

REVISED

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**Bend-La Pine Schools
Bend, OR 97701
August 19, 2014
Board Retreat Workshop
Regular Meeting**

The Board of Directors of Bend-La Pine Schools will meet in a Retreat Workshop on August 19, 2014 at 9:00a, followed by a regular meeting at 1:00p at MidOregon Credit Union's Conference Room, 1386 NE Cushing Drive, Bend, OR 97701.

Board Retreat Workshop

9:00a	a. Where Have We Been – Where Are We Going? b. Comprehensive Plan & Action Plan c. Board Aspirations d. Putting It All Together	Superintendent Wilkinson Superintendent Wilkinson Chair Helt et al Shay Mikalson, Lora Nordquist & Jay Mathisen
12:00	LUNCH	

Agenda

1:00p	Call to Order	Chair Helt
1:01	Pledge of Allegiance	Andy High
1:02	Review of Agenda	Chair Helt

Consent Agenda

1:05	a. Approval of Minutes – <i>July 8, 2014</i> Reference: ORS 192.650 and ORS 332.057	Chair Helt
	b. Approval of Personnel Recommendations Reference: ORS 332.505	Jay Mathisen

Discussion

1:10	a. Jim Green & Lori Sattenspiel – OSBA	Chair Helt
1:30	b. Governance Policy Calendar	Superintendent Wilkinson

Policy First Read

1:40	a. JFCM – Threats of Violence	Jay Mathisen
	b. JFCJ – Weapons in Schools	
	c. JG – Student Conduct and Discipline	
	d. LBE – Public Charter Schools	

Report

2:00	a. Superintendent Evaluation	Chair Helt
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Board Comments

Adjourn

**Bend-La Pine Schools
Bend, OR 97701**

The Board of Directors for Bend-La Pine Schools met in a regular meeting on July 8, 2014 in room 314 of the Education Center at 520 NW Wall Street, Bend, OR.

Board Members Present

Cheri Helt
Ron Gallinat
Nori Juba
Peggy Kinkade
Julie Craig
Mike Jensen
Andy High

Call to Order

The meeting was called to order at 12:02p by Chair Helt. The Pledge of Allegiance followed.

Review of Agenda

Cheri Helt added an Action Item: Zone 4 Resignation and Declaration of Vacancy.

Public Input

No public input.

Superintendent's Report

Superintendent Wilkinson recognized Denice Blake as the 2014 recipient of the President's Award by the Oregon Pupil Transportation Association. He congratulated Blake and acknowledged in 2013 Tim O'Connell won this award. Blake thanked her team, noting how much she appreciates their work to support her everyday. Wilkinson also recognized Julianne Repman and others who worked on the district's college map, which was the top award winner for National School Public Relations Association. The district's 2013-14 Handbook and Calendar received an award of merit (second place) from NSPRA and a third place award from the National Association of Government Communicators.

Wilkinson shared the district's three School Resource Officers, Ashley Volz, Scott Vincent and Amy Ward were recognized by Bend Police Department and earned Bend Police Department's Unit Citation Award. Wilkinson said he appreciates what an awesome resource these three officers are for our students, schools and community. He also noted Summit High School was recently selected, for the third year in a row, as the OSAA 5A Oregonian Cup winner. He shared Bend Senior High placed ninth and congratulated both schools as this award takes into consideration athletics, activities, academic achievement and sportsmanship of students.

At each Board Member seat he noted a summary of the exceptional grand work done this year by Bruce Abernethy. It has been a record-breaking year in terms of grants and dollars awarded. Wilkinson commended Abernethy for his amazing work.

Consent Agenda

Mike Jensen moved to approve the Consent Agenda. Ron Gallinat seconded the motion. Unanimous approval.

Action Items

Election of Board Officers

Chair Helt opened up the nominations for Board Officers.

Andy High nominated Cheri Helt and Nori Juba to serve as Board Co-Chairs for the 2014-15 School Year. Ron Gallinat seconded the motion to nominate. Unanimous approval.

Approval of Yearly Business & Board Operations for the 2014-15 School Year

- *Business Resolutions 1797-1808*

Kinkade asked if the business resolutions are all the same from last year. Brad Henry answered yes, with some minor updates. High asked what year the district is in with contracts listed in the resolutions. Henry answered our attorney contract is in year three, and our auditor contract is in year three of five. Juba asked if the substitute teacher salary is set by the state. Wilkinson answered yes; the minimum is listed in the resolution.

Wilkinson noted changes made to the Organizational Chart. Julianne Repman's title has been updated to reflect what she is currently doing and responsible for. He said this does not change Sal Cassaro's position; he is still the Director for Student Safety and will continue to work in that area.

Ron Gallinat moved to approve Business Resolutions 1797-1808. Peggy Kinkade seconded the motion. Unanimous approval.

- *Board Leadership Meetings*

Peggy Kinkade moved to approve the Board Leadership Meeting Calendar for 2014-15. Ron Gallinat seconded the motion. Unanimous approval.

- *Education Foundation Ex-Officio Members*

Chair Helt said she and Kinkade have been a part of the Education Foundation for a long time and would like to offer other board members the opportunity to be a part of the Foundation's Board. Kinkade agreed and asked if anyone had interest. There were no volunteers. Kinkade suggested taking this item off of the Action agenda today and move it to a later date. The Board agreed.

- *Adopt-a-School*

Kinkade noted her adopted schools are incorrect; Helt has Cascade Middle School and she has W.E. Miller. Craig noted she should also be listed with Mt. View High School.

Peggy Kinkade moved to approve the Adopt-a-School listed with the corrections noted. Ron Gallinat seconded the motion. Unanimous approval.

Resolution 1809 – Indemnification of Employees & Board Members

Chair Helt reviewed the resolution and noted Greg Colvin, HDES D attorney, was here to answer any questions. Kinkade felt the resolution to be straightforward and there were no questions.

Julie Craig moved to approve Resolution 1809. Andy High seconded the motion. Unanimous approval.

Approval of Propane Fuel Contract

Brad Henry reviewed the executive summary in the board packet on page 36. He noted it was about five years ago the district moved to purchasing propane fueled school buses and it has worked out well. The district has been working to set up a propane fuel station in La Pine and it is now ready.

The district recently sent out an RFP for propane fuel providers and received three responses from local providers. The recommendation from the committee is to offer a five-year contract with the lowest cost vendor, who happens to be the district's current vendor, Farrellgas. Gallinat asked what the next closest bid was. Henry said it was approximately 10 cents higher per gallon. Kinkade asked if the district would be offering the same contract as currently in place. Henry answered it will be similar, but some changes have been made specifically regarding delivery cost. The cost will be fixed at 23 cents/gallon, an average of what the district paid over the years of the last contract. Gallinat asked if Farrellgas has provided good service. Henry answered yes.

Peggy Kinkade moved to approve a five-year contract with Farrellgas beginning July 1, 2014 for the purchase and delivery of propane fuel at 38 cents per gallon over the refinery index for Anacortes, WA. Ron Gallinat seconded the motion. Unanimous approval.

Juba asked about the advantage of entering a five-year agreement. Henry said there is risk either way when locking in a rate now, as it could go up or down, but the cost risk is minimal and the longer the contract entered, the better the rate will be overall. Gallinat commented on the competitive rate and feels good about going forward with a five-year agreement. Henry noted there is opt out language built into the agreement.

Zone 4 Resignation and Declaration of Vacancy

Mike Jensen announced his resignation from the Board effective July 31, 2014. He said he and his wife's home is under contract and scheduled to close soon. He noted it is a bittersweet announcement, but they are moving in the direction of retirement. He has enjoyed his work with the Board and feels it is a well-built group and will need a very engaged South County member to continue the good work. He would love to have the communication efforts for recruitment made large and to see someone step up who is very involved in the schools and volunteering.

Chair Helt thanked Jensen for his service and appreciates his advocacy for South County. She said the Board would do their best to replace him. Juba asked how long Jensen had been on the Board. Jensen answered two years, and more time in prior years has been spent volunteering with the district. He said he is hopeful to see four or five community members apply. Gallinat asked where Jensen started his volunteer work. Jensen said at La Pine High School and then through SMART reading. He said he has really enjoyed his interactions in the community with the youth and assisting them in their education.

Chair Helt asked other Board members to review their calendars and set an early date in August for interviews, as she would like to have the new member be able to attend the Board Retreat on August 19. She feels it is important for that person to be a part of the vision process and it is also a great opportunity to learn about the district and the board then.

Andy High moved to accept Mike Jensen's resignation as Bend-La Pine Schools' Zone 4 Board Member, and declared the position open for application immediately. Peggy Kinkade seconded the motion. Unanimous approval.

The Board reviewed their calendars and decided the application deadline would be August 8 and the interview date to be August 14 with times to be determined later. High asked if there is not a qualified applicant, could the deadline be extended. Wilkinson answered yes, and noted it would require action by the board to extend the opening, and added Repman will work on community notification immediately.

Policy Monitoring

BD GOV A.8 – Communication and Support to the Board

Superintendent Wilkinson reviewed the updated policy in the board packet on pages 37-38, noting the Board's request of receiving materials, data, etc. was addressed on page 38. He suggested adding another number to the policy if the Board wanted more specific language. High said he is fine with the wording under #8, and emphasized the importance of having information in advance. Kinkade understood the update to be a response to the Board's concerns, but feels it should be more of a goal for the district to work towards rather than a response. She does not feel it necessary to add another number to the policy.

Juba asked if response obligates the Board to meet every Tuesday. Wilkinson answered the response is an explanation to prove the district has met the measure and provide a reflection of what has happened over the past year.

High said he would like to add another number to the policy and would like to make sure it is part of the evaluation process annually. The Board discussed various wording ideas for the policy. Jensen said he

would rather have information ahead of time and suggested putting a due date to give more clarification, adding if the information is not available by that date, then the topic be moved to the next meeting. Gallinat felt that idea might be too limiting for the Board and district. Wilkinson suggested updating the language to say: ‘...the board packet will include, to the extent possible, all materials which will be presented in the public session...’ noting this adds the element of a due date and clarifies the intent of the Board.

Andy High moved to approve the updated language proposed by Superintendent Wilkinson. Peggy Kinkade seconded the motion. Unanimous approval.

Reports

Community Survey Results

Julianne Repman presented the Spring 2014 Community Survey results, and explained this is a survey done about every other year and this one took place March 14-19, 2014. Juba asked how many community members were surveyed. Repman said 382 with a 95% level of confidence (a statistically valid survey with +/- 5% error factor). Kinkade asked if the same questions are asked each year. Repman answered generally yes, but there are new questions and updates added each year. She noted the survey provided very interesting and useful results overall.

Repman reviewed the positive and negative survey results, noting the impact of other districts in the region and the state can and does affect results in school perception surveys. Repman pointed out in 2008 the performance of the school district percentage went up and has continued to do so with each survey; this was the year Superintendent Wilkinson was hired and she feels he is a strong communicator, which is supported by the survey results.

