



BETHEL SCHOOL BOARD MEETING

Hybrid Meeting hosted from the District Office – 4640 Barger Drive

Monday, November 8, 2021 - 6:30 p.m.

Zoom information will be posted on Bethel School District's website by noon on Monday, November 8, 2021

Join Zoom Webinar:

<https://bethel-k12-or-us.zoom.us/j/87531914716?pwd=QlhTeG1ISmRyQ1IKK0hWcG8rUHEzUT09>

Passcode: bethelsd

Or

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

Webinar ID: 875 3191 4716

Passcode: 61215906

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. Financial Statement: Simon Levear

B. Superintendent's Update

C. Policy Update, 1st Reading

a. ACB – All Students Belong – *Updated to reflect new language*

b. ACB-AR – Bias Incident Complaint Procedure – *Updated to reflect new language*

c. GBEA – Workplace Harassment – *Updated to reflect new language*

d. JFC – Student Conduct Code – *Updated to reflect new language*

D. Policy Update, 2nd Reading

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

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

E.

6. Consent Agenda

Personnel Action

Resolution No. 15

BETHEL SCHOOL DISTRICT #52

BOARD OF DIRECTORS

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7. Action Items

- A. Adopt Policies: IB and JHFE
- B. Extend Budget Committee Timeline
- C.

Resolution No. 16

Resolution No. 17

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, December 13, 2021

- A. Financial Statement: Simon Levear
- B. Review Budget Calendar
- C. OSBA Election
- D. Superintendent's Update
- E. Board Policies Up for Periodic Review
- F.

11. Adjournment

MINUTES
BETHEL SCHOOL DISTRICT #52
BOARD OF DIRECTORS
OCTOBER 11, 2021

The October 11, 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, Tina Gutierrez-Schmich, Alisha Dodds, Simon Levear, and Jill Busby

CALL TO ORDER

Chair Farr called the October 11, 2021 meeting of the Board of Directors to order at 6:34 p.m.

PLEDGE OF ALLEGIANCE

Vice Chair Cunningham led the Pledge of Allegiance.

Chair Farr recognized Indigenous Peoples' Day and the brief ceremony honoring Native communities held outside of the District Office prior to the Board meeting. Flags representing 574 federally recognized Native American Tribes were placed in front of the District Office for the day.

DELEGATIONS AND VISITORS

No written comments were submitted.

Curt Nordling / Eugene Education Association

Bethel parent, teacher, and Eugene Education Association Bethel Vice President Curt Nordling provided public comment via Zoom Webinar. Mr. Nordling expressed concern with staff workload and proposed several solutions to reduce the pressure for staff.

Liz Killam, Bethel Parent

Bethel parent Liz Killam provided in-person public comment expressing her concern with outcomes related to teaching critical race theory, and diversity, equity, and inclusion.

ACTION ON MINUTES

Chair Farr presented the Minutes from the September 27, 2021 Board Meeting and asked for additions or corrections. Hearing none, the Board approved the Minutes as submitted.

SUPERINTENDENT'S REPORT

ESSER Update: Tina Gutierrez-Schmich

Director of Teaching and Learning for Equity Tina Gutierrez-Schmich provided an overview of how Elementary and Secondary School Emergency Relief (ESSER) III funds are currently being utilized and how they intersect

MINUTES

BETHEL SCHOOL DISTRICT #52

BOARD OF DIRECTORS

OCTOBER 11, 2021

with Student Investment Account funds and Ready Schools, Safe Learners. The goal for ESSER III funds is to address students' needs arising out of COVID-19 and to emerge stronger post-pandemic, and to address both the disproportionate impact of COVID-19 on underrepresented student subgroups as well as students' social, emotional, and academic needs. At least 20% of ESSER III funds must address unfinished learning from the pandemic. To address unfinished learning, the District has identified the following areas of focus: mentor teachers; art courses/materials; increased PE time/materials; nursing supports; curriculum supports; night school supports; and community partner collaborations. Values guiding ESSER III planning include equity, adaptability, efficiency, and sustainability. The District will continue gathering student and family feedback and reviewing student data to develop evolving plans for ESSER III funds. Ms. Gutierrez-Schmich answered questions from the Board throughout the presentation and will report back to the Board as student and family feedback is gathered. ESSER III funds must be spent by September 30, 2024.

