



BETHEL SCHOOL BOARD MEETING

Hybrid Meeting hosted from the District Office – 4640 Barger Drive

Monday, October 11, 2021 - 6:30 p.m.

Zoom information will be posted on Bethel School District's website by noon on Monday, October 11, 2021

Join Zoom Webinar:

<https://bethel-k12-or-us.zoom.us/j/81783653573?pwd=ZnBobFBveW1KVVkrRjFLNXJWdjlYQT09>

Passcode: bethelsd

Or

Phone number to listen: 1-253-215-8782

Webinar ID: 817 8365 3573

Passcode: 79062835

AGENDA

1. Call to Order

Debi Farr, Chair

2. Pledge of Allegiance

3. Approval of Minutes

4. Delegations and Visitors

Per ORS 192.670, this Board Meeting will be conducted as a virtual meeting. Public comment, however, will be taken either in-person, via Zoom Webinar, or in writing and will be limited to thirty minutes. Following public comment, the duration of the meeting will be held virtually on Zoom Webinar. To sign up for public comment via Zoom Webinar, please complete [this form](#) by noon the day of the Board Meeting. Written comments can be submitted to publiccomment@bethel.k12.or.us. Board members will have access to written public comments submitted by noon the day of the Board Meeting.

5. Superintendent's Report

- A. ESSER Update
- B. Financial Statement: Simon Levear
- C. Legislative and School Finance Update
- D. Policy Update, 1st Reading
 - a. AC – Nondiscrimination – *Updated to reflect new language*
 - b. GCBDA – Family and Medical Leave (FMLA) – *Updated to reflect new language*
 - c. JB – Title IX (Equal Educational Opportunity) – *Updated to reflect new language*
- E.

6. Consent Agenda

Personnel Action

Resolution No. 10

7. Action Items

- A. Notice of Intent to Maintain Participation in the Formal Governance of Lane ESD by requesting 50% or less of ADMw in Transit Dollars

Resolution No. 11

B.

BETHEL SCHOOL DISTRICT #52

BOARD OF DIRECTORS

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8. Information and Discussion

- A. NSBA Annual Conference, April 2-4, San Diego
- B.

9. Board Activity Update

- A.

10. Review of Next Meeting: Monday, October 25, 2021

- A. Eugene Youth Advisory Council: Destanee Butler and Sofia El-Shammaa
- B. Division 22 Standards
- C. Legislative & School Finance Update
- D. Board Policies Up for Periodic Review
- E.

11. Adjournment

MINUTES
BETHEL SCHOOL DISTRICT #52
BOARD OF DIRECTORS
SEPTEMBER 13, 2021

The September 13, 2021 meeting of the Board of Directors was held in-person for public comment and was open virtually to the public via Zoom Webinar for the duration of the meeting. Board members and district office staff were in-person.

ATTENDANCE

Board Members: Rich Cunningham, Greg Nelson, Ashley Espinoza, Caleb Clark, Paul Jorgensen, Robin Zygaitis, and Chair, Debi Farr

Absent: None

District staff and presenters (in-person and virtual): Superintendent Sproles, Remie Calalang, Tim Keeley, Alisha Dodds, Simon Levear, Logan Grasseth, Alan Laisure, Evan Rindy, Mari Ford, Jenny Sink, Nathan Bridgens, Maureen Spence, Carmen Adler, Erika Case, Jaime Noack, Lisa Jordan-Zornow, Brady Cottle, Hobie Blackhorn, Ry Robinson, Kodjo Wilder, Dan Hedberg, Alyssa Dodds, Stefan Aumack, Pat Bradshaw, Chris Parra, and Jill Busby

CALL TO ORDER

Chair Farr called the September 13, 2021 meeting of the Board of Directors to order at 6:32 p.m.

PLEDGE OF ALLEGIANCE

Vice Chair Cunningham led the Pledge of Allegiance.

ACTION ON MINUTES

Chair Farr presented the Minutes from the August 30, 2021 Board Meeting and asked for additions or corrections. Hearing none, the Board approved the Minutes as submitted.

DELEGATIONS AND VISITORS

No written comments were submitted.

Liz Killam, Bethel Parent

Bethel parent Liz Killam provided public comment via Zoom Webinar. Ms. Killam stated that students are required to wear masks outside while at school and requested that the Board cease this requirement and also design a plan for students to take a break from their masks while in class. In addition, Ms. Killam stated she is against returning to distance learning if there is a COVID-19 outbreak.