The quality of staff went down slightly, with some of the negatives noted in the results being over crowded classrooms and too many days off of school. Positive comments were based on personal experience comments and the connection made by employees to the community and students. Repman noted the highest approval rating for student success came from the 18-30 year olds and negative ratings came mostly from the 49-59 year old range.

Repman explained the survey started with yes/no type of questions and then moved to push questions and said the way the questions are delivered is very important. She noted we have a great community relationship and sees these results as being a very positive reflection of the district. Repman offered a hard copy of the survey results for anyone who would like to review the results in more depth. She added the decline in the communications response is an opportunity for the district to look at the methods currently being used to reach out, noting the next steps would be to expand the delivery options with various social outlets, etc.

Wilkinson reminded all of the 5% margin of error, adding when the results start to decline beyond the 5% mark is when he becomes concerned. Jensen asked why the survey is not done more frequently. Repman said it is done every other year and if the district has a bond campaign the survey timing and questions may change because of the election. She noted the expense of the survey is one the district wants to be aware of and it is important not to irritate or train community members how to respond by doing too many surveys.

Chair Helt asked about the teacher quality percentage going down. Repman noted the survey asked about Bend-La Pine Schools’ staff, not just teachers. The negative feedback remarks reported included: lack of communication, too many days out of school, staff didn’t care about students; to which Repman concluded many of these responses seem to be a reflection of more personal experiences.

Gallinat asked if Repman could email the survey and responses to the board. She said the file is quite large, but would be able to provide a hard copy. Chair Helt thanked Repman for her report.

KPI Data

Superintendent Wilkinson explained in recent years the district has set priorities and measures to gauge success. At the board retreat last summer, the board looked at the Achievement Compact and worked to align Key Performance Indicators (KPI) with the compact and as a result, came up with 16 overall measures. Some of the data is not available just yet, however in a few weeks more results will be available and he will continue to update the Board.

Wilkinson noted the reports tonight will look different than previously presented to the Board as the data information has been put on a trend line. He noted the tracking of information using a trailing average, which is difficult in the education world, but is being used tonight with a three-year trailing average to help put together trends.

Wilkinson reviewed first grade reading, noting the changes in cut scores and significant test changes that make it difficult to track. He commented this is an area of concern for him and wants to focus on improving. Third grade reading results were shared and Wilkinson noted the rise in results to meet higher expectations which he is happy to see and said at third grade, it looks like the district is back on a good steady track progressing nicely.

Fifth grade math results show the same trend as third grade reading and eighth grade has been flat since the cut scores changed, Wilkinson noted he would like to start seeing a more upward trend begin.

Wilkinson reviewed the four-year cohort graduation information; more data will be available in January and noted since the district began tracking this data five years ago we currently have the highest graduation rate we've ever had. Wilkinson shared the five-year completer rates, noting this group is tracked as part of the Achievement Compacts and takes into account the students who pass the GED and receive other types of diplomas.

11th grade reading proficiency was shared in two graphs to help show the old cut score, which did apply through this current group of 11th graders. The other graph shows the new college readiness benchmark and shows what percentage of our current students would meet. It is data Wilkinson said he would like to dig into further. Dave VanLoo shared the Explore to Plan data will hopefully help this trend move upward.

Wilkinson reviewed sixth grade attendance, data tracking chronic absenteeism (students who are absent 10% or more of the time). This data reflects the students who are attending and Wilkinson noted this is our highest year of attendance. He added, from the South County board meeting, the efforts shared in how those schools are encouraging student attendance are making a positive impact. Schools across the district are using similar strategies and he is proud of their efforts and results.

Wilkinson reviewed the college continuation rate noting the National College Clearing House is the source the district is using to track the data rather than personally tracking records. He said tracking students after they graduate poses some issues with confidentiality and the state has better access to information.

Explore to Plan Cohort Data

Dave VanLoo gave an overview of PLAN and EXPLORE testing and said this data shows results comparing the same student in eighth grade to tenth grade. He noted, this is not comprehensive of every student in the district.

Chair Helt commented on the low science scores and asked what the district is doing to improve. VanLoo shared there was a change to the college benchmark science test in August 2013 and it did change our data results. He added, as the district moves into the next generation of science testing standards we'll be better able to understand where gaps may be. VanLoo feels there has been a disconnect with OAKS and ACT science testing. Kinkade asked about why there are decreases in the 9th and 10th grade math results. VanLoo said his best guess is that there are different students in the mix of who is being tested. Wilkinson

added 9th grade is a big year where students who have been home schooled or in private school enter into our public school system and that could be a part of the reason our results are affected.

VanLoo said the district is moving into the ASPIRE system and next year testing results will look very different. Kinkade asked if the ACT would still be given to all high school juniors. VanLoo answered yes, and he added it may be possible for students to take it online. ASPIRE will be for grades three through ten with very different type of questions compared to the ACT. He said the district is investigating using ASPIRE at the lower grade levels, noting various pricing options for usage and periodic assessments. The district has through the end of November to make a decision about what options it will use. Kinkade asked about the trial period and if the district is going to move forward with it. VanLoo said the district is still deciding and trying to find a balance of not over-testing students but still getting enough useful data to continue improvement.

Chair Helt said she was pleased with the KPI data and appreciated seeing data results put together in charts and graphs to show the history of our students. The way information was presented tonight was informative and she appreciated the effort made to make data results useful and meaningful especially when tests and standards continue to change. She is pleased to see students are meeting the increased standards and seeing information in this format helps to create goals and allows for the Board to reflect on the results.

Helt changed the order of the Discussion items on the agenda and said the La Pine Urban Renewal information would be discussed first.

Discussion

La Pine Urban Renewal District

Superintendent Wilkinson introduced Ken Mullenex and thanked him for the work he has done for La Pine and the connection he has with the Board. Mullenex thanked the Board for their time and shared how the urban renewal will impact La Pine and the history behind the idea.

Mullenex said nearly every city in Central Oregon, with the exception of Prineville, has had an urban renewal, noting his favorite being Madras and the great improvements they have made in their community with bike paths, skate parks, the airport and business coming into town. He shared in fall of 2013 the La Pine City Council began work with urban renewal consultant Elaine Howard; she helped them form a committee and prepare a plan that specifies the areas of town, the money needed and the work that will be done. The Council moved and accepted the plan and then established a seven-member agency to present the plan, which the final public hearing is tomorrow evening. Following the public hearings, Mullenex explained, there is a 30-day delay before the county votes.

Jensen shared his support of the urban renewal plan and feels it is something highly needed and could possibly benefit the district in the future. He asked if there is any data showing what other community results were 10 years after an urban renewal effort. Mullenex did not have any specific data but shared there is a preponderance of evidence in support of this work; noting economic development, industrial revitalization and community growth. He said there are 115 other cities in Oregon who currently have urban renewal plans in place. Jensen thanked Mullenex for his great work and complimented Rick Allen's work as well.

Chair Helt thanked Mullenex for his time and presentation on this great effort for the City of La Pine. She asked Mullenex to please share with his constituents the open position on the Board of Directors for South County. Mullenex said he'd be happy to pass the message along.

OSBA Proposed Legislative Priorities & Policies for 2015-17

Kinkade shared her concern of the Board possibly advocating the increase funding language suggested by OSBA, noting she wants to make sure these funds are sustainable, and asked about the tax funding

formula. Wilkinson said it is correct and gain-share is an issue that the Board may want to become more involved in. He explained gain-share changes the playing field and OSBA's argument that it does not count in the funding formula is valid, but it is not guaranteed income and it is an issue that convolutes the equity funding formula. Kinkade said she is not excited about supporting the local option equalization grants, as they do not sit quite right with her. Chair Helt agreed and Kinkade commented she would like to see further discussion on this topic.

Gallinat asked where the priorities of OSBA are coming from. Chair Helt said they are based on certain things OSBA wants to have policies and priorities about and some are things the committee is instructed to discuss because of future legislation.

High does not like the language under funding tax authority on page 68, Section 1: Informing Tax Policy. Helt said there was a long discussion about what the state funding system will look like and the end discussion was that OSBA should advocate for funds for education. If it's preschool, then it helps with having student's kindergarten ready, and that is seen as advantageous for all education. The same would be true for college and post graduation education. High said he does not feel that should be the role of OSBA and does not like the idea of supporting the modification of the state's corporate income tax kicker. He would like to see language around the tax tightened up.

Superintendent Wilkinson noted a few years ago, Juba, a committee member at that time, was shocked to see student achievement was not one of the priorities, and this year it is listed as number one. Juba noted OSBA has come along way but there are still things that do not sit well with him in this document and the way it is written. He said if OSBA advocates for the funding they are suggesting, they could actually push money away from education. As a taxpayer, Juba would be appalled to give his money to poorly run districts that are not performing well. Districts should be held accountable and OSBA supporting a concept of funding not tied to accountability is of concern. Helt agreed and said many districts (there are 32 on the board for the committee) fought for 'status quo' during the committee meetings and did not want to push for change. Juba feels OSBA should not support those districts as it is counter to everything that is moving education forward. Juba said he is not in favor of more funding without accountability.

Wilkinson suggested a response from the Board to the document. Kinkade asked if it has more of an impact coming from an entire Board vs. one person. Juba felt it would and noted he feels the Board, philosophically, is all of the same opinion of this document. He feels there is no accountability to this document and would like the Board to make a very general, unified statement. Helt said she would like the statement to be specific. Kinkade suggested Juba and Helt put together a statement and email other Board members for feedback. High said he agreed with Juba's opinions and would support Juba in putting a statement together. Juba agreed to put a response together. Helt commented, she feels OSBA has gotten away from what is best for students and if there is no student achievement, and then a district is not accomplishing anything.

Board Comments

Andy High thanked Jensen for his service and wished him well on his next adventure.

Peggy Kinkade thanked Jensen and praised him for his time and commitment to the Board and the students of South County. She appreciates how many hours he has spent volunteering in our schools and appreciates his dedication, adding he will be hard to replace.

Julie Craig thanked Jensen as well and wished he and his wife well.

Mike Jensen said those who are volunteers and provide a public service cannot be thanked enough. Those people who donate their time and services to the community make it a better place. He thanked everyone for his experience on the Board.

Ron Gallinat thanked Jensen and noted the first time they met was at a La Pine Advisory Board meeting and is thankful Jensen stepped up and has been a part of the School Board. He also thanked Helt and Juba for their Board leadership this past year and is happy they will continue in that role.

Nori Juba thanked Jensen and said he admires his passion for students. He appreciates the discussions he and Jensen have had over the past couple of years. He noted the Board would not meet again until it is time for the retreat, and he encouraged all to bring one aspirational goal to the retreat. Something they would each like to see five years from now in the district. He shared, about six years ago, it was his goal to see every student have a laptop, and here we are in the midst of a digital conversion using iPads. He wants to know what gets each Board member excited and what goals they would like to set to get to the next level.

Cheri Helt thanked Jensen for his service on the Board and time he has spent volunteering. She noted the Ghost Tree Invitational is coming up with many volunteer opportunities still available. The Education Foundation will be one of the recipients of funds raised this year. The funds will be used to award science and technology teacher grant applications. Anyone can contact Julianne Repman or herself to inquire about volunteering. She noted the organizational chart reviewed earlier and said she would really like to have further discussions of how school and student safety is part of our culture and how to include counselors in our schools along with community support. Helt would like to see our EBISS work be tied directly to school safety and feels a continued conversation with our community mental health care providers is critical.

