

Siletz Valley Schools
Regular Board Meeting Agenda
April 28, 2026, 5:30pm
Siletz Valley School Board Room

I. Call to Order, Land Acknowledgement and Roll Call

II. Public Participation: The Board welcomes comments and questions from the public about items on the agenda during the Public Comment section only. If you wish to address the Board this evening on an agenda topic, please fill out a blue slip available on the whiteboard near the door and hand it to the Board Recorder. When the Board Chair calls you to speak, you are allowed 3 minutes. If more than one person will be addressing the same topic, we ask that you appoint a spokesperson. (Policy BDDH) *If you wish to file a complaint, Board Policy requires completion and submission of a complaint form that you can access in the front office. (Policy KL, and KL-AR). Personnel concerns must not be addressed in a public meeting of the Board and must go through the complaint policy process. Reach out to the Superintendent after the meeting for assistance.*

III. Approval of Items on the Consent Agenda: (Consent agenda items are designated by the Board to be adopted in a single motion. If any board member or the Superintendent need clarification or wish to discuss an item listed on the Consent Agenda, they may request that item to be removed and it will be discussed separately)

A. Consent Agenda

IV. Information Items

A. Superintendent's Report

1. Athletics- Kent Rilatos
2. Culture- Kent Rilatos/Theresa Smith
3. Academics- Cova Metcalf
4. Culinary- Patrick Clarke
5. Principal/Acting Superintendent- Debra Barnes

B. Enrollment/Attendance

C. Financial Reports

V. Action Items

- A. Approve March Checks and Deposits
- B. Approve Personnel Changes
- C. Approve Out of County Field Trips
- D. Adopt SVS Policy Updates EBB, GBN/JBA, IGBAB/JO-AR, JO/IGBAB-AR, IKF, JOA, GBNA/JHFF, AC, AC-AR, IL, JHCD, JHCD-AR; Delete SVS Policies JHCD/JHCDA, JHCD/JHCDA-AR, JFCEB-AR; Adopt new SVS Policy JHH
- E. Adopt Amendment to Bylaws
- F. Approve date change for May 26 board meeting

VI. Adjournment

- A. Next Regular Board Meeting May 26, 2026, 5:30pm

**SILETZ VALLEY SCHOOLS
REGULAR BOARD MEETING AGENDA
APRIL 28, 2026**

ITEM: CONSENT AGENDA

TOPIC: MEETING MINUTES

PREPARED BY: DANIELLE WELCH

WILL BE PRESENTED BY: DEBRA BARNES

TYPE OF ITEM: Consent ☐ Information ☐ Discussion ☐ Decision ☒

DESCRIPTION OF AGENDA ITEM:

Approval of meeting minutes from:
March 17, 2026 Regular Board Meeting
April 2, 2026 Special Board Meeting
April 8, 2026 Special Board Meeting

RECOMMENDATION:

Approve

ADDITIONAL MATERIAL Attached: Yes ☒ No ☐ Available: Yes ☒ No ☐

**Siletz Valley School
Regular Board Meeting Minutes
March 17, 2026**

- I. Call to Order at 5:34pm**
Board Members present: Jen Metcalf, Dee Butler, Sharon Edenfield, Jacob Reid
- II. Approval of Items on Consent Agenda**
- a. February Regular Board and Special meeting minutes, Sharon made a motion to approve consent agenda, Dee seconded and the motion carried.
 - i. Jen added a second Superintendent Evaluation Tool to Action Items.
- III. Information Items- Superintendent's Report**
- a. Principal
 - b. Athletic Report combined with Culture Report
 - i. Jen suggested we invite students to report on their successes and experiences with OBOB, drum group, paddle making, etc.
 - d. Student Success, Graduation Tracking and College Readiness Report
 - e. Culinary Report
 - f. Superintendent Report
- IV. Information Items**
- a. **Enrollment and Attendance-** Reviewed
 - b. **Financial reports-** Reviewed
 - c. **Letter of Interest-** Reviewed, only 1 was received
 - d. **Charter/Lease Agreement- Compliance Review**
 - i. Jen asked **Debra Barnes** to read the original letter with 12 areas of concern and the progress updates from LCSD, and give any updates or explanations as needed.
- V. Action Items**
- a. **February Checks and Deposits**
 - SVS Checking Account
 - Check numbers & deposits that were processed from February 1 through February 28, 2026..
 - Check numbers 5022-5043 (22 AP checks) and 7272-7280 (9 payroll checks) for a total of \$54,494.07.
 - 28 Payroll direct deposit for a total of \$88,376.71 ; Employer paid payroll expenses total of \$75,158.66.
 - SVS Checking Account Deposits
 - 1 Deposit #151 for a total of \$39,158.77
 - 2 Transfers from SVS Money Market to Checking in the amount of \$300,000.00
 - SVS MM Account
 - 3 Deposits #190-191 for a total of \$152,739.51.
 - i. Sharon motioned to approve the January checks and deposits; Dee seconded and the motion carried.

b. **Personnel Changes**

i.. Sharon motioned to approve the personnel changes; Dee seconded and the motion carried.

c. **2025-2026 Budget Amendments**

i. Jacob motioned to approve ; Dee seconded and the motion carried.

d. **Superintendent Evaluation Tool**

i. Board reviewed the evaluation tool (#1) that was included in the packet, and the new tool (#2) that Jen included at the start of the meeting. Sharon motioned to approve tool #2, Dee seconded and the motion carried.

e. **CTSI Culinary Contract**

i. Sharon motioned to approve contract, Jacob seconded and the motion carried

VI. Executive Session: To consider a complaint and review matters related to the performance or conduct of an employee (ORS 192.660(2)(b))

a. Jen motioned to enter executive session at 7:42, Sharon seconded and the motion carried.

b. Exited executive session at 8:13pm

i. Jen motioned to place an employee on paid administrative leave pending investigation of complaints; Jacob seconded and the motion carried.

ii. Jacob motioned to approve Debra Barnes as acting superintendent; Sharon seconded and the motion carried.

iii. Jacob motioned to approve Jen Metcalf as the contact person for the lawyer to speak with in regards to the investigation; Dee seconded and the motion carried.

VII. Adjournment

Motion to adjourn the meeting at 8:15pm was made by Sharon, seconded by Jacob and the motion carried.

Minutes taken by Danielle Welch

Siletz Valley School
Special Board Meeting Minutes
April 2, 2026

I. Call to Order at 5:31pm

a. Meeting was opened with a Land Acknowledgement read by an SVS student, followed by an Honor Song by the Crooked River Drum Group.

Board Members present: Jen Metcalf, Dee Butler, Sharon Edenfield, Jacob Reid

II. Approval of Items on the Consent Agenda: (Consent agenda items are designated by the Board to be adopted in a single motion. If any board member or the Superintendent need clarification or wish to discuss an item listed on the Consent Agenda, they may request that item to be removed and it will be discussed separately)

a. Approval of Special Meeting Minutes from: 8/13/25, 8/19/25, 9/15/25, 11/6/25, 2/9/29 and 2/21/26.

i. Sharon motioned to approve all minutes from special meetings, Jacob seconded, Jen and Dee both in favor, and the motion carried.

III. Information Items

a. Compliance Letter/OSBA Audit Update

i. Debra Barnes went over updates from the compliance letter and OSBA audit.

Jacob asked how much more money is needed for long term facility maintenance, to be discussed at a future board meeting.

b. Interview with Interested Party for Vacant Board Seat

i. Members of the board interviewed Frankie Rilatos as potential board member.

