



SWEET HOME SCHOOL DISTRICT #55
Sweet Home, Oregon

SCHOOL BOARD MEETING AGENDA

To view live board meeting please visit the Sweet Home District website: sweethome.k12.or.us and click YouTube link

District Office Conference Room

September 11, 2023, 6:30 p.m.

1. Call the meeting to order/pledge J. Redick Action
2. Agenda approval/changes J. Redick Action
3. Public Comments Information
4. Student & Personnel Reports/Comments
 - A. Certified & Classified Representatives Presidents
 - B. Superintendent's Report T. Martin Information
 - 1. Enrollment
 - 2. Strategic Plan Progress
 - A. Pillar 1 - OUTSTANDING ACHIEVEMENT-Professional Development B. Riggs
 - B. Pillar 2 - THRIVING CITIZEN
 - C. Pillar 3 - THRIVING COMMUNITY - SHOWCASE-Donation Ken Collins
 - D. Pillar 4 - SAFE AND WELCOMING FACILITIES AND SERVICE J. Darwood
5. Consent Agenda J. Redick ALL Action
 - A. Approve minutes from the August 14 2023 School Board Meeting
 - B. Approve money donation from SHOWCASE
 - C. Declare as surplus; 1997 Chevy Suburban; Maintenance Chevy Van 159
 - D. Accept donation of school supplies from Fir Lawn Lutheran Church
 - E. Approve hire of Karen Nichols, Spanish Teacher at the High School for the 2023-2024 school year
 - F. Approve hire of Sheila Cremer, BLS Transition Teacher at the the High School for the 2023-2024 school year
 - G. Approve hire of Emili Riggs, PE Teacher at Oak Heights Elementary for the 2023-2024 school year
 - H. Approve hire of Guy Felix, .5 ELA/.5 Social Studies at the Jr. High School for the 2023-2024 School year
 - I. Approve hire of Deborah Stratton, Title 1 Teacher at Foster Elementary for the 2023-2024 school year
 - J. Accept Resignation from Julie Jefferson, 5th grade teacher at Oak Heights Elementary effective September 12, 2023
6. Information/Discussion ALL Information
 - A. Budget Update K. Strong
 - B. Oak Heights Seismic Information K. Strong/J. Darwood
 - C. Budget Committee Vacancies: #1 Holley, #2 Liberty, #4 Cascadia, #5 At Large
#6 Crawfordsville, #8 At Large, #9 Sweet Home
 - D. OSBA Legislative Policy Committee
7. Action Items J. Redick Action
 - A. Board Policies 3rd reading
 - AC-AR – Discrimination Complaint Procedure
 - EHB – Cybersecurity
 - EHB-AR – Cybersecurity
 - GCBDF/GDBDF – Paid Family Medical Leave Insurance
 - ICB – Religious and Cultural Holidays

IGBHD – Program Exemptions

JFCF-AR – Harassment, Intimidation, Bullying, Cyberbullying, or Teen Dating Violence Reporting Procedures

JGE – Expulsion

KL – Public Complaints

KL-AR(1) – Public Complaint Procedure

- B. RESOLUTION #2324-1 Request for an exemption from competitive bidding requirements and use of the construction Manager/General Contractor method of procurement fo the Oak Heights seismic renovation project

- | | | |
|---|-----------|-----------------|
| 8. Board Comments | | Information |
| 9. Late Items | | |
| 10. Future Agenda Items | J. Redick | ALL Information |
| A. Next Board Officers Meeting MONDAY, October 2, 2023 at 3:30 p.m. Superintendent's Office | | |
| B. Next Board Meeting October 9, 2023 at 6:30 p.m. in DO Boardroom | | |
| 11. Adjournment | J. Redick | Action |

SWEET HOME SCHOOL DISTRICT ENROLLMENT
AS OF 9/6/2023 (an updated enrollement will be handed out at the board meeting)

	<i>K</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>	<i>9</i>	<i>10</i>	<i>11</i>	<i>12</i>	9/6/23	6/15/23	9/30/22	9/30/2021	9/30/2020
FO	28	51	41	44	49	43	49							305	321	339	325	312
HW	34	50	38	37	49	28	47							283	290	312	279	301
HO	16	25	20	22	31	19	29							162	174	170	139	135
OH	38	35	56	39	52	49	48							317	328	317	302	227
CH	22	23	18	23	18	16	24							144	135	138	134	133
JH								186	201					387	374	379	353	335
HS										191	202	183	195	771	651	686	717	669
TOTAL	138	184	173	165	199	155	197	186	201	191	202	183	195	2369	2273	2341	2249	2112
Grade	<i>K</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>	<i>9</i>	<i>10</i>	<i>11</i>	<i>12</i>					

SWEET HOME SCHOOL DISTRICT NO. 55

Sweet Home, Oregon

Board Chairman Jason Redick called the **regular meeting** of the board of Directors of Sweet Home School District No. 55 to order at 6:30 p.m. on August 14, 2023.

Board Members in Attendance

Jason Redick, Dale Keene, Sara Hoffman, Jim Gourley, Mary Masey, Floyd Neuschwander, Jenna Baker, Amanda Carter. Absent: Mike Adams

Staff Members in Attendance

Superintendent: Terry Martin; Administrators: Kevin Strong, Barbi Riggs, Brian Brands, Josh Darwood, Todd Barrett, Josh Dargis, Mark Looney, Darrin Perry, Nate Tyler, Amanda GaVette, Ralph Brown, Luke Augsburg, Aaron Huff, Darel Bidwell. Certified: Michelle Snyder, Deanna Neuschwander; Classified: Michelle Bidwell; Board Recording Secretary: Julie Emmert

Other Attendance: Benny Westcott, New Era

1. Call the meeting to order/pledge**2. Agenda Approval/Changes**

Chairman Redick called for changes and/or approval of the agenda.

Motion No. 23-59: Board Member Dale Keene moved to approve the agenda as presented. Board Member Jim Gourley seconded the motion. The motion passed unanimously

3. Public Comments: Manuel Grajeda - Board Policy Code KC- Getting Parents Back; Rachel Maynard- Regarding an employment issue; Question - How does a community of people discuss an employee and express their feelings.**4. Student & Personnel Reports/Comments**

A. Certified & Classified Representatives: Michelle Snyder- Certified Union Vice President - Teacher shortage is great but the district is working hard to fill these spots

B. Superintendent's Report

1. Directors and Administrators return and secretaries will be back next week
2. New Teacher Orientation August 21, 2023
3. District Wide Inservice August 28, 2023
4. Strategic Plan Progress

A. Pillar 1 - OUTSTANDING ACHIEVEMENT - Barbi Riggs, Director of Student Learning, presented briefly on our curriculum and adoption process. We follow strict guidelines on process and content from the state approved lists.

B. Pillar 2 - THRIVING CITIZEN - Michelle Snyder, HS science teacher, presented on our partnership with Western Oregon Medical on the great opportunities our students have in working with W.O.M.

C. Pillar 3 - THRIVING COMMUNITY - Kevin Strong, our Business Manager, spoke to our Nutrition Services going on, and helped explain how things are run and the various rules we operate under.

D. Pillar 4 - SAFE AND WELCOMING FACILITIES AND SERVICE- Josh Darwood, Property Services Director, will provide an update on our Annual Statement and Water Testing. Also, gave an update on the Oak Heights project and the upcoming seismic grant.

5. Consent Agenda

- A. Approved minutes from the July 10, 2023 School Board Meeting
- B. Approved donation of 210 \$5.00 gift cards from Oregon Real Estate Professionals to distribute to all 6 schools to be used as positive behavior incentives
- C. Accepted Resignation from Addison Reukauf, Language Arts/Social Studies teacher at the Jr. High effective August 1, 2023
- D. Approved hire of Ashley Patton, 2nd Grade Teacher at Oak Heights for the 2023-2024 School year
- E. Approved hire of Rebecca Raab, Biology and Integrated Science teacher at the High School for the 2023-2024 school year
- F. Approved hire of Hannah Humpherys, 6th grade teacher at Hawthorne Elementary for the 2023-2024 school year

Motion No. 23-60: Board Member Jim Gourley, moved to approve the revised consent agenda as presented. Board Member Dale Keene seconded the motion. The motion passed unanimously.

