

**Bend-La Pine Schools
Bend, OR 97701
September 9, 2014**

Regular Meeting 6:00p

The Board of Directors of Bend-La Pine Schools will meet in regular meeting on September 9, 2014 at 6:00p in room 314 of the Education Center, 520 NW Wall Street, Bend, OR.

Agenda

6:00	Call to Order	Chair Helt
6:01	Pledge of Allegiance	Julie Craig
6:02	Review of Agenda	Chair Helt
6:05	Public Input <i>This is the time provided for individuals to address the Board. Visitors who wish to speak must sign up prior to the beginning of the meeting on the sign-up sheet provided. Please state your name and topic at the time you address the Board.</i>	Chair Helt
6:10	Superintendent's Report	Superintendent Wilkinson

Consent Agenda

6:15	a. Approval of Minutes – August 20, 2014 Reference: ORS 192.650 and ORS 332.057	Chair Helt
	b. Approval of Personnel Recommendations Reference: ORS 332.505	Jay Mathisen

Reports

6:20	a. Enrollment Update	Brad Henry
6:25	b. Staffing Update	Jay Mathisen
6:30	c. Assessment Update	Lora Nordquist Jay Mathisen Shay Mikalson Dave VanLoo

Action

6:45	a. Approval of Policy <ul style="list-style-type: none">• JFCM: Threats of Violence• JFCJ: Weapons in Schools• JG: Student Conduct and Discipline• LBE: Public Charter School	Jay Mathisen
------	--	--------------

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 August 19, 2014 at MidOregon Credit Union's conference room, at 1386 NE Cushing Drive, Bend, OR 97701.

Board Members Present

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

Call to Order

The meeting was called to order at 1:08p by Chair Helt. The Pledge of Allegiance followed.

Review of the Agenda

Chair Helt noted the updated agenda.

Public Comment

No public input. Chair Helt introduced visitors to the meeting, potential charter school applicants from River Song Charter School.

Consent Agenda

Andy High moved to approve the Consent Agenda. Ron Gallinat seconded the motion. Unanimous approval.

Discussion

Jim Green & Lori Sattenspiel from OSBA

Chair Helt welcomed and introduced Jim Green and Lori Sattenspiel from OSBA and noted the Board sent a letter with commentary and response on policy for the upcoming Legislative session. Green thanked the Board for their invite and thanked Helt for her involvement in the Legislative Policy discussion and added it is still a proposed document, and OSBA received feedback and survey results with various written comments which will all be reviewed and considered at their next meeting. He noted there were themes in the comments and feedback and once finalized, each district's board will have the opportunity to take action on the recommendation as a resolution. The vote is weighted by ADMW and is open through December 15.

Chair Helt asked how the Legislative Policy document evolves and OSBA's thinking behind it. Sattenspiel shared in the past, she did not have the ability to lobby on behalf of districts around the state and OSBA really didn't have a voice when it came to Legislative Policy discussions. Now, the priorities tend to be more proactive and the last long session OSBA was able to introduce eight or nine bills and this next round they will be introducing 12 bills, assuming they are approved, she noted policies from OSBA are more broad and general.

Chair Juba asked why OSBA was not able to provide input in the past. Green explained the history and how Governor Kitzhaber has restructured policy and priority input, which allows for OSBA to make contributions now. Juba shared his concern with the current Legislative Policy and Priorities document and feels it is defending the status quo. Green said there was much discussion about the control of local school boards and the document is a reflection of those discussions and the best representation as a broad brushstroke for the membership across the state. He added not all districts will agree with everything, however it is a

good foundation. Green feels OSBA is not part of the status quo any longer and they are focused on student achievement.

Juba asked about accountability and where it fits into this document. Green said Rob Saxton with ODE has put together an Accountability Task Force to help monitor the chronically performing low schools or school district. The Task Force is looking at third grade reading, ninth grade attendance and completion rates or graduation rates currently with the goal being to establish a measure of accountability and hold districts accountable in these areas. The goal is not to take over districts, but rather create a process to help lower performing districts understand where they are at and strategies to improve. Juba expressed his concern, noting he feels this message of accountability is not conveyed in the Legislative document as written.