IV. Action Items

a. Appointment of New Board Member

i. Sharon motioned to appoint Frankie Rilatos as a board member, Dee seconded, Jacob and Jen both in favor, and the motion carried.

b. Approval of Out of County Field Trips; 4th/5th Grade SMILE to OSU, 5th Grade to Portland Art Museum & Culinary to SWOCC Coos Bay.

i. Jacob motioned to approve all out of county field trips, Dee seconded, Jen, Dee and Frankie all in favor, and the motion carried.

c. Adoption of cell phone Policy JFCEB-AR

i. Jacob motioned to approve cell phone policy, Jen seconded, Dee, Sharon and Frankie all in favor, and the motion carried.

d. Approval of Debra Barnes as a bank signer

i. Sharon motioned to add Debra Barnes as a bank signer, Dee seconded, Jacob, Dee and Frankie all in favor, and the motion carried.

e. Approval of RFP

i. Sharon motioned to approve the RFP, Dee seconded, Jacob, Jen and Frankie all in favor, and the motion carried.

V. Executive Session: To conduct deliberations with persons designated to carry on labor negotiations.
(ORS 192.660(2)(d))

a. Jen motioned to enter executive session, Jacob seconded, Dee, Sharon and Frankie all in favor and the motion carried.

b. Exited executive session, no action to approve; another special meeting is set for 4/8/26 at 5:30pm in the board room.

VI. Adjournment

a. Motion to adjourn the meeting was made by Dee and seconded by Sharon, Jen, Jacob and Frankie all in favor, and the motion carried.

**Siletz Valley Schools
Special Board Meeting Minutes
April 8, 2026
Siletz Valley School Board Room**

I. Call to Order, Land Acknowledgement and Roll Call

- a. Call to order at 5:35pm; Land Acknowledgement read by Dee Butler.
- b. Board Members present: Jen Metcalf, Jacob Reid, Dee Butler, Sharon Edenfield. Absent: Frankie Rilatos

II. Executive Session: To conduct deliberations with persons designated to carry on labor negotiations. (ORS 192.660(2)(d))

- a. Motion to enter executive session at 5:36pm by Sharon, seconded by Dee, Jen and Jacob both in favor, and the motion carried.
- b. Exited executive session at 6:23pm; Motion made by Jacob to ratify the 25-28 CBA, seconded by Dee, Jen and Sharon both in favor and the motion carried.

III. Action Items

- a. Approval of out of county field trip
 - i. To OSU- Corvallis for a guest speaking event; motion made by Dee to approve out of county field trip, seconded by Sharon, Jen and Jacob both in favor, and the motion carried.

IV. Adjournment

- a. Jen motioned to adjourn at 6:28pm; Melinda seconded, Dee and Sharon both in favor, and the motion carried.

**SILETZ VALLEY SCHOOLS
REGULAR BOARD MEETING AGENDA
APRIL 28, 2026**

ITEM: SUPERINTENDENT REPORT

TOPIC: SUPERINTENDENT REPORT

PREPARED BY: DEBRA BARNES

WILL BE PRESENTED BY: DEBRA BARNES

TYPE OF ITEM: Consent ☐ Information ☐ Discussion ☒ Decision ☐

DESCRIPTION OF AGENDA ITEM:

- 1) Athletic Report- Kent Rilatos
- 2) Culture Report Kent Rilatos/Theresa Smith
- 3) Academic Report- Cova Metcalf
- 4) Culinary Report- Patrick Clarke
- 5) Principal/Superintendent Report- Debra Barnes

RECOMMENDATION:

Review

ADDITIONAL MATERIAL Attached: Yes ☒ No ☐ Available: Yes ☒ No ☐

Athletic Director/Culture Report 4/28/26 Kent Rilatos

Current Athletic Participation:

- Middle School Track & field has 6 signed up.
- High School Track & field has 10 signed up.
- High School Golf had 14 signed up.
- High School Baseball has 1 signed up with coop with Eddyville

Athletics Looking Forward:

- We have a facilities request and signed for SET baseball and softball. They will be using three of our fields for practice and games this year. It is one more field than requested last year and we are excited to continue to be the hub of our community.
- Continued Coops with Toledo in Golf, Eddyville in Baseball & Softball.

Coaches for Spring Sports

- High School Girls & Boys track coach is Bella Christensen and Kent Rilatos
- Middle School Girls & Boys Track is Bella Christensen and Kent Rilatos
- High School Boys and Girls coach Korey Cimock.

Athletic Director for 1A

- Bella and Kent attended the OADA conference as League and state representatives.
- Our Athletic department will start a Captains club, as a leadership club on campus. We will look at forming this with next year's student/athletes from all sports and culture.
- Siletz will be in a new football conference next year and Kent Rilatos is writing and compiling the new SOP's for this conference.

Travel for sports

- Spring sports will have schedules completed and confirmed. All bus requests have been submitted.

Culture and sports

- Our Crooked River Drum group drummed at the 1-4A walk of champions. This was the first time this happened in the state of Oregon Athletics. We will be drumming for the OSAA Track and Field Championships at Haywood field in Eugene in May. We gifted Kelly Foster the Associate Director of OSAA a necklace from our culture department. She wore the necklace with pride. At night when changing into a dress for championship finals she adorned the necklace with many compliments.

Drum, Dance and Land Acknowledgement requests

April 16th	Honor song opening of new clinic rooms Drum & land acknowledgment
April 28th	SVS School Board Meeting Drum & land acknowledgment
May 5-6th	Pendleton Nine Tribes Behavioral Health Conference Drum & land acknowledgment
May 8th	MIWP Event @ Siletz Valley Schools 6 pm
May 12th	10 am Newport PAC Hope Court Drum & land acknowledgment
May 26th	SVS School Board Meeting Drum & land acknowledgment
May 27th	Lebanon High School 4-8 pm. Drum & land acknowledgment
May 28-29th	Eugene OSAA State Championships Drum & land acknowledgment
June 6th	Siletz High School Graduation Drum & land acknowledgment
June 10th	Siletz Middle School Graduation Drum & land acknowledgment
June 17th	Seaside COSA conference Drum, dancers and land acknowledgment
July 20th & 23rd	Siletz Northwest Portland Area Indian Health Board Drum & land acknowledgment

- Cultural Arts

We are starting on necklaces to gift to the senior athletes in Spring Sports. Since Spring Break we have all been making necklaces for gifts and for family. Elementary students have been making keychains using bead soup. We are going to work on making dentalium earring in the coming weeks.

- Language class

We have been focusing on foods and learning how to say the foods we like, the foods we don't like as well as stating if our friends or family like certain foods. We are also learning how to ask if we like certain foods and if our friends or family members like

certain foods. We have included middle school students into the Language classes with high engagement.

- Pacific Northwest Native History

Our class is learning about Alaska currently and will begin to focus on traditional foods from this area.

SVS Student Tracking Report, 4.28.26

Student Success Advisor, Cova Metcalf

Graduation Tracking

16 Seniors

2 12+ Students

Of the **18** students preparing for graduation, **14** students are on track for Graduation without credit recovery efforts. **4** students are on track to graduate with a credit recovery plan.

Additionally, **11** seniors are on track to graduate with college credits.

Credit Recovery

13 students have completed **33** credit recovery courses collectively:

4 Seniors have completed courses toward graduation requirements, and continue to work toward completion of credit recovery.

9 Students total have completed all credit recovery courses needed to be on track

ASPIRE

ASPIRE mid-year meeting completed with positive feedback from the assigned representative.

Career & College Exploration

Finding Funds –

8 Seniors have completed the FAFSA application. One of two additional students whom have changed their minds about exploring college after high school have completed the FAFSA.

Emails encouraging Seniors to complete applications for additional funding opportunities continue to be sent to students and their guardians.

Two college visits have occurred, OCCC and SWOCC, opening doors to opportunity after high school. One additional student has decided to attend college after attending a tour.

Next visits:

OSU rescheduling from April 15th due to conflict with Victory Assembly
Southwestern Oregon Community College Culinary Tour April 22nd
Linn-Benton Community College April 29th
Oregon Coast Community College May 6th
University of Oregon pending

Scheduling

Planning for the 2026-27 school year class schedule has begun, with one schedule option complete.