6. Information/Discussion

- A. Budget Update, Insurance Info both given by Business manager, Kevin Strong
- B. Board Policies 2nd reading
 - AC-AR – Discrimination Complaint Procedure
 - EHB – Cybersecurity
 - EHB-AR – Cybersecurity
 - GCBDF/GDBDF – Paid Family Medical Leave Insurance
 - ICB – Religious and Cultural Holidays
 - IGBHD – Program Exemptions
 - JFCF-AR – Harassment, Intimidation, Bullying, Cyberbullying, or Teen Dating Violence Reporting Procedures
 - JGE – Expulsion
 - KL – Public Complaints
 - KL-AR(1) – Public Complaint Procedure
- C. Recognition of Don Hopkins

7. Action Items: None

- 8. Board Comments:** Dale Keene shared his experience at the OSBA conference, encouraged other board members to look at notes online

9. Late Items – No late items

10. Future Agenda Items

- A. New Teacher Luncheon, August 21, 2023 - 11:30 at the High School
- B. Orange Frog Training - August 22 & 23, 8:00 - 4:30 at the High School
- C. Inservice - August 28, 2028 - more details to come
- D. Next Board Officers Meeting THURSDAY, August 31, 2023 at 3:30 p.m. Superintendent's Office
- E. Next Board Meeting September 11, 2023 at 6:30 p.m. in DO Boardroom

11. Adjournment

The meeting adjourned at 7:27 p.m.

Signature, Board Chairman

Julie Emmert, Board Recording Secretary
(This meeting was also recorded and saved supt/board/audio)



Julie Emmert <julie.emmert@sweethome.k12.or.us>

5C

Surplus for Sept Board Please

1 message

Darel Bidwell <darel.bidwell@sweethome.k12.or.us>
To: Julie Emmert <julie.emmert@sweethome.k12.or.us>

Mon, Aug 14, 2023 at 3:00 PM

We have a couple of rigs that we need to surplus out and then scrap.
Suburban 156
1997 Chevy Suburban
Vin 3GNFK16R9VG10785
Plate E223665

Maintenance Van 159
Chevy

bad brakes. Can not get OEM on parts and will not put junk yard brakes on. To old and don't want the liability. Straight to the scrapper it will go.

--

Darel Bidwell
Transportation Director
Sweet Home School Dist. #55
541-367-7116 Office
541-367-7129 Direct
541-367-0540 Fax

5D

School Supply Donation

FIR LAWN LUTHERAN CHURCH
W.E.L.C.A. CHECKING
109 W. HOLLEY RD.
SWEET HOME, OR 97386

DATE 8/14/23

PAY TO
THE ORDER OF

One Hundred Fifty

\$ 150.00

¹²
100 DOLLARS



541.259.1235 • www.linncofcu.org

MEMO

School Supplies

Bonnie Healy

SWEET HOME SCHOOL DISTRICT 55

5E

RECOMMENDATION TO HIRE

CANDIDATE NAME: KAREN NICHOLS

POSITION: SPANISH TEACHER

JOB #: 52-2324

DATE: AUGUST 23RD - 2023

BUILDING: HIGH SCHOOL

ADMINISTRATOR: RALPH BRAUN - RAFF / BR

Does this candidate hold a current Oregon License?	yes	<input checked="" type="checkbox"/>	no	<input type="checkbox"/>
Does this candidate hold an Out-of-State License?	yes	<input type="checkbox"/>	no	<input checked="" type="checkbox"/>
Is this candidate in the process of obtaining an Oregon License?	yes	<input type="checkbox"/>	no	<input checked="" type="checkbox"/>

Type of Endorsement: K-12 PROFESSIONAL TEACHING

Have three reference checks been completed? yes ☐ no ☒ ONLY 2

Effective Date: 8/23/2023

Other Information:

Office use only:
Superintendent review date: 8/11/2023
Board approval date: 8/11/2023

SWEET HOME SCHOOL DISTRICT 55

RECOMMENDATION TO HIRE

5F

CANDIDATE NAME: Sheila Cremer

POSITION: BLS Transition Teacher

JOB #: Job Posting was taken down?

DATE: 8-22-2023

BUILDING: High School

ADMINISTRATOR: Ralph Brown — Ralph Brown

Does this candidate hold a current Oregon License?	yes	<input type="checkbox"/>	no	<input checked="" type="checkbox"/>
Does this candidate hold an Out-of-State License?	yes	<input type="checkbox"/>	no	<input checked="" type="checkbox"/>
Is this candidate in the process of obtaining an Oregon License?	yes	<input checked="" type="checkbox"/>	no	<input type="checkbox"/>

Type of Endorsement: _____

Have three reference checks been completed? yes ☐ no ☒

Effective Date: 2023-2024 School Year Internal

Other Information:

Office use only:
Superintendent review date: _____
Board approval date: _____

SWEET HOME SCHOOL DISTRICT 55

RECOMMENDATION TO HIRE

5G

CANDIDATE NAME: Emili Riggs

POSITION: P.E. Teacher

JOB #: 44-2324

DATE: 8/17/23

BUILDING: OAK HEIGHTS

ADMINISTRATOR: Todal Barrett

Does this candidate hold a current Oregon License?

yes

☐

no

☒

Does this candidate hold an Out-of-State License?

yes

☐

no

☒

Is this candidate in the process of obtaining an Oregon License?

yes

☒

no

☐

Type of Endorsement: Emergency Teaching

Have three reference checks been completed?

yes

☒

no

☐

Effective Date: 23/24 School Year

Other Information:

Office use only:

Superintendent review date:

Board approval date:

Sept 11, 2023
[Signature]

SWEET HOME SCHOOL DISTRICT 55

RECOMMENDATION TO HIRE

5H

CANDIDATE NAME: Guy Felix

POSITION: 0.5 ELA / 0.5 S.S.

JOB #: 48-2324

DATE: 8/21 / 23

BUILDING: SHJH

ADMINISTRATOR: Nate Tyler

Does this candidate hold a current Oregon License?	yes	<input checked="" type="checkbox"/>	no	<input type="checkbox"/>
Does this candidate hold an Out-of-State License?	yes	<input type="checkbox"/>	no	<input checked="" type="checkbox"/>
Is this candidate in the process of obtaining an Oregon License?	yes	<input type="checkbox"/>	no	<input checked="" type="checkbox"/>

Type of Endorsement: Preliminary Teaching PreK-12 Social Studies

Have three reference checks been completed? yes ☒ no ☐

Effective Date: 8/21 / 23

Other Information:

Office use only:

Superintendent review date: _____

Board approval date: _____

RECOMMENDATION TO HIRE

51

CANDIDATE NAME: Deborah StrattonPOSITION: Title I teacherJOB #: 53-2324DATE: 9/5/2023BUILDING: FosterADMINISTRATOR: Darren Perry

Does this candidate hold a current Oregon License?

yes

☒

no

☐

Does this candidate hold an Out-of-State License?

yes

☐

no

☒

Is this candidate in the process of obtaining an Oregon License?

yes

☐

no

☒Type of Endorsement: Teaching/Adm

Have three reference checks been completed?

yes

☐

no

☐Effective Date: 9/5/2023

Other Information:

Office use only:

Superintendent review date:

Board approval date:

9/11/2023

To Whom It May Concern:

September 4, 2023

5J

I have accepted a leadership position with the Salem-Keizer Public School District and officially resign from my role as 5th grade teacher at Oak Heights Elementary School.

