



BETHEL SCHOOL BOARD MEETING

District Office – 4640 Barger Drive

Monday, November 13, 2017

7:00 p.m.

AGENDA

Executive Session per ORS 192.660(2)(e) – Real Property – Toward the end of the meeting.

At the end of the Executive Session the Board will call the Regular Session to order and open to the public.

1. **Call to Order** **Dawnja Johnson, Chair**
2. **Pledge of Allegiance** **Debi Farr, Vice Chair**
3. **Approval of Minutes**
4. **Superintendent's Report**
 - A. Student Presentation, Shasta Middle School
 - B. Student Representative Reports, KHS and WHS
 - C. 15th Night and Youth Housing Project, Donna Butera, Megan Shultz, Paul Neville
 - D. Financial Statement, Simon Levear
 - E. Public Comment Draft Revisions, 4th Reading
 - F. Review Budget Committee Applications and Determine Interview Process and Questions
 - G. Legislative & School Finance Update
 - H. Policy & Administrative Rule Update, 1st Reading
 - a. AC – Nondiscrimination – *Updated to reflect new language*
 - b. AC-AR – Nondiscrimination – *Updated to reflect new language*
 - c. EFAA-AR – District Nutrition and Food Services – *Updated to reflect new language*
 - d. GCDA – Criminal History Records Check/Fingerprinting – *Updated to reflect new language*
 - e. KL – Complaint Procedure – *Updated to reflect new language*
 - I.
5. **Delegations and Visitors**
6. **Consent Agenda**

Personnel Action Resolution No. 17
7. **Action Items**
 - A. *Yes/No/Abstain* OSBA Board of Directors Position 6 Resolution No. 18
 - B. *Yes/No/Abstain* OSBA Legislative Policy Committee Position 6 Resolution No. 19

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- C. *Yes/No/Abstain* OSBA Resolution #1 – Reorganizes OSBA as a non-profit corporation and adopts the proposed 2017 bylaws

Resolution No. 20

D.

8. Information and Discussion

- A. Review OSBA Convention Learnings
- B. Retiree Open House – Tuesday, December 12th, 2:00-4:00pm, District Office
- C. NSBA Annual Conference, April 7-9, 2018

D.

9. Board Activity Update

A.

10. Review of Next Meeting: Monday, December 11, 2017

- A. Student Presentation, Danebo Elementary School
- B. Student Representative Reports, KHS and WHS
- C. Preschool Promise, Amy Tidwell
- D. Outdoor School Committee Update, Brian Flick
- E. Financial Statement, Simon Levear
- F. Review Budget Committee Calendar
- G. Legislative & School Finance Update
- H. Board Policies & Administrative Rules Up for Periodic Review

I.

11. The Board will meet in Executive Session per ORS 192.660(2)(e) to negotiate real property.

12. Return to Regular Session

13. Adjournment

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ATTENDANCE

Board Members: Alan Laisure, Rich Cunningham, Paul Jorgensen, Greg Nelson, Debi Farr, and Chair, Dawnja Johnson

Absent: Ginger Poage

District staff, students, and community members identified: Superintendent Parra, Student Representative Bailey Deverell, Student Representative Juanita Dominguez, Pat McGillivray, Brian Flick, Amy Tidwell, Simon Levear, Remie Calalang, William Swift, Zachary Lauritzen, Robin Hanson, Robin Zygaitis, Christy Perrigo, and Jill Busby

CALL TO ORDER

Chair Johnson called the October 23, 2017, Meeting of the Board of Directors to order at 7:03 p.m.

PLEDGE OF ALLEGIANCE

Vice Chair Farr led the Pledge of Allegiance.

ACTION ON MINUTES

Chair Johnson presented the Minutes from the October 9, 2017, Board Meeting and asked for additions or corrections. Hearing none, the Board approved the Minutes as submitted.

SUPERINTENDENT'S REPORT

Oath of Office, WHS Student Representative to the Board: Juanita Dominguez

Superintendent Parra welcomed Juanita Dominguez and announced that she will be sharing the responsibility of WHS Student Representative to the Board with Brandon Cerpa.

Superintendent Parra presented the oath. Juanita took the oath and was officially sworn in as a Student Representative for the Board of Directors for the 2017-18 school year.

KHS Student Representative Report, Bailey Deverell

Bailey shared that students have entered the second half of the first term at Kalapuya. Last week was Electives Week which went very well. Students and staff attended a 3-day trip to the Steens Mountain. Starting Monday of next week, a group of seniors will be taking RTEC (Regional Technical & Early College) 101 – Gateway to College and Careers, a class at Lane Community College. The students taking the class will be eligible for college credit. The class is an introduction to post-secondary education. Seniors are currently taking a week-long course in personal finance.

WHS Student Representative Report, Juanita Dominguez

Juanita introduced herself and stated that she is the ASB Vice President at Willamette. Last week was Spirit Week which was a big success. Friday night was Willamette's Homecoming football game followed by the Homecoming dance on Saturday night. Approximately 600 people attended the dance, which was a record breaking number of people to attend this event. The girls' soccer team playoffs will be held this coming Saturday and the girls' volleyball playoffs will be held on Wednesday. A group of sophomores will

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be visiting the University of Oregon this week. They will visit the Museum of Natural and Cultural History, tour the campus, and will have the opportunity to talk with UO students. *A Sherlock Holmes Mystery* will be performed at Willamette on November 16th, 17th, and 18th at 7:00 p.m. Willamette's Leadership class has its annual Rake and Run event coming up where students rake leaves at no cost for community members on a no-school day.

School and District Report Cards, Brian Flick

Director of Teaching and Learning Brian Flick reviewed the School and District Report Cards. The layout of the 2016-17 Report Cards is the same as it was the previous year. The Board discussed the 2016-17 District and School Report Cards. Mr. Flick shared 2016-17 summary detail ratings for Bethel schools and described new indicators that will be used on next year's report cards. Mr. Flick summarized targets that have been established by the state for 2025 and in the interim, and described how rating levels will be determined. Mr. Flick and the Board discussed testing time requirements and how to interpret the descriptions of the rating levels that will be assigned on district and school report cards.

The Board thanked teachers and staff for all they do to help students academically and commented on what a great job they're doing.

Financial Statement, Simon Levear

Business Services Director Simon Levear reviewed the September 2017 financial statement showing an estimated Ending Fund Balance of \$5,152,889.

Mr. Levear provided an update on proposed PERS rates anticipated beginning 2019-20 and summarized current enrollment in the schools.

Public Comment Draft Revisions, 3rd Reading

Superintendent Parra reviewed sample policy and AR documents for BDDH – Public Comment at Board Meetings and a revised version of the Public Comment Guidelines. Superintendent Parra also reviewed the District's current policy document KLD – Commendation and Criticism of Employees and suggested moving some of KLD's content to BDDH and deleting KLD (recommended by OSBA). The Board discussed options for placement of Delegations and Visitors on the Board Agenda and the importance of public comment.

Legislative & School Finance Update

Superintendent Parra did not present a Legislative and School Finance Update.

DELEGATIONS AND VISITORS

None

Director Cunningham inquired about the process for a member of the ESD Board to be added to the Board Agenda in order to introduce herself.