Attended LCSD forecasting training held on March 5th. I'm scheduled to attend the final two days of LCSD training and forecasting for the 2026-27 academic year on April 21st and 22nd.

SILETZ VALLEY SCHOOL

Culinary Arts Program

School Board Report — April 2026

Submitted by: Patrick Clarke, Culinary Director

Program Overview

April 2026 was a month of hands-on learning, cultural exploration, and community connection across every level of the Siletz Valley Culinary Program. Students prepared diverse meals for their school community, deepened their skills through scratch cooking and specialty techniques, launched an exciting seafood butchery pilot in partnership with the Oregon Coast Visitors' Association, and supported a full calendar of school events. The following report summarizes each program's highlights, upcoming field trips, and cafeteria operations for the month.

Classroom Curriculum Highlights — April 2026

| Culinary 1

Students in Culinary 1 prepared several school lunch meals this month, including lasagna, enchiladas, coconut pork, and chicken pot-pie, while also helping to prep food for the daily salad bar. In addition to their classroom cooking, students provided meaningful support in the cafeteria — making sandwiches, serving lunch, and assisting with stocking supplies. These real-world contributions give students direct experience in a professional food service environment while supporting the broader school community.

| Middle School Culinary

Middle school culinary students had a productive and creative month, preparing from-scratch pancakes, cookies, cake, pasta, pizza, and bread. Students also focused on collaboration and hospitality, working together to create food and specialty drinks — including frozen lemonade and fruit smoothies — to share with the entire class. The group completed several deep cleans of the kitchen workspace, reinforcing the professional standards of sanitation and teamwork that are central to the program.

| Bountiful Oregon

The month began with spring foraging walks and cooking competitions, connecting students to the land and to seasonal ingredients native to the Oregon coast. The class then transitioned into the second week of the OCVA (Oregon Coast Visitors' Association) Seafood Butchery Pilot Program — an exciting new partnership bringing professional seafood preparation into the classroom. Students have already fileted and prepared Black Cod and Rockfish, developing real butchery skills alongside an appreciation for Oregon's coastal fisheries. The program will introduce a new fish species each week through the end of the school year.

| Advanced Culinary

Advanced Culinary students engaged in a rich curriculum rooted in both technique and cultural identity. Students crafted sauces and dressings from produce sourced directly from the school's garden, and explored the concept of First Foods — studying and preparing Duck, Rockfish, Black Cod, Salmon, berries, and maple blossoms as a way of honoring Indigenous food traditions.

Students also assisted in the preparation of school meals and produced pizza and bread from scratch using the wood-fired pizza oven, deepening their command of live-fire cooking.

Culinary Team

The Culinary Team continued its tradition of service and culinary excellence, preparing food for a range of after-school events including Literacy Night, school board meetings, and staff appreciation treats throughout the day. Students explored new recipes featuring lamb, albacore, and tteokbokki (Korean rice cakes), expanding their exposure to diverse culinary traditions. The team also made full use of the wood-fired oven, producing cobblers, pizza, and breads that showcase the program's commitment to artisanal technique.

Upcoming Events & Field Trips

April 22, 2026 SWOCC Campus Tour — Culinary Pathways

In partnership with Cova Metcalfe, students will travel to Southwestern Oregon Community College (SWOCC) to tour the college's culinary program. This visit is designed to open doors and create meaningful post-secondary pathways for students, giving them an up-close look at what continued culinary education looks like at the college level.

April 25, 2026 OSU Special Lecture — Featuring Sioux Chef Sean Sherman

In partnership with Theresa Smith, students will attend a special lecture at Oregon State University featuring Chef Sean Sherman — the James Beard Award-winning chef and Indigenous food activist known as the Sioux Chef. This is a rare and significant opportunity for students to hear directly from one of the most prominent voices in Indigenous culinary revitalization, deepening the cultural foundation that underpins the Siletz Valley Culinary Program's mission.

April 29, 2026 Linn-Benton Community College Campus Tour — Culinary Pathways

Again in partnership with Cova Metcalfe, students will visit Linn-Benton Community College to tour its culinary program. Like the SWOCC visit, this trip is focused on building awareness of post-secondary options and establishing clear, attainable pathways to continued culinary education and professional careers for Siletz Valley students.

Cafeteria Operations — April 2026

The Siletz Valley School cafeteria has continued its mission of reliable, daily nourishment without interruption throughout April. Key highlights for the month include:

Metric	Detail
Projected total meals served (April)	On track to serve approximately 10,800 meals
Service continuity	100% — breakfast, lunch, and snack served every school day without interruption
Food waste	Zero food loss — unsaved food packed daily and displayed for students to take home, resulting in zero waste
Food access initiative	Surplus food placed in display case daily for

students to take home without having to ask,
eliminating stigma and ensuring dignity in
food access

*The Siletz Valley School Culinary Program thanks the school board for its continued support, and
remains
committed to excellence in culinary education, community service, and tribal cultural pride.*

Report submitted by: Patrick Clarke, Culinary Director, Siletz Valley School

Report date: April 2026

**SILETZ VALLEY SCHOOLS
REGULAR BOARD MEETING AGENDA
APRIL 28, 2026**

ITEM: ENROLLMENT REPORT

TOPIC: ENROLLMENT REPORT

PREPARED BY: DANIELLE WELCH

WILL BE PRESENTED BY: DEBRA BARNES

TYPE OF ITEM: Consent ☐ Information ☐ Discussion ☒ Decision ☐

DESCRIPTION OF AGENDA ITEM:

Enrollment Report

RECOMMENDATION:

Informational

ADDITIONAL MATERIAL Attached: Yes ☒ No ☐ Available: Yes ☒ No ☐

2025-2026 Regular Attenders Rate Lincoln County School District

As of end of...														
SCHOOL	24-25	September	October	November	December	January	February	March	April	May	June	School attendance goal 25-26	Difference as of most recent	
North														
Oceanlake Elementary School	54.6	65.4	63.6	57.9	52.5	56.2	56.6	51.2	0.0	0.0	0.0	59.6	-8.4	
Taft Elementary School	60.7	77.0	72.3	67.5	63.5	67.3	65.3	60.8	0.0	0.0	0.0	65.7	-4.9	
Taft Middle School	55.9	61.7	63.2	66.1	66.2	63.6	65.0	62.4	0.0	0.0	0.0	60.9	1.5	
Taft High School	52.2	52.0	50.4	54.0	51.8	51.7	50.2	47.5	0.0	0.0	0.0	57.2	-9.7	
RA Rate: North	55.9	63.5	61.5	60.8	57.9	59.2	58.3	54.6	0.0	0.0	0.0	N/A	N/A	
East														
Toledo Elementary School	60.3	75.0	73.6	67.7	62.1	63.4	59.7	59.9	0.0	0.0	0.0	65.3	-5.4	
Toledo Junior High School	53.8	62.0	57.6	60.9	61.8	57.0	54.8	54.2	0.0	0.0	0.0	58.8	-4.6	
Toledo Senior High School	50.0	60.5	56.0	54.4	50.8	50.0	47.6	49.5	0.0	0.0	0.0	55.0	-5.5	
RA Rate: East	56.1	68.3	65.3	62.3	58.4	58.1	55.0	55.6	0.0	0.0	0.0	N/A	N/A	
West														
Yaquina View Elementary School	65.5	75.0	72.8	70.7	66.0	67.9	66.1	63.1	0.0	0.0	0.0	70.5	-7.4	
Sam Case Elementary School	73.8	85.1	81.6	76.1	73.6	71.2	73.2	72.8	0.0	0.0	0.0	78.8	-6.0	
Newport Middle School	67.7	70.3	71.7	72.8	71.6	68.6	69.7	68.2	0.0	0.0	0.0	72.7	-4.5	
Newport High School	66.7	70.6	73.3	72.2	71.1	68.9	69.9	67.7	0.0	0.0	0.0	71.7	-4.0	
RA Rate: West	68.3	74.3	74.6	72.9	70.9	69.2	69.9	68.2	0.0	0.0	0.0	N/A	N/A	
South														
Crestview Heights Elementary School	65.7	82.6	83.2	79.2	67.4	71.6	72.4	71.0	0.0	0.0	0.0	70.7	0.3	
Waldport Middle School	79.5	68.8	76.1	79.6	77.4	74.7	77.5	78.4	0.0	0.0	0.0	84.5	-6.1	
Waldport High School	66.1	64.8	75.0	71.7	72.2	71.0	68.8	68.0	0.0	0.0	0.0	71.1	-3.1	
RA Rate: South	68.0	73.5	78.9	76.5	71.1	72.0	72.0	71.2	0.0	0.0	0.0	N/A	N/A	
Non-traditional														
Compass	56.3	63.6	66.7	73.3	64.7	77.8	76.9	75.0	0.0	0.0	0.0	61.3	13.7	
Future Bound School North	62.5	80.0	77.8	66.7	66.7	62.5	66.7	66.7	0.0	0.0	0.0	67.5	-0.8	
Future Bound School West	75.0	50.0	36.4	25.0	23.1	27.3	18.2	18.2	0.0	0.0	0.0	80.0	-61.8	
RA Rate: Non-Traditional	62.5	63.6	60.0	55.6	51.3	53.6	54.5	53.1	0.0	0.0	0.0	N/A	N/A	
RA Rate: District	60.9	70.0	68.4	66.8	64.0	63.7	63.1	61.4	0.0	0.0	0.0	65.9	-4.5	
Charter/Special Schools														
Eddyville Charter School	67.9	85.8	72.5	69.3	69.5	64.6	65.2	65.9	0.0	0.0	0.0	72.9	-7.0	
Siletz Valley School	40.5	52.6	47.7	46.1	45.8	46.6	39.1	38.6	0.0	0.0	0.0	45.5	-6.9	