Sincerely,



Julie Jefferson

*Effective
September 12, 2023*



YTD GENERAL FUND SPENDING COMPARED TO ADOPTED BUDGET & YTD SPENDING LAST YEAR

BY OBJECT CODE

08/31/2023

2023-2024 Spending by Function

Function	Budget	Actual	% of Budget
1000 Instruction	16,075,745	317,684	2.0%
2000 Support	12,837,574	1,924,449	15.0%
3000 Community	42,390	72,814	16.8%
5200 Transfers	1,732,000	0	0.0%
	31,104,209	2,314,947	7.4%

OBJECT	DESCRIPTION	2023-24 Adopted Budget	YTD as of 8/31/22	YTD as of 8/31/23	Year-to-Year Increase/ <Decrease>	Spending as a % of budget
0111/0123	Licensed Salaries	7,248,739	0	0	0	0.0%
0112/0124	Classified Salaries	5,062,531	390,638	438,795	48,157	8.7%
0113/0114	Administrators/Managers	1,846,669	237,220	244,959	7,739	13.3%
0121	Substitutes - Licensed	317,000	0	0	0	0.0%
0122	Substitutes - Classified	427,000	50,109	72,078	21,969	16.9%
0132	Overtime	35,000	1,537	1,433	(104)	4.1%
0134/0135	Extra Duty	416,980	3,890	5,365	1,475	1.3%
0210	Public Employees Retirement Sys.	1,485,008	56,041	56,365	324	3.8%
0213	PERS Debt Service	2,322,704	97,153	106,072	8,919	4.6%
0220	Social Security	1,174,575	51,088	56,631	5,543	4.8%
0231	Worker's Compensation	148,548	12,226	10,363	(1,863)	7.0%
0232	Unemployment Compensation	40,944	1,331	1,507	176	3.7%
0233	Oregon Paid Leave	86,262	0	0	0	0.0%
0240	Contractual Employee Benefits	3,063,000	79,453	86,063	6,610	2.8%
0241	Tuition Reimbursement - Admin.	10,000	0	0	0	0.0%
0242	Tuition Reimbursement - Certified	20,000	0	0	0	0.0%
0243	Conference/Wrkshp Reimb. - Cert.	10,000	0	0	0	0.0%
0244	Conference/Wrkshp Reimb. - Classif.	2,500	0	0	0	0.0%
0245	District Paid Deferred Comp	19,450	860	1,460	600	7.5%
0249	Personal Choice Enroll Fee	2,000	170	85	(85)	4.3%
0312/0319	Intructional Services	45,000	0	0	0	0.0%
0321	Cleaning Services	15,000	1,096	1,168	72	7.8%
0322	Repairs and Maintenance Services	55,710	5,229	8,763	3,534	15.7%
0324	Rentals	8,000	0	0	0	0.0%
0325	Electricity	384,000	43,273	48,547	5,274	12.6%
0326	Fuel (Heating)	249,000	7,697	7,930	233	3.2%
0327	Water and Sewage	245,000	29,811	38,052	8,241	15.5%
0328	Garbage	90,500	7,017	10,664	3,647	11.8%
033X	Other Transportation	77,850	0	0	0	0.0%
0340	Travel	38,855	6,091	16,476	10,385	42.4%
0351/9	Telephone/Data Communications	147,800	27,726	20,065	(7,661)	13.6%
0353	Postage	25,000	2,255	2,970	715	11.9%
0354	Advertising/Public Notices	3,500	0	0	0	0.0%
0355	Printing and Binding	43,475	0	0	0	0.0%
0360	Charter School Payments	1,300,000	257,706	282,793	25,087	21.8%
0374	Other Tuition	35,000	0	0	0	0.0%
0381	Audit Services	33,000	0	0	0	0.0%
0382/0384	Legal & Negotiation Services	22,500	74	6,895	6,821	30.6%
0388	Election Services	10,000	0	0	0	0.0%
0389	Other Non-instructional Prof/Tech	630,500	110,277	130,291	20,014	20.7%
0410	Supplies and Materials (incl. bus fuel)	400,223	13,907	30,639	16,732	7.7%
0412/413	Supplies Tires & Vehicle Parts	85,000	5,794	2,193	(3,601)	2.6%
0414	Supplies Custodial	133,000	20,158	22,759	2,601	17.1%
0415	Supplies Maintenance	378,500	46,823	59,061	12,238	15.6%
0416	Supplies Grounds	26,000	12,557	4,867	(7,690)	18.7%
0417	Supplies Maintenance Vehicles	8,000	4,880	792	(4,088)	9.9%
0420	Textbooks	1,970	0	0	0	0.0%
0430	Library Books	14,730	256	2,333	2,077	15.8%
0440	Periodicals	3,355	0	0	0	0.0%
0460	Non-consumable Items	293,665	16,213	2,687	(13,526)	0.9%
0470	Computer Software	64,291	10,620	14,363	3,743	22.3%
0480	Computer Hardware	120,295	20,810	5,524	(15,286)	4.6%
052x/054x	Equipment Acquisition	100,000	0	0	0	0.0%
0640	Dues and Fees	81,080	40,898	47,238	6,340	58.3%
0651/5	Liability Insurance & Settlements	135,000	111,887	136,783	24,896	101.3%
0653	Property Insurance Premiums	303,000	278,723	329,918	51,195	108.9%
0711	Transfer to Josai	7,500	0	0	0	0.0%
0712	Transfer to Long Term Maintenance	1,400,000	0	0	0	0.0%
0713	Transfer to PERS Reserve Fund	100,000	0	0	0	0.0%
0715	Transfer to Curriculum/Tech. Fund	250,000	0	0	0	0.0%
		31,104,209	2,063,494	2,314,947	251,453	7.4%



MEMORANDUM 6B

To: Board of Directors

From: Josh Darwood
Kevin Strong

Subject: Oak Heights Elementary Seismic Project

Date: September 5, 2023

We would like to use the Construction Manager/General Contractor (CM/GC) method of contracting for the upcoming Oak Heights Elementary School Renovation project. To do so, we request Board approval of the following resolution.

The CM/GC contractor will be selected through an open and competitive selection process.

We have successfully used the CM/GC method of contracting for the Sweet Home High School auditorium project, the Foster Elementary seismic project, the Hawthorne Elementary seismic project, the Holley Elementary seismic project and the Sweet Home Junior High School renovation project.

By having a Construction Manager/General Contractor who is actively involved in the project's design, we believe we will get the most value for the money spent on the project and potentially eliminate costly change orders resulting from unknowns in the field.

Code: AC-AR
Adopted: 11/12/19
Revised/Readopted: 12/13/21; 4/11/22
Orig. Code: AC-AR

Discrimination Complaint Procedure

Complaints regarding discrimination or harassment, on any basis protected by law, shall be processed in accordance with the following procedures:

Step 1: Complaints may be oral or in writing and must be filed with the principal. Any staff member that receives an oral or written complaint shall report the complaint to the principal.

The principal shall investigate and determine the action to be taken, if any, and reply in writing, to the complainant within 10 school days of receipt of the complaint.

Step 2: If the complainant wishes to appeal the decision of the principal, the complainant may submit a written appeal to the superintendent or designee within five school days after receipt of the principal's response to the complaint.

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

Step 3 If the superintendent was not the decision maker in the previous step, a complainant who wishes to appeal a decision reached in step 2 may appeal the decision within five school days to the superintendent. The superintendent shall review such decision within 10 school days and may meet with all parties involved. The superintendent will review the merits of the complaint and the designee's decision. The superintendent will respond in writing to the complainant within 10 school days.

Step 4: If the complainant is not satisfied with the decision of the superintendent, a written appeal may be filed with the Board within five school days of receipt of the superintendent's response. The Board may decide to hear or deny the request for appeal at a Board meeting. If the Board decides to hear the appeal, the Board may meet with the concerned parties and their representative at the next regular or special Board meeting. The Board's decision will be final and will address each allegation in the complaint and contain reasons for the Board's decision. A copy of the Board's final decision shall be sent to the complainant in writing or electronic form within ~~30+0~~ days of receipt of the appeal by the Board ~~this meeting~~.

If the principal is the subject of the complaint, the individual may start at Step 2 and should file a complaint with the superintendent or designee.

If the superintendent is the subject of the complaint, the complaint may start at Step 3 and should be referred to the Board chair.

Complaints against the Board as a whole or against an individual Board member, may start at Step 3 and should be submitted to the Board chair and may be referred to district counsel. Complaints against the Board chair may start at Step 3 and be referred directly to the Board vice chair.

The timelines established in each step of this procedure may be extended upon mutual consent of the district and the complainant in writing, but will not be longer than 30 days from the date of the submission of the complaint at any step. The overall timeline of this complaint procedure may be extended beyond 90 days from the initial filing of the complaint upon written mutual consent of the district and the complainant.

The complainant, if a person who resides in the district, a parent or guardian of a student who attends school in the district or a student, is not satisfied after exhausting local complaint procedures, the district fails to render a written decision within 30 days of submission of the complaint at any step or fails to resolve the complaint within 90 days of the ~~initial~~^{initial} filing of the complaint, may appeal¹ the district's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023.

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

DISCRIMINATION COMPLAINT FORM

Any person, including students, staff, visitors and third parties, may file a complaint.

