



BETHEL SCHOOL BOARD MEETING

Hybrid Meeting hosted from the District Office – 4640 Barger Drive

Monday, October 25, 2021 - 6:30 p.m.

Zoom information will be posted on Bethel School District's website by noon on Monday, October 25, 2021

Join Zoom Webinar:

<https://bethel-k12-or-us.zoom.us/j/89077721852?pwd=UFIxSHRHSm45QWhKejFNcmVXWFdtZz09>

Passcode: bethelsd

Or

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

Webinar ID: 890 7772 1852

Passcode: 23139097

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. Eugene Youth Advisory Council: Destanee Butler and Sofia El-Shammaa

B. Division 22 Standards, Jill Robinson-Wolgamott

C. Superintendent's Update

D. Policy Update, 1st Reading

a. BDDH – Public Comment at Board Meetings – *Updated to reflect new language*

b. IB – Freedom of Expression – *Updated to reflect new language*

c. JFCJ – Weapons in the Schools – *Updated to reflect new language*

d. JHFE – Reporting of Suspected Abuse of a Child – *Updated to reflect new language*

E.

6. Consent Agenda

Personnel Action

Resolution No. 12

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BOARD OF DIRECTORS

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7. Action Items

A. Adopt Policies: AC, GCBDA, and JB

Resolution No. 13

B.

8. Information and Discussion

A. NSBA Annual Conference, April 2-4, San Diego – General Registration opens October 27

B.

9. Board Activity Update

A.

10. Review of Next Meeting: Monday, November 8, 2021

A. Financial Statement: Simon Levear

B. Legislative & School Finance Update

C. Board Policies Up for Periodic Review

D.

11. Adjournment

MINUTES
BETHEL SCHOOL DISTRICT #52
BOARD OF DIRECTORS
SEPTEMBER 27, 2021

The September 27, 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: Superintendent Sproles, Remie Calalang, Alisha Dodds, Kee Zublin, Tina Gutierrez-Schmich, Sherine Forrest, and Jill Busby

CALL TO ORDER

Chair Farr called the September 27, 2021 meeting of the Board of Directors to order at 6:33 p.m.

PLEDGE OF ALLEGIANCE

Vice Chair Cunningham led the Pledge of Allegiance.

ACTION ON MINUTES

Chair Farr presented the Minutes from the September 13, 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 suggested that links to audio recordings of Board meetings be available on the District's website, that accessibility of the links be publicized, and that written public comments be read aloud during Board meetings. Ms. Killam also requested that the amount of time allocated for each community member to provide public comment be increased from three to four minutes. Ms. Killam expressed concern that the District's website and Board agendas don't indicate that complete copies of written public comments are available for review at the District Office.

Kimberlee Smith, Parent

Kimberlee Smith submitted a request to provide public comment via Zoom Webinar regarding masking issues, but was not available during the Board meeting.

SUPERINTENDENT'S REPORT

SIA Funding Update: Kee Zublin

Director of Teaching and Learning for Secondary Kee Zublin reviewed the *Student Investment Account Annual Report Questions* document, which was provided to the Board and will be posted on the District's website. Mr. Zublin also reviewed the purpose of the Student Investment Account (SIA) grant, the process used to

MINUTES

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BOARD OF DIRECTORS

SEPTEMBER 27, 2021

establish the District’s priorities for SIA funds, and discussed SIA funding reallocations that occurred after the start of the pandemic during the 2020-21 school year. With students returning to in-person learning at the beginning of the 2021-22 school year, current programming and staffing align with the goals defined in the District’s SIA grant application that was submitted spring 2020.

Superintendent Sproles reminded the Board that the Student Investment Account is funded by the Corporate Activity Tax.

Family Communication: Alisha Dodds

Community Relations and Communications Director Alisha Dodds summarized the process used to disseminate COVID-19 information to families and shared that going forward the District’s website will be utilized as much as possible to provide families with resources, information, and data related to COVID-19. Ms. Dodds provided examples of COVID-19 information currently available on the website and reviewed the Bethel School District COVID-19 Dashboard, which will be updated twice per week. The Dashboard, along with all COVID-19 resources and information on the website, will be translated to Spanish.

District Health Team

Superintendent Sproles provided an overview of the newly restructured District Health Team, which includes District Health Coordinator Sherine Forrest, registered nurses, licensed practical nurses, and health assistants. This structure better supports Bethel students and District Health Team staff.

Legislative and School Finance Update

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

CONSENT AGENDA

Resolution No. 8 – Personnel Action

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

#	Name	Type	Description
1.	Hucke, Bailey	Temporary Hire for 2021-22	Offer 1 st Year Temporary Contract for .5 FTE to job share with Abby Wojo-Sykes; Position: Life Skills Teacher @Willamette; Start date: 9/15/2021.
2.	Scamurra, Grace	Temporary Hire for 2021-22	Offer Temporary Contract for 1.0 FTE Language Arts/Social Studies Teacher @Kalapuya; Replaces: Will Larson; Start date: 8/30/2021.
3.	Sorensen, Brittanie	Temporary Hire for 2021-22	Offer Temporary Contract for 1.0 FTE Title Teacher @Meadow View; Replaces: Eileen Thomas; Start Date: 11/1/2021.