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CONSENT AGENDA

Resolution No. 15 – Personnel Action

Motion: Greg Nelson moved, Alan Laisure seconded, to approve the Revised Consent Agenda as specified below:

#	Name	Type	Description
1.	Baldwin, Sima	Infant Care Leave	Approve 1.0 FTE Infant Care Leave from 11/29/2017 through 12/15/2017; Position: 1.0 FTE 1 st Grade Teacher @ Danebo.
2.	Campbell, Jessie	Temporary Hire for 2017-18	Offer Temporary Contract for 1.0 FTE School Psychologist @ District Office; Replaces: Ashley Scott; Start Date: 1/2/2018.
3.	Lukasik, Ann	Temporary Hire for 2017-18	Offer Temporary Contract for .7 FTE Facilitating Teacher @ Malabon; Start Date: 10/11/2017.
4.	Praus, Mariah	Temporary Hire for 2017-18	Offer Temporary Contract for 1.0 FTE 3-5 Extended Resource Room Teacher @ Prairie Mountain; Replaces: Estin Warren; Start Date: 10/16/2017.
5.	Robbins, Suzanne	Resignation/Retirement/Rehire	Accept Resignation effective 11/30/2017 to enter retirement. Offer Temporary 1.0 FTE Contract from 12/1/2017 through the end of the 2017-18 school year; Position Held: 6 th Grade Math Teacher @ Shasta; 18 years at Bethel.

Motion Passed, 6-0

Absent: Ginger Poage

ACTION ITEMS

Resolution No. 16 – Notice of Intent to Maintain Participation in the Formal Governance of Lane ESD, by requesting 50% or less of ADMw in Transit Dollars

Motion: Debi Farr moved, Paul Jorgensen seconded, to issue a Notice of Intent to Maintain Participation in the Formal Governance of Lane Education Service District, by requesting 50% or less of ADMw in Transit Dollars for the 2018-19 school year.

Motion Passed, 6-0

Absent: Ginger Poage

INFORMATION AND DISCUSSION

- A. OSBA Annual Convention, November 9-12, Portland Marriott Downtown Waterfront
- B. NSBA Annual Conference, April 7-9, 2018

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BOARD ACTIVITY UPDATE

- A. Vice Chair Farr is looking forward to the upcoming 15th Night and Youth Housing Project presentation.
- B. Chair Johnson shared that her student had an amazing time at Willamette's Homecoming dance and that it was a very nice and well attended event.
- C. Director Laisure inquired about the BEF Breakfast because he wasn't able to attend. The Board thanked everyone involved with organizing and assisting with the breakfast, and reported that it was a great event.

REVIEW OF NEXT MEETING: MONDAY, NOVEMBER 13, 2017

- A. Student Presentation, Shasta Middle School
- B. Student Representative Reports, KHS and WHS
- C. 15th Night and Youth Housing Project, Donna Butera, Megan Shultz, Paul Neville
- D. Outdoor School Committee Update, Brian Flick
- E. Financial Statement, Simon Levear
- F. OSBA Election
- G. Legislative & School Finance Update
- H. Board Policies Up for Periodic Review

ADJOURNMENT

There being no further business to bring before the Board, Chair Johnson adjourned the meeting at 8:45 p.m.

Clerk – Chris Parra

jcb

Chair – Dawnja Johnson

Bethel School District GENERAL FUND
 Revenue and Expenditure Summary/Projection (unaudited)
 Fiscal Year 2017/2018

	better than forecast
	within 2% of forecast
	Within 2% - 4% of forecast
	Over 4% of forecast

	Actual	Actual	Actual	Preliminary	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	Projected	YTD	YTD	Variance
	July 2017	Aug 2017	Sept 2017	Oct 2017	Nov 2017	Dec 2017	Jan 2018	Feb 2018	March 2018	April 2018	May 2018	June 2018	Totals	2017/2018	Budget	Actual	Projected	Oct 2017	Oct 2017	
														ADOPTED BUDGE	Variance					
REVENUES																				
LOCAL SOURCES:																				
Current year's levy* R1111	0	0	0	0	10,307,463	3,694,797	183,389	74,119	412,122	55,558	54,631	402,907	15,184,985	15,222,447	-37,462	0	37,462	(37,462)		
Prior years' taxes* R1112 & 1190 & 1200	0	0	41,903	32,225	12,709	2,831	4,433	3,446	1,266	3,498	3,695	16,579	122,587	58,000	64,587	74,128	9,542	64,587		
Tuition from other Districts	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Investment earnings R1510	16,091	19,035	17,782	17,570	6,423	10,603	12,099	13,385	11,654	11,518	12,774	7,765	156,701	110,000	46,701	70,478	23,778	46,701		
Misc. local sources R1910 & R1940 & R196	15,883	4,990	5,284	51,561	31	103	102	719	1,350	1,903	24,334	9,251	115,510	44,300	71,210	77,718	6,508	71,210		
Subtotal	31,974	24,025	64,970	101,356	10,326,626	3,708,334	200,024	91,668	426,393	72,477	95,434	436,502	15,579,783	15,434,747	145,036	222,325	77,289	145,036		
INTERMEDIATE SOURCES:																				
County School Fund* R2101	0	0	0	0	0	0	0	0	0	0	0	60,000	60,000	60,000	0	0	0	0		
Subtotal	0	0	0	0	0	0	0	0	0	0	0	60,000	60,000	60,000	0	0	0	0		
STATE SOURCES:																				
SSF- Current Year R3101	6,318,731	3,157,468	3,157,468	3,157,468	3,172,337	3,187,898	3,187,898	3,187,898	3,156,822	3,162,282	3,005,110	-7	37,851,374	37,925,738	-74,364	15,791,136	15,865,500	(74,364)		
Common School Fund* R3103	0	0	0	0	0	0	339,314	0	0	0	0	339,314	678,627	678,627	0	0	0	0		
High Cost Disability	0	0	0	0	0	0	0	0	0	0	80,000	0	80,000	80,000	0	0	0	0		
Other State Funds	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Subtotal	6,318,731	3,157,468	3,157,468	3,157,468	3,172,337	3,187,898	3,527,212	3,187,898	3,156,822	3,162,282	3,085,110	339,306	38,610,001	38,684,365	-74,364	15,791,136	15,865,500	(74,364)		
FEDERAL SOURCES:																				
Other Federal Grants 4700	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Federal Forest Fees* R4801	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Subtotal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
OTHER RESOURCES:																				
Interfund Transfers In R5200	0	0	0	0	0	0	0	0	0	0	0	0	0	350,000	-350,000	0	0	0		
Beginning fund balance R5400	6,078,226	0	0	0	0	0	0	0	0	0	0	0	6,078,226	4,457,000	1,621,226	6,078,226	4,457,000	1,621,226		
Subtotal	6,078,226	0	0	0	0	0	0	0	0	0	0	0	6,078,226	4,807,000	1,271,226	6,078,226	4,457,000	1,621,226		
Total, monthly revenues	12,428,931	3,181,494	3,222,438	3,258,824	13,498,963	6,896,232	3,727,235	3,279,567	3,583,214	3,234,759	3,180,544	835,809	60,328,010	58,986,112	1,341,898	60,328,010	20,399,788	1,691,898		
CUMULATIVE RESOURCES	12,428,931	15,610,425	18,832,863	22,091,686	35,590,649	42,486,882	46,214,117	49,493,684	53,076,898	56,311,657	59,492,201	60,328,010	60,328,010	58,986,112	1,341,898	60,328,010	20,399,788	1,691,898		
EXPENDITURES																				
Salaries- 100	344,600	580,674	2,034,015	2,374,765	2,464,773	2,364,335	2,184,077	2,390,973	2,409,295	2,267,227	2,424,940	5,580,424	27,420,098	27,091,600	328,498	5,334,054	5,299,084	34,970		
Employee benefits- 200	283,175	420,177	1,482,897	1,651,354	1,721,934	1,675,969	1,623,948	1,678,347	1,715,440	1,662,447	1,709,027	3,768,138	19,392,853	19,365,580	27,273	3,837,602	3,926,436	(88,834)		
Purchased services- 300	88,933	455,372	244,271	406,047	784,927	456,251	563,955	391,278	484,114	506,967	470,529	1,066,737	5,919,380	5,734,730	184,650	1,194,623	1,009,973	184,650		
Supplies- 400	87,807	72,594	65,428	84,320	86,598	73,394	126,619	67,750	64,696	41,001	98,634	143,203	1,012,044	966,942	45,102	310,149	265,048	45,102		
Capital outlay- 500	0	89,898	79,567	9,106	0	0	0	0	0	0	193,420	126,580	498,571	320,000	178,571	178,571	0	178,571		
Insurance/Dues/Other- 600	382,316	36,986	1,974	8,040	3,613	4,246	1,245	10,948	1,788	1,399	-47	1,280	453,788	405,683	48,105	429,316	381,210	48,105		
Interfund Transfers	0	0	0	120,000	69,290	0	0	0	0	0	0	375,437	564,727	442,730	121,997	120,000	0	120,000		
Contingency	0	0	0	0	0	0	0	0	0	0	0	0	0	3,658,848	0	0	0	0		
Total, monthly expend.	1,186,831	1,655,700	3,908,151	4,653,632	5,131,134	4,574,195	4,499,845	4,539,296	4,675,333	4,479,041	4,896,503	11,061,799	55,261,459	57,986,112	934,195	11,404,314	10,881,751	522,563		
CUMULATIVE EXPENDITURES	1,186,831	2,842,531	6,750,682	11,404,314	16,535,449	21,109,644	25,609,488	30,148,784	34,824,117	39,303,158	44,199,660	55,261,459	55,261,459	57,986,112	934,195	11,404,314	10,881,751	522,563		
Month-end Fund Balance	11,242,101	12,767,894	12,082,180	10,687,372	19,055,201	21,377,238	20,604,629	19,344,900	18,252,781	17,008,500	15,292,541	5,066,551	5,066,551	1,000,000	0	0	0	0		