EXECUTIVE SESSION PER ORS 192.660(2)(d)

Chair Farr moved the Board into Executive Session at 6:39 p.m. to discuss labor negotiations.

RETURN TO REGULAR SESSION

Chair Farr returned the Board to Regular Session at 7:06 p.m.

MINUTES

BETHEL SCHOOL DISTRICT #52

BOARD OF DIRECTORS

SEPTEMBER 13, 2021

SUPERINTENDENT'S REPORT

School is Open – Highlights from Principals

Building principals shared highlights from the first week of school, described overall excitement about returning to full-time in-person instruction, and reported on a great start to the 2021-22 school year. Building principals also commented on back to school activities, connecting with students, enrollment, class size, new staff, new programs, scheduling, summer programs, and goals for the year. Assistant Special Services Director Logan Grassest shared that approximately 480 students are currently enrolled in Bethel Online Academy and described strong student engagement with the digital platform.

Bond Work Update, Pat Bradshaw and Chris Parra

Bond Project Manager Pat Bradshaw and Bond Oversight Committee member Chris Parra shared visuals of the large 2020 bond projects currently in the planning phase. The large 2020 bond projects include replacement of Cascade, the addition of a new gymnasium at Danebo, additions at Kalapuya and Willamette, a new maintenance shop, and the Ameresco phase II projects. Mr. Bradshaw and Ms. Parra answered questions from the Board and commented on the current increased cost of building materials. After a discussion regarding who is serving on the Bond Oversight Committee, Superintendent Sproles stated he would confirm membership on the committee.

Financial Statement, Simon Levear

Business Services Director Simon Levear reviewed the July/August 2021 financial statement showing an estimated Ending Fund Balance of \$7,714,375.

Legislative and School Finance Update

Superintendent Sproles reported on a new dashboard hosted by Willamette ESD that tracks COVID-19 metrics and could eventually assist with localized decision making related to the pandemic. Superintendent Sproles also reviewed precautions that support mitigation of COVID-19 transmission and shared topics to discuss with families including vaccination of eligible students, the possibility of quarantining and family impact plans, remaining engaged with digital platforms, and frequently communicating with schools and teachers, particularly when students are exhibiting COVID-19 symptoms. Additionally, Superintendent Sproles stated that the District is taking steps to determine learning supports for students who are in quarantine.

Human Relations Director Remie Calalang discussed staff communications related to the COVID-19 vaccination requirement for staff, medical and religious vaccine exceptions for staff, and the District's responsibility to ensure the safety of unvaccinated staff and the school community. Staff must be fully vaccinated or submit documentation of a medical or religious exception by October 18, 2021.

Director Cunningham inquired about the process of adding the COVID-19 vaccine as a required vaccine that is included as part of the immunization exclusion day in schools. Superintendent Sproles will look into the process and report back to the Board.

CONSENT AGENDA

Resolution No. 5 – Personnel Action

Motion: Rich Cunningham moved, Greg Nelson seconded, to approve the Consent Agenda as specified below.

MINUTES
BETHEL SCHOOL DISTRICT #52
BOARD OF DIRECTORS
SEPTEMBER 13, 2021

#	Name	Type	Description
1.	Anderson, Jamie	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.
2.	Arnold, Jessica	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.
3.	Bemiller, Jennifer	Temporary Hire for 2021-22	Offer Temporary Contract for .5 FTE to job share with McKenzie Bryant; Position: 1 st Grade Teacher @ Prairie Mountain; Start date: 8/30/2021.
4.	Bryant, McKenzie	Job Share	Approve job share with Jennifer Bemiller for the 2021-22 school year; Position: 1 st Grade Teacher @ Prairie Mountain.
5.	Collins, Aleethia	Temporary Hire for 2021-22	Offer Temporary Contract for 1.0 FTE 2 nd Grade Teacher @Irving; Replaces: Katie Rutherford; Start date: 8/30/2021.
6.	Davis, Amanda	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.
7.	Eden, Kristy	Temporary Hire for 2021-22	Offer Temporary Contract for .5 FTE Art Teacher @Fairfield; Start date: 9/8/2021.
8.	Fitch, David	Additional Temporary Hours for 2021-22	Offer Temporary Contract for .17 FTE Zero Period Session Choir Director @Shasta.
9.	Griesi, Misty	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.
10.	Guldager, Christine	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.
11.	Hales, Marianne	Temporary Hire for 2021-22	Offer Temporary Contract for .5 FTE Title Teacher @Bethel Online Academy; Start Date: 8/30/2021.
12.	Hatefi, Darren	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.
13.	Harrington, Jesse	Temporary Hire for 2021-22	Offer Temporary Contract for 1.0 FTE 5 th Grade Teacher @Clear Lake; Replaces: Evan Gosa; Start date: 8/30/2021.