MINUTES

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4.	Thomason, Trampus	Resignation	Accept Resignation effective October 1, 2021; Position Held: Life Skills Teacher @Shasta; 1+ years at Bethel.
5.	Walker, Alex	Hire for 2021-22	Offer Extra Duty Contract for JV2 Boys Soccer Coach @Willamette.

Motion Passed, 7-0

Absent: None

ACTION ITEMS

Resolution No. 9 – Budget Committee Openings and Timeline

Motion: Rich Cunningham moved, Paul Jorgensen seconded, to declare Budget positions #1 (3-year term), #2 (3-year term), and #5 (3-year term) open and called for applications to be submitted by October 29, 2021, at 4:00 p.m. Appointments will be made at the Board of Directors meeting on November 8, 2021.

Motion Passed, 7-0

Absent: None

INFORMATION AND DISCUSSION

- A. NSBA Annual Conference, April 2-4, San Diego
- B. The Board discussed addressing traffic flow/safety issues at District buildings and school zone warning lights operated by the City of Eugene.
- C. Director Cunningham shared that Director Zygaitis recently completed a triathlon, which the Board congratulated her for.

BOARD ACTIVITY UPDATE

None

REVIEW OF NEXT MEETING: MONDAY, OCTOBER 11, 2021

- A. ESSER Update
- B. Financial Statement: Simon Levear
- 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 7:55 p.m.

Clerk – Kraig Sproles

jcb

Chair – Debi Farr

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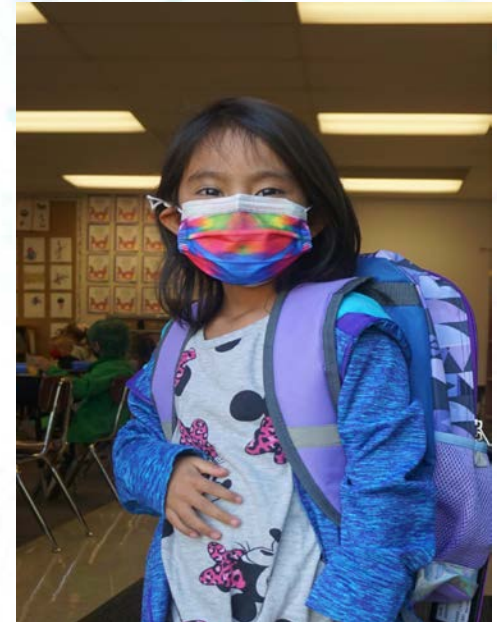
Division 22 Assurances for the 2020-21 SY



Division 22 Oregon Administrative Rules Assurances

“Our Why”

- Signals our commitment to providing a high quality educational experience and equitable opportunities for all students.
- Division 22 standards articulate the floor of the education to be provided to students, not the ceiling.
- Assurances process offers an opportunity for districts not in compliance to reflect on areas in need of attention and receive technical assistance.



Changes to the Assurances Process

[OAR 581-022-2305 District Assurances of Compliance with Public School Standards](#) was adopted by the State Board of Education in May 2021. There are four major changes to the assurances process set forth in the revised rule:

- The timeline for districts to submit their annual Division 22 Standards Assurances shifts permanently from February to November.
- The rule explicitly states that assurances are made for the preceding school year.
- The rule includes clear language indicating that the district is reporting to the community (not just the school board) and that the report should be made “in an oral presentation at an open public meeting, allowing for public comment, and by posting the report on the district’s webpage.”
- **All districts are required to use the same report template for reporting to the community.**



Changes to the Division 22 Standards for 2020-21

All changes and waivers to the Division 22 standards for the 2020-21 school year are set out in [OAR 581-022-0104: State Standards for the 2020-21 School Year](#).

The following rules were waived in their entirety:

- [581-022-2115 Assessment of Essential Skills](#)
- [581-022-2130 Kindergarten Assessment](#)
- [581-022-2325 Identification of Academically Talented and Intellectually Gifted Students](#)

Subsections of multiple rules have been waived and/or modified:

- personalized learning requirements for the diploma and modified diploma
- vision and hearing screening requirements
- weekly minimums for PE minutes
- instructional time



New Additions to the Division 22 Standards for 2020-21

New Rule for 2020-21 only:

- [581-022-0104\(5\) Ready Schools, Safe Learners Guidance](#)

New Rules that went into effect beginning in the 2020-21 school year:

- [581-022-2267 Annual Report on Restraint and Seclusion](#)
- [581-022-2312 Every Student Belongs](#)
- [581-022-2510 Suicide Prevention Plan](#)



Three Steps in the Division 22 Assurances Process

- School district superintendents report to their local School Board the district's compliance with all Division 22 Standards for the 2020-21 school year **by November 1, 2021.**
- School districts post the Community Report on Compliance with Public School Standards to their websites **by November 1, 2021.**
- School districts complete and submit the annual Division 22 Assurances Form to ODE **by November 15, 2021.**