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Oregon School Boards Association Selected Sample Policy

Code: **BDDH**
Adopted:

Public Comment at Board Meetings

All Board meetings, with the exception of executive sessions, will be open to the public. The Board invites district community members and staff to attend Board meetings to become acquainted with the program and operation of the district. Members of the public also are encouraged to share their ideas and opinions with the Board when appropriate.

It is the intent of the Board to ensure communications with individuals with disabilities are as effective as communications with others. Individuals with hearing, vision or speech impairments will be given an equal opportunity to participate in Board meetings. Primary consideration will be given to requests of qualified individuals with disabilities in selecting appropriate auxiliary aids¹ and services.

Auxiliary aids and services for persons with disabilities will be available at no charge to the individual. All auxiliary aids and/or service requests must be made with appropriate advance notice. Should the Board demonstrate such requests would result in a fundamental alteration in the service, program or activity or in undue financial and administrative burdens, an alternative, equally effective means of communication will be used.

Audience

During a session of a Board meeting open to the public, members of the public may be invited to present comments during the designated portion of the agenda.

Procedures for Public Comment at Meetings

The Board will establish procedures for public comment in open meetings. The purpose of these procedures will be to inform the public how to effectively participate in Board meetings for the best interests of the individual, the district and the patrons. The information will be easily accessible and available to all patrons attending a public Board meeting.

Discussion or presentation concerning a published agenda item is limited to its designated place on the agenda, unless otherwise authorized by the Board chair.

1. A visitor speaking during the meeting may introduce a topic not on the published agenda. The Board, at its discretion, may require that a proposal, inquiry or request be submitted in writing, and reserves the right to refer the matter to the administration for action or study.
2. Any person who is invited by the Board chair to speak to the Board during a meeting should state his/her name and address and, if speaking for an organization, the name and identity of the organization. A spokesperson should be designated to represent a group with a common purpose.

¹Auxiliary aids may include, but are not limited to, such services and devices as qualified interpreters, assistive listening systems, note takers, readers, taped texts, Braille materials and large print.

3. Statements by members of the public should be brief and concise. The Board chair may use discretion to establish a time limit on discussion or oral presentation by visitors.
4. Questions requiring investigation may, at the discretion of the Board chair, be referred to the superintendent for response at a later time.
5. At the discretion of the Board chair, anyone wishing to speak before the Board, either as an individual or as a member of a group, on any agenda item or other topic, may do so by providing the Board secretary with a completed registration card or sign-in sheet, prior to the Board meeting in order to allow the chair to provide adequate time for each agenda item.

Petitions

Petitions may be accepted at any Board meeting. No action will be taken in response to a petition before the next regular meeting. Petitions will be referred to the superintendent for consideration and recommendation.

Comments Regarding Staff Members and Students

It is the policy of the Board of Directors to encourage citizens and employees to communicate directly with members of individual school staffs and with district-level personnel on matters related to the operation of district schools. The procedures below are subject to, and shall not deprive employees of, their rights and due process provided in the U.S. Constitution, the Oregon Constitution, Oregon Revised Statutes, and relevant collective bargaining agreements.

When commendations are received by the administration about specific schools or employees (i.e., teachers, administrators, other licensed staff, and all classified staff working for Bethel Public Schools), they will be shared with staff appropriately (e.g., personal contact, note, media release).

The Board will not hear public comments about individual students, including retelling of events whereby individuals may be personally identifiable, regardless of whether names or positions are mentioned.

Speakers 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) for Board consideration of a legitimate complaints involving a staff member.

END OF POLICY

Legal Reference(s):

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

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

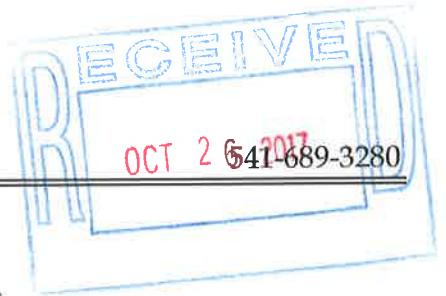
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2017); 29 C.F.R. Part 1630 (2006/2017); 28 C.F.R. Part 35 (2006/2017).

Americans with Disabilities Act Amendments Act of 2008.

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).

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COMMITTEE APPLICATION

Name of Committee Bethel Budget Committee

Applicant's Name Michael Tingué Phone 541-971-5543

Address 5532 Baden Way, Eugene, OR 97402

Email Address Mike-tingue@yahoo.com

Occupation State Farm Agent Are you a registered voter? YES NO

Do you reside within the Bethel School District boundaries? Yes How Long? 5 years
(If additional space is needed, please use reverse side.)

Briefly state your reasons for applying for this position I've always had an interest in helping my children's schools; helping on the budget committee would be a great fit to marry my passion for our school district and my educational/professional credentials.

What (if any) are your goals for this committee? I feel like I've seen our district really striving to move in the right direction. I would want to carry that torch and keep the upward momentum.

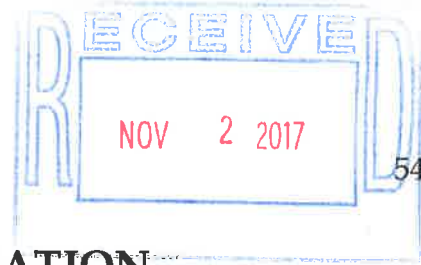
Special interests or qualifications BA in Business management, Business owner. Property/casualty, life/Health, Mortgage and series 6 & 63 Securities license. US Army inventory specialist.