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14.	Hedberg, Jean	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.
15.	Humphries, Martha	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.
16.	Jensen, Jaclyn	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.
17.	Kenna, Sean	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.
18.	Kreider, John	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.
19.	Kropp, Susan	Temporary Hire for 2021-22	Offer Temporary Contract for 1.0 FTE English Language Development Teacher @Willamette; Replaces: Paul Stieber (TOSA); Start date: 9/8/2021.
20.	Lee, Gerard	Hire for 2021-22	Offer Extra Duty Contract for Assistant Football Coach @Willamette.
21.	Lindskog, Tom	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.
22.	McBride, Colette	Hire for 2021-22	Offer 1 st Year Probationary Contract for 1.0 FTE Adaptive PE/Elementary PE Teacher @District Office/Irving; Replaces: Seth Hutchison; Start Date: TBD.
23.	McGowan, Chris	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.
24.	Moreno, Carlos	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.
25.	Perini, Audrianna	Hire for 2021-22	Offer Extra Duty Contract for Assistant Cheer Coach @Willamette.
26.	Reetz, Mike	Additional Temporary Hours for 2021-22	Offer Temporary Contract for .17 FTE Zero Period Jazz Band Teacher @Shasta.
27.	Riccio, Luke	Temporary Hire for 2021-22	Offer Temporary Contract for 1.0 FTE Language/Facilitating Teacher

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			Grades K-5 @Malabon; Start Date: 9/13/2021.
28.	Rutherford, Katie	Leave of Absence	Approve 1.0 FTE Miscellaneous Leave of Absence for the 2021-22 school year; Position: 2 nd Grade Teacher @Irving.
29.	Siedler, Deder	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.
30.	Shanks, Nick	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.
31.	Shequin, Kate	Temporary Hire for 2021-22	Offer Temporary Contract for 1.0 FTE 4 th Grade Teacher @Prairie Mountain; Replaces: Jenn DeBlois (TOSA/BOA); Start date: 8/30/2021.
32.	Symonds, Matthew	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.
33.	Tardiff, Tara	Job Share	Approve job share with Amy Brandon for the 2021-22 school year; Position: 3 rd Grade Teacher @Malabon.
34.	Thornton, Sara	Hire for 2021-22	Offer 1 st Year Probationary Contract for .5 FTE Spanish Teacher @Irving; Start date: TBD.
35.	Vetter, Shania	Temporary Hire for 2021-22	Offer Temporary Contract for 1.0 FTE 2 nd Grade Teacher @Irving; Replaces: Nicole Butler (TOSA); Start date: 8/30/2021.
36.	Vogel, Brian	Temporary Hire for 2021-22	Offer Temporary Contract for 1.0 FTE Health/PE Teacher @Willamette; Replaces: Kyle Hunt; Start date: 8/30/2021.
37.	Wolfram, Josh	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.
38.	Zapata, Jessica	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.

Motion Passed, 7-0

Absent: None

MINUTES
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BOARD OF DIRECTORS
SEPTEMBER 13, 2021

ACTION ITEMS

Resolution No. 6 – Approve Transfer Caps for 2021-2022

Motion: Greg Nelson moved, Robin Zygaitis seconded, to approve opening grade level bands to out-of-district students for 2021-2022, as presented.

Motion Passed, 7-0

Absent: None

Resolution No. 7 – Approve Collective Bargaining Agreement with EEA

Motion: Paul Jorgensen moved, Ashley Espinoza seconded, to approve the Collective Bargaining Agreement for July 1, 2021 – June 30, 2022, between the Bethel School District Bargaining Team and the Eugene Education Association Bargaining Team reached on June 28, 2021, and ratified by the Eugene Education Association on September 2, 2021.