District Report on Division 22 Standards Compliance

- [581-022-0102 Definitions](#)
- [581-022-0104\(5\) Ready Schools, Safe Learners Guidance](#)
- [581-022-2000 Diploma Requirements](#)
- [581-022-2005 Veterans Diploma](#)
- [581-022-2010 Modified Diploma](#)
- [581-022-2015 Extended Diploma](#)
- [581-022-2020 Alternative Certificate](#)
- [581-022-2025 Credit Options](#)
- [581-022-2030 District Curriculum](#)
- [581-022-2045- Prevention](#)
- [Education in Drugs and Alcohol](#)
- [581-022-2050 Human Sexuality Education](#)
- [581-022-2055 Career Education](#)
- [581-022-2060 Comprehensive School Counseling](#)
- [581-022-2100 Administration of State Assessments](#)
- [581-022-2110 Exception of Students with Disabilities from State Assessments](#)
- [581-022-2115 Assessment of Essential Skills](#)
- [581-022-2120 Essential Skill Assessments for English Language Learners](#)
- [581-022-2130 Kindergarten Assessment](#)
- [581-022-2205 Policies on Reporting of Child Abuse](#)
- [81-022-2210 Anabolic Steroids and Performance Enhancing Substances](#)
- [581-022-2215 Safety of School Sports – Concussions](#)
- [581-022-2220 Health Services](#)
- [581-022-2223 Healthy and Safe Schools Plan](#)
- [581-022-2225 Emergency Plans and Safety Programs](#)
- [581-022-2230 Asbestos Management Plans](#)
- [581-022-2250 District Improvement Plan](#)
- [581-022-2255 School and District Performance Report Criteria](#)
- [581-022-2260- Records and Reports](#)
- [581-022-2263 Physical Education Requirements](#)
- [581-022-2265 Report on PE Data](#)
- [581-022-2267 Annual Report on Restraint and Seclusion](#)
- [581-022-2270 Individual Student Assessment, Recordkeeping and Reporting](#)

District Report on Division 22 Standards Compliance

- [581-022-2300 Standardization](#)
- [581-022-2305 District Assurances of Compliance with Public School Standards](#)
- [581-022-2310 Equal Education Opportunities](#)
- [581-022-2312 Every Student Belongs](#)
- [581-022-2315 Special Education for Children with Disabilities](#)
- [581-022-2320 Required Instructional Time](#)
- [581-022-2325 Identification of Academically Talented and Intellectually Gifted Students](#)
- [581-022-2330 Rights of Parents of TAG Students](#)
- [581-022-2335 Daily Class Size](#)
- [581-022-2340 Media Programs](#)
- [581-022-2345 Auxiliary Services](#)
- [581-022-2350 Independent Adoptions of Instructional Materials](#)
- [581-022-2355 Instructional Materials Adoption](#)
- [581-022-2360 Postponement of Purchase of State-Adopted Instructional Materials](#)
- [581-022-2370 Complaint Procedures](#)
- [581-022-2400 Personnel](#)
- [581-022-2405 Personnel Policies](#)
- [581-022-2410 Teacher and Administrator Evaluation and Support](#)
- [581-022-2415 Core Teaching Standards](#)
- [581-022-2420 Educational Leadership - Administrator Standards](#)
- [581-022-2430 Fingerprinting of Subject Individuals in Positions Not Requiring Licensure as Teachers, Administrators, Personnel Specialists, School Nurses](#)
- [581-022-2440 Teacher Training Related to Dyslexia](#)
- [581-022-2445 Universal Screenings for Risk Factors of Dyslexia](#)
- [581-022-2500 Programs and Services for TAG Students](#)
- [581-022-2505 Alternative Education Programs](#)
- [581-022-2510 Suicide Prevention Plan](#)

Implemented Corrective Action

- [581-022-2440 Teacher Training Related to Dyslexia](#)
 - [581-022-2445 Universal Screenings for Risk Factors of Dyslexia](#)
- 

2021-2022 SY

Bethel School District universally screens for risk factors of dyslexia in kindergarten (and in first grade for students who first enroll in a public school in Oregon in first grade) using a screening tool identified by the Department of Education.

- Bethel is using DIBELS 8th and is committed to implementing universal screening 3 times a year (fall, winter, spring)

Bethel's Elementary Director of Teaching and Learning is currently working with the two K-5 schools who do not have a trained dyslexia teacher. Our goal is that by winter break of 2021, a staff member from each of the schools will be identified, and they will be enrolled in a program that provides training in the required areas:

- Understanding and recognizing dyslexia (URD);
- Using evidence-based practices to systematically and explicitly teach the foundational skills in reading (FSR);
- Intensifying instruction (II) to meet the needs of students with severe reading difficulties, including dyslexia.