Meeting adjourned at 2:18p

Respectfully submitted,

Andrea Wilson
Confidential Supervisor
7.8.2014



HUMAN RESOURCES

Education Center

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Educating Each Student to be a Thriving Citizen

August 14, 2014

TO: Ron Wilkinson, Superintendent
Board of Directors for Bend - La Pine Schools

FROM: Jay Mathisen, Assistant Superintendent – Human Resources & Strategic Planning

RE: Administrative and Licensed Recommended Hires, Resignations, and Retirees

The Human Resources Department recommends approval of the following hires, resignations, and retirees at the school board meeting on August 19, 2014. All hires are subject to successful drug testing.

Certified Hires:

Name	Position	Location	Status	Hire Date
Brown, Frank	Language Arts Teacher .50 FTE #105323	Summit HS	Part-time to Full-time Temp	08/19/2014
Christian, Lindsey	Language Arts Teacher #105266	La Pine HS	Temporary	08/19/2014
Cordiner, Amy	ERC Teacher #105360	La Pine HS Special Pgrms	Temporary	08/19/2014
Dean, Mary	Primary Teacher @ .50 FTE #105346	Buckingham ES	Temporary	08/19/2014
Ertle, Ashley	Intermediate Teacher #105354	RE Jewell ES	Temp 1 to Temp 2	08/19/2014
Hollingsworth, Liana	Math Teacher @ .64 FTE #105332	La Pine MS	Temporary	08/19/2014
McIntyre, Allison	Elementary Teacher #105354	Bear Creek ES	Temp 1 to Temp 2	08/19/2014
Meyer, Amy	Choir Teacher @ .333 FTE #105351	Pilot Butte MS	Part-time to Full-time Temp	08/19/2014
Phillips, Lisa	Chemistry Teacher @ .333 FTE #105319	Mtn View HS	Temporary	08/19/2014
Reynolds, Julia	Art Teacher @ .167 FTE #105338	Summit HS	Part-time to Full-time Temp	08/19/2014
Sharp, Brian	Adaptive PE Teacher @ .10 FTE #105251	Special Programs	Part-time to Full-time Reg	08/19/2014
Sullivan, Dylan	Language Arts/Social Studies #105339	La Pine MS	Temporary	08/19/2014
Walden, Deborah	Primary Teacher #105073	Buckingham ES	Temporary	08/19/2014

Certified Resignations:

Name	Position	Location	Hire Date & End Date
Noll, Ashlyne	Elementary Teacher	Pine Ridge ES	08/27/2007 06/30/2014
Payne, Ruth	ESL Teacher	Bear Creek ES	08/30/2010 06/30/2014

Administrative Hires:

Name	Position	Location	Status	Hire Date
Pike, Tamara	Health Services Supervisor #105250	Special Programs	Regular	07/30/2014



HUMAN RESOURCES

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August 14, 2014

TO: Ron Wilkinson, Superintendent
Bend-La Pine School Board of Directors

FROM: Jay Mathisen, Assistant Superintendent of Human Resources & Strategic Planning

RE: Classified Recommended Hires and Resignations

The Human Resources Department recommends approval of the following hires and resignations at the School Board meeting on August 19, 2014:

Classified Hiring

Name	Position/Posting No.	Location	Temp/Regular Position	Hire Date
Cornett, Heather	105234 Registrar Secretary II	Teaching and Learning	Temp 6.5 hrs / day	7/9/14
Evans Kimbrough, Dorothy	105343 Nutrition Server I	Bend High	Reg 3 hrs / day	7/29/14
Falkenstein, Mary	105330 Media Tech Assistant	Mountain View	Reg 8 hrs / day	7/14/14
Finley, Heather	105331 Athletic Secretary II	Cascade	Reg 8 hrs / day	7/14/14
Rodriguez, Andrew	105252 EA – Inclusion	Pilot Butte	Reg 7 hrs / day	6/19/14
Shobe, Kristan	105349 Secretary II	Nutrition Services	Reg 7.5 hrs / day	7/22/14

Classified Resignations

Name	Position	Location	Resign Date
Bachman, Sammy	EA – Inclusion	Lava Ridge	8/27/13 – 8/7/14
Bentley, Sharla	Nutrition Server I	Mountain View	8/12/13 – 8/12/14
Chapman, Susan	Nutrition Server I	Highland	4/5/11 – 7/31/14
Gilmore, Donna	Registered Nurse	Special Programs	8/29/12 – 8/11/14
Graves, Denise	Bus Driver	Transportation	7/23/09 – 7/17/14
McMichael, William	Custodial Assistant II	Sky View	8/14/06 – 7/23/14
Purvis, Melissa	EA – Campus Monitor	Bend High	9/5/12 – 7/23/14
Smith-Blockley, Stuart	EA - Inclusion	Juniper	12/10/13 – 8/4/14



HUMAN RESOURCES

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Weaver, Gretchen	EA – Inclusion	Lava Ridge	1/24/05 – 8/4/14
Whitaker, Lloyd	Bus Driver	Transportation	8/1/07 – 8/1/14

Executive Summary
Governance Policy Review Schedule
August 19, 2014

The following list provides the current schedule of Governance Policy review.

September

BDGOV A – Executive Limitations

BDGOV A.5 – Emergency Superintendent Succession

October

BDGOV A.4 – Financial Conditions & Activities

BDGOV A.7 – Compensation & Benefits

November

BDGOV A.3 – Financial Planning & Budgeting

January

BDGOV A.6 – Asset Protection

April

BDGOV A.2 – Treatment of Staff

May

BDGOV A.1 – Treatment of Students & Families

BDGOV A.1.A – Treatment of Public

June

BDGOV A.8 – Communication & Support to the Board

BDGOV C.2 – Monitoring Superintendent Performance

Executive Summary

Jay Mathisen, Assistant Superintendent of Human Resources & Strategic Planning

Required Board Policy JFCM – Threats of Violence

Rewrite incorporates statutory language from HB 2192 requiring a student who is removed from the classroom setting pending an evaluation, to be evaluated within 10 days once found in violation of this policy to determine appropriate disciplinary action. Reasonable cause can provide for an exception to this 10-day timeline.

This is a first reading and no action is required at this time. The policy will be brought back for approval.

BEND-LA PINE SCHOOLS

Administrative School District No. 1

Deschutes County, Oregon

BOARD POLICY

Name: Threats of Violence

Section: Required Policies

Code: JFCM

The Board is committed to promoting healthy relationships and safe learning environments. To this end, student threats of harm to self or others, threatening behavior or acts of violence, including threats to severely damage school property shall not be tolerated on district property or at activities under the jurisdiction of the district.

Students shall be instructed of the responsibility to inform a teacher, counselor or administrator regarding any information or knowledge relevant to conduct prohibited by this policy. Parents and others will be encouraged to report such information to the district. Staff shall immediately notify an administrator of any threat, threatening behavior or act of violence s/he has knowledge of, has witnessed or received. All reports will be promptly investigated.

Students found in violation of this policy shall be subject to discipline up to and including expulsion. A referral to law enforcement shall be made for any infraction involving a student bringing, possessing, concealing or using a weapon or destructive device as prohibited by state, and federal law and Board policy.

Principals and their designees shall, in determining appropriate disciplinary action, consider:

1. Immediately removing from the classroom setting any student who has threatened to injure another person or to severely damage school property;
2. Placing the student in a setting where the behavior will receive immediate attention from a building administrator, counselor, licensed mental health professional or others;
3. Requiring the student to be evaluated by a licensed mental health professional before allowing the student to return to the classroom setting. A student who is removed from the classroom setting for an evaluation may not be removed for more than 10 school days unless the administrator is able to show good cause that an evaluation could not be completed in that time period.

The Principal, or designee, shall ensure notification is provided to:

1. The parent of any student in violation of this policy and the disciplinary action imposed;
2. The parent of a student when the student's name appears on a targeted list that threatens violence or harm to the students on the list or when threats of violence or harm to the student are made by another student;
3. Any school employee whose name appears on a targeted list threatening violence or harm to the district employee, and when threats of violence or harm are made by a student or others.

Notification to the above shall be attempted by telephone or in person within 12 hours of discovery of a targeted list or learning of a threat. Regardless, a written follow-up notification shall be sent within 24 hours of discovery of a targeted list or learning of a threat.

The principal will provide necessary information regarding threats of violence to law enforcement, child

protective services and health-care professionals in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. Additionally, he/she may provide such information to other school officials, including teachers, within the district or other districts who have a legitimate educational interest in the student(s) consistent with state and federal education records laws and district policies.

The district may enter into contracts with licensed mental health professionals to perform student evaluations. Funds for evaluations or other disciplinary options as may be required by law and this policy shall be provided by the district.

As a part of the district's proactive safety efforts, the superintendent will plan staff development activities designated to alert staff to early warning signs of possible violent behavior. Students so identified shall be referred to a counselor, licensed mental health professional and/or multidisciplinary team for evaluation and follow-up as appropriate.

END OF POLICY

Legal References:

ORS 161.015
ORS 166.210-166.370
ORS 332.107
ORS 339.115
ORS 339.240
ORS 339.250
ORS 339.260
ORS 339.327
ORS 809.060
ORS 809.260

OAR 581-021-0050 to -0075
OAR 581-053-0010(5)
OAR 581-053-0015(7)(k)
OAR 581-053-0545(4)(c), (w)
OAR 581-053-0550(5)(v)

Gun-Free School Zones Act of 1990, 18 U.S.C. 921(a)(25)-(26), 922(q)(2006)
Individuals with Disabilities Education Act (IDEA), 20 U.S.C. 1400-1427 (2006)
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g(2006); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2008).

Reference:

JFCAFA/GBNAA-AR - Cyberbullying
JBA/GBN-AR- Harrassment
JO – Education Records
JFD-AR – Students of Legal Age
JFD-AR Form – Students of Legal Age

Reviewed: 4.14.09 ~~4.14.09~~
Approved: 4.28.09

BEND-LA PINE SCHOOLS

Administrative School District No. 1

Deschutes County, Oregon

BOARD POLICY

Name: Threats of Violence

Section: Required Policies

Code: JFCM

The Board is committed to promoting healthy relationships and safe learning environments. To this end, student threats of harm to self or others, threatening behavior or acts of violence, including threats to severely damage school property shall not be tolerated on district property or at activities under the jurisdiction of the district.

Students shall be instructed of the responsibility to inform a teacher, counselor or administrator regarding any information or knowledge relevant to conduct prohibited by this policy. Parents and others will be encouraged to report such information to the district. Staff shall immediately notify an administrator of any threat, threatening behavior or act of violence s/he has knowledge of, has witnessed or received. All reports will be promptly investigated.

Students found in violation of this policy shall be subject to discipline up to and including expulsion. A referral to law enforcement shall be made for any infraction involving a student bringing, possessing, concealing or using a weapon or destructive device as prohibited by state, and federal law and Board policy.