7A

Name of Person Filing Complaint _____

Date _____

School or Activity _____

Student/Parent ☐ Employee ☐ Job applicant ☐ Other ☐ _____

Type of discrimination:

- | | | |
|--|---|--|
| <input type="checkbox"/> Race | <input type="checkbox"/> Mental or physical | <input type="checkbox"/> Age |
| <input type="checkbox"/> Color | disability | <input type="checkbox"/> Sexual orientation |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Marital status | <input type="checkbox"/> Pregnancy |
| <input type="checkbox"/> Sex | <input type="checkbox"/> Familial status | <input type="checkbox"/> Discriminatory use of a |
| <input type="checkbox"/> National or ethnic origin | <input type="checkbox"/> Economic status | Native American mascot |
| <input type="checkbox"/> Gender identity | <input type="checkbox"/> Veterans' status | <input type="checkbox"/> Other _____ |

Specific complaint: (Please provide detailed information including names, dates, places, activities and results of the discussion.) _____

Who should we talk to and what evidence should we consider? _____

Suggested solution/resolution/outcome: _____

This complaint form should be mailed or submitted to the principal.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights. Direct complaints related to employment may be filed with the Oregon Bureau of Labor and Industries, Civil Rights Division, or the U.S. Department of Labor, Equal Employment Opportunities Commission.

Corrected 4/19/23

Code:

EHB

Adopted:

Cybersecurity

{Optional policy. OSBA recommends consulting with your IT professionals prior to adoption.}

The purpose of information security is to protect the confidentiality, integrity and availability of district data as well as any information systems that store, process, or transmit district data, and protect the information resources of the district from unauthorized access or damage.

The underlying principles followed to achieve that objective are:

1. Information Confidentiality: The ability to access or modify information is provided only to authorized users for authorized purposes;
2. Information Integrity: The information used in the pursuit of the district objectives can be trusted to correctly reflect the reality it represents; and
3. Information Availability: The information resources of the district, including the network, the hardware, the software, the facilities, the infrastructure, and any other such resources, are available to support the objectives for which they are designated.

The requirement to safeguard information resources must be balanced with the need to support the pursuit of legitimate district objectives. The value of information as a resource increases through its appropriate use; its value diminishes through misuse, misinterpretation, or unnecessary restrictions to its access.

This policy[and accompanying administrative regulation] applies to all staff and third-party agents of the district as well as any other district affiliate, including students, who are authorized to access district data and to all computer and communication devices and systems that store, process, or transmit district data.

END OF POLICY

Legal Reference(s):

ORS Chapter 192
ORS 332.107

ORS 336.184
ORS 646A.600 - 646A.626

Children's Internet Protection Act, 47 U.S.C. §§ 254(h) and (l); 47 C.F.R. § 54.520.

Children's Online Privacy Protection Act of 1998, 15 U.S.C. §§ 6501 to 6505; 16 C.F.R. § 312.

Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; 34 C.F.R. § 99.

Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. § 1320d; 45 C.F.R. §§ 160, 164.

Protection of Pupil Rights, 20 U.S.C. § 1232h; Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. § 98.

Code: EHB-AR
Revised/Reviewed:

Cybersecurity

{Optional AR.}

Throughout its lifecycle, an information system that stores, processes or transmits district data shall be protected in a manner that is considered reasonable and appropriate, as defined in documentation approved and maintained by the [Information Technology Department], given the level of sensitivity, value and criticality that the district data has to the district.

Individuals who are authorized to access district data shall adhere to the appropriate Roles and Responsibilities, as defined in this administrative regulation.

Roles and Responsibilities

“Designated Information Security Officer (ISO)” means an employee designated by the superintendent to oversee the information security program. The ISO will be a senior-level employee in the district. The responsibilities of the ISO include the following:

1. Developing and implementing a district-wide information security program;
2. Documenting and disseminating information security policies and procedures;
3. Coordinating the development and implementation of required information security training and awareness program for staff and administrators;
4. Coordinating a response to actual or suspected breaches in the confidentiality, integrity or availability of district data and following statutory requirements;
5. Implement Multi-Factor Authentication (MFA) for logins[; and] [.]
6. [Implementing an IT security audit.]

“Data owner” means a management-level employee of the district who oversees the lifecycle of one or more sets of district data. Responsibilities of a data owner include the following:

1. Assigning an appropriate classification to district data;
2. Determining the appropriate criteria for obtaining access to district data;
3. Ensuring that data custodians implement reasonable and appropriate security controls to protect the confidentiality, integrity and availability of district data;
4. Understanding and approving how district data is stored, processed, and transmitted by the district and by third-party agents of the district; and

5. Understanding how district data is governed by district policies, state and federal regulations, contracts and other legal binding agreements.

"Data custodian" means an employee of the [Information Technology Department] who has administrative and/or operational responsibility over district data. In many cases, there will be multiple data custodians. A data custodian is responsible for the following:

1. Understanding and reporting on how district data is stored, processed and transmitted by the district and by third-party agents of the district;
2. Implementing appropriate physical and technical safeguards to protect the confidentiality, integrity and availability of district data;
3. Documenting and disseminating administrative and operational procedures to ensure consistent storage, processing and transmission of district data;
4. Provisioning and deprovisioning access to district data as authorized by the data owner;
5. Understanding and reporting on security risks and how they impact the confidentiality, integrity and availability of district data;
6. Back up data daily; and
7. Force email and domain passwords to expire at least annually.

"User" for the purpose of information security, means any employee, contractor or third-party agent of the district who is authorized to access District Information Systems and/or district data. A user is responsible for the following:

1. Adhering to policies, guidelines and procedures pertaining to the protection of district data;
2. Reporting actual or suspected vulnerabilities in the confidentiality, integrity or availability of district data to a manager or the [Information Technology Department]; and
3. Reporting actual or suspected breaches in the confidentiality, integrity or availability of district data to the [Information Technology Department].

Classification of Information

Data classification, in the context of information security, is the classification of data based on its level of sensitivity and the impact to the district should that data be disclosed, altered or destroyed without authorization. The classification of data helps determine what baseline security controls are appropriate for safeguarding that data. All district data should be classified into one of three sensitivity levels or classifications: confidential, sensitive and public. In some cases, data could fall into multiple categories, i.e., salaries.

Data should be classified as confidential when the unauthorized disclosure, alteration, or destruction of that data could cause a significant level of risk to the district or its affiliates. Examples of confidential data include data protected by state or federal privacy regulations and data protected by confidentiality

agreements. The highest level of security controls should be applied to confidential data. Examples: student data, evaluation and disciplinary records.¹

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Data should be classified as sensitive when the unauthorized disclosure, alteration or destruction of that data could result in a moderate level of risk to the district or its affiliates. By default, all district data that is not explicitly classified as confidential or public data should be treated as sensitive data. A reasonable level of security controls should be applied to private data. Examples: salaries and staff personal contact information.

Data classified as sensitive may be disclosable as public record under Oregon Revised Statute (ORS) Chapter 192. However, the sensitivity level of the data can warrant the assigned data classification and associated safeguard security controls.

Data should be classified as public when the unauthorized disclosure, alteration or destruction of that data would result in little or no risk to the district and its affiliates. Examples of public data include information intended for broad use within the district community at large or for public use. While little or no controls are required to protect the confidentiality of public data, some level of control is required to prevent unauthorized modification or destruction of public data. Examples: board minutes and policies.

{Examples may vary based on the needs of the district.}

Online Services and Applications

District employees are encouraged to research online services or applications to support the pursuit of district objectives. However, district employees are prohibited from installing or using applications, programs or other software, or online systems/websites that store, collect or share confidential or sensitive data until the ISO approves the vendor and software or service. Before approving the use or purchase of any such software or online service, the ISO, or designee, shall verify that it meets the requirements of all applicable laws, regulations and board policies, and that it appropriately protects district data. This prior approval is required whether or not the software or online service is obtained or used without charge.

Implementation

The [Information Technology Department] is directed to develop operating policies, standards, baselines, guidelines and procedures for the implementation of this administrative regulations to include, but not limited to, addressing data encryption, logical access control, physical access control, vulnerability management, risk management and security logging and monitoring.

Violations of Policy and Misuse of Information

Violations of this administrative regulation include, but are not limited to: accessing information to which the individual has no legitimate right; enabling unauthorized individuals to access information; disclosing information in a way that violates applicable policy, procedure or other relevant regulations or laws; inappropriately modifying or destroying information; inadequately protecting information; or ignoring the

¹ These examples are for IT purposes and may not be consistent with record request and disclosure requirements.

explicit requirements of data owners for the proper management, use and protection of information resources.

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Violations may result in disciplinary action in accordance with district policies, procedures and/or applicable laws. Sanctions may include one or more of the following:

1. Suspension or termination of access;
2. Disciplinary action up to and including dismissal; and
3. Civil or criminal penalties.