Looking Ahead: Compliance for 2021-22 SY

- ELA Curriculum Adoption
- Dyslexia Training



BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

Subject: **Public Comment at Board Meetings**

Policy Number: **BDDH** Effective Date: **11/2021**

Date of Original Policy and Revisions: **N/A**

Cancels Policy No.: **KLD** Dated: **6/90, 6/92, 9/95, 5/00, 10/08, 4/14, 1/18, 9/20**

Date of Next Review: **11/2024**

POLICY

~~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 are also 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 aids[†] 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.~~

[†]Auxiliary 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.

BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

- 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 whether they are a resident of the Bethel community, 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.~~
- 3.—~~Statements by members of the public should be brief and concise. The Board chair may use discretion to establish a total time limit on all public 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 complaints about individual school personnel, or against any member of the school community, including retelling of events whereby individuals may be personally identifiable, regardless of whether names or positions are mentioned.~~

BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

~~Speakers may offer objective criticism of district operations and programs. The Board chair will direct the visitor to the procedures in Board policy (KL – Public Complaints) for Board consideration of a legitimate complaint involving a staff member.~~

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

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

Procedures for Oral Public Comment

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

1. Public comment is limited to its designated place on the agenda and while time allows.
2. A person wishing to provide public comment, if an opportunity is provided by the Board during a meeting open to the public, will complete and submit the Intent to Speak card to the Board secretary prior to the Board meeting if attending in-person, or complete [this form](#) by noon the day of the Board meeting if requesting to provide public comment virtually.² A request to give public comment in-person or electronically does not guarantee time will be available.
3. A person speaking during the public comment portion of the meeting may comment on a topic not on the published agenda.
4. A person speaking during the public comment portion of the meeting should state their name, whether they are a resident of the district, and, if speaking for an organization, the name of the organization. A spokesperson should be designated to represent a group with a common purpose.
5. A person giving public comment is limited to an established time limit of three minutes. Statements should be brief and concise. If a person has more comments than time allows or is unable to comment due to time constraints, the person is encouraged to submit additional written comments to the Board through the district office as directed. The Board chair may use discretion to establish a total time limit on all public discussion or oral presentation by visitors.
6. Inquiries from the public during the designated portion of the agenda will not generally be responded to immediately by the Board chair, and may be referred to the superintendent for reply at a later date. The Board will not respond to inquiries that are expected to be addressed during another designated portion of the agenda.

² When in-person attendees are allowed to provide oral comment, virtual attendees will be afforded the same opportunity.

BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

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

Procedures for Written Comment

Members of the public may submit written comments or materials to the Board at any time at the district office, by mail or by email to publiccomment@bethel.k12.or.us. Materials or comments submitted by noon the day of the Board meeting will be provided to the Board before the Board meeting. Written materials or comments submitted may not warrant action by the Board.

Comments Regarding Staff Members

A person speaking during the designated portion of the agenda for public comment may offer objective criticism of district operations and programs. The Board will not hear comments regarding any individual district staff member. The Board chair will direct the visitor to the procedures in Board policy KL - Public Complaints for consideration of a legitimate complaint involving a staff member. A commendation involving a staff member should be sent to the Superintendent.

REPORTS

None

ATTACHMENTS

None

END OF POLICY

Legal Reference(s):

[ORS 165.535](#)

[ORS 165.540](#)

[ORS 192.610 to -192.690](#)

[ORS 332.057](#)

[ORS 332.107](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2017~~8~~); 29 C.F.R. Part 1630 (2017~~20~~); 28 C.F.R. Part 35 (2017~~20~~).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).

Baca v. Moreno Valley Unified Sch. Dist., 936 F. Supp. 719 (C.D. Cal. 1996).

Leventhal v. Vista Unified Sch. Dist., 973 F. Supp. 951 (S.D. Cal. 1997).

Oregon House Bill 2560 (2021).

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

Subject: Freedom of Expression

Policy Number: IB Effective Date: 11/2021

Date of Original Policy and Revisions: 1/08, 10/09, 10/11, 10/14, 12/17

Cancels Policy No.: _____ Dated: _____

Date of Next Review: 11/2024

POLICY

Students have a general right to freedom of expression within the school system. The District requires, however, that students exercise their rights fairly, responsibly and in a manner not disruptive to other individuals or to the educational process.

Freedom of Student Inquiry and Expression

1. Students and student organizations are free to examine and discuss questions of interest to them and to express opinions publicly and privately within the school system, provided such examination and expression is fair and responsible and is not disruptive to other individuals or to the educational process. Students may support or oppose causes by orderly means which do not disrupt other individuals or the operation of the school.
2. In the classroom, students are free to examine views offered in any course of study, provided such examination is expressed in a responsible manner.

Freedom of Association

Students are free to organize associations to promote their common interests. Student organizations should be open to all students. Membership criteria may not exclude students on the basis of actual or perceived disability, race, color, national origin, ethnicity, cultural background, veterans' status, genetic information, religion, sex/gender, sexual orientation, gender identity, age, marital status, socioeconomic status, familial status, parental status, linguistic background, culture, socioeconomic status, capability, geographic location, physical characteristics, source of income, or linguistic characteristics of a national origin group. Each student organization must have a staff advisor to counsel and, when necessary, supervise students in the organization. All student organizations must submit to the school a statement of purpose, criteria for membership, rules and procedures and a current list of officers. School administrators may establish reasonable rules and regulations governing the activity of student organizations.