Thank you for your interest in serving the children of our community. All appointments to advisory committees are made by the School Board as vacancies occur. The Board appreciates the opportunity to meet applicants before appointments are final, but this is not a requirement to serve.
Please return this form to the District Office by November 3, 2017 at 4:00 p.m.

Signature of Applicant Michael Tingué

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BETHEL SCHOOL DISTRICT #52
4640 Barger Drive • Eugene, OR 97402-1297



COMMITTEE APPLICATION

Name of Committee _____ Bethel Budget Committee _____

Applicant's Name _____ Robin Zygaitis _____ Phone _____ 541-337-3234 _____

Address _____ 869 Fairfield Ave, Eugene OR 97402 _____

Email Address _____ Robin.Zygaitis@gmail.com _____

Occupation _____ Technology Specialist _____ Are you a registered voter? YES NO

Do you reside within the Bethel School District boundaries? _____ Yes _____ How Long? _____ 6 Years _____
(If additional space is needed, please use reverse side.)

Briefly state your reasons for applying for this position _____

Having kids in the district, I know how important a good public education system is to our children. The School District is doing its best to provide a quality education while facing many challenges, from the lack of funding and the unfunded liability for PERS, to the rising cost of just about everything. The School Board and budget committee have tough decisions ahead such as how long we can run at a deficit to balancing class size with number of school days. I would appreciate the opportunity to be of service to our children and believe serving on the Bethel budget committee would be an excellent opportunity to put my skills and experience to work for our community.

Special interests or qualifications _____

I have a degree in Economics and have worked in the finance and banking industry for the last 7 years. I served on the board of directors for the (nonprofit) Willamette Chapter Credit Union Association for the last 5 years, and currently serve on the budget committee for Lane Council of Governments.

Thank you for your interest in serving the children of our community. All appointments to advisory committees are made by the School Board as vacancies occur. The Board appreciates the opportunity to meet applicants before appointments are final, but this is not a requirement to serve. *Please return this form to the District Office by November 3, 2017 at 4:00 p.m.*

9/2017

Signature of Applicant _____

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**BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT**

Subject: Nondiscrimination
Policy Number: AC Effective Date: 12/17
Date of Original Policy and Revisions: 10/11, 10/14, 11/16, 2/17
Cancels Policy No.: N/A Dated: N/A
Date of Next Review: 12/20

POLICY

The District prohibits discrimination and harassment on any basis protected by law, including but not limited to, individual's actual or perceived race (see Policy JFCFA – Racial Harassment), color, national or ethnic origin, ethnicity, cultural background, religion, veterans' status, genetic information, sex, gender¹, sexual orientation², marital status, age, mental or physical disability, pregnancy, socioeconomic status, source of income, familial status, physical characteristic, or linguistic characteristics of a national origin group or because of the perceived or actual ~~protected status~~ race, color, national origin, ethnicity, cultural background, religion, veterans' status, genetic information, sex, gender, sexual orientation, marital status, mental or physical disability, socioeconomic status, source of income, familial status, physical characteristic, or linguistic characteristics of a national origin group of any other persons with whom the individual associates.

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

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

The Superintendent or designee will make known the individuals to contact on issues concerning the Americans with Disabilities Act of 1990 and Americans with Disabilities Act Amendments Act of 2008 (ADA), Section 504 of the Rehabilitation Act of 1973, Title VI, Title VII, Title IX and other civil rights or discrimination issues³. The Board will adopt and 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

¹ Gender refers to gender identity, regardless of whether the individual's gender identity, appearance, expression or behavior differs from that traditionally associated within the individual's sex at birth.

² "Sexual orientation" means an individual's actual or perceived heterosexuality, homosexuality, or bisexuality.

³ Districts are reminded that the District is required to notify students and employees of the name, office address and telephone number of the employee or employees appointed.

**BETHEL SCHOOL DISTRICT #52
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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.

REPORTS

None.

ATTACHMENTS

None.

END OF POLICY

REFERENCES / COMMENTS

<u>ORS 174.100</u>	<u>ORS 659A.009</u>	<u>ORS 659A.321</u>
<u>ORS 192.630</u>	<u>ORS 659A.029</u>	<u>ORS 659A.409</u>
<u>ORS 326.051 (l)(e)</u>	<u>ORS 659A.030</u>	<u>ORS 659.805</u>
<u>ORS 659.815</u>	<u>ORS 659A.233</u>	<u>OAR 581-021-0046</u>
<u>ORS 659.850 to 860</u>	<u>ORS 659A.236</u>	<u>OAR 581-021-0049</u>
<u>ORS 659.865</u>	<u>ORS 659A.309</u>	<u>OAR 581-022-11402310</u>
<u>ORS 659.870</u>	<u>ORS 659A.040</u>	<u>OAR 581-022-2370</u>
<u>ORS 659A.003</u>	<u>ORS 659.150</u>	<u>OAR 839-003</u>
<u>ORS 659A.006</u>	<u>ORS 659A. 100 to 145</u>	

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (~~2006~~2017).

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 (~~2017~~2006); 29 C.F.R Part 1626 (~~2017~~2006).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (~~2017~~2006).

Equal Pay Act of 1963, 29 U.S.C. § 206(d) (~~2017~~2006).

Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794 (~~2017~~2006).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2006); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (~~2017~~2006).

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (~~2017~~2006).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (~~2017~~2006).

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

Americans with Disabilities Act Amendments Act of 2008.

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. § 4212(~~2017~~).

Title II of the Genetic Information Nondiscrimination Act of ~~2008~~2017.

Bethel Administrative Rule AC: Nondiscrimination

AC. NONDISCRIMINATION
Adopted:

Discrimination Complaint Procedure

Complaints must be filed within 180 days of the original incident.

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

Step 1: Initiating a Complaint

Any member of the public who wishes to express a complaint should discuss the matter with the school employee involved. Any staff member that receives a written or oral complaint shall report the complaint to the building administrator.

Step 2: The Building Administrator

- If a student, parent, employee or community member believes a complaint has not been resolved satisfactorily in Step 1, the complainant may file a written or oral complaint with a suggested remedy, with the building administrator within five school days of the meeting with the employee (see Discrimination Complaint Form in this AR).
- The building administrator will provide the complainant with a copy of the complaint process.
- The building administrator shall investigate and determine the action to be taken, if any, and reply in writing, to the complainant within five school days of receipt of the complaint.

Step 3: The District Administration Office

- If the complainant wishes to appeal the decision of the building administrator, they may submit a written appeal to the superintendent or designee within ten school days after receipt of the building administrator's response to the complaint.
- The superintendent or designee shall review the building administrator's decision and may meet with with involved parties.
- The superintendent or designee will review the merits of the complaint and the building administrator's decision and respond in writing to the complainant within fifteen school days.

Step 4: The Board

- 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 3.
- The Board may decide to hear or deny the request for appeal.
- The Board may meet with the concerned parties and their representative at the next regular or special Board meeting.
- The Board may elect to hold the hearing in executive session if the subject matter qualifies under ORS 192.660(1)(b), unless the parent, student, or employee requests the matter to be discussed in open session.
- 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 20 days of this meeting.

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If the building administrator is the subject of the complaint, the individual may start at step 3 and file a complaint with the superintendent or designee.

If the superintendent is the subject of the complaint, the complaint may start at step 4 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 4 and should be made to the Board chair and may be referred to District Counsel. Complaints against the Board Chair may start at step 4 and be made directly to the Board Vice Chair or District Counsel.

Timelines may be extended based upon mutual written consent of both parties.

If the complainant is a person who resides in the district, is 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 or 90 days, whichever occurs first, he/she may appeal in writing to the Superintendent of Public Instruction under Oregon Administrative Rule (OAR) 581-021-0049.