Financial Statement: Simon Levear

Business Services Director Simon Levear reviewed the September 2021 financial statement showing an estimated Ending Fund Balance of \$8,271,025, and reviewed the Lane Education Service District (ESD) 2021-22 Service Order Form which he distributed copies of to the Board. Mr. Levear described funding the District receives from Lane ESD, and, along with Superintendent Sproles and Special Services Director Amy Tidwell (who joined the meeting virtually), answered questions from the Board.

Policy Update, 1st Reading

Superintendent Sproles reported on the following Board Policies:

AC – Nondiscrimination – *Updated to reflect new language*

GCBDA – Family and Medical Leave (FMLA) – *Updated to reflect new language*

JB – Title IX (Equal Educational Opportunity) – *Updated to reflect new language*

Superintendent Updates

Superintendent Sproles commented on joyful learning and positive relationships being built with families that he has observed throughout the District over the past month, and described the excitement surrounding recent Willamette homecoming events.

There are currently 156 Bethel students in quarantine. Superintendent Sproles provided details of protocols in place to keep students safe and shared that the District is in the process of hiring staff to assist quarantined students. If a COVID-19 vaccine is approved for 5 – 11 year-olds and becomes available to the District, the District will offer vaccination clinics for students. Per the state's vaccine mandate, all Oregon K-12 staff must be fully vaccinated by Monday, October 18, 2021.

Superintendent Sproles clarified recent changes to restrictions for substitute teacher licensure and described how the District is working toward increasing the number of licensed substitute teachers, including assigning dedicated substitute teachers to schools.

Superintendent Sproles shared some of the history of the assistant superintendent position in the District, provided an overview of the position, and announced Human Resources Director Remie Calalang as the District's Assistant Superintendent. The Board congratulated Ms. Calalang and shared highlights from her

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BOARD OF DIRECTORS

OCTOBER 11, 2021

career in Bethel. Ms. Calalang commented that she appreciates the opportunity and the Board’s support as the District’s Assistant Superintendent.

CONSENT AGENDA

Resolution No. 10 – Personnel Action

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

#	Name	Type	Description
1.	Calalang, Remie	Administrative Hire for 2021-22	Offer Administrator Contract for Assistant Superintendent @District Office; Education: BA/Brandis University; M. Ed./University of Oregon; Administrator Licensure: University of Oregon; Experience: Director of Human Resources, Bethel School District, 7 years; Equity Coordinator, Bethel School District, 13 years; Start Date: October 1, 2021.
2.	Cannon, Helen	Additional Hours for 2021-22	Offer Contract for additional .3 FTE Language Arts Teacher @Cascade; Total: 1.0 FTE.
3.	Cowles, Gavin	Hire for 2021-22	Offer Extra Duty Contract for Assistant Football Coach @Willamette.
4.	Greenamyler, Sonja	Resignation	Accept Resignation effective December 17, 2021; Position Held: 4 th Grade Teacher @Danebo; 11 years at Bethel.
5.	Heglie, MaryAnn	Resignation/Retirement/Rehire	Accept resignation effective September 30, 2021 to enter retirement. Offer Temporary 1.0 FTE Contract from 10/1/2021 through the end of the 2021-22 school year; Position Held: Social Studies Teacher @Shasta; 32 years at Bethel.
6.	Kelley, Lori	Additional Temporary Hours for 2021-22	Offer Temporary Contract for additional .5 FTE Art Teacher @Clear Lake; Total: 1.0 FTE.
7.	O’Connor, Jake	Hire for 2021-22	Offer Extra Duty Contract for Boys Freshman Basketball Coach @Willamette.

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8.	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.
9.	Thomas, Eileen	Resignation	Accept Resignation effective October 22, 2021; Position Held: Title Teacher @Meadow View; 15 years at Bethel.