Publications, Displays and Productions

On occasion, materials such as leaflets, newsletters, cartoons and other items including displays and productions are prepared, produced and/or distributed by students as part of the educational process and under their rights to free expression in an academic community. Materials may be subject to administrative review, restricted or prohibited, however, pursuant to legitimate educational concerns. Such concerns include the following:

1. The material is or may be defamatory;
2. The material is inappropriate based on the age, grade level and/or maturity of the audience;
3. The material is poorly written, inadequately researched, biased or prejudiced;
4. ~~An opportunity is not given for~~ Whether there is an opportunity for a named individual or named individuals to make a response;
5. ~~The identification of~~ Whether specific individuals may be identified even though the material does not use or give names;

BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

6. The material is or may be otherwise generally disruptive to the school environment. Such disruption may occur, for example, if the material uses, advocates or condones the use of profane language or advocates or condones the commission of unlawful acts;

7. Students, parents and members of the public might reasonably perceive the materials to bear the sanction or approval of the districts

High School Student Journalists

High school student journalists have the right to exercise freedom of speech and of the press in school-sponsored media. "School-sponsored media" means materials that are prepared, substantially written, published or broadcast by student journalists that are distributed or generally made available, either free of charge or for a fee, to members of the student body and that are prepared under the direction of a student media adviser. School-sponsored media does not include media intended for distribution or transmission solely in the classrooms in which they are produced.

School-sponsored media prepared by student journalists are subject to reasonable time, place and manner restrictions, pursuant to state and federal law. School-sponsored media cannot contain material that:

1. is libelous or slanderous;
2. is obscene, pervasively indecent or vulgar;
3. is factually inaccurate or does not meet journalistic standards established for school-sponsored media;
4. constitutes an unwarranted invasion of privacy;
5. violates federal or state law or regulation; or
6. so incites students as to create a clear and present danger of:
 - a. The commission of unlawful acts on or off school premises;
 - b. The violation of district or school policies; or
 - c. The material and substantial disruption of the orderly operation of the school. A school official will base a forecast of material and substantial disruption on specific facts, including past experience in the school and current events influencing student behavior, and not on undifferentiated fear or apprehension.

Modifications or removal of items may be appealed in writing to the Superintendent or designee. The Superintendent or designee shall schedule a meeting within three school days of receiving the written appeal. Those present at the meeting shall include the individual(s) making the appeal, the individual(s) who made the decision to modify or remove materials, and the Superintendent or designee. At the Superintendent's or designee's discretion, the district's legal counsel may also attend the meeting. The Superintendent or designee shall make a decision within three school days of the meeting. The Superintendent's or designee's decision shall be final and binding on all parties.

REPORTS

None.

ATTACHMENTS

None.

REFERENCES / COMMENTS

[ORS 332.072](#) [HB 3279 \(2007\)](#)
[ORS 332.107](#) [OAR 581-021-0050](#)
[ORS 339.880](#) [OAR 581-021-0055](#)
[ORS 339.885](#)
[ORS 174.100](#)
[ORS 336.477](#)
[ORS 659.850](#)

BETHEL SCHOOL DISTRICT #52
BOARD OR EDUCATION POLICY STATEMENT

Equal Access Act, 20 U.S.C. §§ 4071-4074 (2006~~18~~); Westside Cmty. Board. of Education. v. Mergens, 496 U.S. 226 (1990); Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988); U.S. CONSTITUTION, amend. I; U.S. CONST. amend. XIV; OREGON CONSTITUTION, article I, § 8.
House Bill 3041 (2021).

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BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

Subject: Weapons in the Schools

Policy Number: JFCJ Effective Date: 11/2021

Date of Original Policy and Revisions: 12/13,4/14, 3/18, 9/19

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

Date of Next Review: 11/2024

Students shall not bring, possess, conceal or use a weapon on or at any District property under the jurisdiction of the District, any activities under the jurisdiction of the District or any interscholastic activities administered by a voluntary organization.

In accordance with the federal Gun-Free School Zone Act, possession or discharge of a firearm in a school zone is prohibited. A “school zone,” as defined by federal law, means in or on school grounds or within 1,000 feet of school grounds.

The Superintendent may authorize persons to possess weapons for courses, programs and activities approved by the District and conducted on District property including, but not limited to, hunter safety courses, weapons-related vocational courses or weapons-related sports. The District will post a notice at any site or premise off district grounds that at the time is being used exclusively for a school program or activity. The notice shall identify the district as the sponsor, the activity as a school function and that the possession of firearms or dangerous weapons in or on the site or premises is prohibited under Oregon Revised Statute (ORS) 166.370.

