332.107

Corrected 11/16/23