Employees are [encouraged] to report suspected violations of this administrative regulation to the ISO or to the appropriate data owner. Reports of violations are considered sensitive information until otherwise designated.

PROPOSED

Code:

GCBDF/GDBDF

Adopted:

Paid Family Medical Leave Insurance *
(Version 2)

{Optional policy. This version is designed for districts providing an equivalent plan instead of using Paid Leave Oregon.}

The district provides an equivalent plan for paid family and medical leave and does not participate in Paid Leave Oregon. This plan has been approved by the Employment Department. ^{1} The district will file the Oregon Quarterly Tax Report as required.

The district will make available a notice poster that outlines the requirements and procedures for the equivalent plan.² This poster will be displayed in each of the district's buildings or worksites in an area that is accessible to and regularly frequented by employees. This poster will be provided³ to remote employees upon hire or assignment to remote work.

END OF POLICY

Legal Reference(s): ORS 657B.210 – 657B.260

OAR 471-070-2200 - 2460

¹ { Deadlines for the district to file an exemption application can be found on OAR 471-070-2205. Application requirements can be found in OAR 471-070-2210. }

² For poster requirements, see OAR 471-070-2330.

³ By hand delivery, regular mail, or through an electronic delivery method.

Code:
Adopted:

ICB

Religious and Cultural Holidays**

{Optional policy. The district could adopt portions of the policy or make changes to better meet the district's needs. If the district adopts this policy, OSBA encourages the district to engage the community to determine what the major holidays are in your community.}

Accommodation for Religious Instruction and Cultural Observance

The district recognizes each student's individual right to free exercise of religion. The district may accommodate students' religious or cultural¹ observance, while neither promoting one religion or culture over another nor preferring religion over non-religion. Specific requests for religious or cultural accommodation should be directed to the student's teacher or principal [in accordance with Board policy IGBHD - Program Exemptions].

Release Time for Religious and Instruction and Cultural Holidays

The district will permit elementary and secondary school students to be released from school each week consistently for religious instruction in accordance with Oregon law [and Board policy JEF - Release Time for Religious Instruction].

Accommodation of Absences for Religious [and Cultural Reasons]

Any student unable to attend classes on a particular day due to religious beliefs [or cultural observance] shall be excused from attendance requirements for that day. No such absence shall be counted against a student in determining eligibility for educational benefits, exclusion from programs, reduction of grades or failure.

Scheduling Around Major Religious and Cultural Holidays

For purposes of this policy, "major religious or cultural holidays"² are holidays, observance of which: (1) is common among adherents of a student's religion or culture; (2) include ritual or worship obligations or practices that cannot reasonably be fulfilled during school activities;³ and (3) fulfillment of such obligations or practices would necessarily conflict with scheduled school activities.⁴

¹ An example of a major non-religious cultural holiday would be the Chinese New Year.

² Districts are encouraged to engage with the community to identify holidays that are observed by students, staff and community members that would be considered major religious or cultural holidays.

³ For example, holiday-related dietary restrictions may still be observed while at school, but group prayer or ritual hymns may not.

⁴ If such obligations occur in the evening, then there would be no constraints on scheduling such activities during the school day, so long as the students will be timely released to engage in such evening activities.

1. **Schoolwide and Gradewide Events.** Schools should avoid scheduling important events that by their nature cannot be made up (such as picture day, open house, prom, graduation, and Outdoor School) on days that conflict with major religious or cultural holidays that may impact student attendance or participation. Such events shall be scheduled on major religious or cultural holidays only if such scheduling is reasonably necessary to carry out the proper functioning of a school program or course of study, to avoid an unreasonable burden on other students, or if such scheduling is outside the control of school employees.

The district will make a good faith effort to identify major religious or cultural holidays observed in the local community by consulting generally accepted sources of information. Students and families may request that one or more holidays from their religious or cultural tradition be included on the district's list of major religious or cultural holidays under this policy.

2. **Field Trips, Cocurricular and Extracurricular Activities.** When scheduling other special events such as field trips, try-outs, plays, concerts and major cocurricular and extracurricular activities, staff must consider the potential for students to experience conflicts on major religious or cultural holidays. Staff will inform students and parents of plans as far in advance as possible, so that conflicts with major religious or cultural holidays can be avoided, if it is possible to do so without making burdensome demands on programs or other students, and otherwise accommodated if not. Parents and students are encouraged to communicate their need for accommodation to the school, for major religious or cultural holidays not already recognized by the district.

The field trip approval process will include a question about scheduling and major religious or cultural holidays. For a field trip to be scheduled on a major religious or cultural holiday, an administrator must review and approve the request. Administrator approval is also required to schedule a major cocurricular or extracurricular activity on a major religious or cultural holiday when scheduling is within the control of the school or district.

3. **Tests and Assignments.** Any tests and assignments a student misses because of religious instruction or religious or cultural observances shall be given to the student at another time. Teachers shall provide students a meaningful opportunity and reasonable time to make up missed classwork, tests, quizzes, and final exam reviews, and to complete homework due on that day or the following school day. When scheduling tests, staff must consider the potential for students to experience conflicts on major religious or cultural holidays. Make-up opportunities will not be required of a student on the school day immediately after a student is absent from school to observe a major religious or cultural holiday.

4. **Final Exams.** Final exams are scheduled based on the district-adopted calendar. The Board should consider the likely resulting exam schedule and possible conflicts with major religious or cultural holidays as they consider calendar options.

Communication

The superintendent will prepare guidelines implementing this policy, including a list of major religious holidays and cultural holidays, which will be communicated to staff. School staff will be informed at least twice per year of dates of major religious or cultural holidays. Parents will be informed at least annually about this policy and their student's right to request accommodation. Information including a list of major

religious or cultural holidays will be made available on the district website. Parents are encouraged to communicate their student's need for accommodation to the school.

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The superintendent shall reconsider the scope of this policy and recommend changes to the Board as needed if the total number of school days identified as major religious or cultural holidays is likely to impose an unreasonable burden on the district's ability to schedule important school events.

END OF POLICY

Legal Reference(s):

ORS 336.035(2)
ORS 336.465
ORS 336.615
ORS 336.625

ORS 336.635

OAR 581-002-0035
OAR 581-021-0009

OAR 581-021-0071
OAR 581-022-2050
OAR 581-022-2110
OAR 581-022-2505

PROPOSED

Sweet Home School District 55

7A

Code: IGBHD
Adopted: 10/12/98
Revised/Readopted: 11/14/22
Orig. Code(s): IGBHD

Program Exemptions**

~~The district~~~~The Board~~ may excuse students from a state-required program or learning activity for reasons of religion, disability, or other reasons deemed appropriate by the district.

An alternative education program for credit may be provided.

When granted, the Board's approval of an alternative is based upon and includes:

1. A written request from the student and the student's parents or guardian listing the reasons for the request and a proposed alternative for an individualized learning activity which substitutes for the period of time exempt from the program and meets the goals of the learning activity or course being exempt;
2. An evaluation of the request and approval by appropriate school personnel (the alternative should be consistent with the student's educational progress and career goals as described in OAR 581-022-2270 and OAR 581-022-2060).

Following approval by the Board at one of its scheduled meetings, and upon completion of the alternative, credit shall be granted to the student.

END OF POLICY

Legal Reference(s):

If the district receives a request for a disability accommodation, the district should consider its obligations under the Individuals with Disabilities in Education Act and Section 504 of the Rehabilitation Act.

ORS 336.035(2)
ORS 336.465
ORS 336.615
ORS 336.625

ORS 336.635

OAR 581-002-0035
OAR 581-021-0009

OAR 581-021-0071
OAR 581-022-2050
OAR 581-022-2110
OAR 581-022-2505

7A

Cross Reference(s):

IGAI - Human Sexuality, AIDS/HIV, Sexually Transmitted Diseases, Health Education
JED - Student Absences and Excuses

Corrected 4/19/23

Code: JFCF-AR
Revised/Reviewed: 12/13/21; 1/09/23
Orig. Code: JFCF-AR

Hazing, Harassment, Intimidation, Menacing, Bullying, Cyberbullying, or Teen Dating Violence Reporting Procedures – Student

The superintendent has responsibility for investigations concerning acts of hazing, harassment, intimidation or bullying, menacing, acts of cyberbullying, and incidents of teen dating violence. The investigator(s) shall be a neutral party having had no involvement in the report presented. This will generally be done by the principal or their designee.