LINCOLN COUNTY SCHOOL DISTRICT ADM

March 31, 2026

SCHOOL	K	1	2	3	4	5	6	7	8	9	10	11	12	ADM		CURRENT MO. ADM	PRIOR MO. BY GRADE	COMPARE DIFF	MONTHLY ADA RATE	CURRENTLY AT COMPASS	BUDGETED YTD ADM	YTD ADM	COMPARE DIFF
NORTH AREA																							
Oceanlake Elem.	75.3	68.7	80.4													224.3	228.6	(4.2)	83.9	n/a	215.3	234.5	19.2
Taft Elem.				94.5	110.1	118.7	104.6									427.9	433.9	(6.1)	85.0	1	417.4	435.8	18.4
Future Bound North								5.0	4.0							8.0	9.0	0.0	85.1	n/a	0.0	9.1	9.1
Taft Middle								118.6	116.7							235.3	232.1	3.2	85.3	13	255.9	238.7	(18.2)
Taft High										122.5	149.5	114.0	129.0			515.0	516.2	(1.2)	78.9	0	489.5	517.2	27.7
SUB-TOTAL	75.3	68.7	80.4	94.5	110.1	118.7	104.6	123.6	120.7	122.5	149.5	114.0	128.0			1,411.4	1,418.6	(8.3)	82.6	14	1,379.1	1,435.3	56.2
EAST AREA																							
Toledo Elem.	43.8	47.9	37.0	47.8	42.4	48.8	48.6									316.1	317.7	(1.6)	87.6	n/a	314.6	316.1	1.5
Toledo Jr High								50.0	38.9							88.9	88.8	0.1	87.5	4	81.0	90.1	9.1
Toledo Sr High										45.1	52.4	52.3	42.5			182.3	183.9	(1.6)	83.5	0	186.8	196.8	10.0
SUB-TOTAL	43.8	47.9	37.0	47.8	42.4	48.8	48.6	50.0	38.9	45.1	52.4	52.3	42.5			597.3	600.4	(3.1)	86.3	4	582.4	603.0	20.6
WEST AREA																							
Yajima View Elem.	101.1	95.1	70.9													287.2	286.6	0.5	88.1	n/a	280.3	268.3	6.0
Sam Case Elem.				103.3	129.8	117.9										350.9	351.3	(0.4)	91.8	n/a	328.6	348.4	21.8
Future Bound West								5.8	8.0							13.8	13.9	(0.1)	78.9	n/a	0.0	12.7	12.7
Newport Middle							130.9	149.4	120.8							401.1	402.6	(1.5)	89.4	3	388.7	399.7	13.0
Newport High										154.8	154.9	156.7	156.4			822.8	827.1	(4.3)	87.1	0	838.4	835.2	(1.2)
SUB-TOTAL	101.1	95.1	70.9	103.3	129.8	117.9	130.9	155.3	128.8	154.8	154.9	156.7	156.4			1,895.9	1,861.8	(33.8)	88.8	3	1,810.0	1,862.2	52.2
SOUTH AREA																							
Crestview Heights Elem.	22.5	29.0	32.0	31.0	34.0	43.9	25.1	49.1	42.0							217.5	216.9	0.6	91.2	n/a	238.0	218.3	(17.7)
Waldport Middle										43.6	40.4	44.6	53.6			91.1	92.3	(1.2)	90.5	4	98.8	92.7	(6.1)
Waldport High																182.3	181.4	1.0	91.0	0	188.5	180.8	(8.7)
SUB-TOTAL	22.5	29.0	32.0	31.0	34.0	43.9	25.1	49.1	42.0	43.6	40.4	44.6	53.6			490.9	490.6	0.3	91.5	4	524.3	491.8	(32.5)
NON-TRADITIONAL																							
Compass																25.2	24.5	0.7	88.3	n/a	23.7	17.4	(6.3)
SUB-TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	1.0	11.3	12.9	0.0	0.0	0.0	0.0			25.2	24.5	0.7	88.3	0	23.7	17.4	(6.3)
TOTAL	242.6	240.7	220.3	278.5	318.3	328.3	310.2	388.2	343.3	366.0	397.3	367.6	381.5			4,180.7	4,196.9	(16.3)	86.7	25	4,118.5	4,208.7	90.2
CHARTERS																							
Eddyville Charter	14.0	14.0	17.0	12.1	18.0	16.1	21.0	17.0	23.0	15.0	12.0	15.0	18.0			212.1	214.6	(2.5)	91.2	n/a	200.5	215.9	15.4
Siletz Valley School	8.0	15.0	12.0	17.0	15.0	10.2	17.0	13.3	16.0	14.0	13.0	20.0	18.0			188.5	187.9	0.6	82.1	n/a	216.5	190.8	(25.7)
SUB-TOTAL	22.0	29.0	29.0	29.1	33.0	26.2	38.0	30.3	39.0	29.0	25.0	35.0	36.0			400.6	402.6	(2.0)	87.1	n/a	417.0	408.7	(10.3)
Totals for LCSD	284.6	269.7	249.3	305.6	348.3	355.5	348.2	418.5	382.3	385.0	422.3	402.6	417.5			4,581.3	4,599.5	(18.2)	86.7	25	4,538.5	4,616.4	78.9

2025-26 Academic Year
Enrollment Count as of: 4/16/26

Class	24-25 End	25-26 Start	Transferred Out	Transferred In	Current Total	Changes
KG	18	8	1	1	8	
1st	18	15	1	1	15	
2nd	19	13	2	1	12	
3rd	12	17	1	1	17	
4th	17	14	1	2	15	
5th	20	10	1	2	11	
6th	17	21	4		17	
7th	22	16	4	1	13	
8th	16	17	3	2	16	
Total K-8	159	131	18	11	124	0
9th	12	13		1	14	
10th	20	13	1	1	13	
11th	22	20	2	2	20	
12th	21	16			16	
12+	1	3	1		2	
Total HS	77	65			65	0
SVS Total	216	196	18	11	189	0