Motion Passed, 7-0

Absent: None

ACTION ITEMS

Resolution No. 11 – Notice of Intent to Maintain Participation in the Formal Governance of Lane ESD by requesting 50% or less of ADMw in Transit Dollars

Motion: Robin Zygaitis moved, Ashley Espinoza seconded, to issue a Notice of Intent to Maintain Participation in the Formal Governance of Lane Education Service District by requesting 50% or less of ADMw in Transit Dollars for the 2022-23 school year.

Motion Passed, 7-0

Absent: None

INFORMATION AND DISCUSSION

- A. NSBA Annual Conference, April 2-4, San Diego
- B. Director Cunningham shared a compliment from a parent regarding study hall staff.
- C. Chair Farr related recent inspiration from a United Way consultant to equity in education and stated that the Board needs to keep talking about equity and doing what is right for students and families, and keep equity at the forefront of the Board's work.

BOARD ACTIVITY UPDATE

- A. Director Nelson commented positively on the homecoming football game.
- B. Director Espinoza stated that she appreciated the acknowledgement of Hispanic Heritage Month and noted that the two Willamette students who were featured will be coordinating Latinos Unidos.

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

ADJOURNMENT

There being no further business to bring before the Board, Chair Farr adjourned the meeting at 8:28 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 Oct 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	37,961	29,990	42,469	110,420	56,000	54,420
Tuition from other Districts	0	0	0	0	0	0
Investment earnings R1510	27,403	79	127,233	154,715	200,000	(45,285)
Misc. local sources R1910 & R1940 & R1960	157,440	2,888	32,672	193,000	146,000	47,000
Subtotal	222,804	32,956	17,252,573	17,508,332	17,452,198	56,134
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	13,529,424	3,381,337	24,393,914	41,304,675	42,001,869	(697,194)
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	13,529,424	3,381,337	25,116,630	42,027,391	42,724,585	(697,194)
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	50,000	0	0	50,000	0	50,000
Sale of or Comp for loss of asset	0	0	0	0	0	0
Beginning fund balance R5400	12,484,373	-444,295	0	12,040,078	10,842,951	1,197,127
Subtotal	12,534,373	-444,295	0	12,090,078	10,842,951	1,247,127
Total, monthly revenues				72,040,800	71,434,734	606,066
EXPENDITURES						
Salaries- 100	3,685,668	2,722,258	26,197,036	32,604,961	32,846,753	(241,791)
Employee benefits- 200	2,437,028	1,754,344	17,842,461	22,033,833	22,331,351	(297,518)
Purchased services- 300	705,586	173,612	4,670,501	5,549,699	5,987,792	(438,093)
Supplies- 400	328,929	91,599	816,011	1,236,539	1,321,185	(84,646)
Capital outlay- 500	6,932	-6,932	20,000	20,000	20,000	0
Insurance/Dues/Other- 600	647,611	24,963	30,622	703,195	902,296	(199,101)
Interfund Transfers	174,696	0	1,454,596	1,629,292	1,831,688	(202,396)
Contingency	0	0	0	0	5,193,668	
Total, monthly expend.	7,986,450	4,759,843	51,031,227	63,777,520	70,434,733	(1,463,545)
Month-end Fund Balance				8,263,280	1,000,001	

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

Subject: All-Every Students Belongs

Policy Number: ACB Effective Date: 12/2021

Date of Original Policy and Revisions: 12/20

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

Date of Next Review: 12/2024

POLICY

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

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

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

~~“Bias incident” means a person’s hostile expression of animus toward another person, relating to the other person’s perceived race, color, religion, gender identity, sexual orientation, disability or national origin, of which criminal investigation or prosecution is impossible or inappropriate. Bias incidents may include derogatory language or behavior directed at or about any of the preceding demographic groups.~~

~~“Symbol of hate” means a symbol, image, or object that expresses animus on the basis of race, color, religion, gender identity, sexual orientation, disability or national origin including, the noose, swastika, or confederate flag, and whose display:~~

- ~~1. Is reasonably likely to cause a substantial disruption of or material interference with school activities; or~~
- ~~2. Is reasonably likely to interfere with the rights of students by denying them full access to the services, activities, and opportunities offered by a school.~~

~~The district prohibits the use or display of any symbols of hate on school grounds or in any district or school-sponsored program, service, school or activity that is funded in whole or in part by monies appropriated by the Oregon Legislative Assembly, except where used in teaching curriculum that is aligned to the Oregon State Standards.~~

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

~~The district prohibits retaliation against an individual 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.~~

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

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

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

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

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

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

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

“Symbol of hate” means nooses¹, symbols of neo-Nazi ideology or the battle flag of the Confederacy².