Motion Passed, 7-0

Absent: None

INFORMATION AND DISCUSSION

- A. OSBA Virtual Fall Legislative Update, September 15 at 12:00 p.m. or September 16 at 5:00 p.m. - Register Online
- B. NSBA Annual Conference, April 2-4, San Diego

BOARD ACTIVITY UPDATE

None

REVIEW OF NEXT MEETING: MONDAY, SEPTEMBER 27, 2021

- A. SIA Funding Update
- B. Budget Committee Openings and Timeline
- C. Legislative & School Finance Update
- D. Board Policies Up for Periodic Review

ADJOURNMENT

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

Clerk – Kraig Sproles
jcb

Chair – Debi Farr

Bethel School District GENERAL FUND
 Revenue and Expenditure Summary/Projection (unaudited)
 Fiscal Year 2021/2022

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

	Prior Months	Current Month	Future Months	Preliminary 2021-2022 Totals	2021-2022 ADOPTED BUDGE	Budget Variance
	Actuals	Priliminary Sept 2021	Projected			
REVENUES						
LOCAL SOURCES:						
Current year's levy* R1111	0	0	17,050,198	17,050,198	17,050,198	0
Prior years' taxes* R1112 & 1190 & 1200	0	37,961	49,993	87,954	56,000	31,954
Tuition from other Districts	0	0	0	0	0	0
Investment earnings R1510	8,324	19,079	143,597	171,000	200,000	(29,000)
Misc. local sources R1910 & R1940 & R1960	0	157,440	75,672	233,113	146,000	87,113
Subtotal	8,324	214,479	17,319,461	17,542,264	17,452,198	90,066
INTERMEDIATE SOURCES:						
County School Fund* R2101	0	0	200,000	200,000	200,000	0
Subtotal	0	0	200,000	200,000	200,000	0
STATE SOURCES:						
SSF- Current Year R3101	10,148,087	3,381,337	27,914,657	41,444,080	42,001,869	(557,789)
Common School Fund* R3103	0	0	622,716	622,716	622,716	0
High Cost Disability	0	0	100,000	100,000	100,000	0
Other State Funds	0	0	0	0	0	0
Subtotal	10,148,087	3,381,337	28,637,373	42,166,797	42,724,585	(557,789)
FEDERAL SOURCES:						
Federal Grants 4500	0	0	0	0	0	0
Other Federal Grants 4700	0	0	0	0	0	0
Federal Forest Fees* R4801	0	0	215,000	215,000	215,000	0
Subtotal	0	0	215,000	215,000	215,000	0
OTHER RESOURCES:						
Interfund Transfers In R5200	0	50,000	0	50,000	0	50,000
Sale of or Comp for loss of asset	0	0	0	0	0	0
Beginning fund balance R5400	12,520,236	-35,864	0	12,484,373	10,842,951	1,641,422
Subtotal	12,520,236	14,136	0	12,534,373	10,842,951	1,691,422
Total, monthly revenues				72,658,433	71,434,734	1,223,699
EXPENDITURES						
Salaries- 100	1,085,892	2,599,776	29,068,691	32,754,359	32,846,753	(92,393)
Employee benefits- 200	727,549	1,709,478	19,741,442	22,178,470	22,331,351	(152,881)
Purchased services- 300	346,264	359,322	5,071,137	5,776,723	5,987,792	(211,069)
Supplies- 400	184,610	144,320	1,012,274	1,341,203	1,321,185	20,018
Capital outlay- 500	6,932	0	20,000	26,932	20,000	6,932
Insurance/Dues/Other- 600	641,007	6,604	32,817	680,428	902,296	(221,868)
Interfund Transfers	24,696	150,000	1,454,596	1,629,292	1,831,688	(202,396)
Contingency	0	0	0	0	5,193,668	
Total, monthly expend.	3,016,949	4,969,501	56,400,958	64,387,408	70,434,733	(853,657)
Month-end Fund Balance				8,271,025	1,000,001	

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

Subject: **Nondiscrimination**

Policy Number: AC Effective Date: 10/2021

Date of Original Policy and Revisions: 10/11, 10/14, 11/16, 2/17, 12/17

Cancels Policy No.: N/A Dated: N/A

Date of Next Review: 10/2024

POLICY

The District prohibits discrimination and harassment on any basis protected by law, including but not limited to, individual's actual or perceived race¹ (see Policy JFCFA – Racial Harassment), color, national or ethnic origin, cultural background, religion, veterans' status, genetic information, sex, gender², sexual orientation³, marital status, age, mental or physical disability, pregnancy, socioeconomic status, source of income, familial status, physical characteristic, or linguistic characteristic of a national origin group or because of the perceived or actual protected status of any other persons with whom the individual associates.