**SILETZ VALLEY SCHOOLS
REGULAR BOARD MEETING AGENDA
APRIL 28, 2026**

ITEM: FINANCIAL REPORT

TOPIC: FINANCIAL REPORT

PREPARED BY: CHRISTINA BUSHNELL

WILL BE PRESENTED BY: DEBRA BARNES

TYPE OF ITEM: Consent ☐ Information ☐ Discussion ☒ Decision ☐

DESCRIPTION OF AGENDA ITEM:

Financial Report

RECOMMENDATION:

Informational

ADDITIONAL MATERIAL Attached: Yes ☒ No ☐ Available: Yes ☒ No ☐

**SILETZ VALLEY SCHOOLS
REGULAR BOARD MEETING AGENDA
APRIL 28, 2026**

ITEM: MARCH CHECKS AND DEPOSITS

TOPIC: CHECKS AND DEPOSITS

PREPARED BY: CHRISTINA BUSHNELL

WILL BE PRESENTED BY: DEBRA BARNES

TYPE OF ITEM: Consent ☐ Information ☒ Discussion ☐ Decision ☒

DESCRIPTION OF AGENDA ITEM:

SVS Checking Account

Check numbers & deposits that were processed from March 1 through March 31, 2026.

Check numbers 5044-5070 (27 AP checks) and 7281-7288 (8 payroll checks) for a total of \$59,782.67

31 Payroll direct deposit for a total of \$84,095.10

Employer paid payroll expenses total of \$65,625.98

SVS Checking Account Deposits

3 Deposits #152-154 for a total of \$96,062.85

2 Transfers from SVS Money Market to Checking in the amount of \$300,000.00

SVS MM Account

1 Deposits #192 for a total of \$153,201.94

RECOMMENDATION:

Need to be acknowledge in minutes

ADDITIONAL MATERIAL Attached: Yes ☒ No ☐ Available: Yes ☒ No ☐

**SILETZ VALLEY SCHOOLS
REGULAR BOARD MEETING AGENDA
APRIL 28, 2026**

ITEM: ACTION ITEM

TOPIC: PERSONNEL CHANGE(S)

PREPARED BY: CHRISTINA BUSHNELL

WILL BE PRESENTED BY: DEBRA BARNES

TYPE OF ITEM: Consent ☐ Information ☐ Discussion ☐ Decision ☒

DESCRIPTION OF AGENDA ITEM:

Approval of Personnel Change(s)

RECOMMENDATION:

Approve

ADDITIONAL MATERIAL Attached: Yes ☒ No ☐ Available: Yes ☒ No ☐

**SILETZ VALLEY SCHOOLS
REGULAR BOARD MEETING AGENDA
APRIL 28, 2026**

ITEM: ACTION ITEMS

TOPIC: APPROVAL OF OUT OF COUNTY FIELD TRIPS

PREPARED BY: DANIELLE WELCH

WILL BE PRESENTED BY: DEBRA BARNES

TYPE OF ITEM: Consent ☐ Information ☐ Discussion ☐ Decision ☒

DESCRIPTION OF AGENDA ITEM:

Approval of out of county field trips:
5/4/26 Explore & More to OSU for Showcase
5/5-5/6/26 Drum Group to Pendleton
5/27/26 Drum Group to Lebanon High School
5/28-5/29/26 Drum Group to OSAA Track & Field Eugene
6/17/26 Drum Group to COSA Conference Seaside

RECOMMENDATION:

Approve

ADDITIONAL MATERIAL Attached: Yes ☒ No ☐ Available: Yes ☒ No ☐



Siletz Valley School District
245 James Frank Ave, Siletz, OR 97380
Phone: (541) 444-1100 Fax: (541) 444-2368

Field Trip Request Form

2025-2026

Date Submitted: 04/08/26

Submitted by: Theresa Smith

All activities must be pre-approved by the Superintendent two weeks prior to the start date. Out of county and/or overnight trips require board approval one month prior to field trip.

Check all that apply:

Walking Trip ☐ Local Area (Lincoln County) ☐ Out of County ☒ Overnight ☒ Other ☐

If other, please explain: _____

Name and location

OSU Explore and More Showcase

Date and purpose of field trip:

05/04/26

Times

05/04
3:00 pm to 3:00 pm

05/04
3:00 pm

Staff member in charge: Theresa Smith, Kent Ribatos

Student Grade(s) 9-12

Student list attached Yes ☐ No ☒

Is there a fee involved? Yes ☐ No ☒ Cost per person \$ _____ Total Trip Cost including transportation \$ _____

How is the field trip funded? Fundraiser ☐ General Funds ☐ Smile Funds ☐ Other Funds ☒ Culinary ☐
Indian Education ☐ Cash Advance ☐ Reimbursement ☐ Credit Card ☐

Is transportation involved? Yes ☒ No ☐ Private Vehicle ☐ Type 20 Bus ☒ 1st Student Bus ☐

Does transportation need to be scheduled? Yes ☐ No ☒ (two weeks notice required)

How is transportation paid for? General Funds ☐ Smile Funds ☐ Other Funds ☒ Indian Education ☐

All chaperone approval is required in advance.

Number of Staff	Number of Chaperones	Total Number of Adults	Number of Students	Number of Lunches
<u>2</u>	<u>1</u>	<u>3</u>	<u>11</u>	<u>6</u>

Chaperone Name(s): Travis Williams

Number of Student(s) requiring medications _____ (See Health Assistant 24 Hours before trip)

Staff Member in Charge

Date

Business Manager

Date

Superintendent Approval

Date

Kitchen Director

Date

School Nurse Assistant

Date

Transportation/Bus Scheduled

Date



COPY

Field Trip Request Form

2025-2026

Date Submitted: 4/23 Submitted by: Ken + R. Lator

All activities must be pre-approved by the Superintendent two weeks prior to the start date. Out of county and/or overnight trips require board approval one month prior to field trip.

Check all that apply:

Walking Trip ☐ Local Area (Lincoln County) ☐ Out of County ☐ Overnight ☐ Other ☐

If other, please explain:

Name and location Nine Tribes Behavioral Health Conference Date and purpose of field trip: Pendleton 5/5-6

Times 7:00 am to 10 pm

Staff member in charge: 1 Student Grade(s) 6-12 Student list attached Yes ☐ No ☒

Is there a fee involved? Yes ☐ No ☒ Cost per person \$ Total Trip Cost including transportation \$

How is the field trip funded? Fundraiser ☐ General Funds ☐ Smile Funds ☐ Other Funds ☐ Culinary ☐
Indian Education ☒ Cash Advance ☐ Reimbursement ☐ Credit Card ☐

Is transportation involved? Yes ☒ No ☐ Private Vehicle ☐ Type 20 Bus ☒ 1st Student Bus ☐

Does transportation need to be scheduled? Yes ☐ No ☐ (two weeks notice required)

How is transportation paid for? General Funds ☐ Smile Funds ☐ Other Funds ☐ Indian Education ☒

All chaperone approval is required in advance.

Number of Staff	Number of Chaperones	Total Number of Adults	Number of Students	Number of Lunches
<u>2</u>	<u>1</u>		<u>8</u>	

Chaperone Name(s): _____

Number of Student(s) requiring medications _____ (See Health Assistant 24 Hours before trip)

[Signature] 4/23/26
Staff Member in Charge Date

Business Manager Date

[Signature] 4/23/26
Superintendent Approval Date

Kitchen Director Date

[Signature] 4/23/25
School Nurse Assistant Date

[Signature] 4/23/26
Transportation/Bus Scheduled Date



Siletz Valley School

245 James Frank Ave, Siletz, OR 97380

Phone: (541) 444-1100 Fax: (541) 444-2368



COPY

Field Trip Request Form

2025-2026

Date Submitted: 4/23/26 Submitted by: Kent Rikato

All activities must be pre-approved by the Superintendent two weeks prior to the start date. Out of county and/or overnight trips require board approval one month prior to field trip.