Principals and their designees shall, in determining appropriate disciplinary action, consider:

1. Immediately removing from the classroom setting any student who has threatened to injure another person or to severely damage school property;
2. Placing the student in a setting where the behavior will receive immediate attention from a building administrator, counselor, licensed mental health professional or others;
3. Requiring the student to be evaluated by a licensed mental health professional before allowing the student to return to the classroom setting.

The Principal, or designee, shall ensure notification is provided to:

1. The parent of any student in violation of this policy and the disciplinary action imposed;
2. The parent of a student when the student's name appears on a targeted list that threatens violence or harm to the students on the list or when threats of violence or harm to the student are made by another student;
3. Any school employee whose name appears on a targeted list threatening violence or harm to the district employee, and when threats of violence or harm are made by a student or others.

Notification to the above shall be attempted by telephone or in person within 12 hours of discovery of a targeted list or learning of a threat. Regardless, a written follow-up notification shall be sent within 24 hours of discovery of a targeted list or learning of a threat.

The principal will provide necessary information regarding threats of violence to law enforcement, child protective services and health-care professionals in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other

individuals. Additionally, he/she may provide such information to other school officials, including teachers, within the district or other districts who have a legitimate educational interest in the student(s) consistent with state and federal education records laws and district policies.

The district may enter into contracts with licensed mental health professionals to perform student evaluations. Funds for evaluations or other disciplinary options as may be required by law and this policy shall be provided by the district.

As a part of the district's proactive safety efforts, the superintendent will plan staff development activities designated to alert staff to early warning signs of possible violent behavior. Students so identified shall be referred to a counselor, licensed mental health professional and/or multidisciplinary team for evaluation and follow-up as appropriate.

END OF POLICY

Legal References:

ORS 161.015
ORS 166.210-166.370
ORS 332.107
ORS 339.115
ORS 339.240
ORS 339.250
ORS 339.260
ORS 339.327
ORS 809.060
ORS 809.260

OAR 581-021-0050 to -0075
OAR 581-053-0010(5)
OAR 581-053-0015(7)(k)
OAR 581-053-0545(4)(c), (w)
OAR 581-053-0550(5)(v)

Gun-Free School Zones Act of 1990, 18 U.S.C. 921(a)(25)-(26), 922(q)(2006)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. 1400-1427 (2006)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g(2006); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2008).

Reference:

JFCAFA/GBNAA-AR - Cyberbullying
JBA/GBN-AR- Harrassment
JO – Education Records
JFD-AR – Students of Legal Age
JFD-AR Form – Students of Legal Age

Reviewed: 4.14.09

Approved: 4.28.09

Executive Summary

Jay Mathisen, Assistant Superintendent of Human Resources & Strategic Planning

Required Board Policy JFCJ – Weapons in Schools

Policy JFCJ – Weapons in Schools has been rewritten.

We continue our statement of zero tolerance for weapons and firearms, but establish distinction between the two specific to disciplinary action in the new version of the policy, using and referring to the definition of firearm found in 18 USC 921. It is important to note, the definitions remain largely unchanged and the District will continue to not tolerate weapons on our campuses.

Violation of this policy triggers discipline measures described in policy, JG, up to and including suspension and expulsion. Violation of policy for firearms results in a mandatory one-year expulsion, although the policy allows for the Superintendent to have the ability to review and modify an expulsion.

Key elements of HB 2192, that are incorporated into policy language include:

- Mandatory expulsion for one-year for firearms violation
- Allow exception for school programs
- Allows Superintendent to modify decision on a case-by-case basis
- Allows Superintendent to propose alternative programs
- Referral to law enforcement
- Annual reporting to Oregon Department of Education regarding expulsion of students under this policy

This is a first reading and no action is required at this time. The policy will be brought back for approval.

BEND-LA PINE SCHOOLS

Administrative School District No. 1

Deschutes County, Oregon

BOARD POLICY

Name: Weapons in the Schools (Students)

Section: Required Policies

Code: JFCJ

Students shall not bring to, possess, conceal or use a weapon ~~on or at district property, or at~~ firearm on a school or on school property under the jurisdiction of the school district, or to activities under the jurisdiction of the district, or interscholastic activities administered by ~~other organizations~~ a voluntary organization (i.e., Oregon School Activities Association).

The District has a zero-tolerance policy for Firearms.

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

1. ~~“Dangerous weapon” — 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. “Deadly weapon” — any weapon, instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;~~ 3. “Firearm” — 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; the frame or receiver of any such weapon; or any firearm muffler or silencer; or any destructive device, as defined by 18 USC 921.

~~4-2.~~ “Destructive Device” — any device with an 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. Such devices include: bomb, grenade, rocket (with a propellant charge of more than four ounces), mine, missile (with a charge of more than one-quarter ounce), or similar devices. A destructive device does not include any device that is designed primarily or redesigned primarily for use as a signaling, pyrotechnic, line throwing, safety or similar device.

~~3. “Dangerous weapon” — 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;~~

~~4. “Deadly weapon” — any weapon, instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;~~

~~5.~~ 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, parents and patrons.

Replicas of weapons, fireworks, pocket-knives, noxious or irritating gasses, poisons, metal knuckles, straight razors, live ammunition, or any similar instrument or by the use of which injury could be inflicted upon any other person are also prohibited by Board policy.

Any student determined to have violated this Board policy with respect to weapons shall be subject to discipline in accordance with Board Policy JG Student Conduct and Discipline, including suspension or expulsion. Any student determined to have violated this Board policy with respect to Firearms shall be expelled for a period of not less than one year. The Superintendent may modify the Firearms expulsion requirement for a student on a case-by-case basis. The district may also request suspension of the student’s driving privileges or the right to apply for driving privileges with the Oregon Department of Transportation, as provided by law.

Exceptions to ~~the district’s replicas prohibition may be granted only with prior approval by the school~~

~~principal for certain curriculum or school-related activities. Prohibited weapons, replicas of weapons, fireworks and pocket knives possessed on or about a person while on district property are subject to seizure or forfeiture. this policy may be allowed in the following circumstances:~~

1. For courses, programs and activities approved by the school district that are conducted on school property, including but not limited to hunter safety courses, Reserve Officer Training Corps programs, firearm-related sports or firearm-related vocational courses; and

2. Exceptions identified by and adopted by the State Board of Education by rule.

The Superintendent may propose alternative programs of instruction or instruction combined with counseling for a student that are appropriate and accessible to the student. If alternative programs are appropriate for a student, the superintendent shall ensure that information about programs of instruction or instruction combined with counseling is provided in writing to the student and the parent, legal guardian or personal in parental relationship with the student at least once every six months, or at any time the information changes because of the availability of new programs.

In accordance with Oregon law, any employee who has reasonable cause to believe a student or other person has, ~~within the previous 120 days,~~ unlawfully been in possession of a firearm or ~~destructive device~~ weapon as defined by this policy, shall immediately report such violation to an administrator, his/her 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 have occurred or that a student has been expelled for bringing, possessing, concealing or using a ~~dangerous or deadly~~ weapon, ~~or firearm or destructive device.~~ Parents will be notified of any conduct by their student that is in violation of this policy.

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

~~Students found to have violated the district's zero-tolerance weapons policy shall be expelled for a period of not less than one year. The board or superintendent may, on a case-by-case basis, modify this expulsion requirement. The district may also request suspension of the student's driving privileges or the right to apply for driving privileges with the Oregon Department of Transportation, as provided by law.~~

The district shall, for the remaining period of an expulsion, deny admission to the regular school program to a student who is expelled from another school district for applicable weapons or firearms law violations. ~~The district may consider and propose alternative programs of instruction or instruction combined with counseling to a student who is under expulsion or to a student prior to expulsion for violation of this policy.~~

Special education students shall be disciplined in accordance with federal law and Board policy JGDA/JGEA, Discipline of Disabled Students, and accompanying administrative regulations. ~~Appropriate disciplinary and/or legal action will be taken against students or others who assist in activity prohibited by this policy.~~

~~Weapons under the control of law enforcement personnel or a person who has a valid license under ORS 166.291 and 166.292 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 and weapons-related vocational courses.~~

~~When a site or premise off district grounds is being used exclusively for a school program or activity, the district may post a notice. 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 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 excepted by law or this policy, shall be reported to the appropriate law enforcement agency.~~

The District shall provide an annual report to the Department of Education of the name of each school that had an expulsion under this policy and the number of students expelled from each school.

END OF POLICY

Legal References:

~~Oregon Revised Statutes~~

[ORS](#) 161.015
[ORS](#) 166.210 – 370
[ORS](#) 166.382
[ORS](#) 332.107
[ORS](#) 339.115
[ORS](#) 339.240
[ORS](#) 339.250
[ORS](#) 339.260
[ORS](#) 339.315
[ORS](#) 339.327
[ORS](#) 809.060
[ORS](#) 809.260

~~Oregon Administrative Rules~~

[OAR](#) 581-021-0050 to 0075
[OAR](#) 581-053-0010(5)
[OAR](#) 581-053-0015(7)(k)
[OAR](#) 581-053-0545(4)(c),(w)
[OAR](#) 581-053-0550(5)(v)

Gun-Free School Zone Act of 1990, 18 U.S.C., §§ 921(a)(25)-(26), 922(q) (2006)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1427 (2006)

Youth Handgun Safety Act, 18 U.S.C. §§ 922(x), 924(a)(6) (2006)

Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2006).

Reviewed: 1/14/97, 10/26/99, 2/27/07, 4/24/12, 5/8/~~12~~12, ~~12/12/12~~12/12/12

Approved: 10/8/96, 5/22/~~12~~12, _____

BEND-LA PINE SCHOOLS

Administrative School District No. 1

Deschutes County, Oregon

BOARD POLICY

Name: Weapons in the Schools

Section: Required Policies

Code: JFCJ

Students shall not bring, possess, conceal or use a weapon on or at district property, or at activities under the jurisdiction of the district or interscholastic activities administered by other organizations (i.e., Oregon School Activities Association).

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

1. "Dangerous weapon" – 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. "Deadly weapon" – any weapon, instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;
3. "Firearm" – 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; the frame or receiver of any such weapon; or any firearm muffler or silencer;
4. "Destructive Device" – any device with an 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 that is designed primarily or redesigned primarily for use as a signaling, pyrotechnic, line throwing, safety or similar device.

Weapons may also include, but 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, parents and patrons.

Replicas of weapons, fireworks, pocket-knives, noxious or irritating gasses, poisons, metal knuckles, straight razors, live ammunition, or any similar instrument or by the use of which injury could be inflicted upon any other person are also prohibited by Board policy.

Exceptions to the district's replicas prohibition may be granted only with prior approval by the school principal for certain curriculum or school-related activities. Prohibited weapons, replicas of weapons, fireworks and pocket-knives possessed on or about a person while on district property are subject to seizure or forfeiture.

In accordance with Oregon law, any employee who has reasonable cause to believe a student or other person has, within the previous 120 days, 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 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 have occurred or that a student has been expelled for bringing, possessing, concealing or using a dangerous or deadly weapon, firearm or destructive device. Parents will be notified of any conduct by their student that is in violation of this policy.