The District prohibits the use or display of any symbols of hate on school property³ or in an education program⁴ except where used in teaching curriculum that is aligned with state standards of education for public schools.

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

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

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

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

REPORTS

None.

ATTACHMENTS

None.

END OF POLICY

Legal Reference(s):

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

² While commonly referred to as the “confederate flag,” the official name of the prohibited flag is the Battle Flag of the Armies of Northern Virginia.

³ “School property” means any property under the control of the District.

⁴ “Education program” includes any program, service, school or activity sponsored by the District.

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

[ORS 659.850](#)
[ORS 659.852](#)

House Bill 2697 (2021)
House Bill 3041 (2021)

[OAR 581-002-0005](#)
[OAR 581-022-2312](#)

[OAR 581-022-2370](#)

Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969).
Dariano v. Morgan Hill Unified Sch. Dist., 767 F.3d 764 (9th Cir. 2014).
State v. Robertson, 293 Or. 402 (1982).
Bethel School District Office of Civil Rights Case 10001185, July 2001
Bethel School District Policy JFCFA – Racial Harassment
Bethel School District Policy AC - Nondiscrimination

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Bethel School District #52
Administrative Rule

ACB. Bias Incident Complaint Procedure
Adopted: 12/2020, 12/2021

The term “bias incident” is defined in policy. Persons impacted by a bias incident shall be defined broadly to include individuals at whom an incident was directed as well as students in the larger school community likely to be impacted by the incident.¹

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

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

- ~~• Educational components that address the history and impact of hate;~~
- ~~• Procedural components to ensure the safety, healing, and agency of those impacted by hate;~~
- ~~• Accountability and transformation for people who cause harm; and~~
- ~~• Transformation of the conditions that perpetuated the harm.~~

~~The administrator or designee must consider whether the behavior implicates other District policies or civil rights laws, and if so, respond accordingly.~~

~~The administrator or designee will make a decision and determine responsibility within 10 days of receiving the complaint.~~

~~All persons impacted will be provided with information relating to the investigation and the outcome of the investigation. At a minimum, the information provided must include:~~

- ~~• That an investigation has been initiated;~~
- ~~• When the investigation has been completed;~~
- ~~• The findings of the investigation and the final determination based on those findings; and~~
- ~~• Actions taken with the person or persons who committed the harassing behavior to remedy the behavior and prevent reoccurrence when the actions relate directly to a person impacted by the event.~~

~~If any of the above information cannot be shared, a citation to the law prohibiting release and an explanation of how that law applies to the current situation will be provided.²~~

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

²Refer to policies GBL—Personnel Records, JOA—Directory Information and JOB—Personally Identifiable Information and District legal counsel for guidance in these situations. Possible laws include, but are not limited to, Title 34 C.F.R. § 99.31 and ORS 342.850.

**Bethel School District #52
Administrative Rule**

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

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

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

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

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

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

~~The complainant, if a person who resides in the District, or a parent or guardian of a student who attends school in the District, is not satisfied after exhausting local complaint procedures, the District fails to render a written decision within 30 days of submission of the complaint at any step or fails to resolve the complaint within 90 days of the initial filing of the complaint, may appeal³ the District's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001—581-002-0023.~~

~~Complaints may also be filed directly with the U.S. Department of Education Office for Civil Rights.⁴~~

~~District administration will develop and implement instructional materials to ensure that all school employees and staff are made aware of this procedure and related practices. The materials will include reporting procedures, educational processes, and possible consequences.~~

³An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

⁴Complaints must meet criteria as established by law. For more information, visit <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>

Bethel School District #52
Administrative Rule

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

The terms “bias incident” and “symbols of hate” are defined in policy. Persons impacted by a bias incident or display of a symbol of hate shall be defined broadly to include persons directly targeted by an act, as well as the community of students as a whole who are likely to be impacted by the act.⁵

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

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

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

The administrator or designee must consider whether the behavior implicates other district policies or civil rights laws, and if so, respond accordingly⁶.