DISCRIMINATION COMPLAINT FORM

Name of Person Filing Complaint Date School or Activity

Student/Parent Employee Nonemployee (Job applicant) Other _____

Type of discrimination: Race Color Religion
 Sex National Origin Disability
 Marital Status Age Sexual Orientation
 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 building 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.

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EFAA. District Nutrition and Food Services

Adopted:

The District's nutrition and food services will be operated in accordance with the following requirements:

Meal Pricing Procedures

1. Reimbursable meals will be priced as a unit.
2. Reimbursable meals-will be served free or at a reduced price to all children who are determined by the District to be eligible for free or reduced price meals.
3. Annually, the District will establish prices for reimbursable student meals. The price charged to students who do not qualify for free or reduced price meals will be established annually by the District in compliance with state and federal laws.¹
4. The price charged to students who qualify for reduced price meals will be established annually by the District in compliance with state and federal laws.²
5. The District may implement claiming alternative Community Eligibility at selected sites.

Application Procedures

1. Households receiving SNAP or Temporary Assistance to Needy Families (TANF) benefits, as identified by Oregon Department of Education (ODE), will be automatically eligible for free meals for the students listed on the official document. The District will access this document at least three times per year.
2. Households that submit a confidential application will be notified of their student's eligibility for free or reduced price meals. Households that are denied free or reduced price benefits will be notified in writing using the Oregon Department of Education (ODE) template letter distributed to the District annually.
3. On a case-by-case basis, when a student is known to be eligible for free or reduced price benefits and the household fails to submit a confidential application, the Superintendent or designee may complete an application for the student documenting how he/she knows the household income qualifies the student for free or reduced price meal benefits. Parents of a student approved for free or reduced price benefits, when application is made for the student by a school official, will be notified of the decision and given the opportunity to decline benefits.
4. Students who do not qualify for free or reduced price meals are eligible to participate in the National School Lunch Program (NSLP) and School Breakfast Program (SBP) and will be charged "paid" meal-prices set by the District. "Paid" category students will be treated equally to students receiving free or reduced price benefits in every aspect of the District's NSLP and SBP.

¹The new requirement under Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. 1751 §§ 205 establishes new criteria for equity in school lunch pricing.

²According to Direct Certification and Certification of Homeless, Migrant and Runaway Children for Free School Meals, 7 C.F.R Part 245 (2011).

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5. The District has established a fair hearing process under which a household can appeal a decision with respect to the household's application for benefits or any subsequent reduction or termination of benefits.
6. In the event of major employers contemplating large layoffs in the attendance area of the District, the District will provide confidential applications and eligibility criteria for free and reduced price meals to the employer for distribution to affected employees.

Financial Management of the Nonprofit School Food Service

- a. The District will maintain a nonprofit school nutrition and food service operation.
- b. Revenues earned by the school nutrition and food services will be used only for the operation or improvement of NSLP and SBP.
- c. Lunch and breakfast meals served to teachers, administrators, custodians and other adults not directly involved with the operation of the District's nutrition and food services will be priced to cover all direct and indirect cost of preparing and serving the meal.³
- d. District nutrition and food services revenues will not be used to purchase land or buildings.
- e. The District will limit its nutrition and food services net cash resources to an amount that does not exceed three months average expenditures.
- f. The District will maintain effective control and accountability for, and adequately safeguard, all nutrition and food services' cash, real and personal property, equipment and other assets, and ensure they are used solely for nutrition and food services purposes.
- g. The District will meet the requirements for allowable NSLP and SBP costs as described in Office of Management and Budget (OMB) circular A-87.
- h. In purchasing nutrition and food services goods or services, the District will not accept proposals or bids from any party that has developed or drafted specifications, requirements, statements of work, invitations for bids, requests for proposals, contract terms and conditions or other documents for proposals used to conduct the procurement.
- i. All procurement transactions for nutrition and food services goods and services will be conducted according to state, federal and District procurement standards using the applicable cost thresholds.
- j. In the operation of its nutrition and food services program, the District will purchase food products that are produced in the United States, whenever possible.

Civil Rights and Confidentiality Procedures

1. The District will not discriminate against any student because of his/her eligibility for free or reduced price meals.

³For meals with portion sizes equivalent to student meals, the adult meal price will be no less than the amount of reimbursement for a free-eligible meal, plus the value of commodity foods used in the meal preparation.

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2. The District will not discriminate against any student or any nutrition and food services employee because of race, color, national origin, sex, sexual orientation, religion, age or disability.

Established District procedures will be followed for receiving and processing civil rights complaints related to applications for NSLP and SBP benefits and services, and employment practices with regard to the operation of its NSLP and SBP. The District will forward any civil rights complaint regarding the District's nutrition and food services to ODE's civil rights coordinator within three days of receiving the complaint.

3. The District will make written translations of all nutrition and food services materials available to all households who do not read or speak English.

4. The District will maintain strict confidentiality of all information on the confidential application for free and reduced price meals including students' eligibility for free or reduced price meals and all household information. The District's NSLP and SBP operators are not required to release any information from a student's confidential application for free or reduced price meals. No information may be released from a student's confidential application for free or reduced price meals or free milk without first obtaining written permission from the student's parent or legal guardian/adult household member signing the application, except as follows:

- a. An individual student's name and eligibility status may be released without written consent only to persons who operate or administer federal education programs; persons who operate or administer state education or state health programs at the state level; persons evaluating state, education assessment; or persons who operate or administer any other NSLP, SBP, SMP, Summer Food Service Program (SFSP), Child and Adult Care Food Program (CACFP) or the Food Stamp Program;
- b. Any other confidential information contained in the confidential application for free and reduced price meals (family income, address, etc.) may be released without written consent only to persons who operate or administer NSLP, SBP, SMP, CACFP, SFSP and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC); the Comptroller General of the United States for audit purposes; and federal, state or local law enforcement officials investigating alleged violation of any of the programs listed above.

Nutrition and Menu Planning⁴

1. Meals and snacks served for reimbursement will meet the recommendations of the most current Dietary Guidelines for Americans.
2. Meals and snacks served for reimbursement will meet at least the minimum NSLP and SBP requirements for food items and quantities
3. Meals served for reimbursement will:
 - a. Meet all minimum and maximum calorie requirements by grade level;
 - b. Meet the maximum standards set for saturated fat;
 - c. Meet the maximum standards set for sodium by grade level; and
 - d. Meet the requirement for zero grams of trans fats.
4. The District will use the offer versus serve option when serving NSLP lunches to senior high school students. High school students must select reimbursable meals.

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5. The District will use the offer versus serve option when serving program breakfasts to senior high school students. High school students must select a reimbursable meal.
6. The District will use the offer versus serve option when serving program lunches to students below senior high school grades. Students below high school grades will be required to select a reimbursable meal.
7. The District will use the offer versus serve option when serving program breakfasts to students below senior high school grades. Students below high school grades will be required to select a reimbursable meal.
8. A copy of the Board minutes adopting the offer versus serve policy for students below high school grades for program lunches and/or for all students in the District for program breakfasts, as applicable, will be made available upon request.

Use and Control of USDA Foods

1. The District will accept and use USDA foods in as large a quantity as may be efficiently utilized in the reimbursable lunch and breakfast program.
2. The District will maintain necessary safeguards to prevent theft or spoilage of commodity foods.
3. The value of commodity foods used for any food production other than NSLP, SBP or snacks shall be replaced in the food service inventory.