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

Students found to have violated the district's zero-tolerance weapons policy shall be expelled for a period of not less than one year. The board or superintendent may, on a case-by-case basis, modify this expulsion requirement. The district may also request suspension of the student's driving privileges or the right to apply for driving privileges with the Oregon Department of Transportation, as provided by law.

The district shall, for the remaining period of an expulsion, deny admission to the regular school program to a student who is expelled from another school district for applicable weapons law violations. The district may consider and propose alternative programs of instruction or instruction combined with counseling to a student who is under expulsion or to a student prior to expulsion for violation of this policy.

Special education students shall be disciplined in accordance with federal law and Board policy JGDA/JGEA, Discipline of Disabled Students, and accompanying administrative regulations. Appropriate disciplinary and/or legal action will be taken against students or others who assist in activity prohibited by this policy.

Weapons under the control of law enforcement personnel or a person who has a valid license under ORS 166.291 and 166.292 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 and weapons-related vocational courses.

When a site or premise off district grounds is being used exclusively for a school program or activity, the district may post a notice. 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 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 excepted by law or this policy, shall be reported to the appropriate law enforcement agency.

END OF POLICY

Legal References:	339.327
Oregon Revised Statutes	809.060
161.015	809.260
166.210 – 370	
166.382	Oregon Administrative Rules
332.107	581-021-0050 to 0075
339.115	581-053-0010(5)
339.240	581-053-0015(7)(k)
339.250	581-053-0545(4)(c),(w)
339.260	581-053-0550(5)(v)
339.315	

Gun-Free School Zone Act of 1990, 18 U.S.C., §§ 921(a)(25)-(26), 922(q) (2006)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1427 (2006)

Youth Handgun Safety Act, 18 U.S.C. §§ 922(x), 924(a)(6) (2006)

Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2006).

Reviewed: 1/14/97, 10/26/99, 2/27/07, 4/24/12, 5/8/12

Approved: 10/8/96, 5/22/12

Executive Summary

Jay Mathisen, Assistant Superintendent of Human Resources & Strategic Planning

Required Board Policy JG – Student Conduct and Discipline

This is a total rewrite of current JG – Student Conduct and Discipline; both content and organization of policy components have been updated significantly. The impact on current practices will be minimal as suspension and expulsion are currently utilized with discernment.

Rewrite language incorporates statutory language from HB 2192 which includes the statutory list of conduct that triggers discipline.

Key elements and requirements set forth from passage of HB 2192 include:

- Requirement that policy provides a description of goals that discipline / suspension / expulsion policy is designed to address (effective date: 7.1.2014)
- Requirement that policy provides for dissemination of written information about alternative programs of instruction and counseling once every six months
- Policy limits expulsion to three situations or conditions
- Requirement that policy provides consideration of student's age and pattern of behavior before suspension or expulsion

This is a first reading and no action is required at this time. The policy will be brought back for approval.

BEND-LA PINE SCHOOLS

Administrative School District No. 1

Deschutes County, Oregon

BOARD POLICY

Name: Student Conduct and Discipline

Section: Students

Code: JG

A primary purpose of the district is to provide a suitable educational environment for students of the district. Students shall pursue their prescribed course of study, comply with written rules of the district, submit to the lawful authority of teachers and district officials and conduct themselves in an orderly fashion.

POLICY GOALS

This Board policy is designed to:

1. Protect students and school employees from harm;
2. Provide opportunities for students to learn from their mistakes;
3. Foster positive learning environments;
4. Keep students in school and attending class;
5. Impose disciplinary sanctions without bias against students from a protected class, as defined in ORS 339.351;
6. Implement a graduated set of age-appropriate responses to misconduct that are fair, nondiscriminatory and proportionate in relation to each student's individual conduct;
7. Employ a range of strategies for prevention, intervention and discipline that take into account a student's developmental capacities and that are proportionate to the degree and severity of the student's misbehavior;
8. Propose, prior to a student's expulsion, alternative programs of instruction or instruction combined with counseling for the student that are appropriate and accessible to the student in the following circumstances:
 - a. Following a second or subsequent occurrence within any three-year period of a severe disciplinary problem with the student
 - b. When it has been determined that the student's attendance pattern is so erratic that the student is not benefiting from the educational program; or
 - c. When a parent or legal guardian applies for the student's exemption from compulsory attendance on a semiannual basis as provided in ORS 339.030(2);
9. To the extent practicable, use approaches that are shown through research to be effective in reducing student misbehavior and promoting safe and productive social behavior; and
10. Ensure that school conduct and discipline codes comply with all state and federal laws concerning the education of students with disabilities.

MISCONDUCT GIVING RISE TO DISCIPLINE

Students shall be liable to discipline, suspension or expulsion for ~~misconduct, including but not limited to: theft, disruption of the school, willful damage or destruction of school property, willful damage or destruction to private property on school premises or during a school activity, acts endangering the safety of self or others, assault or menacing a school employee or student, use of threats, intimidation, harassment, bullying, hazing, or coercion against any fellow student or school employee, unlawful possession or use of weapons or dangerous instruments, unlawful possession, use or distribution of drugs, narcotics, alcoholic beverage or tobacco products, delivery of an imitation controlled substance, commission of a crime, membership in a secret society or gang, use or display of obscene or profane language, willful~~

~~disobedience, open defiance of a school employee or volunteer, attendance so erratic that the student is not benefiting from the educational program, and persistent failure to comply with rules or the lawful directions of school employees or volunteers.~~ conduct that includes, but is not limited to:

1. Willful disobedience;
2. Open defiance of the authority of a school employee;
3. Possession or distribution of tobacco, alcohol, drugs and other controlled substances;
4. Use or display of profane or obscene language;
5. Willful damage or injury to school property;
6. Use of threats, intimidation, harassment or coercion against a student or a school employee;
7. Intentional attempts, by word or conduct, to place a school employee or other student in fear of imminent serious physical injury;
8. Assault of a school employee or other student;
9. Possession or use of a firearm or other weapon.

Various disciplinary procedures shall be used by district personnel to correct behavioral problems. Examples include, but are not limited to, reprimands, conferences, detention and denial of participation in co-curricular and extracurricular activities. Titles and/or privileges available to or granted to students ~~may~~ be maybe denied and/or revoked (e.g., valedictorian, salutatorian, student body, class or club office positions, field trips, senior trip, prom, graduation etc.).

A student code of conduct, developed under the leadership of the district administration, and in cooperation with staff, will be made available to parents and students and enforced in the school.

Individual school regulations that are not covered in the student code of conduct will be submitted in written form to the Superintendent for approval before such regulations are imposed on the students. Any revisions of the student code of conduct will be made with the full knowledge of the Superintendent. The student code of conduct is hereby incorporated into this policy by reference.

All district disciplinary procedures shall be consistent with Oregon law. District disciplinary procedures for students who are qualified to receive special education services shall comply with applicable federal and state student disability laws.

The use of physical restraint and/or seclusion is only permitted as a part of a behavioral support plan when other less restrictive interventions would not be effective and the student's behavior poses a reasonable threat of imminent, serious bodily injury to the student or others. Physical restraint or seclusion may not be used for discipline, punishment, or for the convenience of district staff. The use of mechanical, chemical, or prone restraint on a student is prohibited.

~~4.~~ **SCHOOL DISCIPLINE: PROBATION AND SUSPENSION**

~~A.~~ **School Probation**

1. SCHOOL PROBATION

~~i.~~ School probation may include detention and/or punishment deemed suitable by the school official. School probation may remove from the student the privilege of attending or participating in co-curricular activities and athletic events and non-curricular programs of the school.

~~ii.~~ School probation may be applied for as long as one calendar year. While on school probation, the student must comply with all the conditions of that probation. Failure to comply with conditions of probation is cause for a discipline hearing on the alleged violation of a term of probation.

~~iii.~~ Prior to being placed on school probation, the student shall be given an informal hearing by the school official. At the hearing:

- a. The student shall be told of the reason(s) for the pending action; and,
- b. The student shall have the opportunity to present his/her view of the alleged misconduct.

~~iv.~~ When a student is placed on school probation, the school official shall give written notice to the parent(s) or guardian(s) of the student, or the student if age 18 or over, of the school official's decision, the reason for that decision and the terms of the school probation.

~~v.~~ A student placed on school probation may be referred for school counseling services. The Multi-Disciplinary Team shall be a resource to counseling efforts for a student with disabilities who has been placed on probation.

~~2. B. In-School Suspension (commonly referred to as "ISS")~~ IN-SCHOOL SUSPENSION (COMMONLY REFERRED TO AS "ISS")

~~i.~~ In-school suspension temporarily removes a student from attending his/her regular classes and school activities until reinstatement has been accomplished or some other form of action is taken. An in-school suspension may be sanctioned by a school principal or designee.

~~ii.~~ ~~When~~ When a student is placed on in-school suspension:

- ~~a.~~ a. The student is to be notified of the reason(s) for the action and be given opportunity to present his/her view of the alleged misconduct.
- ~~b.~~ b. The suspending school official shall give written notice to the student's parent(s) or guardian(s), or to the student if age 18 or over, of the in-school suspension decision and the reason(s) for the decision.
- ~~c.~~ c. The suspending school official shall specify the methods and conditions under which the student's schoolwork may be made up.

~~G.~~ ~~Out-of-School Suspension (commonly referred to as "suspension")~~

3. OUT-OF-SCHOOL SUSPENSION (COMMONLY REFERRED TO AS "SUSPENSION")

~~i.~~ Out-of-school suspension temporarily removes from a student the privilege of attending school and all school activities until reinstatement has been accomplished or some other form of action is taken. Suspensions are made by the principal or his/her designee and are not to exceed ten (10) school days. ~~ii.~~ In making a decision whether to place a student on suspension, the principal or designee must consider the age of the student and the past pattern of behavior by the student.

When a student is suspended:

- ~~a.~~ a. The student is to be notified of the reason(s) for the suspension and be given opportunity to present his/her view of the alleged misconduct.
- ~~b.~~ b. The informal hearing may be postponed in emergency situations relating to health and safety and when there is a serious risk that substantial harm will occur if suspension does not take place immediately. A student suspended under emergency conditions shall have the rights specified above, as soon as the emergency condition has passed.
- ~~c.~~ c. The suspending school official shall give written notice to the student's parent(s) or guardian(s), or to the student if age 18 or over, of the suspension decision, the reason for the decision, the conditions for reinstatement and appeal procedures, where applicable. These procedures may also be postponed in emergency situations relating to health and safety.
- ~~d.~~ d. The suspending school official shall specify the methods and conditions under which the student's ~~schoolwork~~ school work may be made up.
- ~~e.~~ e. A parent/guardian conference with the suspending school official regarding the student's behavior may be required prior to the student being readmitted. When the suspension is the result of misconduct in the classroom, the teacher involved shall be informed of the disciplinary action taken and be given the opportunity to attend all parent/guardian conferences.
- ~~f.~~ f. In the event the student or parent(s) or guardian(s) are dissatisfied with the suspension decision or the results of a parent/guardian conference they may seek and obtain a conference with the school principal. If the parent(s)/guardian(s) are dissatisfied with the suspension decision after a conference with the principal, they may request the Superintendent's review of the decision, in writing, within 10 calendar days to assure due process was provided and to assure the discipline is consistent with Oregon law and Board policy. The Superintendent's review shall be limited to the record. A new hearing shall not be provided. The Superintendent's review shall be final and may not be appealed to the School Board.
- ~~g.~~ g. Upon return to school, the student may be referred to a school counselor. The ~~Multi-Disciplinary Team~~ multi-disciplinary team shall be a resource to counseling efforts for a student with disabilities who has been suspended.
- ~~h.~~ h. In special circumstances, a suspension may be continued until some specific pending event occurs, such as a physical or mental examination or incarceration by court action.
- ~~D. Multiple Discipline Measures Authorized.~~ A school official may apply more than one of the above-described discipline measures on the same student for the same misconduct.