The District prohibits discrimination and harassment in, including but not limited to, employment, assignment and promotion of personnel (see policy GBA); 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 or designee ~~will make known the~~ shall appoint the individuals at the district 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, Titles VI, ~~Title~~ and VII of the Civil Rights Act, Title IX of the Education Amendments of 1972, and other civil rights or discrimination issues⁴, and notify students, parents, and staff with their names, office addresses and phone numbers. 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 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)).

² 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.

³ "Sexual orientation" means an individual's actual or perceived heterosexuality, homosexuality, or bisexuality.

⁴ ~~Districts are required to notify students and employees of the name, office address and telephone number of the employee or employees appointed.~~

BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

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

LEGAL REFERENCES / COMMENTS

ORS 174.100	ORS 659A.009	OAR 581-021-0045
ORS 192.630	ORS 659A.029	OAR 581-021-0046
ORS 326.051 (l)(e)	ORS 659A.030	OAR 581-021-0049
ORS 659.805	ORS 659A.040	OAR 581-022-2310
ORS 659.815	ORS 659A.103 to 659A.145	OAR 581-022-2370
ORS 659.850 to 659.860	ORS 659A.230 to 659A.233	OAR 839-003
ORS 659.865	ORS 659A.236	OAR 581-021-0047
ORS 659.870	ORS 659A.309	OAR 581-002-0001 – 002-0005
ORS 659A.003	ORS 659A.321	
ORS 659A.006	ORS 659A.409	
ORS 408.230		
ORS 659A.001		

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (20178).

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-6343 (20178); 29 C.F.R Part 1626 (20179).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213, 12112 (20128); 29 C.F.R. Part 1630 (20179); 28 C.F.R. Part 35 (20179).

Equal Pay Act of 1963, 29 U.S.C. § 206(d) (20178).

Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794 (20128); 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 (20178);

Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (201720).

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (20128); 28 C.F.R. §§ 42.101-42.106 (2019).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (20128); 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, as amended, 38 U.S.C. § 4212(20178).

Title II of the Genetic Information Nondiscrimination Act of 2008 (2017), 42 U.S.C. § 2000ff-1 (2018); 29 C.F.R. Part 1635 (2019).

House Bill 2935 (2021).

House Bill 3041 (2021).

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

Subject: **Family and Medical Leave**

Policy Number: **GCBDA** Effective Date: **10/21**

Date of Original Policy and Revisions: **4/95, 2/00, 10/06, 4/09, 3/10, 1/12, 1/14, 1/17**

Cancels Policy No.: **G CBD** Dated: **NA**

Date of Next Review: **10/24**

POLICY

When applicable, The District will comply with all the federal and state leave provisions including of the Family and Medical Leave Act (FMLA) of 1993 (~~FMLA~~), the Oregon Family Leave Act (OFLA) of 1995, the Military Family Leave Act as part of the National Defense Authorization Acts of 2008 and for Fiscal Year 2010 (which expanded certain leave to military families and veterans for specific circumstances), the Oregon Military Family Leave Act (OMFLA) of 2009 and other applicable provisions of Board policies and collective bargaining agreements regarding family medical leave.

FMLA applies to districts with 50 or more employees within 75 miles of the employee's work site, based on employment during each working day during any of the 20 or more work weeks in the calendar year in which the leave is to be taken, or in the calendar year preceding the year in which the leave is to be taken. The 50 employee test does not apply to educational institutions for determining employee eligibility.

OFLA and OMFLA applies to districts that employ 25 or more part-time or full-time employees in Oregon, based on employment during each working day during any of the 20 or more work weeks in the calendar year in which the leave is to be taken, or in the calendar year immediately preceding the year in which the leave is to be taken.

In order for an employees to be eligible for the benefits under federal law FMLA, they employee must have been employed by the District for at least 12 months and have worked at least 1,250 hours during the past 12-month period.