Accuracy of Reimbursement Claims

1. The District will claim reimbursement only for reimbursable meals and snacks served to eligible children.
2. All meals and snacks claimed for reimbursement will be counted at each dining site at a “point of service” where it can be accurately determined that the meal and snack meets NSLP and SBP requirements for reimbursement.
3. The person responsible for determining reimbursability of meals and snacks will be trained to recognize a reimbursable meal and snack under the menu planning approach used at the school.
4. The District official signing the claim for reimbursement will review and analyze monthly meal, and snack counts to ensure accuracy of the claim, before submitting the claim to ODE.
5. Annually, by November 15, the District will verify a random sample of applications according to NSLP verification requirements. Instructions for completing the verification process will be sent by ODE to the District in October each year.

Food Safety and Sanitation Inspections

1. The District will maintain necessary facilities for storing, preparing and serving food and milk.

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2. Semi-annually, the District will schedule food safety inspections with the county Environmental Health Department or Oregon Department of Human Resources for each school or dining site under its jurisdiction.
3. The District will maintain health standards in compliance with all applicable state food safety regulations at each school or dining site under its jurisdiction.

General USDA NSLP/SBP/SMP Requirements

1. The District will ensure that no student is denied a meal as a disciplinary action.
2. Breakfast will be served in the morning hours, at or near the beginning of the student's school day.
3. Lunch will be served between the hours of 10 a.m. and 2 p.m.
4. The District will provide substitute foods for students who are determined by a licensed physician to be legally disabled and whose disability restricts their diet. Substitutions will be provided only when a medical statement from the licensed physician is on file at the school. The medical statement must state the nature of the child's disability and how the disability affects the child's nutrition needs, and it must provide a medical prescription for substitute foods or texture modification. The District will not charge more than the price of the school meal, as determined by the child's eligibility status, for substitute meals or foods.
5. The District will control the sale of competitive foods.
6. The District will ensure that potable drinking water will be available to students, free of charge for consumption in the place where meals are served during meal service.
7. The District will notify all households of its meal charge requirements early in the school year as part of the student registration packet. All Nutrition Services staff, school administrators and school counselors will be notified of the meal collection policy annually. Unpaid meal charges place a financial burden on the Nutrition Services Department and the District's general operating fund. The District's meal charging requirements are as follows:

A charge account for all students is established with the District. Households are expected to prepay for meals or pay off balances on a weekly basis. Student meal accounts are the responsibility of the parent and/or guardian and all communication regarding such will be directed to the parent and/or guardian. No student will be denied access to school meals, have meal choices limited or be required to perform work in exchange for a meal. Notices of balances owed are emailed weekly to households. Households who do not have access to email will receive printed account notices in sealed envelopes addressed to the parent or guardian. School-based Nutrition Services staff will contact households directly by phone when balances in excess of one week are owed. The District Nutrition Services office will determine if the student or household can be certified without an application through the direct certification process. When charges owed are in excess of three weeks, the account is referred to the District Nutrition Services office. The District Nutrition Services department will again assess if the household can be directly certified for meal benefits, assist the household in completing the Free and Reduced Meal Application, assess individual circumstances and ability to pay, and establish a payment plan as appropriate. School administrators may act as a liaison between the parent/guardians and Nutrition Services department in assessing individual circumstances and ability to pay.

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Households experiencing temporary hardship may seek assistance from the Lunch Assistance Fund, which is supported by community donations. If there is evidence to support that the household meets the income requirements to qualify for meal benefits, Administrators may complete Free and Reduced applications for households who do not respond. Households with delinquent debt who have ability to pay may be sent to an outside collection agency at the discretion of the Nutrition Services department. Students who have graduated or leave the District with remaining funds in their account have the option to transfer funds to an active student, donate funds to the lunch assistance account, or request a refund. All refunds must be requested within one year from the time the account becomes inactive. After one year all unclaimed funds will then be donated to the Lunch Assistance Fund.

Outstanding negative balances for households that are later approved for meal benefits, or whose accounts are inactive due to graduation or a permanent move, will be considered uncollectable bad debt. The loss of such revenue to Nutrition Services must be restored using non-Federal funds.

8. The sale of foods in competition with the District's lunch (NSLP) or breakfast (SBP) programs will not be allowed in dining sites during lunch and breakfast periods without Board approval.

Record Keeping

1. All currently approved and denied confidential applications for free and reduced price meals and all current direct certification documents will be maintained for three years after the current school year. Records will be maintained longer in the event of unresolved audit until the audit has been completed.
2. All currently approved and denied confidential applications for free and reduced price meals-and all current direct certification documents will be readily retrievable by school or site and made available to state or federal reviewers upon request.
3. The District will maintain financial records that account for all revenues and expenditures of the nonprofit school nutrition and food services for a period of three years after the school year to which they pertain.

**BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT**

Subject: Criminal History Records Checks/ and Fingerprinting

Policy Number: GCDA Effective Date: 4/16

Date of Original Policy and Revisions: 4/94, 5/95, 2/00, 10/06, 1/09, 1/10, 1/12, 2/13, 1/14

Cancels Policy No.: GBO Dated: NA

Date of Next Review: 4/19

POLICY

In a continuing effort to further ensure the safety and welfare of students and staff, ~~and to comply with State statute,~~ the District shall require ~~criminal history records checks and fingerprinting~~ of all newly hired full-time and part-time employees not requiring licensure to undergo a criminal records check and/or ~~fingerprinting~~. Others ~~individuals,~~ as determined by the District, that will have ~~ing~~ direct, unsupervised contact with students shall ~~also~~ have criminal records checks and/or ~~fingerprinting,~~ as required by law. ~~The District's use of criminal history must be relevant to the specific requirements of the position, services or employment.~~

“Direct, unsupervised contact with students” means contact with students that provides the person opportunity and probability for personal communication or touch when not under direct supervision.

As required by state law, a criminal records check and/or fingerprinting shall be required of the following individual or individuals (subject individuals and requirements are further outlined in GCDA/GDDA-AR - Criminal Records Checks and Fingerprinting):

1. All district contractors and/or their employees, whether employed part-time or full-time, considered by the district to have unsupervised access to students;
2. All contractors and/or their employees who provide early childhood special education or early intervention services in accordance with rules established by the Oregon Department of Education, Child Care Division;
3. Any community college faculty member providing instruction at the site of an early childhood education program or at a school site as part of an early childhood program, or at a grade K through 12 school site during the regular school day;
4. Any individual who is an employee of a public charter school and not requiring licensure; and
5. Any individual considered for volunteer service with the district who is to have direct, unsupervised contact with students.

The identity of an individual requiring fingerprinting will be provided by the district to the authorized fingerprinter for verification.

An individual shall be subject to fingerprinting only after acceptance of an offer of employment or contract.

The District shall not begin the employment of an ~~an~~ subject individual or terms of a District contractor before the return and disposition of ~~the required~~ criminal records checks and/or fingerprinting.

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The service of a volunteer with direct, unsupervised access to students will not ~~may~~ begin on a probationary basis pending ~~before~~ the return and disposition of a criminal records check.