Check all that apply:

Walking Trip ☐ Local Area (Lincoln County) ☐ Out of County ☒ Overnight ☐ Other ☐

If other, please explain: _____

Name and location Lebanon High Date and purpose of field trip: 5/27/26

Times 8 pm to 10 pm

Staff member in charge: Kent Rikato Student Grade(s) 6-12 Student list attached Yes ☐ No ☒

Is there a fee involved? Yes ☐ No ☒ Cost per person \$ _____ Total Trip Cost including transportation \$ _____

How is the field trip funded? Fundraiser ☐ General Funds ☐ Smile Funds ☐ Other Funds ☐ Culinary ☐
Indian Education ☒ Cash Advance ☐ Reimbursement ☐ Credit Card ☐

Is transportation involved? Yes ☒ No ☐ Private Vehicle ☐ Type 20 Bus ☒ 1st Student Bus ☐

Does transportation need to be scheduled? Yes ☒ No ☐ (two weeks notice required)

How is transportation paid for? General Funds ☐ Smile Funds ☐ Other Funds ☐ Indian Education ☒

All chaperone approval is required in advance.

Number of Staff	Number of Chaperones	Total Number of Adults	Number of Students	Number of Lunches
<u>1</u>	<u>1</u>		<u>10</u>	

Chaperone Name(s): _____

Number of Students requiring medications _____ (See Health Assistant 24 Hours before trip)

[Signature] 4/23/26
Staff Member In Charge Date

Business Manager Date

[Signature] 4/23/26
Superintendent Approval Date

Kitchen Director Date

[Signature] 4/23/26
School Nurse Assistant Date

[Signature] 4/23/26
Transportation/Bus Scheduled Date



Field Trip Request Form

2025-2026

Date Submitted: 4/23/26 Submitted by: Kent R. Lator

All activities must be pre-approved by the Superintendent two weeks prior to the start date. Out of county and/or overnight trips require board approval one month prior to field trip.

Check all that apply:

Walking Trip ☐ Local Area (Lincoln County) ☐ Out of County ☒ Overnight ☐ Other ☐

If other, please explain: _____

Name and location OSAA Track & Field Eugene Date and purpose of field trip: 5/28-29/26

Times 8 am to 10 pm

Staff member in charge: Kent Student Grade(s) 6-12 Student list attached Yes ☐ No ☒

Is there a fee involved? Yes ☐ No ☐ Cost per person \$ _____ Total Trip Cost including transportation \$ _____

How is the field trip funded? Fundraiser ☐ General Funds ☐ Smile Funds ☐ Other Funds ☐ Culinary ☐
Indian Education ☒ Cash Advance ☐ Reimbursement ☐ Credit Card ☐

Is transportation involved? Yes ☐ No ☐ Private Vehicle ☐ Type 20 Bus ☒ 1st Student Bus ☐

Does transportation need to be scheduled? Yes ☒ No ☐ (two weeks notice required)

How is transportation paid for? General Funds ☐ Smile Funds ☐ Other Funds ☐ Indian Education ☐

All chaperone approval is required in advance.

Number of Staff	Number of Chaperones	Total Number of Adults	Number of Students	Number of Lunches
<u>1</u>	<u>1</u>		<u>10</u>	

Chaperone Name(s): _____

Number of Student(s) requiring medications _____ (See Health Assistant 24 Hours before trip)

[Signature] 4/23/26
Staff Member in Charge Date

Business Manager Date

[Signature] 4/23/26
Superintendent Approval Date

Kitchen Director Date

[Signature] 4/23/26
School Nurse Assistant Date

[Signature] 4/23/26
Transportation/Bus Scheduled Date



COPY

Field Trip Request Form

2025-2026

Date Submitted: 4/23

Submitted by: Kent Rolator

All activities must be pre-approved by the Superintendent two weeks prior to the start date. Out of county and/or overnight trips require board approval one month prior to field trip.

Check all that apply:

Walking Trip _____ Local Area (Lincoln County) _____ Out of County ☒ Overnight _____ Other _____

If other, please explain: _____

Name and location Costa Conference Seaside Date and purpose of field trip: 6/17/23

Times 2 pm to 10 pm

Staff member in charge: Kent Student Grade(s) 6-12 Student list attached Yes ___ No ☒

Is there a fee involved? Yes ___ No ___ Cost per person \$ _____ Total Trip Cost including transportation \$ _____

How is the field trip funded? Fundraiser ___ General Funds ___ Smile Funds ___ Other Funds ___ Culinary ___
Indian Education ☒ Cash Advance ___ Reimbursement ___ Credit Card ___

Is transportation involved? Yes ☒ No ___ Private Vehicle ___ Type 20 Bus ___ 1st Student Bus ___

Does transportation need to be scheduled? Yes ☒ No ___ (two weeks notice required)

How is transportation paid for? General Funds ___ Smile Funds ___ Other Funds ___ Indian Education ___

All chaperone approval is required in advance.

Number of Staff	Number of Chaperones	Total Number of Adults	Number of Students	Number of Lunches
<u>1</u>	<u>1</u>		<u>10</u>	

Chaperone Name(s): _____

Number of Student(s) requiring medications _____ (See Health Assistant 24 Hours before trip)

[Signature] 4/23/26
Staff Member in Charge Date

Business Manager Date

[Signature] 4/23/26
Superintendent Approval Date

Kitchen Director Date

[Signature] 4/23/26
School Nurse Assistant Date

[Signature] 4/23/26
Transportation/Bus Scheduled Date

**SILETZ VALLEY SCHOOLS
REGULAR BOARD MEETING AGENDA
APRIL 28, 2026**

ITEM: ACTION ITEM

TOPIC: ADOPTION OF UPDATED POLICIES, DELETION OF POLICIES,
ADOPTION OF NEW POLICY

PREPARED BY: DEBRA BARNES

WILL BE PRESENTED BY: DEBRA BARNES

TYPE OF ITEM: Consent ☐ Information ☐ Discussion ☐ Decision ☒

DESCRIPTION OF AGENDA ITEM:

Adopt SVS Policy changes: EBB Integrated Pest Management, GBN/JBA Sexual Harassment, IGBAB/JO-AR Education Records/Records of Students with Disabilities Management, JO/IGBAB-AR Education Records/Records of Students with Disabilities Management, IKF Graduation Requirements, JOA Directory Information, GBNA/JHFF Suspected Sexual Conduct with Students and Reporting Requirements, AC Nondiscrimination and Civil Rights, AC-AR Discrimination Complaint Procedure, IL Assessment Program, JHCD Medications, JHCD-AR Medications.
Delete SVS Policies JHCD/JHCDA Medications, JHCD/JHCDA-AR Medications, JFCEB-AR Personal Electronic Devices and Social Media
Adopt New SVS Policy JHH Student Suicide Prevention

RECOMMENDATION:

Approve

ADDITIONAL MATERIAL Attached: Yes ☒ No ☐ Available: Yes ☒ No ☐

OSBA Model Sample Charter School Policy

Code: EBB

Adopted:

Integrated Pest Management

{ORS 634.740 requires boards to adopt policies regarding pest management.}

To ensure the health and safety concerns of student, staff and community members, the ~~Board~~^{public} ~~charter school~~ shall adopt an integrated pest management plan (IPM)¹ which emphasizes the least possible risk to students, staff and community members and shall adopt a list² of low-impact pesticides for use with the IPM plan. The IPM plan and list shall be available to the public through the school's website³.