In order for an employee to be eligible for the benefits under state law OFLA, an employee they must work an average of 25 hours per week and have been employed at least 180 calendar days prior to the first day of the family medical leave of absence. However, for parental leave purposes an employee becomes eligible upon completing at least 180 calendar days immediately preceding the date on which the parental leave begins. There is no minimum average number of hours worked per week when determining employee eligibility for parental leave.

OMFLA applies to employees who work an average of at least 20 hours per week; there is no minimum number of days worked when determining an employee's eligibility for OMFLA.

An independent contractor would be ineligible for FMLA benefits.

Federal and state leave entitlements generally run concurrently.

The Superintendent or designee will develop procedures administrative regulations as necessary for the implementation of the provisions of both federal and state law.

REPORTS

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

None.

ATTACHMENTS

None.

END OF POLICY

REFERENCES / COMMENTS

Bethel Administrative Rule GCBDA: Family and Medical Leave

HB 2744 (2009)

ORS 332.507

ORS 342.545

ORS 659A.090

ORS 659A.093

ORS 659A.096

ORS 659A.099

ORS 659A.150 to 659A.186

OAR 839-009-0200 to 0320

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

Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654 (2006);

Family and Medical Leave Act of 1993, 29 C.F.R. Part 825 (2008);

National Defense Authorization Act of 2008, Public Law 110-181, Section 585(a).

Americans with Disabilities Act Amendments Act of 2008.

National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84, Section 565.

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

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

Subject: ~~Title IX – Equal Educational Opportunity~~

Policy Number: JB Effective Date: 10/2021

Date of Original Policy and Revisions: 7/75, 1/84, 9/94, 5/00, 4/07, 12/09, 1/14, 11/18

Cancels Policy: _____ Dated: _____

Date of Next Review: 10/2024

POLICY

Notice of Intent to Comply with Title IX

~~It is hereby made known, as a matter of public information, that Bethel School District Number 52 intends to comply with Title IX of the Public Law 93-568, effective on the date of July 21, 1975.~~

~~The school district will neither eliminate nor refuse admission to any person from any educational program or activity or discriminate in any way through employment practices on the basis of sex.~~

~~There will be a designated person to coordinate the efforts of the District to comply with and carry out the District's responsibility under the law.~~

~~The individual student, staff member, or patron who feels there exists discrimination based upon sex should submit in writing to the appropriate building principal a statement of the problem and the remedy sought. The grievance must be signed and include address and telephone number of the grievant.~~

~~Within twenty (20) days of the receipt of the grievance, the building principal will meet with the parties involved and attempt to resolve the issues. If the grievance is not resolved to the grievant's satisfaction within the twenty (20) day time limit, the grievance may be forwarded to the Office of the Superintendent.~~

Student Grievance Guidelines

~~No person enrolled in Bethel Schools shall be subjected to discrimination in any education programs, or activities or employment opportunities administered or authorized by the District Board of Education.~~

~~As used in these guidelines, "discrimination" means any act that unreasonably differentiates treatment, intended or unintended, or any act that is fair in form but discriminating in operation, either of which is based on age, handicap, national origin, race, marital status, religion or sex.~~

~~Bethel Schools will provide students a learning climate in which rights and responsibilities are equally protected and emphasized.~~

~~Bethel Schools will provide physical facilities within the school plant to assure equal opportunity to participate in school courses.~~

~~Bethel Schools will select instructional and guidance materials that do not result in discrimination.~~

~~Bethel Schools will provide for equal and impartial educational treatment and opportunities in all aspects of the school curriculum and school and inter-school activities for all students without discrimination.~~

BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

~~Bethel Schools' procedure of admission to and retention in the schools shall not result in discrimination against any student.~~

~~Bethel Schools, in determining which school and inter-school activities will be provided, will consider the needs of all students without discrimination. Complaint procedure guidelines are available upon request.~~

Every student of the district will be given equal educational opportunities regardless of age, sex, sexual orientation¹, race, religion, color, national origin, disability, marital status, familial status, parental status, linguistic background, culture, socioeconomic status, capability or geographic location.

The district shall develop and implement an Equal Educational Opportunity Plan that assures that no student will be excluded from participating in, denied the benefits of, or subjected to discrimination under any educational program or activity conducted by the district or denied access to facilities in the district.

A student or parent may also access and use the district's general complaint procedure through Board policy KL - Public Complaints.

All reports, complaints or information will be investigated.