The administrator or designee will make a decision and determine responsibility within ten days of receiving the complaint.

All persons impacted by the act will be provided with information⁷ relating to the investigation and outcome of the investigation, including:

- Notice that an investigation has been initiated;
- Notice when an investigation has been completed;
- Findings of the investigation and the final determination based on those findings;
- Actions taken to remedy a person’s behavior and prevent reoccurrence; and
- When applicable, the legal citation of any law prohibiting disclosure of any information described above, and an explanation of how that law applies to the current situation.

⁵ The term “complainant” in this administrative regulation includes persons filing formal complaints and persons reporting bias incidents, regardless of whether the complainant is a victim. Similarly, the term “complaint” includes any report, information or complaint.

⁶ The nature of the behavior or act must determine the process used to respond; what rights and protections are available to the person(s) impacted by the behavior or act; and an individual’s right to appeal to the Oregon Department of Education or the U.S. Department of Education.

⁷ For additional information regarding required notices, see OAR 581-022-2312(4)(e)(E).

Bethel School District #52
Administrative Rule

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

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

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

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

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

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

The complainant, if a person who resides in the District, or a parent or guardian of a student who attends school in the District, is not satisfied after exhausting local complaint procedures, the District fails to render a written decision within thirty days of submission of the complaint at any step or fails to resolve the complaint within ninety days of the initial filing of the complaint, may appeal⁸ the District's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023.

Complaints may also be filed directly with the U.S. Department of Education Office for Civil Rights.⁹

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

⁸ An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

⁹ Complaints must meet criteria as established by law. For more information, visit <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>

Bethel School District #52
Administrative Rule

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

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

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BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

Subject: Workplace Harassment

Policy Number: GBEA Effective Date: 12/2021

Date of Original Policy and Revisions: 12/20

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

Date of Next Review: 12/2024

POLICY

Workplace harassment is prohibited and shall not be tolerated. This includes workplace harassment that occurs between District employees or between a District employee and the District in the workplace or at a work-related event that is off District premises and coordinated by or through the District, or between a District and a District employee off District premises. Elected school board members, volunteers and interns are subject to this policy.

Any District employee who believes they have been a victim of workplace harassment may file a report with the District employee designated in the administrative regulation GBEA-AR - Workplace Harassment Reporting and Procedure, may file a report through the Bureau of Labor and Industries' (BOLI) complaint resolution process or under any other available law. The reporting of such information is voluntary. The District employee making the report is advised to document any incidents of workplace harassment.

“Workplace harassment” means conduct that constitutes discrimination prohibited by Oregon Revised Statute (ORS) 659A.030 (discrimination in employment based on race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age, or expunged juvenile record), including conduct that constitutes sexual assault¹ or that constitutes conduct prohibited by ORS 659A.082 (discrimination against person in uniformed service) or 659A.112 (discrimination in employment based on disability).

The District, upon receipt of a report from a District employee who believes they are a victim of workplace harassment, shall provide information about legal resources and counseling and support services, including any available employee assistance services. The District employee receiving the report, whether a supervisor of the employer or the District employee designated to receive reports, is advised to document any incidents of workplace harassment, and shall provide a copy of this policy and accompanying administrative regulation to the victim upon their disclosure about alleged workplace harassment.

All incidents of behavior that may violate this policy shall be promptly investigated.

Any person who reports workplace harassment has the right to be protected from retaliation. The District may not require or coerce a District employee to enter into a nondisclosure² or nondisparagement³ agreement.

The District may not enter into an agreement with an employee or prospective employee, as a condition of employment, continued employment, promotion, compensation, or the receipt of benefits, that contains a nondisclosure provision, a nondisparagement provision or any other provision that has the purpose or effect of preventing the employee from disclosing or discussing workplace harassment that occurred between District

¹ “Sexual assault” means unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat or intimidation.