Green shared the comments from Bend-La Pine Schools were echoed from other districts in the state and he understands our concerns. Stattenspiel added OSBA is balancing the fine line of being too vague or too far in the weeds with policy language. Chair Helt feels OSBA is a relevant party in these legislative discussions and noted just four years ago student achievement was not one of their top priorities. She feels the Legislative Policy Committee has come a long way and there has been a fundamental shift in their thinking especially in regards to student achievement.

Superintendent Wilkinson shared OSBA is a great partner and they work in a collaborative effort with other groups like COSA. Green noted Juba's comment on the funding formula and said it is a distribution formula rather than a spending formula. Wilkinson said this is a critical issue and urged there is no change to the philosophy. There was group discussion of funding incentives and earned autonomy and how OEIB is part of the discussion. The example of McKay High School was shared and how they made a significant turn around in their drop out rates with the use of targeted funds. Andy High shared his support of districts having control at the local level and he would like to see OSBA have a more aggressive stance in supporting this for districts.

Green said OSBA plans to call on Bend-La Pine Schools Board to testify more often as it's nice for legislators to hear from their local representatives. Chair Helt thanked Green and Sattenspiel for their time and advocating for the needs of our district and our students at the state level.

Governance Policy Calendar Review

Superintendent Wilkinson noted the schedule in the board packet, adding policy review can occur at any time, this is historically when it has happened.

Andy High suggested the review of financial and compensation policies occur during the budgeting process. Wilkinson suggested the board provide feedback to him and the schedule would be brought back at a later meeting for approval.

Policy First Read

Jay Mathisen introduced the series of policies for review and suggested talking through each one individually. Mathisen explained each policy would be brought back for a final reading at the September 9 board meeting.

JFCM – Threats of Violence

Mathisen reviewed the executive summary in the board packet and noted the key change being in the 10-day evaluation timeline. He explained there are differing levels of evaluations specific to the severity of the situation; the District does work with support strategies to get students back into the learning environment as quickly and safely as possible.

Peggy Kinkade suggested the addition of a reference to policy JFCJ in paragraph three. Mathisen noted and will make the update.

Andy High asked about how younger students, like a kindergartener, are handled. Mathisen explained the behavior history and age of students are considered, but no matter how young a student is, threats are taken seriously and parents/guardians are notified.

Chair Helt asked about the student(s) who have a known history and is the policy missing something about tracking and continual monitoring. Mathisen shared schools do a great job currently keeping a close eye on their know students and Wilkinson explained the identification and follow up efforts currently in place. The policy change here is statutory language with the key component being the 10-day evaluation timeline set. Evaluations are not at the expense of the parent or guardian of the student. Helt noted her concern about the follow up and tracking process for these students and would like to continue the conversation of District practices.

JFCJ – Weapons in Schools

Mathisen reviewed the executive summary in the board packet noting the policy has been completely rewritten. The key to changes are part of HB 2192 which calls on schools to use more ‘thinking sense’ because automatic expulsion is often times not the best response. Clarification of weapons and firearms has been updated. The District maintains a zero tolerance policy for weapons and allows for Superintendent discretion in discipline measures.

Peggy Kinkade asked if all expulsions cross Wilkinson’s desk. He answered no and explained his designee, Sal Cassaro, handles all expulsion matters. Kinkade also noted some redundancy, which Mathisen said he would follow up with legal counsel.

Andy High asked about students who turn themselves in and do we encourage students to come to and administrator if they realize they have something with them accidentally. Mathisen answered yes, the District and schools encourage students to have an open conversation with their principal and noted this rewrite allows more room for common sense in disciplining these types of situations.

Chair Helt asked what supports students receive or are offered when they are expelled. Wilkinson explained the District has increased the counseling support in the STRIVE program and it is the primary support system we offer for expelled students. He added he would look into other alternatives made available for these students and report back.