~~2. DISTRICT DISCIPLINE:~~ **EXPULSION**

~~A.~~ Expulsion is exclusion from the regular school program and all school activities. Expulsion shall not extend beyond one calendar year.

~~B. A student may be recommended for expulsion for misconduct, including but not limited to: theft,~~

disruption of the school, willful damage or destruction of school property, willful damage or destruction to private property of school premises or during a school activity, acts endangering the safety of self or others, assault or menacing a school employee or student, use of threats, intimidation, harassment, bullying, hazing, or coercion against any fellow student or school employee, unlawful use of drugs, narcotics or alcoholic beverages, delivery of a imitation controlled substance, commission of a crime, membership in a secret society or gang, use or display of obscene or profane language, willful disobedience, open defiance of a school employee or volunteer, attendance so erratic that the student is not benefiting from the educational program, and persistent failure to comply with rules or the lawful direction of school employees or volunteers.

C. ——— A student shall be expelled for violation of applicable weapons laws in accordance with Board policy JFCJ-Weapons in the Schools.

D. ——— Expulsion denies the student the privilege of attending school and school activities. Expulsions shall not extend beyond one calendar year, pursuant to ORS 339.250(5).

1. GROUNDS

E. ——— Prior to recommending a student for expulsion, the school administrator shall consider and propose to the student and document to the parent or guardian alternative education programs or programs combined with counseling¹ provided that: -

A student may be expelled only when the student's conduct poses a threat to the health or safety of students or school employees, when other strategies to change student conduct have been ineffective, or when expulsion is required by law. In making a decision whether to expel a student, the district must consider the age of the student and the past pattern of behavior by the student.

i. ——— The programs shall be registered with the Oregon Department of Education as alternative education programs;

Notwithstanding the above, expulsion is mandatory and shall be implemented under the terms of Board policy JFCJ in the following circumstances:

ii. ——— The programs shall be based on the student's learning styles and needs;

a. When a student is determined to have brought a firearm to a school, to school property under the jurisdiction of the school district or to an activity under the jurisdiction of the school district;

iii. ——— The alternative education programs shall be local and accessible to the student;

b. When a student is determined to have possessed, concealed or used a firearm in a school, on school property under the jurisdiction of the school district or at an activity under the jurisdiction of the school district or

iv. ——— The procedure for enrolling the student in the proposed programs shall be explained;

c. When a student is determined to have brought to or possessed, concealed or used a firearm at an interscholastic activity administered by a voluntary organization.

v. ——— The tuition cost of these selected programs shall be paid by this district up to 80% of the district's estimated current year's average per student net operating expenditure.

2. NOTICE REQUIREMENTS

¹ - The school district may provide alternative education programs or programs combined with counseling to a student expelled for violation of applicable weapons laws.

~~F.~~ When a student is recommended for expulsion, a hearing shall be provided. ~~i.~~ Notice of the hearing to the student and to the parent(s) or guardian(s) shall be made by certified mail or hand delivered by personal service. Where notice is made by mail, the notice shall be sent Certified, Mail Requested and mailed at least five (5) calendar days before the date of the hearing. Personal service of notice shall be at least five (5) calendar days before the date of the hearing and the person giving the notice shall file a return of service. The school official and the parent(s) or guardian(s) of the student, or the student if age 18 or over, may mutually agree to waive the above defined notice period and schedule a hearing at an earlier date.

~~a.~~ a. The notice shall state the specific charge or charges being made by the school, a statement of intent to consider the charges as reason for expulsion and the date, time and location of the hearing.

~~b.~~ b. The parent(s) or guardian(s) of the student, or the student if age 18 or over, may waive the right to a hearing by notifying the district in writing of such waiver, or by failing to appear after notice at the time, date and place set for the hearing. (The parent(s) or guardian(s) of the student, or the student if age 18 or over, may make a request prior to the hearing date and time to have the hearing rescheduled. The district may in its sole discretion comply with such request).

3. EXPULSION HEARING

~~ii.~~ The hearings officer shall conduct expulsion hearings for the Board in accordance with the applicable Oregon Revised statutes, specifically ORS 332.061 and Oregon Administrative Rules.

~~iii.~~ At the hearing:

~~a.~~ a. The student may be represented by counsel or other persons.

~~b.~~ b. The student shall be permitted to be present and hear the evidence presented on behalf of the district.

~~c.~~ c. The student shall be permitted to introduce evidence by testimony, writings or other exhibits.

~~d.~~ d. Strict rules of evidence shall not apply to the proceedings. However, this provision shall not limit the hearing officer's control of the meeting.

~~e.~~ e. The hearings officer or the student may make a record of the hearing. The District will request that the Hearings Officer tape record the hearing, but the unavailability of the audio tape due to a malfunction or loss shall not invalidate the hearing.

~~f.~~ f. An interpreter shall be provided by the school district in cases where the student or student's parent(s) or guardian(s) do not understand the spoken English language.

~~G.~~ The hearings officer will determine the facts of each case on the evidence provided at the hearing and submit written findings and a recommendation for disciplinary action to the Superintendent.

~~H.~~ The decision of the Superintendent shall be final, except as noted ~~in Section I. and J.,~~ below. The decision shall be made in writing to the student and to the parent(s) or guardian(s) of the student. The action of the Superintendent may be:

a. ~~i.~~ No action, the student may immediately return to school;

- ~~b.~~ ~~ii.~~ — A type of discipline especially suited to the offense;
- ~~c.~~ ~~iii.~~ — Administrative probation (as defined above), which may be applied for as long as the rest of the semester in which the probation notice is given, or when so close to the end of a semester that it would not be effective, for as long as the entire semester following the probation notice. While on administrative probation, the student must comply with the terms of that probation. Failure to comply with all rules set out in the conditions for probation is cause for a discipline hearing on the alleged violation;
- ~~d.~~ ~~iv.~~ — Expulsion, as defined, above. Prior to the expulsion the Superintendent or designee shall consider and propose to the student and document to the parent, in writing, appropriate and accessible alternative programs of instruction or instruction combined with counseling. This information and notice of alternative education programs shall be included with the written expulsion order and delivered to the student and his/her parent(s) or guardian(s).
- ~~e.~~ ~~v.~~ — A combination of ~~Section i, ii, iii, and/or iv, immediately above.~~ the discipline options set forth above.

4. BOARD REVIEW AND APPEALS

~~i.~~ — The Board reserves the right to review any and all decisions regarding expulsions made on its behalf by the Superintendent.

~~j.~~ — The parent(s) and guardian(s), or the student if age 18 or over, shall have the right to appeal an expulsion decision made by the Superintendent for review by the Board. ~~i.~~ The request for appeal shall be made in writing and delivered to the Superintendent's office within 10 calendar days of the decision. ~~ii.~~ — The Board shall give notice of the hearing to the appellant within the timelines as provided in ~~DISTRICT DISCIPLINE-EXPULSION, F(i)~~ Section 2 above, above, and shall conduct the hearing as provided in ~~DISTRICT DISCIPLINE-EXPULSION F(ii) and F(iii)~~ Section 3 above. In addition:

- ~~a.~~ a. The Board shall be provided findings as to the facts and the decision of the Hearings Officer. This material shall be made available at the same time to the parent or guardian and to the student, if age 18 or over.
- ~~b.~~ b. The Board review shall be only on the "written record". The "written record" includes all evidence and documentation in the student's hearing file.
- ~~c.~~ c. A new evidentiary hearing will not be held.
- ~~d.~~ d. At the discretion of the Board, the Board may allow the student/parent and the school representatives to present arguments.
- ~~e.~~ e. After a review of the "written record", the Board may ask questions of the student/parent and the school representatives.
- ~~f.~~ f. The Board will conduct the review in executive session and will inform the parents/student of its decision in writing.

~~iii. When appealed, the~~ The Board will affirm, modify or rescind the decision of the Superintendent. ~~iv.~~
The decision of the Board shall be final.

Upon return to school, the student will be placed in a grade, level or class commensurate with his/her abilities and credits at the time of his/her return.

ALTERNATIVE PROGRAMS

Except for expulsion for a violation of the Board policy on firearms, prior to a student's expulsion or leaving school, the school administrator shall disseminate written information about alternative programs of instruction or instruction combined with counseling for the student that are appropriate and accessible to the student and the parent, legal guardian or person in parental relationship with the student in the following circumstances at least once every six months:

- a. Following a second or subsequent occurrence within any three year period of a severe disciplinary problem with the student;
- b. When it has been determined that the student's attendance pattern is so erratic that the student is not benefiting from the educational program; or

~~K. Upon return to school, the student will be placed in a grade, level or class commensurate with his/her abilities and credits at the time of his/her return.~~

- c. When a parent or legal guardian applies for the student's exemption from compulsory attendance on a semiannual basis as provided in ORS 339.030(2).

The notice of alternative programs provided under this section shall be delivered by personal service or certified mail to the parent or guardian and student. When the parent or guardian's language is other than English, the district must provide the notice in a manner that the parent or guardian can understand. The notice must include the following information:

- a. The student conduct which is the basis for consideration of alternative education;

END OF POLICY

- b. A list of alternative programs available to the student for which the district would provide financial support in accordance with ORS 339.620, except that when notice is given after a parent or guardian applies for the student's exemption from compulsory attendance the district is not obligated to provide financial support;
- c. The program recommended for the student based on the student's learning styles and needs;
- d. The procedures for enrolling the student in the recommended programs.