The IPM plan is a proactive strategy that:

1. Focuses on the long-term prevention or suppression of pest problems through economically sound measures that:
 - a. Protect the health and safety of students and staff;
 - b. Protect the integrity of public charter school buildings and grounds;
 - c. Maintain a productive learning environment; and
 - d. Protect local ecosystem health.
2. Focuses on the prevention of pest problems by working to reduce or eliminate conditions of property construction, operation and maintenance that promote or allow for the establishment, feeding, breeding and proliferation of pest populations or other conditions that are conducive to pests or that create harborage for pests;
3. Incorporates the use of sanitation, structural remediation or habitat manipulation or of mechanical, biological and chemical pest control measures that present a reduced risk or have a low-impact and, for the purpose of mitigating a declared pest emergency, the application of pesticides that are not low-impact pesticides;
4. Includes regular monitoring and inspections to detect pests, pest damage and unsanctioned pesticide usage;
5. Evaluates the need for pest control by identifying acceptable pest population density levels;
6. Monitors and evaluates the effectiveness of pest control measures;
7. Excludes the application of pesticides on a routine schedule for purely preventive purposes, other than applications of pesticides designed to attract or be consumed by pests;

¹ {See Integrated Pest Management Program for Oregon Schools at <http://blogs.oregonstate.edu/schoolipm/>. The program includes access to Resources & Forms including Model plans for large school districts and small school districts.}

² See ORS 634.705(5).

³ Inclusion of the list and IPM in the public charter school's Healthy and Safe Schools Plan satisfies this requirement as long as it is posted on the school's website.

8. Excludes the application of pesticides for purely aesthetic purposes;
9. Includes school staff education about sanitation, monitoring, inspection and pest control measures;
10. Gives preference to the use of nonchemical pest control measures;
11. Allows the use of low-impact pesticides if nonchemical pest control measures are ineffective; and
12. Allows the application of a pesticide that is not a low-impact pesticide only to mitigate a declared pest emergency or if the application is by, or at the direction or order of, a public health official.

The ~~public charter school shall designate the~~ [insert position title] **maintenance supervisor** is designated as the Integrated Pest Management Plan Coordinator(s) ~~give them~~ and has the authority for overall implementation and evaluation of the IPM plan.

Integrated Pest Management Plan Coordinator

The IPM Plan Coordinator(s) shall:

1. Attend not less than six hours of IPM training each year. The training shall include at least a general review of integrated pest management principles and the requirements of IPM as required by Oregon statute;
13. Ensure appropriate prior notices are given and posted warnings have been placed when pesticide applications are scheduled;
14. Oversee pest prevention efforts;
15. Ensure identification and evaluation of pest situation;
16. Determine the means of appropriately managing pest damage that will cause the least possible hazard to people, property and the environment;
17. Ensure the proper use and application of pesticide applications when non-pesticide controls have been unsuccessful;
18. Evaluate pest management results; ~~and~~
19. Keep for at least four years following the application date, records of applied pesticides that include:
 - a. A copy of the label;
 - b. A copy of the Safety Data Sheet (SDS);
 - c. The brand name and U.S. Environmental Protection Agency (USEPA) registration number of the product;
 - d. **The pest condition that prompted the application;**
 - e. The approximate amount and concentration of pesticide applied;
 - f. The location **and description of the area** where the pesticide was applied;
 - g. The type of application and whether the application was effective;

- h. The name(s) of the person(s) applying the pesticide;
 - i. The pesticide applicator's license numbers and pesticide trainee or certificate numbers of the person applying the pesticide;
 - j. The dates and times for the placement and removal of warning signs; and
 - k. Copies of all required notices given, including the dates the IPM Coordinator(s) gave the notices.
20. Respond to inquiries about the IPM plan and refer complainants to ~~public charter school~~ Board policy KL - Public Complaints; and
21. Conduct outreach to public charter school staff about the public charter school's IPM plan.

At least once every five years, the Board shall review the IPM plan, make any necessary updates and readopt the IPM plan.⁴ The final IPM plan shall include the day, month and year the Board adopted or readopted the plan.

END OF POLICY

Legal Reference(s):

⁴ For IPMs adopted prior to January 1, 2026, the Board shall review, update and readopt the IPM no later than January 1, 2027, or five years from the date of the most recent approval of the plan, whichever is later.

ORS 634.116
ORS 634.700 - 634.750

Code: EBB
Adopted: 3/18/25

Integrated Pest Management

To ensure the health and safety concerns of student, staff and community members, the public charter school shall adopt an integrated pest management plan (IPM)¹ which emphasizes the least possible risk to students, staff and community members and shall adopt a list of low-impact pesticides for use with the IPM plan.

The IPM plan is a proactive strategy that:

1. Focuses on the long-term prevention or suppression of pest problems through economically sound measures that:
 - a. Protect the health and safety of students and staff;
 - b. Protect the integrity of public charter school buildings and grounds;
 - c. Maintain a productive learning environment; and
 - d. Protect local ecosystem health.
2. Focuses on the prevention of pest problems by working to reduce or eliminate conditions of property construction, operation and maintenance that promote or allow for the establishment, feeding, breeding and proliferation of pest populations or other conditions that are conducive to pests or that create harborage for pests;
3. Incorporates the use of sanitation, structural remediation or habitat manipulation or of mechanical, biological and chemical pest control measures that present a reduced risk or have a low-impact and, for the purpose of mitigating a declared pest emergency, the application of pesticides that are not low-impact pesticides;
4. Includes regular monitoring and inspections to detect pests, pest damage and unsanctioned pesticide usage;
5. Evaluates the need for pest control by identifying acceptable pest population density levels;
6. Monitors and evaluates the effectiveness of pest control measures;
7. Excludes the application of pesticides on a routine schedule for purely preventive purposes, other than applications of pesticides designed to attract or be consumed by pests;
8. Excludes the application of pesticides for purely aesthetic purposes;
9. Includes school staff education about sanitation, monitoring, inspection and pest control measures;

¹ See Integrated Pest Management Program for Oregon Schools at <http://blogs.oregonstate.edu/schoolipm/>. The program includes access to Resources & Forms including Model plans for large school districts and small school districts.

10. Gives preference to the use of nonchemical pest control measures;
11. Allows the use of low-impact pesticides if nonchemical pest control measures are ineffective; and
12. Allows the application of a pesticide that is not a low-impact pesticide only to mitigate a declared pest emergency or if the application is by, or at the direction or order of, a public health official.

The public charter school shall designate the maintenance supervisor as the Integrated Pest Management Plan Coordinator give them the authority for overall implementation and evaluation of the IPM plan.

Integrated Pest Management Plan Coordinator

The IPM Plan Coordinator shall:

1. Attend not less than six hours of IPM training each year. The training shall include at least a general review of integrated pest management principles and the requirements of IPM as required by Oregon statute;
2. Ensure appropriate prior notices are given and posted warnings have been placed when pesticide applications are scheduled;
3. Oversee pest prevention efforts;
4. Ensure identification and evaluation of pest situation;
5. Determine the means of appropriately managing pest damage that will cause the least possible hazard to people, property and the environment;
6. Ensure the proper use and application of pesticide applications when non-pesticide controls have been unsuccessful;
7. Evaluate pest management results; and
8. Keep for at least four years following the application date, records of applied pesticides that include:
 - a. A copy of the label;
 - b. A copy of the Safety Data Sheet (SDS);
 - c. The brand name and U.S. Environmental Protection Agency (USEPA) registration number of the product;
 - d. The approximate amount and concentration of pesticide applied;
 - e. The location of where the pesticide was applied;
 - f. The type of application and whether the application was effective;
 - g. The name(s) of the person(s) applying the pesticide;
 - h. The pesticide applicator's license numbers and pesticide trainee or certificate numbers of the person applying the pesticide;
 - i. The dates and times for the placement and removal of warning signs; and
 - j. Copies of all required notices given, including the dates the IPM Coordinators gave the notices.

9. Respond to inquiries about the IPM plan and refer complainants to public charter school Board policy KL - Public Complaints;
10. Conduct outreach to public charter school staff about the public charter school's IPM plan.