JG – Student Conduct and Discipline

Mathisen reviewed the executive summary in the board packet and explained that while there are a significant amount of changes, there is very little impact in our current practice as suspension and expulsion are currently utilized with discernment across the District.

Peggy Kinkade noted the list of nine items on page 27 and asked how the District handles bullying that occurs outside of the regular school day and/or off campus. Mathisen answered, most often, bullying or cyber-bullying that happens after hours or off-site is not a situation the District becomes involved with. When and if the after hours or off-site bullying moves into the school setting and begins to inhibit the learning environment, that is when the District and schools become involved. He noted it is a tricky situation and each scenario is handled and assessed individually. Mathisen noted he would bring this topic back to legal counsel to review in the context of policy.

Kinkade asked about in-school suspension and the order of action listed on page 28. She also commented on page 30, the grounds for expulsion seemed a bit redundant. Mathisen said he would review with legal counsel.

LBE – Public Charter Schools

Mathisen reviewed the executive summary in the board packet and noted the updates do not pose much impact for the District. One of the key changes he noted is the District can now limit students enrolling into a virtual charter if there are more than 3% of students in the virtual charter.

Ron Gallinat asked if this new established percentage gives the District the ability to deny a new charter application if it would cause enrollment to exceed the 3% mark. Mathisen answered no. Mikalson added the virtual charter may not be in our District, so would not necessarily have to apply through our process. Chair Juba asked where the percentage number came from and how many student we have enrolled in online charters. Superintendent Wilkinson noted the percentage is part of statutory language and Mathisen was not sure about the specific number of students, as many are not enrolled full-time in the virtual charters. Mikalson added about 200 students are enrolled full-time with Bend-La Pine Online.

Report

Superintendent Evaluation

Chair Helt reviewed the history of the Superintendent evaluation process and Wilkinson's compensation history. She explained the Board chose a new compensation structure last year that related to performance and measured results. This is the first year the District's Superintendent is subject to the compensation structure. Chair Juba shared the board met and evaluated Wilkinson under the new measures. He explained Wilkinson met four of the six Key Performance Indicators (KPI's) set for the 2013-14 school year, which resulted in a percentage of compensation pay. Juba noted Wilkinson was also evaluated on Key Competencies, which he rated very well in overall.

Chair Juba explained the compensation calculation and new salary amount set for Superintendent Wilkinson for the 2014-15 school year being a 4.2% increase in pay from the current year. Juba reminded all that Wilkinson has never had a raise and this increase represents an increase in base pay and a bonus for his great leadership. Juba stressed the compensation is aligned to performance and KPI's are ones the Board sees great value in and feels it is appropriate to compensate our Superintendent for excellence.

Chair Helt noted the goals were lofty for Wilkinson and it was under his great leadership they were met. She feels very strongly that Wilkinson met his goals, students and staff, benefited and he should be rewarded. He continually does an excellent job and the Board is very proud to have him as a leader. He has led the district to great results and his leadership and data results show how the District's hard work is benefiting our students.

Ron Gallinat complimented Wilkinson and thanked him for another great school year.

Chair Helt noted the board will take a look at the vision for the 2014-15 school year and process the next parts of this new compensation model.

Board Comments

Ron Gallinat thanked Helt and Juba for organizing a great Board Retreat.

Nori Juba thanked everyone for participation and great thinking today. He looks forward to tying the ideas of the retreat together and feels the district has a lot of grit and will make great things happen. He added the current leadership is strong and he feels the district will really take off in the next five to seven years.

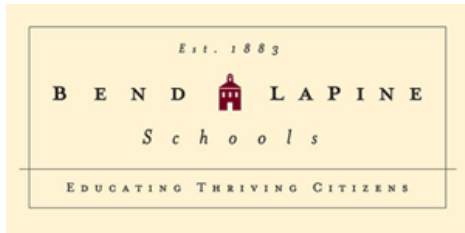
Cheri Helt thanked everyone and would like to keep moving toward defining the Board's next set of goals and aspirations.