All reports will be investigated in accordance with the following procedures:

- Step 1** Any reports or information on acts of hazing, harassment, intimidation or bullying, menacing, acts of cyberbullying, or incidents of teen dating violence (e.g., complaints, rumors) shall be presented to the building principal or designee. Reports against the principal shall be filed with the superintendent. Reports against the superintendent shall be filed with the Board chair. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.
- Step 2** The district official receiving the report shall promptly investigate. Parents will be notified of the nature of any report involving their student. The principal or designee will arrange such meetings as may be necessary with all concerned parties within five working days after receipt of the information or report. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the report will be reduced to writing. The principal or designee conducting the investigation shall notify the person making the report within 10 working days of receipt of the information or report, and parents as appropriate, in writing, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.
- A copy of the notification letter or the date and details of notification to the person making the report, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the superintendent when Step 2 is appealed.
- Step 3** If the person making the report is not satisfied with the decision at Step 2, they may submit a written appeal to the superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The superintendent or designee will arrange such meetings with the person making the report and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the appeal within 10 working days.

Step 4

If the person making the report is not satisfied with the decision at Step 3, a written appeal may be filed with the Board. Such appeal must be filed within 10 working days after receipt of the Step 3 decision. The Board shall, within 20 working days, conduct a hearing at which time the person making the report shall be given an opportunity to present the report. The Board shall provide a written decision to the person making the report within ~~30+0 working days of receipt following completion of the appeal by the Board hearing.~~ **7A**

Reports against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, ~~within 20 days;~~ in open session what action, if any, is warranted. A final decision will be made within 30 days of receipt of the report.

Reports against the Board as a whole or against an individual Board member should be made to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, ~~within 20 days;~~ in open session what action, if any, is warranted. A final decision will be made within 30 days of receipt of the report.

Reports against the Board chair may be made directly to the Board vice chair on behalf of the Board. The Board vice chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, ~~within 20 days;~~ in open session what action, if any, is warranted. A final decision will be made within 30 days of receipt of the report.

Timelines may be extended upon written agreement between both parties. This also applies to reports filed against the superintendent or any Board member.

Direct complaints of discriminatory harassment related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 Second Ave., Room 3310, Seattle, WA 98174-1099.

Documentation related to the incident may be maintained as a part of the student's education records. Additionally, a copy of all reported acts of hazing, harassment, intimidation or bullying, menacing, or cyberbullying, or incidents of teen dating violence and documentation will be maintained as a confidential file in the district office.

Corrected 4/19/23

Code: JGE
 Adopted: 9/14/15
 Revised/Readopted: 1/09/23
 Orig. Code: JGE

Expulsion**

{Required policy ORS 339.250(2) and OAR 581.021-0070 require policies on expulsion.}

A principal, after reviewing available information, may recommend to the superintendent that a student be expelled. Expulsion of a student shall not extend beyond one calendar year.

A student may only be expelled for ~~any~~ of the following circumstances:

1. When a student's conduct poses a threat to the health or safety of students or employees;
2. When other strategies to change the student's conduct~~behavior~~ have been ineffective, except that expulsion may not be used to address truancy; or
3. When required by law.

The use of expulsion for discipline of a student in fifth~~sixth~~ grade or lower is limited to:

1. Nonaccidental conduct causing serious physical harm to a student or employee;
2. When a school administrator determines, based on the administrator's observations or upon a report from an employee, the student's conduct poses a direct threat to the health or safety of students or employees; or
3. When the expulsion is required by law.

The age of the student and the past pattern of behavior will be considered prior to imposing the expulsion.

No student may be expelled without a hearing unless the student's parents, or the student if 18 years of age, waive the right to a hearing, either in writing or by failure to appear at a scheduled hearing. ~~By waiving the right to a hearing, the student and parent agree to abide by the findings of a hearings officer.~~

{Choose one of the following two options.}

{The Board delegates the authority to decide on an expulsion to the superintendent. ¹} The superintendent may designate another person to handle the potential expulsion, and the superintendent, a designee or another individual may act as the hearings officer. The district may contract with an individual who is not employed by the district to serve as the hearings officer. The hearings officer will not be associated with

¹ {The Board can retain authority for all expulsions. If the Board chooses not to delegate this authority, any recommendations for expulsion from administration would come to the Board for resolution. The Board would have to meet and determine next steps for all expulsions.}

the initial actions of the building administrators. The hearings officer will conduct the hearing and make the final decision regarding the expulsion. A decision of the hearings officer may be appealed by the parent of the student if age 18 or over to the Board for review.

If the decision of the hearings officer is appealed to the Board for review, the findings as to the facts and the hearings officer's decision will be submitted to the Board, and will be available in identical form to the Board, the student and the student's parents at the same time. At a future meeting, the Board will review the hearings officer's decision and will affirm, modify or reverse the decision.]

OR

[When a recommendation for expulsion is made, the Board will meet and review the recommendation. The Board will hold or arrange for the expulsion hearing unless it has been waived.]

If the Board is conducting the expulsion hearing, the Board may designate a Board member or a third party to run the hearing. The superintendent will provide relevant information to the Board, including the superintendent's recommendation and duration on disciplinary action.² This information will be available in identical form to the Board, the student if age 18 or over and the student's parents at the same time. The Board will make the final decision regarding the expulsion.]

When a recommendation for an expulsion is made and a ~~When an expulsion~~ hearing is not waived, the following procedure is required:

1. Notice will be given to the student and the parent by personal service³ or by certified mail⁴ at least five days prior to the scheduled hearing. Notice shall include:
 - a. The specific charge or charges and the specific facts which support the charge or charges;
 - b. ~~The conduct constituting the alleged violation, including the nature of the evidence of the violation and reason for expulsion;~~¶
 - c. ~~A recommendation for expulsion~~ statement of intent to consider the charges as reason for expulsion;
 - d. The student's right to a hearing;
 - e. When and where the hearing will take place; and
 - f. ~~The right to representation~~ student may be represented by counsel or other persons.
2. ~~The Board may expel, or may delegate the authority to decide on an expulsion to the superintendent or superintendent's designee, who may also act as the hearings officer. The district may contract with an individual who is not employed by the district to serve as the hearings officer. The hearings officer designated by the Board will conduct the hearing and will not be associated with the initial actions of the building administrators;~~¶

² Evidence may include the relevant past history and student education records.

³ The person serving the notice shall file a return of service. (OAR 581-021-0070)

⁴ When "certified mail is given to a parent of a suspended student, the notice shall be placed in the mail at least five days before the date of the hearing." (OAR 581-021-0070)

3. ~~Expulsion hearings will be conducted in private and will not be open to the general public unless the student or the student's parents request an open session.~~ **TA**
4. ~~If in case the parent or student does not understand~~ has difficulty understanding the English language ~~or has other serious communication disabilities~~, the district will provide an interpreter during the hearing. All communications will be in a manner that is understandable to the parents and student translator;
5. The student shall be permitted to have representation present at the hearing to advise and to present arguments. The representation may be an attorney; and/or parent or other person. The district's attorney may be present;
6. The student shall be afforded the right to present their version of the events underlying the expulsion recommendation and to introduce evidence by testimony, writings or other exhibits;
7. The student shall be permitted to be present and to hear the evidence presented by the district;
8. The hearings officer or the student may record the hearing;
9. Strict rules of evidence shall not apply to the proceedings. However, this shall not limit the hearings officer's control of the hearing;
10. ~~The Board has delegated authority to the superintendent or designee to act as the hearings officer; the superintendent may designate himself, or a third party, as the hearings officer. The hearings officer's decision is final. However, a decision of the hearings officer may be appealed by the parent or the student if age 18 or over to the Board for review. If the decision of the hearings officer is appealed to the Board for review, the findings as to the facts and the hearings officer's decision will be submitted to the Board, and will be available in identical form to the Board, the student and the student's parents at the same time. At its next regular or special meeting the Board will review the hearings officer's decision and will affirm, modify or reverse the decision.~~
11. ~~A Board conducted hearing or a Board review of the hearings officer's decision will be conducted in executive session unless the student or the student's parent requests a public hearing. If an executive session is held by the Board or a private hearing held by the hearings officer, the following will not be made public:~~
- The name of the minor student;
 - The issues involved, including a student's confidential records;
 - The discussion;
 - The vote of Board members, which may be taken in executive session when considering an expulsion.