² A “nondisclosure” agreement or provision prevents either party from disclosing the contents of or circumstances surrounding the agreement.

³ A “nondisparagement” agreement or provision prevents either party from making disparaging statements about the other party.

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

employees or between a District employee and the District, in the workplace or at a work-related event that is off District premises and coordinated by or through the District, or between a District employee and employer off District premises.

The District may enter into a settlement agreement, separation or severance agreement that includes one or more of the following provisions only when a District employee claiming to be aggrieved by workplace harassment requests to enter into the agreement: 1) a nondisclosure or nondisparagement provision; 2) a provision that prevents disclosure of factual information relating to the claim of workplace harassment; or 3) a no-rehire provision that prohibits the employee from seeking reemployment with the District as a term or condition of the agreement. The agreement must provide the District employee at least seven days after signing the agreement to revoke it.

If the District determines in good faith that an employee has engaged in workplace harassment, the District may enter into a settlement, separation or severance agreement that includes one or more of the provisions described in the previous paragraph.

It is the intent of the Board that appropriate corrective action will be taken by the District to stop workplace harassment, prevent its recurrence and address negative consequences. Staff members in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional workplace harassment awareness training, as appropriate. Other individuals (e.g., board members, witnesses, and volunteers) whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or the Board.

The District shall make this policy available to all District employees and shall be made a part of District orientation materials provided and copied to new District employees at the time of hire.

The superintendent will establish a process of reporting incidents of workplace harassment and the prompt investigation.

REPORTS

None.

ATTACHMENTS

None.

END OF POLICY

Legal Reference(s):

[ORS 659A.001](#)

[ORS 659A.003](#)

[ORS 659A.006](#)

[ORS 659A.029](#)

[ORS 659A.030](#)

[ORS 659A.082](#)

[ORS 659A.112](#)

[ORS 659A.820](#)

[ORS 659A.875](#)

[ORS 659A.885](#)

[OAR 584-020-0040](#)

[OAR 584-020-0041](#)

[ORS 243.317 - 243.323](#)

[Senate Bill 479 \(2019\)](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (20128).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (20128).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (201920).

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

House Bill 3041 (2021)

BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

Subject: Student Conduct Code

Policy Number: JFC Effective Date: 12/2021

Date of Original Policy and Revisions: 1/84, 9/95, 5/00, 10/07, 2/10, 12/16

Cancels Policy No.: JF Dated: 1/84

Date of Next Review: 12/2024

POLICY

It is essential that the school staff, students, and their families work as a team to achieve the desired educational goals and objectives. When students, by their actions, words, or deeds, violate the standards as set forth in the student conduct and discipline code, there are consequences. The goal of these consequences is to assist students in producing behavioral changes that are necessary to function successfully in educational and social environments. If the consequences are ineffective, then the District may authorize the suspension and/or expulsion of refractory students.

Careful attention shall be given to procedures and methods whereby fairness and consistency without bias in discipline shall be assured each student. The objectives of disciplining any student must be to help the student develop a positive attitude toward self-discipline, realize the responsibility of one's actions and to maintain a productive learning environment. All staff members have responsibility for consistency in establishing and maintaining an appropriate behavioral atmosphere.

A student handbook, code of conduct or other document shall be developed by District administration and will be made available and distributed to parents, students and employees outlining student conduct expectations and possible disciplinary actions, including consequences for disorderly conduct, ~~as required by the No Child Left Behind Act of 2001 (NCLBA)~~. In addition, each school in the District shall publish a student/parent handbook detailing additional rules specific to that school.

Students in violation of Board policy, administrative regulation and/or code of conduct provisions will be subject to discipline up to and including expulsion. Students are subject to discipline for conduct while traveling to and from school, at the bus stop, at school-sponsored events, while at other schools in the District and while off campus, whenever such conduct causes a substantial and material disruption of the educational environment or the invasion of rights of others. Students may be denied participation in extracurricular activities. Titles and/or privileges available to or granted to students may also be denied and/or revoked (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). A referral to law enforcement may also be made.