Meeting adjourned at 2:46p

Respectfully submitted,

Andrea Wilson

Confidential Supervisor
8.19.2014



HUMAN RESOURCES

Education Center

520 N.W. Wall Street
Bend, Oregon 97701-2699
(541) 355-1100
Fax: (541) 355-1109

Educating Each Student to be a Thriving Citizen

September 5, 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 September 9, 2014. All hires are subject to successful drug testing and Oregon Teaching License.

Certified Hires:

Name	Position	Location	Status	Hire Date
Billeter, Sarah	Primary Teacher #105354	High Lakes ES	Temporary	09/09/2014
Bowler, Annette	Primary Teacher #105354	Bear Creek ES	Temporary	09/09/2014
Braithwaite, Susan	ESL Coordinator @ .20 FTE #105386	Bear Creek ES	Temporary	09/09/2014
Crook, Jessica	Primary Teacher #105354	Rosland ES	Temporary	09/09/2014
Deaver, Carrie	Student Services @ .40 FTE #105381	Juniper ES	Part-time to Temp Full-time	09/09/2014
Dixon, Ryan	Music Teacher @ .833 FTE #105401	Cascade MS	Temporary	09/09/2014
Everts, Tanya	K-5 On-line Teacher @ .50 FTE #105371	Teaching & Learning Center	Temporary	09/09/2014
Forster, Lydia	Intermediate Teacher #105354	Pine Ridge ES	Temp1 Part-time to Temp 2 Full-time	09/09/2014
Fox, Vondell	Physical Education Teacher @ .25 FTE #105417 - 1 st Trimester Only	La Pine HS	Temp Part-time to Temp Full-time	09/09/2014
Gibson, Carrie	Spanish Teacher @ .667 FTE #105357	Mtn View HS	Temporary	09/09/2014
Hable, Kristine	Primary Teacher @ .50 FTE #105355	Pine Ridge ES	Temp 1 to Temp II	09/09/2014
Klapperich, Joanna	Primary Teacher #105354	Pine Ridge ES	Temporary	09/09/2014
Mithoff, Gail	K-5 Teacher @ .20 FTE #105402	Bear Creek ES	Temporary	09/09/2014
O'Rourke, Sheryl	7/8 Math Teacher @ .50 #105369	Sky View MS	Temporary	09/09/2014
Orrell, Andrea	ELL Teacher #105373	Bear Creek ES	Regular	09/09/2014
Pierce, Sarah	K-8 Teacher @ .50 FTE #105120	Westside Village School	Temporary	09/09/2014
Potter, Lisa	Language Arts Teacher #105396	Pilot Butte MS	Temporary	09/09/2014



HUMAN RESOURCES

Education Center

520 N.W. Wall Street

Bend, Oregon 97701-2699

(541) 355-1100

Fax: (541) 355-1109

Name	Position	Location	Status	Hire Date
Ridenour, Tonya	Music @ .35 FTE #105227	Ensworth ES	Temporary	09/09/2014
Seidel, Christine	Computer Teacher @ .3125 #105393	High Lakes ES	Temporary	09/09/2014
Sultzer, Dyan	K-5 Teacher #105354	Lava Ridge ES	Temporary	09/09/2014
Susac, Yvonne L	Choir @ .667 FTE #105185	Sky View MS	Regular	09/09/2014
Tucker, Marguerite	Primary Teacher #105354	Buckingham ES	Temporary	09/09/2014
Vodak, Cammy	Intermediate Teacher @ .50 FTE #105408	Juniper ES	Part-time to Full-time	09/09/2014

Certified Resignations:

Name	Position	Location	Hire Date & End Date
Endter, Brian	ERC MS	Special Programs	08/26/2006 06/30/2014



HUMAN RESOURCES

Education Center

520 N.W. Wall Street

Bend, Oregon 97701-2699

(541) 383-6464

Fax: (541) 383-6117

September 4, 2014

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

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

RE: Classified and Confidential Recommended Hires, Resignations and Terminations

The Human Resources Department recommends approval of the following hires and resignations at the School Board meeting on September 9, 2014:

Classified Hiring

Name	Position/Posting No.	Location	Temp/Regular Position	Hire Date
Altman, Cheryl	105370 EA – Student Instruction	Buckingham	Temp 3.75 hrs / day	8/27/14
Beaulieu, Courtney	105418 EA – Student Instruction	High Lakes	Reg 3.5 hrs / day	9/2/14
Beck, Larissa	105343 Nutrition Server I	La Pine High	Reg 3.25 hrs / day	9/2/14
Bures, Karen	105395 EA – Inclusion	Special Programs	Reg 7 hrs / day	8/25/14
Burke, Heidi	105411 EA – Inclusion	Pilot Butte	Temp 3.25 hrs / day	9/2/14
Caldwell-Knabe, Gail	105398 Classified Nurse	Special Programs	Reg 4.8 hrs / day	8/27/14
Kelley, Jeanne	105388 EA – Student Instruction	Three Rivers	Temp 3 hrs / day	8/25/14
Ekblad, Amy	105370 EA – Student Instruction	Buckingham	Temp 3.75 hrs / day	8/25/14
Johnson, Alandra	105350 Communication & Community Engagement Specialist	Education Center	Reg 8 hrs / day	8/13/14
Pierce, Susan	105370 EA – Student Instruction	Buckingham	Temp 3.75 hrs / day	8/27/14
Rodgers, Jason	105376 Campus Monitor	Bend High	Reg 7.75 hrs	8/25/14
Ross, Christine	105400 EA – Student Instruction	RE Jewell	Temp 3 hrs / day	8/27/14
Smith, Korene	105368 Attendance Secretary II	Sky View	Reg 8 hrs / day	8/14/14
Warfield, Shawn	EA – Inclusion	Juniper	Temp 6.5 hrs / day	8/25/14



HUMAN RESOURCES

Education Center

520 N.W. Wall Street

Bend, Oregon 97701-2699

(541) 383-6464

Fax: (541) 383-6117

Classified/ Confidential Resignations

Name	Position	Location	Resign Date
Billeter, Sarah	EA – Student Instruction	High Lakes	8/27/13 – 8/22/14
Bond, Cindy	Nutrition Server I	Summit	12/16/02 – 8/28/14
Bouc, Colette	Payroll Specialist	Business Office	7/16/12 – 9/3/14
Fields, Malissa	EA – Student Supervision (Open Gym)	Highland	9/30/13 – 9/3/14
Gallaher, Steven	Custodian Crew I	Education Center / Amity Creek	5/3/10 – 8/15/14
Hanner, Sara	Nutrition Server I	La Pine High	10/30/13 – 8/25/14
Hofman, Amparo	EA – Inclusion	Mountain View	4/11/01 – 9/2/14
Jolley, Melissa	Nutrition Server I	Mountain View / Bend High	8/29/11 – 8/14/14
Kramer, Jason	EA – Inclusion	Lava Ridge	12/14/11 – 8/25/14
Lane, Shannon	Nutrition Server I	La Pine High	9/27/11 – 8/18/14
Marsh, Joann	Nutrition Server I	High Lakes	5/28/13 – 8/25/14
Mithoff, Gail	EA – Student Instruction	Bear Creek	9/5/12 – 8/22/14
Powell, Casey	EA – Inclusion	Mountain View	2/3/14 – 8/26/14
Sanders, Brandy	Nutrition Server I	Lava Ridge	9/4/13 - 8/19/14
Smith, Amie	Nutrition Server I	Rosland	10/9/13 – 8/19/14
Spenser, Ashley	Nutrition Server I	Cascade	4/12/12 – 8/21/14
Stenzel, Karie	Nutrition Tech II	Pine Ridge	8/26/11 – 8/14/14

Classified Termination

Name	Position	Location	Resign Date
Boileau, Arthur	Summer Mowing Crew	Maintenance	5/15/14 – 9/3/14

Executive Summary

Brad Henry, Chief Operations & Financial Officer
Jay Mathisen, Assistant Superintendent of Human Resources & Strategic Planning

Enrollment & Staffing Update

With the start of the school year, we are monitoring enrollment daily and have made some staffing adjustments in response to an increase in students. We will continue to monitor and make additional adjustments as necessary.