Legal References: ~~ORS 243.650 ORS 332.061 ORS 332.072~~ Reference(s):
~~ORS 332.107 ORS 339.115~~

ORS 339.240 ~~339.270~~
ORS 339.250

{000131372-00421852;3}

[ORS659.850](#)

OAR 581-~~21-050~~[021-0050](#) to -~~075~~[0075](#)

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REVIEWED/AMENDED:10/8/96,1/14/97,

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REVIEWDATE:2/24/04,1/8/13

APPROVED/AMENDED:2/24/04,1/22/13

[HazelwoodSch.Districtv.Kuhlmeier,484U.S.260\(1988\).](#)

[BethelSch.Dist.v.Fraser,478U.S.675\(1986\).](#)

[Shorby.GrottingandPowersSch.Dist.,CaseNo.00CV-0255\(CoosCountyCircuitCt.\)\(2000\).](#) [Ferguson](#)
[v. PhoenixTalentSch.Dist.#4,172Or.App.389\(2001\).](#) [NoChildLeftBehindActof2001,20U.S.C.§](#)
[7912\(2006\).](#)

BEND-LA PINE SCHOOLS

Administrative School District No. 1

Deschutes County, Oregon

BOARD POLICY

Name: Student Conduct and Discipline

Section: Students

Code: JG

A primary purpose of the district is to provide a suitable educational environment for students of the district. Students shall pursue their prescribed course of study, comply with written rules of the district, submit to the lawful authority of teachers and district officials and conduct themselves in an orderly fashion.

Students shall be liable to discipline, suspension or expulsion for misconduct, including but not limited to: theft, disruption of the school, willful damage or destruction of school property, willful damage or destruction to private property on school premises or during a school activity, acts endangering the safety of self or others, assault or menacing a school employee or student, use of threats, intimidation, harassment, bullying, hazing, or coercion against any fellow student or school employee, unlawful possession or use of weapons or dangerous instruments, unlawful possession, use or distribution of drugs, narcotics, alcoholic beverage or tobacco products, delivery of an imitation controlled substance, commission of a crime, membership in a secret society or gang, use or display of obscene or profane language, willful disobedience, open defiance of a school employee or volunteer, attendance so erratic that the student is not benefiting from the educational program, and persistent failure to comply with rules or the lawful directions of school employees or volunteers.

Various disciplinary procedures shall be used by district personnel to correct behavioral problems. Examples include, but are not limited to, reprimands, conferences, detention and denial of participation in co-curricular and extracurricular activities. Titles and/or privileges available to or granted to students may be denied and/or revoked (e.g., valedictorian, salutatorian, student body, class or club office positions, field trips, senior trip, prom, graduation etc.).

A student code of conduct, developed under the leadership of the district administration, and in cooperation with staff, will be made available to parents and students and enforced in the school.

Individual school regulations that are not covered in the student code of conduct will be submitted in written form to the Superintendent for approval before such regulations are imposed on the students. Any revisions of the student code of conduct will be made with the full knowledge of the Superintendent. The student code of conduct is hereby incorporated into this policy by reference.

All district disciplinary procedures shall be consistent with Oregon law. District disciplinary procedures for students who are qualified to receive special education services shall comply with applicable federal and state student disability laws.

The use of physical restraint and/or seclusion is only permitted as a part of a behavioral support plan when other less restrictive interventions would not be effective and the student's behavior poses a reasonable threat of imminent, serious bodily injury to the student or others. Physical restraint or seclusion may not be used for discipline, punishment, or for the convenience of district staff. The use of mechanical, chemical, or prone restraint on a student is prohibited.

1. SCHOOL DISCIPLINE

A. School Probation

i. School probation may include detention and/or punishment deemed suitable by the school official. School probation may remove from the student the privilege of attending or participating in co-curricular activities and athletic events and non-curricular programs of the school.

ii. School probation may be applied for as long as one calendar year. While on school probation, the student must comply with all the conditions of that probation. Failure to comply with conditions of probation is cause for a discipline hearing on the alleged violation of a term of probation.

iii. Prior to being placed on school probation, the student shall be given an informal hearing by the school official. At the hearing:

- a. The student shall be told of the reason(s) for the pending action; and,
- b. The student shall have the opportunity to present his/her view of the alleged misconduct.

iv. When a student is placed on school probation, the school official shall give written notice to the parent(s) or guardian(s) of the student, or the student if age 18 or over, of the school official's decision, the reason for that decision and the terms of the school probation.

v. A student placed on school probation may be referred for school counseling services. The Multi-Disciplinary Team shall be a resource to counseling efforts for a student with disabilities who has been placed on probation.

B. In-School Suspension (commonly referred to as "ISS")

i. In-school suspension temporarily removes a student from attending his/her regular classes and school activities until reinstatement has been accomplished or some other form of action is taken. An in-school suspension may be sanctioned by a school principal or designee.

ii. When a student is placed on in-school suspension:

- a. The student is to be notified of the reason(s) for the action and be given opportunity to present his/her view of the alleged misconduct.
- b. The suspending school official shall give written notice to the student's parent(s) or guardian(s), or to the student if age 18 or over, of the in-school suspension decision and the reason(s) for the decision.
- c. The suspending school official shall specify the methods and conditions under which the student's schoolwork may be made up.

C. Out-of-School Suspension (commonly referred to as "suspension")

i. Out-of-school suspension temporarily removes from a student the privilege of attending school and all school activities until reinstatement has been accomplished or some other form of action is taken. Suspensions are made by the principal or his/her designee and are not to exceed ten (10) school days.

ii. When a student is suspended:

- a. The student is to be notified of the reason(s) for the suspension and be given opportunity to present his/her view of the alleged misconduct.
- b. The informal hearing may be postponed in emergency situations relating to health and safety and when there is a serious risk that substantial harm will occur if suspension does not take place immediately. A student suspended under emergency conditions shall have the rights specified above, as soon as the emergency condition has passed.
- c. The suspending school official shall give written notice to the student's parent(s) or guardian(s), or to the student if age 18 or over, of the suspension decision, the reason for the decision, the conditions for reinstatement and appeal procedures, where applicable. These procedures may also be postponed in emergency situations relating to health and safety.
- d. The suspending school official shall specify the methods and conditions under which the student's schoolwork may be made up.
- e. A parent/guardian conference with the suspending school official regarding the student's behavior may be required prior to the student being readmitted. When the suspension is the result of misconduct in the classroom, the teacher involved shall be informed of the disciplinary action taken and be given the opportunity to attend all parent/guardian conferences.
- f. In the event the student or parent(s) or guardian(s) are dissatisfied with the suspension decision or the results of a parent/guardian conference they may seek and obtain a conference with the school principal. If the parent(s)/guardian(s) are dissatisfied with the suspension decision after a conference with the principal, they may request the Superintendent's review of the decision to assure due process was provided and to assure the discipline is consistent with Oregon law and Board policy. The Superintendent's review shall be limited to the record. A new hearing shall not be provided. The Superintendent's review shall be final and may not be appealed to the School Board.
- g. Upon return to school, the student may be referred to a school counselor. The Multi-Disciplinary Team shall be a resource to counseling efforts for a student with disabilities who has been suspended.
- h. In special circumstances, a suspension may be continued until some specific pending event occurs, such as a physical or mental examination or incarceration by court action.

D. Multiple Discipline Measures Authorized. A school official may apply more than one of the above-described discipline measures on the same student for the same misconduct.

2. DISTRICT DISCIPLINE: EXPULSION

A. Expulsion is exclusion from the regular school program and all school activities. Expulsion shall not extend beyond one calendar year.

B. A student may be recommended for expulsion for misconduct, including but not limited to: theft, disruption of the school, willful damage or destruction of school property, willful damage or destruction to private property of school premises or during a school activity, acts endangering the safety of self or others, assault or menacing a school employee or student, use of threats, intimidation, harassment, bullying, hazing, or coercion against any fellow student or school employee, unlawful use of drugs, narcotics or alcoholic beverages, delivery of an imitation controlled substance, commission of a crime, membership in a secret society or gang, use of display of obscene or profane language, willful disobedience, open defiance of a school employee or volunteer, attendance so erratic that the student is not benefiting from the educational program, and persistent failure to comply with rules or the lawful directions of school employees or volunteers.

C. A student shall be expelled for violation of applicable weapons laws in accordance with Board policy JFCJ - Weapons in the Schools.

D. Expulsion denies the student the privilege of attending school and school activities. Expulsion shall not extend beyond one calendar year, pursuant to ORS 339.250(5).

E. Prior to recommending a student for expulsion, the school administrator shall consider and propose to the student and document to the parent or guardian alternative education programs or programs combined with counseling¹ provided that:

i. The programs shall be registered with the Oregon Department of Education as alternative education programs;

ii. The programs shall be based on the student's learning styles and needs;

iii. The alternative education programs shall be local and accessible to the student;

iv. The procedure for enrolling the student in the proposed programs shall be explained;

v. The tuition cost of the selected program shall be paid by this district up to 80% of the district's estimated current year's average per student net operating expenditure.

F. When a student is recommended for expulsion, a hearing shall be provided.

¹ The school district may provide alternative education programs or programs combined with counseling to a student expelled for violation of applicable weapon laws.

i. Notice to the student and to the parent(s) or guardian(s) shall be made by certified mail or hand delivered by personal service. Where notice is made by mail, the notice shall be sent Certified, Return Receipt and mailed at least five (5) calendar days before the date of the hearing. Personal service of notice shall be at least five (5) calendar days before the date of the hearing and the person giving the notice shall file a return of service. The school official and the parent(s) or guardian(s) of the student, or the student if age 18 or over, may mutually agree to waive the above defined notice period and schedule a hearing at an earlier date.

- a. The notice shall state the specific charge or charges being made by the school, a statement of intent to consider the charges as reason for expulsion and the date, time and location of the hearing.
- b. The parent(s) or guardian(s) of the student, or the student if age 18 or over, may waive the right to a hearing by notifying the district in writing of such waiver, or by failing to appear after notice at the time, date and place set for the hearing. (The parent(s) or guardian(s) of the student, or the student if age 18 or over, may make a request prior to the hearing date and time to have the hearing rescheduled. The district may in its sole discretion comply with such request).

ii. The hearings officer shall conduct expulsion hearings for the Board in accordance with the applicable Oregon Revised statutes, specifically ORS 332.061 and Oregon Administrative Rules.

iii. At the hearing:

- a. The student may be represented by counsel or other persons.
- b. The student shall be permitted to be present and hear the evidence presented on behalf of the district.
- c. The student shall be permitted to introduce evidence by testimony, writings or other exhibits.
- d. Strict rules of evidence shall not apply to the proceedings. However, this provision shall not limit the hearing officer's control of the meeting.
- e. The hearings officer or the student may make a record of the hearing. The District will request that the Hearings Officer tape record the hearing, but the unavailability of the audio tape due to a malfunction or loss shall not invalidate the hearing.
- f. An interpreter shall be provided by the school district in cases where the student or student's parent(s) or guardian(s) do not understand the spoken English language.

G. The hearings officer will determine the facts of each case on the evidence provided at the hearing and submit written findings and a recommendation for disciplinary action to the Superintendent.

H. The decision of the Superintendent shall be final, except as noted in Section I. and J., below. The decision shall be made in writing to the student and to the parent(s) or guardian(s) of the student. The action of the Superintendent may be:

- i. No action, the student may immediately return to school;
- ii. A type of discipline especially suited to the offense;
- iii. Administrative probation (as defined above), which may be applied for as long as the rest of the semester in which the probation notice is given, or when so close to the end of a semester that it would not be effective, for as long as the entire semester following the probation notice. While on administrative probation, the student must comply with the terms of that probation. Failure to comply with all rules set out in the conditions for probation is cause for a discipline hearing on the alleged violation;
- iv. Expulsion, as defined, above. Prior to the expulsion the Superintendent or designee shall consider and propose to the student and document to the parent, in writing, appropriate and accessible alternative programs of instruction or instruction combined with counseling. This information and notice of alternative education programs shall be included with the written expulsion order and delivered to the student and his/her parent(s) or guardian(s).
- v. A combination of Section i, ii, iii, and/or iv, immediately above.