~~Criminal history records checks and/or fingerprinting fees as required by the Teacher Standards and Practices Commission, Department of Education, or by the District shall be paid by the individual. Newly hired employees not requiring licensure may request that the required fees be withheld from the employee's paycheck. Such fees may be deducted only upon the request of the individual. If the District is unable to recruit necessary individuals (for example, coaches or food service workers), it may waive the cost to the employee.~~

SUBJECT REQUIREMENTS

~~A. Any individual newly hired shall be required to undergo a nationwide criminal history records check and fingerprinting.~~

- ~~1. Newly hired, as defined by law and as used throughout this policy, means the employment of a person after application.~~
- ~~2. Direct, unsupervised contact with students, as defined by law and as used throughout this policy, means contact with students that provide the person opportunity and probability for the personal communication or touch when not under direct supervision.~~
- ~~3. The District has determined the following positions and/or employees may have such contact with students and will therefore be required to meet requirements for criminal history records check and fingerprinting:~~
 - ~~a. All classified and supervisory employee positions;~~
 - ~~b. All classified substitute positions;~~
 - ~~c. Extracurricular activity employees, including: coaches/ athletic trainers, not requiring licensure; club, organization, or other such extracurricular advisors, not requiring licensure;~~
 - ~~d. Others as identified by the Superintendent as having a job description not requiring licensure and providing the opportunity and probability for such contact with students;~~
 - ~~e. All contractors (including but not limited to public, private and non-profit organizations) and/or their employees who provide early childhood special education or early intervention services in accordance with rules established by the Employment Department;~~
 - ~~f. All District contractors, whether part time or full time, or an employee of a District contractor, whether part time or full time, hired into a position having direct, unsupervised contact with students shall be required to undergo a nationwide criminal history records check and fingerprinting;~~
 - ~~g. An individual who is the employee of a public charter school.~~

~~The Superintendent or designee will identify District contractors subject to such requirements.~~

~~An **subject** individual who has failed to disclose the presence of **criminal** convictions that would not otherwise **prevent his/her prohibit** employment with the **ed**District as provided by law may be employed or contracted with, by the **ed**District. The District's use of criminal history must be relevant to the specific requirements of the position, services or employment.~~

~~An individual who knowingly made a false statement as to the conviction of any crime on district volunteer forms, as determined by the district, may result in immediate termination from the ability to volunteer in the district.~~

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~~Fees associated with a criminal records check and/or fingerprinting may be charged.~~

~~B. Any individual newly licensed after December 31, 1993, as a teacher, administrator, personnel specialist, or school nurse shall be required to undergo a nationwide criminal history records check and fingerprinting.~~

~~— Individuals applying for reinstatement of a license that has expired for more than three (3) years shall also be required to undergo such checks. Individuals seeking an additional license will not be subject to such checks as a condition of obtaining the license.~~

~~— Requirements, including applicable fees and the process for the collection and submission of fingerprints, etc., will generally be met by the individual as a part of the licensing process and in accordance with rules established by the Teacher Standards and Practices Commission (TSPC).~~

EXCEPTIONS

~~An exception will be made to criminal history records checks and fingerprinting if the District has on file evidence from a previous employer documenting a successfully completed Oregon and FBI criminal records check. Evidence will be either a copy of the records check or a written statement of verification from a supervisor or officer of the previous employer. Furthermore:~~

~~A. The Oregon Department of Education (ODE) or TSPC verification of a previous check shall be acceptable only in the event the District can demonstrate records are not otherwise available;~~

~~B. Additional evidence that the non-licensed employee has resided outside the state between the two periods of time working in the District shall be maintained.~~

PROCESS/REPORTING PROCEDURES

~~A. Any individual subject to criminal history records checks and/or fingerprinting shall, as part of the application process, complete a Criminal History Verification of Applicants form and a Fingerprint Based Criminal History form as provided by the Oregon Department of Education.~~

~~B. Following acceptance of an offer of employment, including that as a substitute, the Criminal History Verification of Applicants form will be sent to the Oregon Department of Education for processing. A copy will be kept on file by the District. The individual will be required to report within ten [10] working days of a job offer to an authorized fingerprinter for fingerprinting. Fingerprints may be collected by one of the following:~~

- ~~— 1. Employing District staff;~~
- ~~— 2. Contracted agent of employing District;~~
- ~~— 3. Local or state law enforcement agency. Individuals shall be subject to fingerprinting only after acceptance of an offer of employment or contract.~~

EMPLOYMENT

~~The District shall not begin the employment of an individual or allow the employee of a school District contractor to report to a work site before the return and disposition of criminal records checks and/or fingerprinting.~~

FEES

~~A. Any fees associated with criminal history records and/or fingerprinting, not to exceed actual costs, shall be the responsibility of the new employee unless the District determines that it cannot recruit an~~

**BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT**

~~adequate number of candidates. The District may choose to pay part or all of the fees if it determines such action is necessary.~~

~~B. Fees are payable prior to beginning employment or contract.~~

~~C. Fees for new employees hired into a position not requiring licensure and identified in Board policy as having direct, unsupervised contact with students may request that the amount of the fee be withheld from the employee's paycheck, in accordance with Oregon Administrative Rules (OAR 581-22-1730). The District may withhold such fees only upon the written request of the individual.~~

TERMINATION

~~A. Any individual required to submit to criminal history records checks under Board policy will be terminated from employment or contract status by the Superintendent or designee immediately upon the following:~~

- ~~— 1. Refusal to consent to a criminal history records check and/or fingerprinting; or~~
- ~~— 2. Notification by the Superintendent of Public Instruction or designee or the State Board of Education that the employee has made a false statement as to conviction of a crime or conviction of crimes prohibiting employment with the District as specified in law.~~

~~B. The Superintendent or designee shall notify individuals in writing who have made false statements as to a conviction of a crime or have been convicted of crimes prohibiting employment in the District. Notification will include a statement of termination.~~

~~The Superintendent shall implement develop administrative regulations as necessary to meet the requirements of law, a procedure that ensures the integrity of the fingerprint collection and prevents any possible compromise of the process.~~

APPEALS

~~All An eligible individual may appeals regarding a determination that prevents employment or eligibility to contract with the District shall be directed to the Oregon Superintendent of Public Instruction. Individuals eligible to appeal as a contested case and will be so notified in writing by the Oregon Department of Education.~~

PROCEDURES

~~The Superintendent shall implement a procedure that ensures the integrity of the fingerprint collection and prevents any possible compromise of the process.~~

REPORTS

None.

ATTACHMENTS

None.

END OF POLICY

REFERENCES / COMMENTS

[ORS 181.A.180 555](#)

[ORS 181A.230](#)

[ORS 326.603](#)

[ORS 342.143](#)

[ORS 342.223](#)

[OAR 584-050-0012](#)

[OAR 581-021-0500](#)

[OAR 581-022-4730-2430](#)

BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

[ORS 326.607](#)
~~ORS 332.107~~
[ORS 336.631](#)
~~ORS 338.115~~

[OAR 414-061-0010](#) to -0030
~~[OAR 584-036-0062](#)~~

Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et. seq. (20127).

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**BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT**

Subject: Complaint Procedure Public Complaints

Policy Number: KL Effective Date: 4/14

Date of Original Policy and Revisions: 1/08

Cancels Policy No.: _____ Dated: _____

Date of Next Review: 4/17

POLICY

~~Complaints are handled and resolved as close to their origin as possible. Unless specifically provided by state or federal law, the decision of the District shall be final.~~

~~Although n~~ No individual staff member, student, parent, or guardian of a student attending school in the district or person that resides in the district will be denied the right to petition the Board for redress of a District with a grievance, complaints. A complainant will be referred through the proper administrative channels process for solution of a complaint before investigation or action by the Board. ~~An~~ Exceptions are will be a complaints that concern against the superintendent or one that involves Board actions or Board operations.

The complaint procedure is available at the District's administrative office and on the home page of the District's website.

The Board advises that there is a process for resolving complaints, including but not limited to a complaint in one or more of the following areas:

1. Instruction;
2. Discipline;
3. Learning materials;
4. Compliance with State Standards;
5. Restraint and/or seclusion;
6. With a staff member; or
7. Retaliation against a student or a student's parent who in good faith reported information that the student believes is evidence of a violation of state and federal law, rule or regulation.