Prior to expulsion for reasons other than a weapons violation, the district must notify the student and parents of proposed alternative programs of instruction or instruction combined with counseling and document this notification to a student subject to expulsion for reasons other than a weapons policy violation. The district must document to the parent of the student that proposals of alternative education programs have been made.

END OF POLICY

Legal Reference(s):

ORS 192.660
ORS 332.061

ORS 336.615 - 336.665
ORS 339.115

ORS 339.240
ORS 339.250
OAR 581-021-0050 - 021-0075

Cross Reference(s):

JG - Student Discipline

Corrected 4/19/23

Sweet Home School District 55

Code: KL-AR(1)
Adopted: 5/11/15
Revised/Readopted: 3/13/23
Orig. Code: KL-AR

Public Complaint Procedure

A parent or guardian of a student attending a school in the district, a person who resides in the district, a staff member, or a student who wishes to express a concern should discuss the matter with the school employee involved.

The Administrator: Step One

If the individual is unable to resolve a problem or concern with the employee, the individual may file a written, signed complaint with the administrator within five working days of the employee's response. The administrator shall evaluate the complaint and render a decision within five working days after receiving the complaint. (A form is available, but is not required.)

The Superintendent: Step Two

If Step One does not resolve the complaint, within 10 working days of the written response from the administrator, the complainant may file a written, signed complaint with the superintendent or designee clearly stating the nature of the complaint and a suggested remedy.

The superintendent or designee shall investigate the complaint, confer with the complainant and the parties involved, prepare a report of their findings and conclusion, and provide the report¹ in writing or in an electronic form to the complainant within 10 working days after receiving the written complaint.

The Board: Step Three

If the complainant is dissatisfied with the superintendent's or designee's findings and conclusion, the complainant may appeal the decision to the Board within five working days of receiving the superintendent's decision. The Board will review the findings and conclusion of the superintendent in a public meeting to determine what action is appropriate. The Board may use executive session if the subject matter qualifies under Oregon law. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, and adopting the superintendent's decision as the district's final decision. All parties involved, including the school administration, may be asked to attend such hearing for the purposes of making further explanations and clarifying the issues.

If the Board chooses not to hear the complaint, the superintendent's decision in Step Two is final².

¹ If the Board chooses to accept the superintendent's decision as the district's final decision on the complaint, the superintendent's written decision must meet the requirements of OAR 581-022-2370(4)(b).

~~² If the Board chooses to accept the superintendent's decision as the district's final decision on the complaint, the superintendent's written decision must meet the requirements of OAR 581-022-2370(4)(b).¶~~

~~The Board may hold the hearing in executive session if the subject matter qualifies under Oregon law.~~

¶
The complainant shall be informed in writing or in electronic form of the Board's decision within 30~~20~~ working days from the receipt~~hearing~~ of the appeal by the Board. The Board's decision will address each allegation in the complaint and contain reasons for the district's decision. The Board's decision will be final.

The timelines may be extended upon written agreement between the district and the complainant.

The district's final decision for a complaint processed under this administrative regulation that alleges a violation of Oregon Administrative rule (OAR) Chapter 581, Division 22 (Division 22 Standards), ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation), will be issued in writing or electronic form. The final decision will address each allegation in the complaint and contain reasons for the district's decision. If the complainant, who is a student, parent or guardian of a student attending school in the district or a person that resides in the district, and this complaint is not resolved through the complaint process, the complainant may appeal³ the district's final decision to the Deputy Superintendent of Public Instruction under Oregon OARs 581-002-0001 - 581-002-0023.

Complaints against the principal should be filed with the superintendent. The superintendent will attempt to resolve the complaint. If the complaint remains unresolved within 10 working days of receipt by the superintendent, the complainant may request to place the complaint on the Board agenda. The Board may use executive session if the subject matter qualifies under Oregon law. The Board shall decide in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 30 days of receipt of the request to place the complaint on the Board agenda~~appeal~~. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide in open session what action, if any, is warranted. The Board may use executive session if the subject matter qualifies under Oregon law. A final written decision regarding the complaint shall be issued by the Board within 30 days of receipt of the complaint~~appeal~~. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the Board as a whole or against an individual Board member should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide³ in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 30 days of receipt of the complaint~~appeal~~. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

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

Complaints against the Board chair may be referred directly to the Board vice chair on behalf of the Board. The Board vice chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide, in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 30 days of receipt of the complainant appeal. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Charter Schools of which the District Board is a Sponsor

The appeal of a complaint from a public charter school to be reviewed by the district Board will be presented by the Board chair and reviewed by the Board at a Board meeting. The Board may use executive session if the subject matter qualifies under Oregon law. The Board will review the appeal and make a decision about appropriate action, which may include, but is not limited to, holding a hearing, requesting information, and recognizing the decision reached by the public charter school board. A decision will be reached, within 20 days, in open session, unless allowed in executive session. A final written decision regarding the appeal shall be issued by the district Board within 30 days of receipt of the complainant appeal. The written decision of the district Board will address each allegation in the complaint and include reasons for the district Board's decision.

Corrected 4/19/23

SWEET HOME SCHOOL DISTRICT NO. 55

RESOLUTION NO. 2324-1

**RESOLUTION GRANTING EXEMPTION FROM COMPETITIVE BIDDING TO AUTHORIZE THE
USE OF THE CONSTRUCTION MANAGER/GENERAL CONTRACTOR METHOD OF
PROCUREMENT FOR THE OAK HEIGHTS ELEMENTARY SCHOOL RENOVATION PROJECT**

WHEREAS, the Sweet Home School District No. 55 ("District") acts as the local contract review board for the District, and in that capacity, has authority to exempt certain contracts from the competitive bidding requirements of ORS Chapter 279C; and

WHEREAS, ORS 279C provides a process for exempting certain contracts from competitive bidding and authorizes the selection of a contractor through the Construction Manager/General Contractor process; and

WHEREAS, draft findings ("Findings") addressing competition, operational, budget and financial data, public benefits, specialized expertise required, market conditions, technical complexity, public safety and funding sources recommended by the District were available 14 days in advance of the public hearing on this Resolution; and

WHEREAS, the District determines that the Oak Heights Elementary Renovation Project should be constructed using the CM/GC contracting method. NOW THEREFORE,

The District finds as follows:

1. The District adopts the Findings set forth in Exhibit A to this Resolution.
2. The exemption of the Oak Heights Elementary Renovation Project from competitive bidding will promote competition and will not encourage favoritism, because the Contractor will be chosen through an open and competitive proposal process as prescribed by ORS 279C and related administrative rules, including but not limited to formal public advertising of the solicitation, an award made based upon identified selection criteria described in the RFP, and an opportunity to protest any such award.
3. The exemption of the Oak Heights Elementary Renovation Project contract from competitive bidding is likely to result in cost savings to the District, for the reasons set forth in the adopted Findings.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the District as follows: The contract for the Oak Heights Elementary Renovation Project shall be exempt from competitive bidding and shall be selected by the use of a competitive Request for Proposal process in accordance with the District's public contracting rules and the process described in the Findings.

This Resolution shall take effect on September 11, 2023.

ADOPTED this 11th day of September 2023, by the Sweet Home School District No. 55.

Jason Redick, Chair

ATTEST: _____ Terry Martin, Superintendent

**PROPOSED FINDINGS SUPPORTING AN EXEMPTION FROM COMPETITIVE
BIDDING REQUIREMENTS AND USE OF THE CONSTRUCTION
MANAGER/GENERAL CONTRACTOR METHOD OF PROCUREMENT**

Before the Local Contract Review Board,

In the Matter of Exemption)	FINDINGS OF FACT
Request of)	
Sweet Home School District 55)	
Oak Heights Elementary School)	
Seismic Rehabilitation Project)	

ORS 279C.335 (1) requires, with certain exceptions, that all Public Improvement contracts be based on competitive bids and, under ORS 279C.375, awarded to the lowest responsive and responsible bidder. ORS 279C.335(2) permits the Local Contract Review Board, which in this case is the **Sweet Home School District 55**, to grant, under certain conditions, specific exemptions from the requirement for competitive bidding upon the approval of specified findings.

OAR 137-049-0620(1), allows the Local Contract Review Board to exempt a Public Improvement contract from the requirements to be competitively bid, provided written findings supporting the use of non-competitive bid process show compliance with OAR 137-049-0600 to 137-049-0690 and applicable statute.