I. The Board reserves the right to review any and all decisions regarding expulsions made on its behalf by the Superintendent.

J. The parent(s) and guardian(s), or the student if age 18 or over, shall have the right to appeal an expulsion decision made by the Superintendent for review by the Board.

- i. The request for appeal shall be made in writing.
- ii. The Board shall give notice of the hearing to the appellant within the timelines as provided in DISTRICT DISCIPLINE-EXPULSION, F(i), above, and shall conduct the hearing as provided in DISTRICT DISCIPLINE-EXPULSION F(ii) and F(iii) above.
 - a. The Board shall be provided findings as to the facts and the decision of the Hearings Officer. This material shall be made available at the same time to the parent or guardian and to the student, if age 18 or over.
 - b. The Board review shall be only on the "written record". The "written record" includes all evidence and documentation in the student's hearing file.
 - c. A new evidentiary hearing will not be held.
 - d. At the discretion of the Board, the Board may allow the student/parent and the school representatives to present arguments.

- e. After a review of the “written record”, the Board may ask questions of the student/parent and the school representatives.
- f. The Board will conduct the review in executive session and will inform the parents/student of its decision in writing.
- iii. When appealed, the Board will affirm, modify or rescind the decision of the Superintendent.
- iv. The decision of the Board shall be final.
- K. Upon return to school, the student will be placed in a grade, level or class commensurate with his/her abilities and credits at the time of his/her return.

END OF POLICY

Legal References: ORS 243.650 ORS 332.061 ORS 332.072
ORS 332.107 ORS 339.115 ORS 339.240 - 339.270 OAR 581-21-050 to -075

ADOPTED: 9/26/89

REVIEWED/AMENDED: 10/8/96, 1/14/97,
4/9/02, 1/17/13

REVIEW DATE: 2/24/04, 1/8/13

APPROVED/AMENDED: 2/24/04, 1/22/13

Executive Summary

Jay Mathisen, Assistant Superintendent of Human Resources & Strategic Planning

Required Board Policy LBE – Public Charter Schools

Rewrite incorporates statutory language from several House and Senate Bills passed in 2011: HB 2030, HB 2299, HB 2301, HB 3417 & SB 800.

Key elements and requirements set forth include:

- Allows the School Board to limit students enrolling in a virtual charter if there are more than 3% of your students in the virtual charter. A date of October 1 has been selected to annually, review the number of students enrolled in virtual charter programs.
- Language regarding a lottery process for charter schools has been removed, as it is addressed in LBE-AR: Public Charter Schools.
- Language has also been cleaned up regarding the annual review process of a charter school as defined by ORS 338.095.

Changes indicated in this policy revision will not impact a new charter application. LBE-AR has also been revised and approved by Cabinet to incorporate new and updated language.

This is a first reading and no action is required at this time. The policy will be brought back for approval.

BEND-LA PINE SCHOOLS

Administrative School District No. 1

Deschutes County, Oregon

BOARD POLICY

Name: Public Charter Schools

Section: Required Policies

Code: LBE

The district recognizes that public charter schools offer an opportunity to create new, innovative and more flexible ways of educating students in an atmosphere based on current research and development. Public charter schools shall demonstrate a commitment to the diversity of public education while adhering to the following goals:

1. Increase student learning and achievement;
2. Increase choices of learning opportunities for students;
3. Better meet individual student academic needs and interests;
4. Encourage the use of different and innovative learning methods; and

In addition, the Public Charter School may meet one or more of the following goals:

5. Build stronger working relationships among educators, parents and other community members;
6. Provide opportunities in small learning environments for flexibility and innovation;
7. Create new professional opportunities for teachers;
8. Establish additional forms of accountability for schools; and
9. Create innovative measurement tools.

Public charter schools may be established as a new public school, from an existing public school or a portion of the school or from an existing alternative education program. A public charter school may not convert an existing tuition-based private school into a charter school, affiliate itself with a nonpublic sectarian school or religious institution or encompass all the schools in the district unless the district is composed of only one school.

The Board will not approve any public charter school proposal when it is deemed that its value is outweighed by any direct identifiable, significant and adverse impact on the quality of the public education of students residing in the district. To meet the eligibility criteria for Board approval, a public charter school proposal must need the requirements of Oregon Revised Statutes, Oregon Administrative Rules, Board policy and regulation.

The district will determine if it has any unused or underutilized buildings. Buildings may be made available for public charter school use, subject to Board approval. Approved use may be limited to instructional purpose only. Appropriate-use fees will be determined by the Board. Public charter school use outside the district's instructional day will be subject to Administrative Regulation KG -AR Community Use of District Facilities.

All students who reside within the district are eligible for enrollment at a district sponsored public charter school. If the number of applications from students who reside within the district exceeds the capacity of a public charter school program, class, grade level or building, the public charter school shall select students through an equitable lottery selection process. A public charter school may not limit student admission based on race, religion, sex, sexual orientation, ethnicity, national origin, disability, income level, proficiency

in the English language or athletic ability, but may limit admission to students within a given age group or grade level.

~~After a public charter school has been in operation for one or more years, the public charter~~

The district will annually, by October 1st, calculate the number of students residing in the district who are enrolled in a virtual public charter school. When the percentage is three percent or above, the district may choose to not approve additional students for enrollment to a virtual public charter school.

~~school may give priority for admission to students.~~ The district is only required to use data that is reasonably available to the district including but not limited to the following for such calculation:

- ~~a. Who were enrolled in the school in the prior year; or~~
- ~~b. Who have siblings who are presently enrolled in the school and who were enrolled in the school in the prior year;~~
- ~~c. If space is available, a public charter school may admit students who do not reside in the district;~~
- ~~d. If a district sponsored public charter school offers any online courses as part of the curriculum of the school, then fifty percent or more of the students who attend the public charter school must reside in the district;~~

1. The number of students residing in the district enrolled in the schools within the district;

2. The number of students residing in the district enrolled in public charter schools located in the district;

3. The number of students residing in the district enrolled in virtual public charter schools;

4. The number of home-schooled students who reside in the district and who have registered with the educational service district; and

5. The number of students who reside in the district enrolled in private schools located within the school district.

A parent may appeal a decision of a school district to not approve a student for enrollment to a virtual public charter school to the State Board of Education.

Public charter school students may, upon request, be allowed to participate in district programs such as physical education, instrumental and vocal music offerings or other selected options if space and materials are available. Students must adhere to state law, Board policies, regulations and rules concerning conduct and discipline.

Unless approval has been given by the Board through the development of the Charter agreement between the public charter school and the Bend – La Pine Schools, the district will not provide instructional materials, lesson plans or curriculum guides for use in a public charter school.

The public charter school employer will be determined with each proposed public charter school. If the Board is the employer, the terms of the current collective bargaining agreement will be examined to determine which parts of the agreement apply. If the Board is not the employer of the employees of the public charter school, it will not collectively bargain with public charter school employees.

Students of a public charter school that is located in the school district are considered to be residents of the school district for the purposes of distribution of the State School Fund. When sponsoring a public charter school, the school district shall pay for the provision of education of the public charter school students in accordance with ORS 338.155.

The Board shall annually evaluate the District's Public Charter Schools consistent with district objectives, other district policies, and statutory requirements (ORS 338.095) ~~and make a recommendation on a public charter school's continuation, continuation with modification, or termination.~~

The Board shall be informed by the superintendent in an ongoing and timely fashion, of the progress of all public charter school proposals.

Upon request of the Board, the public charter school applicant must furnish in a timely manner any other information the Board deems relevant and necessary to conduct a complete and good faith evaluation of the charter school proposal.

The Board shall have final approval of all proposals for the establishment of public charter schools and the renewal or termination of and changes of the mission of a public charter school.

The superintendent will develop administrative regulations consistent with the Oregon Revised Statutes, Oregon Administrative Rules, and with Board Policy LBE Public Charter Schools to include the proposal process, review and appeal procedure, charter renewal, annual evaluation, funding of public charter schools, public charter school operation, district immunity and charter agreement provisions.

END OF POLICY

Legal Reference(s): ~~ORS 181.536 ORS 339.155 OAR 581-020-0301 to -0375~~

~~ORS 326.603 ORS 342.125~~

~~ORS 326.607 ORS 342.127~~

~~ORS 327.077 ORS 342.143~~

ORS 327.109

ORS ~~342.165~~[332.107](#)

~~ORS 329.045 ORS 342.175~~

~~ORS 322.107 ORS 342.180~~

~~ORS 337.150 ORS 342.232~~

ORS Chapter 338 ~~ORS 342.815~~

ORS 339.141 ~~ORS 659.155~~

ORS 339.147

[OAR 581-020-0301 to-0395](#)

[OAR 581-020-1342](#)

[HB 2030 \(2011\)](#)

[HB 2299 \(2011\)](#)

[HB 2301 \(2011\)](#)

[HB 3417 \(2011\)](#)

[SB 800 \(2011\)](#)

No Child Left Behind Act of 2001, ~~P.L. 107-110, Title I, Sections 1111-1120~~[B20 U.S.C. §§ 6311-6322](#)
[\(2006\)](#).

Reviewed: 7/8/~~08~~[08](#), ~~11~~[11](#) ~~DEC~~[DEC](#) _____

Approved; 6/13/06, 8/12/~~08~~[08](#), _____

draft

BEND-LA PINE SCHOOLS

Administrative School District No. 1

Deschutes County, Oregon

BOARD POLICY

Name: Public Charter Schools

Section: Required Policies

Code: LBE

The district recognizes that public charter schools offer an opportunity to create new, innovative and more flexible ways of educating students in an atmosphere based on current research and development. Public charter schools shall demonstrate a commitment to the diversity of public education while adhering to the following goals:

1. Increase student learning and achievement;
2. Increase choices of learning opportunities for students;
3. Better meet individual student academic needs and interests;
4. Encourage the use of different and innovative learning methods; and

In addition, the Public Charter School may meet one or more of the following goals:

5. Build stronger working relationships among educators, parents and other community members;
6. Provide opportunities in small learning environments for flexibility and innovation;
7. Create new professional opportunities for teachers;
8. Establish additional forms of accountability for schools; and
9. Create innovative measurement tools.

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- a. Who were enrolled in the school in the prior year; or
- b. Who have siblings who are presently enrolled in the school and who were enrolled in the school in the prior year;
- c. If space is available, a public charter school may admit students who do not reside in the district;
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ORS 337.150 ORS 342.232

ORS Chapter 338 ORS 342.815

ORS 339.141 ORS 659.155

ORS 339.147

No Child Left Behind Act of 2001, P.L. 107-110, Title I, Sections 1111-1120B

Reviewed: 7/8/08

Approved: 6/13/06, 8/12/08