The report on Tuesday, September 9, will reflect the most current figures.

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.

After the first reading of this policy, additional updates include:

- Cross reference to Policy JFCJ – Weapons in Schools for definition of weapons or destructive devices.

Recommended Motion: I move to approve Policy JFCM – Threats of Violence as presented.

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 [\(defined in JFCJ\)](#) 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
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

After the first reading of this policy, additional updates include:

- Including fireworks in the definition of a weapon
- Eliminating redundant language in the definition of replicas of weapons

Recommended Motion: I move to approve Policy JFCJ – Weapons in Schools as presented.

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 or firearm ~~on~~in 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 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. "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.
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 limited to: knives, metal knuckles, straight razors, noxious or irritating gases, poisons, fireworks, 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~~inflict injury 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 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 unlawfully been in possession of a firearm or 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 weapon or firearm. 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.

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.

Special education students shall be disciplined in accordance with federal law and Board policy JGDA/JGEA, Discipline of Disabled Students, and accompanying administrative regulations.

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:

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

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, _____

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

draft

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

After the first reading of this policy, additional updates include:

- In-School Suspension procedure updated to represent the steps taken and practices currently happening in the District

Recommended Motion: I move to approve Policy JG – Student Conduct and Discipline as presented.

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 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 another student in fear of imminent serious physical injury.
8. Assault of a school employee or another student;
9. Possession or use of 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 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.

SCHOOL DISCIPLINE: PROBATION AND SUSPENSION

1. SCHOOL PROBATION

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.

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.

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.

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.

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. IN-SCHOOL SUSPENSION (COMMONLY REFERRED TO AS "ISS")

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

- a. ~~The~~After the student is ~~to be~~ notified of the reason(s) for the action and ~~be~~is given opportunity to present his/her view of the alleged misconduct, the ISS may be imposed.
- b. ~~The~~Following the ISS, 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~~—ISS 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.

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

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. 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. 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 school work 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, 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. 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.

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

EXPULSION

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

1. GROUND

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.

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

- 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;
- 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
- 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.

2. NOTICE REQUIREMENTS

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

3. EXPULSION HEARING

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.

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.

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.

The decision of the Superintendent shall be final, except as noted 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. No action, the student may immediately return to school;
- b. A type of discipline especially suited to the offense;
- c. 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. 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. A combination of the discipline options set forth above.

4. BOARD REVIEW AND APPEALS

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

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. The request for appeal shall be made in writing and delivered to the Superintendent's office within 10 calendar days of the decision. The Board shall give notice of the hearing to the appellant within the timelines as provided in Section 2 above, above, and shall conduct the hearing as provided in Section 3 above. In addition:

- 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.

The Board will affirm, modify or rescind the decision of the Superintendent. 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
- 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;
- 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 Reference(s):

ORS 339.240

ORS 339.250

ORS 659.850

OAR 581-021-0050 to -0075

Hazelwood Sch. District v. Kuhlmeier, 484 U.S. 260 (1988).

Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986).

Shorb v. Grotting and Powers Sch. Dist., Case No. 00CV-0255 (Coos County Circuit Ct.) (2000).

Ferguson v. Phoenix Talent Sch. Dist. #4, 172 Or. App. 389 (2001).

No Child Left Behind Act of 2001, 20 U.S.C. § 7912 (2006).

draft

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.

After the first reading of this policy no changes have been made.

Recommended Motion: I move to approve Policy LBE – Public Charter Schools as presented.

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.

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.

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:

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 registered 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 the 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)

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 327.077
ORS 327.109
ORS 332.107
ORS Chapter 338
ORS 339.141
ORS 339.147

OAR581-020-0301to-0395
OAR581-020-1342

HB2030(2011)
HB 2299
(2011)
HB 2301
(2011)
HB 3417
(2011)

SB800(2011)

No Child Left Behind Act of 2001, 20U.S.C.§§6311-6322 (2006).

Reviewed: 7/8/08,
Approved; 6/13/06, 8/12/08