The district will communicate the availability of policy and available complaint procedures to students and their parents through available district communication systems, handbooks, and will be published to the district website and made available at the district office during regular business hours.

A student of the district may not be subjected to retaliation by the district for the reason that the student has in good faith reported information that the student believes is evidence of a violation of a state or federal law, rule or regulation.

REPORTS

None.

ATTACHMENTS

None.

END OF POLICY

REFERENCES / COMMENTS

Public Law 93-568

[ORS 174.100](#)

[ORS 192.630](#)

[ORS 326.051](#)

[ORS 329.025](#)

[ORS 332.107](#)

[ORS 336.086](#)

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

BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

[ORS 659.850](#)
[ORS 659.852](#)
[ORS 659A.003](#)
[ORS 659A.006](#)
[ORS 659A.103](#) - [659A.145](#)
[ORS 659A.400](#)
[ORS 659A.403](#)
[ORS 659A.406](#)
[OAR 581-021-0045](#)
[OAR 581-021-0046](#)
[OAR 581-022-2310](#)
[OAR 839-003-0000](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019).

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 (2018);

Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12333 (2018).

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October 11, 2021

RESOLUTION NO. 21-22: 10

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.	Cannon, Helen	Additional Hours for 2021-22	Offer Contract for additional .3 FTE Language Arts Teacher @Cascade; Total: 1.0 FTE.
2.	Kelley, Lori	Additional Temporary Hours for 2021-22	Offer Temporary Contract for additional .5 FTE Art Teacher @Clear Lake; Total: 1.0 FTE
3.	Thielen, Courtney	Resignation of .5 FTE	Accept Resignation of .5 FTE effective October 5, 2021; Position Held: Spanish Teacher @Cascade; Total FTE remaining: .5 FTE.
4.	Thomas, Eileen	Resignation	Accept Resignation effective October 22, 2021; Position Held: Title Teacher @Meadow View; 15 years at Bethel.

Recommended by: Remie Calalang, Human Resources Director

ATTEST _____
 Clerk – Kraig Sproles

 Chair – Debi Farr

MOVED BY _____

SECONDED BY _____

DATE _____

RESOLUTION: *Passed / Failed*

BOARD MEMBERS	AYE	NAY	ABSTAIN	ABSENT
Rich Cunningham				
Debi Farr				
Ashley Espinoza				
Paul Jorgensen				
Caleb Clark				
Greg Nelson				
Robin Zygaitis				

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October 11, 2021

RESOLUTION NO. 21-22: 11

BE IT RESOLVED, That the Board of Directors, School District No. 52, Lane County, hereby issues a Notice of Intent to Maintain Participation in the Formal Governance of Lane Education Service District by Requesting 50% or Less in ADMw Transit Dollars for fiscal year 2022-2023, as per the attached form.

ATTEST _____
Clerk – Kraig Sproles

Chair – Debi Farr

MOVED BY _____

SECONDED BY _____

DATE _____

RESOLUTION: *Passed / Failed*

BOARD MEMBERS	AYE	NAY	ABSTAIN	ABSENT
Debi Farr				
Ashley Espinoza				
Paul Jorgensen				
Caleb Clark				
Greg Nelson				
Robin Zygaitis				
Rich Cunningham				

**Lane Education Service District
School District Transit Dollar Request for Fiscal Year 2022-23**

Pursuant to ORS 334.177, as amended by 2013 House Bill 3401, a component school district board may request that a percentage of the state formula revenue received by Lane ESD be distributed to the school district for any purpose identified by the school district board. The request for these "Transit Dollars" will be distributed on an ADMw basis.

The ORS requires that the component school district Board submit the request to the Lane Education Service District Board no later than November 1, 2021. The percentage of funds requested may affect the school district's ability to participate in the formal governance of Lane Education Service District.

The following school district requests the amount of funds identified below for fiscal year 2022-23

Name of District: Bethel School District

Date of Board Action: 10/11/2021

District Representative: Kraig Sproles

Signature: _____

Date Submitted: _____

Select One

X	Not to Exceed 50% <i>The school district may request up to 50% of their funds without having any impact on their ability to participate in the formal governance of Lane ESD.</i>
	More than 50% to 75% <i>The school district may request up to 75% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan.</i>
	More than 75% to 85% <i>The school district may request up to 85% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan. The percentage requested that exceeds 75% must be used to purchase services from one or more ESDs, not including Lane ESD.</i>