Students are prohibited from making knowingly false statements or knowingly submitting false information in bad faith as part of a complaint or report, or associated with an investigation into misconduct.¹

The District will annually record and report expulsion data for conduct violations as required by the Oregon Department of Education.

¹ The District is prohibited from retaliating against any student "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." ORS 659.852.

BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

REPORTS

None

ATTACHMENTS

None

END OF POLICY

REFERENCES / COMMENTS

[Bethel Administrative Rule JFC](#): Student Conduct Code

Legal Reference(s):

[ORS 339.240](#)

[ORS 339.250](#)

[ORS 659.850](#)

[OAR 581-021-0050](#) to – 0075

Nondiscrimination on the Bases of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020). Tinker v. Des Moines Sch. Dist., 393 U.S. 503 (1969).
Hazelwood Sch. District v. Kuhlmeier, 484 U.S. 260 (1988).
Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986).
Shorb v. Grotting and Powers Sch. Dist., Case No. 00CV-0255 (Coos County Circuit Ct.) (2000).
Ferguson v. Phoenix Talent Sch. Dist. #4, 172 Or. App. 389 (2001).
~~No Child Left Behind Act of 2001, 20 U.S.C. § 7912 (2006).~~
Morse v. Frederick, 551 U.S. 393, 127 S. Ct. 2618 (2007).
C.R. v. Eugene S.D. 4J, No. 12-1042, U.S. District Court of OR (2013).

Subject: **Public Comment at Board Meetings**

Policy Number: **BDDH** Effective Date: **12/2021**

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: **12/2024**

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.

- 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.~~

~~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, or six minutes if an interpreter is needed. 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.

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

2nd Reading

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

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
BOARD OF EDUCATION POLICY STATEMENT**

2nd Reading

~~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).

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November 8, 2021

RESOLUTION NO. 21-22: 15

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.	DeBlois, Jennifer	Temporary Administrative Hire for 2021-22	Offer Temporary Administrator Contract for Principal @Bethel Online Academy; Education: BS/M.Ed./Administrator Licensure - University of Oregon; Experience: 2 nd and 3 rd Grade Teacher, Prairie Mountain School, Bethel School District, 16 years; Start Date: TBD.
2.	Evans, Shannon	Hire for 2021-22	Offer Extra Duty Contract for Yearbook Advisor @Shasta.
3.	Lancaster, Ewa	Additional Temporary Hours for 2021-22	Offer Temporary Contract for additional .17 FTE German Teacher @Willamette; Total: 1.0 FTE.

Recommended by: Remie Calalang, Assistant Superintendent

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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November 8, 2021

RESOLUTION NO. 21-22: 16

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

IB: Freedom of Expression

JHFE/GBNAB: Suspected Abuse of a Child Reporting Requirements

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: 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, 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. Whether there is an opportunity for a named individual or named individuals to make a response;
5. Whether specific individuals may be identified even though the material does not use or give names;
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;

BETHEL SCHOOL DISTRICT #52
BOARD OR EDUCATION POLICY STATEMENT

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](#) [OAR 581-021-0050](#)
[ORS 332.107](#) [OAR 581-021-0055](#)
[ORS 339.880](#)
[ORS 339.885](#)
[ORS 174.100](#)
[ORS 336.477](#)
[ORS 659.850](#)

Equal Access Act, 20 U.S.C. §§ 4071-4074 (2018); 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).

BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

Subject: **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 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.

BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

If the Superintendent is the alleged perpetrator the report shall be submitted to the 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 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 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 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](#) - [ORS 339.400](#)

[ORS 418.257](#) - [418.259](#)

[ORS 419B.005](#) to [419B.050](#)

[OAR 581-022-2205](#)

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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November 8, 2021

RESOLUTION NO. 21-22: 17

BE IT RESOLVED, that the Board of Directors, Bethel School District No. 52, Lane County, hereby extends the application period for the following open positions on the Budget Committee. Applications must be submitted to the Bethel District Office by _____, at 4:00pm. Appointments will be made at a future Board of Directors meeting

POSITION	CURRENT MEMBER	TERM
#1	James Manning, Jr. (open)	3-year
#2	Patrick Farr (open)	3-year
#5	Kellie Andre (open)	3-year

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				