**The hearing for review of these findings will be held
at 6:30 PM on September 11, 2023, at the Sweet Home School District 55 Office located at
1920 Long Street, Sweet Home, OR 97386, as published in the public notice section in the
Daily Journal of Commerce on August 23, 2023, and The New Era on August 23, 2023.**

Article I. BACKGROUND

Sweet Home School District 55 received a \$2.5 million grant through Oregon's Seismic Rehabilitation Grant program. The purpose of the grant is to seismically retrofit the **Oak Heights Elementary School** buildings to meet or exceed the code requirements outlined in ASCE 41-17. It was determined during the initial grant application that the building would be renovated during the rehabilitation work as permitted by budget. All renovated areas will increase Life and Safety elements. The District will also utilize other funding sources for the project. The total project value is estimated to be \$3.1 million.

This Project is limited to the funding outlined in the grant package, additional funding is not available. The current budget does not reflect a contingency typically allotted for a project of this size and scope. It is the recommendation of **Sweet Home School District 55** to procure the Project using the CM/GC contracting methodology. ORS 279C.332(3) identifies the CM/GC methodology as an alternative contracting method under ORS 279C.335, which allows a contracting agency to procure construction related services that include, among other things listed in ORS 279C.332(3), a construction manager/general contractor (a) functioning as a member of a project team that includes the **Sweet Home School District 55**, the Project

Architect or Engineer and other consultants, (b) reviewing and analyzing the project design in order to suggest changes to minimize potential errors, delays, unexpected costs and other problems during construction, (c) estimating construction, materials, labor and other costs for the Project, (d) establishing a fixed price, a guaranteed price or other maximum price for the Project, (e) constructing portions of the Project and subcontracting portions to other contractors, and (f) coordinating and overseeing the construction process. In this Project, the CM/GC contract allows the **Sweet Home School District 55** to bring the General Contractor on board during the initial design phase providing value engineering services and a Guaranteed Maximum Price during the design phase in lieu of during the bid phase after full design documents have been established.

The **Sweet Home School District 55** proposes utilizing the Construction Manager/General Contractor contract delivery methodology to obtain proposals for the **Oak Heights Elementary School Seismic Rehabilitation Project**.

The exempted procurement process for this Project includes the following:

- 1) A Request for Proposals (RFP) process pursuant to OAR 137-049-0640 to procure a CM/GC contract with a general contractor.

Article II. FINDINGS REGARDING PROCUREMENT OF CM/GC SERVICES

ORS 279C.335(2) requires that an agency make certain findings as part of exempting public improvement contracts or classes of public improvement contracts from competitive bidding, as is the case with the procurement of CM/GC services. Pursuant to ORS 279C.330(2), the term “findings” as used in ORS 279C.335(2) means “the justification for a conclusion that a contracting agency, in seeking an exemption from the competitive bidding requirement of ORS 279C.335(1), reaches based on the considerations set forth in ORS 279C.335(2). Those required findings, generally defined as “findings regarding competition” and “findings regarding significant cost savings”, are addressed below.

A. Findings Regarding Competition

ORS 279C.335(2) (a) requires an agency to find that: *“It is unlikely that the exemption will encourage favoritism in the awarding of public improvement contractors or substantially diminish competition for public improvement contracts.”*

The **Sweet Home School District 55** finds that selecting the contractor through an exempted competitive proposal selection process in accordance with OAR 125-249-0620 and 125-249-0630 will not inhibit competition or encourage favoritism. This finding is supported by the following facts:

- 1) The proposed CM/GC alternative contract delivery methodology is a competitive proposal process that allows the **Sweet Home School District 55** to select a firm to Seismically Rehabilitate **Oak Heights Elementary School** at the best possible value. Simple price competition is not feasible due to technical complexity associated with a seismic rehabilitation Project of this nature. The technical complexity of the

installation of certain structural systems within the rehabilitation plan lends it to specialized contractors with knowledge of these systems.

- 2) The CM/GC contractor will be selected through an open and competitive proposal process as prescribed by ORS 279C.400 to 410 and related administrative rules, including but not limited to formal public advertising of the solicitation, an award made based upon identified selection criteria described in the RFP, and an opportunity to protest any such award.

B. Findings Regarding Significant Cost Savings

ORS 279C.335(2)(b) requires an agency to find that *“Awarding a public improvement contract under the exemption will result in substantial cost savings to the public contracting agency.”*

This finding is supported by the following facts:

- 1) How many persons are available to bid: There are limited qualified specialized contractors to perform the scope of work associated with this Project.
- 2) The construction budget and the projected operating costs for the completed public improvement: Limited or no additional funding is available for the **Oak Heights Elementary School Seismic Rehabilitation Project** above and beyond the awarded grant funding source.
- 3) Public benefits that may result from granting the exemption: Utilization of the CM/GC contract delivery process will allow the **Sweet Home School District 55** to deliver the most comprehensive project for the allotted funding.
- 4) Whether value engineering techniques may decrease the cost of the public improvement: This work integrates specialized equipment and personnel to properly install certain items of the rehabilitation. A requirement to competitively bid this type of work would create additional expenses and lead to uncertainty regarding the installation of said items.
- 5) The cost and availability of specialized expertise that is necessary for the public improvement: An exemption from competitive bidding will allow the **Sweet Home School District 55** to take advantage of specialized general contractors knowledgeable in the rehabilitation of existing structures and value engineering the Project during the design phase. This will allow **Sweet Home School District 55** to be provided with the best value and potentially eliminate costly change orders resulting from unknowns in the field.
- 6) Any likely increases in public safety: There are currently concerns with public safety during the scheduled work as **Oak Heights Elementary School Seismic Rehabilitation** will remain functional during the proposed work. The CM/GC will assist with the development of a safety plan.

- 7) Whether granting the exemption may reduce risks to the contracting agency, the state agency or the public that are related to the public improvement: Risks associated with contract overruns, schedule increases and unqualified contracts are greatly reduced with the granting of the exemption to competitive bidding.
- 8) Whether granting the exemption will affect the sources of funding for the public improvement: Granting the exemption will not affect funding sources for **Oak Heights Elementary School Seismic Rehabilitation**.
- 9) Whether granting the exemption will better enable the contracting agency to control the impact that market conditions may have on the cost of and time necessary to complete the public improvement: The specialty products, services and supplies needed under this contract are not particularly impacted by market conditions.
- 10) Whether granting the exemption will better enable the contracting agency to address the size and technical complexity of the public improvement: Implementation of this Project involves a number of issues of technical complexity. Special skills and expertise are needed for optimizing the related foundation strengthening and the seismic strengthening and element installation.
- 11) Whether the public improvement involves new construction or renovates or remodels an existing structure: The public improvement of **Oak Heights Elementary School** will renovate and seismically rehabilitate the building.
- 12) Whether the public improvement will be occupied or unoccupied during construction: The public improvement will occur while the building is occupied by summer staff. Parts of the Project may occur during normal school hours while students are in classes.
- 13) Whether the public improvement will require a single phase of construction work or multiple phases of construction work to address specific project conditions: It is the intent of **Sweet Home School District 55** to construct the Project under a single phase of the Project.
- 14) Whether the contracting agency or state agency has, or has retained under contract, and will use contracting agency or state agency personnel, consultants and legal counsel that have necessary expertise and substantial experience in alternative contracting methods to assist in developing the alternative contracting method that the contracting agency or state agency will use to award the public improvement contract and to help negotiate, administer and enforce the terms of the public improvement contract: **Sweet Home School District 55** will enlist the assistance of **ZCS Engineering and Architecture** as the Project Manager to assist with the enforcement of the terms of the scope of work associated with the public improvement contract. **Sweet Home School District 55** will enlist **Dunn Carney LLP** to assist the District with legal counsel and legal enforcement of the public improvement contract.

Article III. SUMMARY

Use of the CM/GC method of contracting for the **Oak Heights Elementary School Seismic Rehabilitation** is an appropriate use of the alternative contracting method under OAR 137-049-0620. Additionally, an exemption from competitive bidding requirements is justified under the criteria outlined in ORS 279C.330, findings have been developed in compliance with ORS 279C.335(2), and the **Sweet Home School District 55** will perform the post project evaluation required by ORS 279C.355. Based upon previously listed findings, the **Sweet Home School District 55** specifically concludes that:

- 1) It is unlikely the exemption will encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts; and
- 2) The exemption will result in substantial cost savings to the affected **Sweet Home School District 55** for the services provided.

The **Sweet Home School District 55** submits that this Request meets all of the criteria above and requests approval of this Exemption. If you have any questions, please call **Kevin Strong** at (541) 367-7122.