For purposes of this policy, and as defined by state and federal law, weapon includes:

1. A “dangerous weapon” means any weapon, device, instrument, material or substance, which under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury;
2. A “deadly weapon” means any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;
3. A “firearm” means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, frame or receiver of any such weapon, any firearm muffler or silencer or any destructive device;
4. A “destructive device” means includes but is not limited to any explosive, incendiary or poison gas component or any combination of parts either designed or intended for use in converting any device into any destructive device or from which a destructive device may be readily assembled. A destructive device does not include any device which is designed primarily or redesigned primarily for use as a signaling, pyrotechnic, line-throwing, safety or similar device.

Weapons may also include, but are not be limited to, knives, metal knuckles, straight razors, noxious or irritating gases, poisons, unlawful drugs or other items fashioned with the intent to use, sell, harm, threaten or harass students, staff members, guardians and patrons community members.

Replicas of weapons, fireworks and pocket knives are also prohibited by Board policy. Exceptions to the District’s replicas prohibition may be granted only with prior principal approval for certain curriculum or

BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

school-related activities.

Prohibited weapons, replicas of weapons, fireworks and pocket knives are subject to seizure or forfeiture.

In accordance with Oregon law, any District employee who has reasonable cause to believe a student or other person, while in a school, is or has, within the previous 120 days, ~~has unlawfully~~ been in possession of a firearm or destructive device, as defined by this policy, shall immediately report such violation to an administrator, ~~his/her~~ or designee or law enforcement. Employees who report directly to law enforcement shall also immediately inform an administrator.

Administrators shall promptly notify the appropriate law enforcement agency of staff reports received and at any other time there is reasonable cause to believe violations ~~for firearms or destructive devices~~ have occurred or that a student has been expelled for bringing, possessing, concealing or using a dangerous or deadly weapon, firearm or destructive device. Guardians will be notified of all conduct by their student that violates this policy.

A person making a report as described above who has reasonable grounds for making the report is immune from liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making or content of the report. The identity of a person participating in a good faith report as described above may not be disclosed except when allowed by law.

Employees shall promptly report all other conduct prohibited by this policy to an administrator.

Students ~~found~~ determined to have brought, possessed, concealed or used a firearm, as defined in policy, in violation of this policy or state law shall be expelled ~~from school~~ for a period of not less than one year. All other violations of the policy will result in discipline ~~up to and including~~ ~~may include~~ expulsion and/or referral to law enforcement, as appropriate. The Superintendent may, on a case-by-case basis, modify this expulsion requirement. The Superintendent may propose alternative programs of instruction or instruction combined with counseling that are ~~age appropriate and accessible to the student~~, and shall provide such information in writing to the student and the guardian in accordance with law¹. Appropriate disciplinary and/or legal action will be taken against students or others who assist in activity prohibited by this policy.

Special education students shall be disciplined in accordance with federal law and Board policy JGDA – Discipline of ~~disabled students~~ ~~Students with Disabilities~~, and accompanying administrative regulation.

~~Weapons under the control of law enforcement personnel are permitted. The Superintendent may authorize other persons to possess weapons for courses, programs and activities approved by the District and conducted on District property including, but not limited to, hunter safety courses, weapons related vocational courses or weapons related sports.~~

~~The District may post a notice at any site or premise off District grounds that at the time is being used exclusively for a school program or activity. The notice shall identify the District as the sponsor, the activity as a school function and that the possession of firearms or dangerous weapons in or on the site or premises is prohibited under ORS 166.370.~~

~~In accordance with the federal Gun Free School Zone Act, possession or discharge of a firearm in a school zone is prohibited. A “school zone,” as defined by federal law, means in or on school grounds or~~

¹ At least once every six months or at any time the information changes because of the availability of new programs.

**BETHEL SCHOOL DISTRICT #52
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within 1,000 feet of school grounds.

“Gun-Free School Zone” signs may be posted in cooperation with city and/or county officials as appropriate. Violations, unless otherwise ~~accepted~~ excepted by law or this policy, shall be reported to the appropriate law enforcement agency.

The Superintendent will annually report the name of each school and the number of students from each listed schools expelled for bringing, possessing, concealing or using a firearm to the Oregon Department of Education.

END OF POLICY

Legal Reference(s):

ORS 161.015	OAR 581-021-0050 to -0075
ORS 166.210 - 166.370	OAR 581-053-0010(5)
ORS 166.382	OAR 581-053-0330(l)(r)
ORS 332.107	OAR 581-053-0230(9)(k)
ORS 339.115	OAR 581-053-0430(17)
ORS 339.240	OAR 581-053-0531 (16)
ORS 339.250	
ORS 339.315	
ORS 339.327	
ORS 809.135	
ORS 809.260	

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (20128).
Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427-19 (20128).
Youth Handgun Safety Act, 18 U.S.C. §§ 922(x), 924(a)(6) (20128).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-71171 - 7121 (20128).
Oregon Senate Bill 554 (2021).