The complainant must follow the complaint procedure as outlined in administrative regulation KL – AR – Public Complaint Procedure.

~~The Board advises that the proper channeling of complaints is as follows:~~

- ~~1. The individual(s) named in the complaint~~
- ~~2. School principal or supervisor~~
- ~~3. Superintendent or designee~~
- ~~4. Board~~

~~If the complaint is not handled satisfactorily at any one level, the complaint may proceed to the next level. A detailed complaint procedure with forms and timelines can be found in Administrative Rule KL.~~

Any complaint about school personnel other than the superintendent will be investigated by the administration before consideration and action by the Board. The Board will not hear charges complaints against employees in open a session open to the public unless an employee requests an open session.

BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

~~While speakers may offer objective criticism of school operations and programs, the Board will not hear personal complaints concerning school personnel nor against any person connected with the school system. To do so could expose the Board to a charge of being party to slander and would prejudice any necessity to act as the final review of administrative recommendations regarding the matter. The Board Chair will direct the visitor to the appropriate means for Board consideration and disposition of legitimate complaints involving individuals.~~

Complaints against the principal may start at step 3 and may be filed with the superintendent.

Complaints against the Superintendent may start at step 4 and should be referred to the Board chair on behalf of the Board.

Complaints against the Board as a whole or against an individual Board member may start at step 4 and should be made to the Board chair on behalf of the Board.

The superintendent will develop and administer the complaint process, as appropriate.

If any complaint alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Standards), Oregon Revised Statute (ORS) 339.285 to 339.383 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion) or ORS 659.852 (Retaliation), and the complaint is not resolved through the complaint process, the complainant, who is a student, a parent or guardian of a student attending a school in the district or a person who resides in the district, may appeal rights with the Deputy Superintendent of Public Instruction as outlined in Oregon Administrative Rule (OAR) 581-002-0040.

If the complaint alleges discrimination pursuant to ORS 659.850 (Discrimination) and the complaint is not resolved at the local level through administrative regulation AC-AR - Discrimination Complaint Procedure, the complaint may meet the criteria to file an appeal with the Superintendent of Public Instruction as outlined in OAR 581-021-0049.

REPORTS

None.

ATTACHMENTS

None.

END OF POLICY

REFERENCES / COMMENTS

[ORS 192.610-192.690](#)

[ORS 659.852](#)

[OAR 581-022 2370](#)

[ORS 332.107](#)

Anderson v. Central Point School District No. 6, 554 F. Supp. 600 (D. Oregon 1982); aff'd in part, 746 F.2d 505 (9th Cir. 1984).

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

Cross Reference(s):

[Bethel Policy KLD: Commendation and Criticism of Employees](#)

[Bethel Administrative Rule KL: Complaint Procedure](#)



November 13, 2017

RESOLUTION NO. 17-18: 17

RESOLUTION: CONSENT AGENDA/PERSONNEL ACTION

The Board of Directors, School District No. 52, Lane County, approves personnel action involving licensed employees and extra duty contracts at each regularly scheduled School Board meeting. If the Board of Directors would like to discuss any of these recommendations in executive session, the employee should be identified by the number preceding the name and it will be withdrawn pending further instruction from the Board. Remie Calalang is available for questions.

RECOMMENDATION:

It is recommended that the School Board approve the Consent Agenda as reflected in this resolution and any addendum presented along with this resolution.

#	Name	Type	Description
1.	Cautrell, Joe	Hire for 2017-18	Offer Extra Duty Contract for Assistant Wrestling Coach @ Willamette.
2.	Davis-Woods, Lenore	Resignation/Retirement/Rehire	Accept Resignation effective 12/1/2017 to enter retirement. Offer Temporary 1.0 FTE Contract from 12/4/2017 through the end of the 2017-18 school year; Position Held: 7 th Grade Math and Science Teacher @ Prairie Mountain; 22 years at Bethel.

Recommended by: Remie Calalang, Human Resources Director

ATTEST _____

Clerk – Chris Parra

Chair – Dawnja Johnson

MOVED BY _____

SECONDED BY _____

DATE _____

RESOLUTION: *Passed / Failed*

BOARD MEMBERS	AYE	NAY	ABSTAIN	ABSENT
Rich Cunningham				
Debi Farr				
Dawnja Johnson				
Paul Jorgensen				
Alan Laisure				
Greg Nelson				
Ginger Poage				

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November 13, 2017

RESOLUTION NO. 17-18: 18

Relevant Data:

Between November 13, 2017 and December 15, 2017, School Boards across the state may take official action on Oregon School Boards Association Board Positions.

Elections:

OSBA Board of Directors Position 6: Sherry Duerst-Higgins, South Lane 45J/Lane ESD

BE IT RESOLVED, the Board of Directors of Lane County School District No. 52 hereby **APPROVES / OPPOSES / ABSTAINS**.

It is further recommended that the Board direct the Superintendent or designee to submit this vote at OSBA's E-Voting Center no later than midnight on December 15, 2017.

ATTEST _____
Clerk – Chris Parra

Chair – Dawnja Johnson

MOVED BY _____

SECONDED BY _____

DATE _____

RESOLUTION: *Passed / Failed*

BOARD MEMBERS	AYE	NAY	ABSTAIN	ABSENT
Debi Farr				
Dawnja Johnson				
Paul Jorgensen				
Alan Laisure				
Greg Nelson				
Ginger Poage				
Rich Cunningham				

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November 13, 2017

RESOLUTION NO. 17-18: 19

Relevant Data:

Between November 13, 2017 and December 15, 2017, School Boards across the state may take official action on Oregon School Boards Association Legislative Policy Committee Positions.

Elections:

OSBA Legislative Policy Committee Position 6: Rose Wilde/Lane ESD

BE IT RESOLVED, the Board of Directors of Lane County School District No. 52 hereby **APPROVES / OPPOSES / ABSTAINS**.

It is further recommended that the Board direct the Superintendent or designee to submit this vote at OSBA's E-Voting Center no later than midnight on December 15, 2017.

ATTEST _____
Clerk – Chris Parra

Chair – Dawnja Johnson

MOVED BY _____

SECONDED BY _____

DATE _____

RESOLUTION: *Passed / Failed*

BOARD MEMBERS	AYE	NAY	ABSTAIN	ABSENT
Debi Farr				
Dawnja Johnson				
Paul Jorgensen				
Alan Laisure				
Greg Nelson				
Ginger Poage				
Rich Cunningham				

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November 13, 2017

RESOLUTION NO. 17-18: 20

Relevant Data:

Between November 13, 2017 and December 15, 2017, School Boards across the state may take official action on Oregon School Boards Association Resolution #1:

Resolution:

Reorganizes the Oregon School Boards Association as a non-profit corporation and adopts the proposed 2017 bylaws.

BE IT RESOLVED, the Board of Directors of Lane County School District No. 52 hereby **APPROVES / OPPOSES / ABSTAINS**.

It is further recommended that the Board direct the Superintendent or designee to submit this vote at OSBA's E-Voting Center no later than midnight on December 15, 2017.

ATTEST _____

Clerk – Chris Parra

Chair – Dawnja Johnson

MOVED BY _____

SECONDED BY _____

DATE _____

RESOLUTION: *Passed / Failed*

BOARD MEMBERS	AYE	NAY	ABSTAIN	ABSENT
Debi Farr				
Dawnja Johnson				
Paul Jorgensen				
Alan Laisure				
Greg Nelson				
Ginger Poage				
Rich Cunningham				