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

Subject: **Reporting of Suspected Abuse of a Child Reporting Requirements**

Policy Number: **JHFE/GBNAB** Effective Date: **11/2021**

Date of Original Policy and Revisions: **9/96, 5/00, 12/05, 2/08, 6/09, 11/10, 1/12, 1/13, 4/18, 1/20**

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

Date of Next Review: **11/2024**

POLICY

Any District employee who has reasonable cause to believe that **any child** with whom the employee has come in contact has suffered abuse¹ shall orally report or cause an oral report immediately by telephone or otherwise to the local office of the Oregon Department of Human Services (DHS) or its designee or to the law enforcement agency within the county where the person making the report is located at the time of the contact pursuant to Oregon Revised Statute (ORS) 419B.010. Any District employee who has reasonable cause to believe that **any adult or student person**² with whom the employee is in contact has abused a child shall immediately report or cause a report to be made in the same manner to DHS or its designee or to the law enforcement agency within the county where the person making the report is located at the time of the contact pursuant to ORS 419B.010. If known, the report shall contain the names and addresses of the child and the parents of the child or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, including any evidence of previous abuse, the explanation given for the suspected abuse, any other information that the person making the report believes might be helpful in establishing the possible cause of the abuse and the identity of a possible perpetrator.

Abuse of a child by District employees, contractors³, agents⁴, volunteers⁵, or students **is prohibited and will not be tolerated**. All District employees, contractors, agents, volunteers and students are subject to this policy and the accompanying administrative regulation.

Any District employee who has reasonable cause to believe that another District employee, contractor, agent, volunteer or student has engaged in abuse, or that a student has been subjected to abuse by another District employee, contractor, agent, volunteer or student shall immediately report such to the Oregon Department of Human Services (DHS) or its designee or the local law enforcement agency pursuant to ORS 419B.015, and to the designated licensed administrator.

The District will designate a licensed administrator and an alternate licensed administrator, in the event that the designated licensed administrator is the suspected abuser, for each school building to receive reports of suspected abuse of a child by District employees, contractors, agents, volunteers or students.

¹ Includes the neglect of a child; abuse is defined in ORS 419B.005.

² "Person" could include adult, student or other child.

³ "Contractor" means a person providing services to the District under a contract in a manner that requires the person to have direct, unsupervised contact with students.

⁴ "Agent" means a person acting as an agent for the District in a manner that requires the person to have direct, unsupervised contact with students.

⁵ "Volunteer" means a person acting as a volunteer for the District in a manner that requires the person to have direct, unsupervised contact with students.

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If the Superintendent is the alleged perpetrator the report shall be submitted to the ~~Human Resources Director~~ Assistant Superintendent who shall also report to the Board chair.

The District will post the names and contact information of the designees for each school building, in the respective school, designated to receive reports of suspected abuse and the procedures in JHFE/GBNAB-AR(1) - Reporting of Suspected Abuse of a Child the designee will follow upon receipt of a report, the contact information for local law enforcement and the local DHS office or its designee, and a statement that ~~the this~~ duty to report suspected abuse is in addition to the requirements of reporting to a designated licensed administrator.

When a designee receives a report of suspected abuse, the designee will follow procedure established by the District and set forth in administrative regulation JHFE/GBNAB-AR(1) - Reporting of Suspected Abuse of a Child. All such reports of suspected abuse will be reported to a law enforcement agency or DHS, or its designee, for investigation, and the agency will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged abuser.

When there is reasonable cause to support ~~the a~~ report, a District employee suspected of abuse shall be placed on paid administrative leave pending an investigation and the District will take necessary actions to ensure the student's safety. When there is reasonable cause to support ~~the a~~ report, a District contractor, agent or volunteer suspected of abuse shall be removed from providing services to the District and the District will take necessary actions to ensure the student's safety.

The District will notify the person, as allowed by state and federal law, who was subjected to the suspected abuse about any actions taken by the District as a result of the report.

A substantiated report of abuse by an employee shall be documented in the employee's personnel file. A substantiated report of abuse by a student shall be documented in the student's education record.

The initiation of a report in good faith, pursuant to this policy, may not adversely affect any terms or conditions of employment or the work environment of the person initiating the report or who may have been subjected to abuse. If a student initiates a report of suspected abuse of a child by a District employee, contractor, agent, volunteer or student, in good faith, the student will not be disciplined by the District or any District employee, contractor, agent or volunteer. Intentionally making a false report of abuse of a child is a Class A violation.

The District shall provide **information and** training each school year to District employees on the prevention and identification of abuse, the obligations of District employees under ORS 339.388 and ORS 419B.005 - 419B.050 and as directed by Board policy to report suspected abuse of a child, and appropriate electronic communications with students. The District shall make available each school year the training described above to contractors, agents, volunteers, and parents and legal guardians of students attending District-operated schools, and will be made available separately from the training provided to District employees. The District shall provide each school year information on the prevention and identification of abuse, the obligations of District employees under Board policy to report abuse, and appropriate electronic communications with students to contractors, agents and volunteers. The District shall make available each school year training that is designed to prevent abuse to students attending District-operated schools.

The District shall provide to a District employee at the time of hire, or to a contractor, agent, or volunteer at the time of beginning service for the District, the following:

1. A description of conduct that may constitute abuse;

BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

2. A description of the investigatory process and possible consequences if a report of suspected abuse is substantiated; and
3. A description of the prohibitions imposed on District employees, contractors, and agents when they attempt to obtain a new job, as provided under ORS 339.378. A District employee, contractor or agent will not assist another District employee, contractor or agent in obtaining a new job if the individual knows, or has reasonable or probable cause to believe the District employee, contractor or agent engaged in abuse, unless criteria found in ORS 339.378(2)(c) are applicable.

Nothing in this policy prevents the District from disclosing information required by law or providing the routine transmission of administrative and personnel files pursuant to law.

The District shall make available to students, District employees, contractors, agents, and volunteers a policy of appropriate electronic communications with students.

Any electronic communications with students by a contractor, agent or volunteer for the District will be appropriate and only when directed by District administration. When communicating with students electronically regarding school-related matters, contractors, agents or volunteers shall use District e-mail, using mailing lists and/or other internet messaging approved by the District to a group of students rather than individual students or as directed by District administration. Texting or electronically communicating with a student through contact information gained as a contractor, agent or volunteer for the District is strongly discouraged.

The Superintendent shall develop administrative regulations as are necessary to implement this policy and to comply with state law.

REPORTS

None.

ATTACHMENTS

None.

END OF POLICY

REFERENCES / COMMENTS

[ORS 339.370](#) to [ORS 339.400](#)
[ORS 418.746257](#) to [418.751259](#)
[ORS 419B.005](#) to [419B.050](#)

[OAR 581-022-0711-2205](#)

[HB 4016 \(2012\)](#)

[Greene v. Camreta](#), 588 F.3d 1011 (9th Cir. 2009); vacated in part by, remanded by [Camreta v. Greene](#), 131 S. Ct. 2020 (U.S. 2011); vacated in part, remanded by [Greene v. Camreta](#) 661 F. 1201 (9th Cir. 2011).

[Senate Bill 51 \(2021\)](#).

[Bethel Administrative Rule JHFE/GBNAB: Reporting of Suspected Abuse of a Child](#)

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October 25, 2021

RESOLUTION NO. 21-22: 12

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.	Corona, Jonathan	Hire for 2021-22	Offer Extra Duty Contract for Jazz Band Director @Willamette.
2.	Hatch, Joy	Hire for 2021-22	Offer Extra Duty Contract for Latinos Unidos Advisor @Willamette.
3.	Jackson, Nate	Hire for 2021-22	Offer Extra Duty Contract for Black Student Union Advisor @Willamette.
4.	Mancuso, Joe	Additional Temporary Hours	Offer Temporary Contract for additional .17 FTE from 9/8/2021 through 2/2/2022.
5.	Mitchell, Curtis	Hire for 2021-22	Offer Extra Duty Contract for Black Student Union Advisor @Willamette.
6.	Skordal, Tyler	Resignation	Accept Resignation effective October 20, 2021; Position Held: 5 th Grade Teacher @Malabon; 2 months 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 25, 2021

RESOLUTION NO. 21-22: 13

BE IT RESOLVED, That the Board of Directors, School District No. 52, Lane County,
hereby adopts the following Board Policies:

- AC: Nondiscrimination**
- GCBDA: Family and Medical Leave**
- JB: Equal Educational Opportunity**

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				

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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 shall appoint 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, Titles VI and VII of the Civil Rights Act, Title IX of the Education Amendments of 1972, and other civil rights or discrimination issues, 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 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.

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.

BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

REPORTS

None.

ATTACHMENTS

None.

END OF POLICY

LEGAL REFERENCES

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 581-021-0047
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 581-002-0001 – 002-0005
ORS 659.870	ORS 659A.309	
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 (2018).
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-6343 (2018); 29 C.F.R Part 1626 (2019).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12112 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).
Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2018).
Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2018); 34 C.F.R. Part 104 (2019).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (2018);
Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018); 29 C.F.R. § 1601 (2019).
Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).
Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. § 4212(2018).
Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (2018); 29 C.F.R. Part 1635 (2019).
House Bill 2935 (2021).
House Bill 3041 (2021).

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 the provisions of the Family and Medical Leave Act (FMLA) of 1993, the Oregon Family Leave Act (OFLA) of 1995, the Military Family Leave Act as part of the National Defense Authorization Acts of 2008 and for Fiscal Year 2010 (which expanded certain leave to military families and veterans for specific circumstances), the Oregon Military Family Leave Act (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 employee to be eligible for the benefits under FMLA, they 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 OFLA, 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. 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.

Federal and state leave entitlements generally run concurrently.

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

REPORTS

None.

ATTACHMENTS

None.

BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

END OF POLICY

REFERENCES / COMMENTS

[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: 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

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

[ORS 174.100](#)

[ORS 192.630](#)

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 326.051](#)
[ORS 329.025](#)
[ORS 332.107](#)
[ORS 336.086](#)

[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).