END OF POLICY

Legal Reference(s):

ORS 634.116

ORS 634.700 to -634.750

Cross Reference(s):

EB - Safety Program

OSBA Model Sample Charter School Policy

Code: GBN/JBA
Adopted:

Sexual Harassment

{Required policy. The requirement for this policy comes from ORS 342.700 et. al., OAR 581-021-0038 and federal Title IX laws.}

The public charter school is committed to eliminating sexual harassment. Sexual harassment will not be tolerated in the public charter school. All students, staff members and other persons are entitled to learn and work in an environment that is free of harassment. All staff members, students and third parties are subject to this policy. Any person may report sexual harassment.

The public charter school processes complaints^{1} or reports of sexual harassment under Oregon Revised Statute (ORS) 342.700 et. al. and federal Title IX laws found in Title 34 C.F.R. Part 106. Individual complaints may require both of these procedures, and may involve additional complaint procedures.

General Procedures

When information, a report or complaint regarding sexual harassment is received by the public charter school, the public charter school will review such information, report or complaint to determine which law applies and will follow the appropriate procedures. When the alleged conduct could meet both of the definitions in ORS Chapter 342 and Title IX, both complaint procedures should be processed simultaneously (*see* GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure and GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure). The public charter school may also need to use other complaint procedures when the alleged conduct could meet the definitions for other complaint procedures^{2}.

OREGON DEFINITION AND PROCEDURES

Oregon Definition

Sexual harassment of students, staff members or third parties³ shall include:

1. A demand or request for sexual favors in exchange for benefits;

¹ {Some schools may choose not to use the terms "complaint" and "complainant" because they feel the stigma associated with the terms discourage victims from reporting conduct. The terms used in this policy are consistent with those included in the law. If the school chooses to change these terms, new terms must be consistent and clear. Note, "complainant" is defined under federal law.}

² {Common complaint procedures that may also be involved include: Nondiscrimination and Civil Rights (Board policy AC), Workplace Harassment (Board policy GBEA), [Hazing,]Harassment, Intimidation, Bullying, [Menacing,]Cyberbullying, Teen Dating Violence and Domestic Violence – Student (Board policy JFCF), and Reporting Requirements for Suspected Sexual Conduct with Students (Board policy GBNA/JHFF).}

³ "Third party" means a person who is not a student or a school staff member and who is: 1) on or immediately adjacent to school grounds or public charter school property; 2) at a school-sponsored activity or program; or 3) off school grounds or public charter school property if a student or a public charter school staff member acts toward the person in a manner that creates a hostile environment for the person while on public charter school property, or at a school-sponsored activity.

2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:
 - a. Interferes with a student's educational activity or program;
 - b. Interferes with a public charter school staff member's ability to perform their job; or
 - c. Creates an intimidating, offensive, or hostile environment.
3. Assault when sexual contact occurs without consent⁴.^{5}

Sexual harassment does not include conduct that is necessary because of a job duty of a public charter school staff member or because of a service required to be provided by a contractor, agent, or volunteer, if the conduct is not the product of sexual intent or a person finding another person, or another person's actions, offensive because of that other person's sexual orientation or gender identity.

Examples of sexual harassment may include, but not be limited to, ^{6}physical touching or graffiti of a sexual nature; displaying or distributing of sexually explicit drawings; pictures and written materials; sexual gestures or obscene jokes; touching oneself sexually or talking about one's sexual behaviors in front of others; or spreading rumors about or rating other students or others as to appearance, sexual activity or performance].

Oregon Procedures

Reports and complaints of sexual harassment should be made to the following individual(s):

^{7}[Name], [position] at [phone] or [email]

Debra Barnes Acting Superintendent (541) 444-1100 dbarnes@siletzvalleyschools.org

Christina Bushnell Business Mgr/HR (541) 444-1100 cbushnell@siletzvalleyschools.org

~~[This]~~ ^[These] individual[s] ~~[is]~~ ^[are] responsible for accepting and managing complaints of sexual harassment. Persons wishing to report should contact them using the above information. ~~[This person]~~ ^{The} superintendent or human resource director is also designated as the Title IX coordinator.^{8} See GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure.

Response

⁴ "Without consent" means an act performed: (a) without the knowing, voluntary and clear agreement by all parties to participate in the specific act; or (b) when a person who is a party to the act is incapacitated by drugs or alcohol; unconscious; or pressured through physical force, coercion or explicit or implied threats to participate in the act.

⁵ {The statutory definition (ORS 342.704) for sexual harassment includes separate definitions with slightly different language for students, staff members and third parties. The language used in this policy comes from OAR 581-021-0038(1). If the public charter school would like to include the full statutory definition, it can do so.}

⁶ {OAR 581-021-0038 requires that the policy include a "examples of harassing behaviors covered by policy". The bracketed list in this policy reflects OSBA's recommendations. The public charter school has discretion in what is included in this list. If listing behaviors that are not reflected in OSBA recommendations, please have the list reviewed by the school's legal counsel.}

⁷ {The district must designate person(s) to receive reports or complaints regarding sexual harassment. More than one staff member may be designated to receive reports or complaints of sexual harassment.}

⁸ {This must be communicated elsewhere, but it is a good reason to specify it here as well.}

Any staff member who becomes aware of behavior that may violate this policy shall **[immediately]** report to a public charter school official so the public charter school official (with coordination involving the reporting staff member when appropriate) will take any action necessary to ensure the:

1. Student is protected and to promote a nonhostile learning environment;
4. Staff member is protected and to promote a nonhostile work environment; or
5. Third party who is subjected to the behavior is protected and to promote a nonhostile environment.

This includes providing resources for support measures to the student, staff member or third party who was subjected to the behavior and taking any actions necessary to remove potential future impact on the student, staff member or third party, but are not retaliatory against the student, staff member or third party being harassed or the person who reported to the public charter school official.

Any student or staff member who feels they are a victim of sexual harassment are encouraged to **[immediately]** report their concerns to public charter school officials, this includes officials such as the principal, compliance officer or superintendent. Students may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate public charter school official.

Investigation

All reports and complaints about behavior that may violate this policy shall be investigated. The public charter school may use, but is not limited to, the following means for investigating incidents of possible harassment:

1. **[Interviews with those involved;**
2. **Interviews with witnesses;**
3. **Review of video surveillance;**
4. **Review of written communications, including electronic communications;**
5. **Review of any physical evidence; and**
6. **Use of third-party investigator.]**

The public charter school will use **[a reasonable person]** standard when determining whether a hostile environment exists. **[A hostile environment exists if a reasonable person with similar characteristics and under similar circumstances would consider the conduct to be so severe as to create a hostile environment. {}]**

The public charter school may take, but is not limited to, the following procedures and remedial action to address and stop sexual harassment:

* {OSBA strongly recommends the Board receive input from public charter school administration prior to adopting a standard here. Of note, Title IX's definition of sexual harassment includes "unwelcome conduct determined *by a reasonable person* to be..." (Title 34 C.F.R. § 106.30(a)), emphasis added. It is important to consider the different definitions under Oregon law and Title IX when determining which standards will apply for the Oregon process.}

1. [Discipline of staff and students engaging in sexual harassment;
2. Removal of third parties engaged in sexual harassment;
3. Additional supervision in activities;
4. Additional controls for public charter school electronic systems;
5. Trainings and education for staff and students; and
6. Increased notifications regarding public charter school procedures and resources.]

When a student or staff member is harassed by a third party, the public charter school will consider the following:

1. [Removing that third party's ability to contract or volunteer with the public charter school, or be present on public charter school property;
6. If the third party works for an entity that contracts with the public charter school, communicating with the third party's employer;
7. If the third party is a student of another public charter school or school, communicate information related to the incident to the other public charter school, school or school district;
8. Limiting attendance at public charter school events; and
9. Providing for additional supervision, including law enforcement if necessary, at public charter school events.]

No Retaliation

Retaliation against persons who initiate complaint or otherwise report sexual harassment or who participate in an investigation or other related activities is prohibited. The initiation of a complaint, reporting of behavior, or participation in an investigation, in good faith about behavior that may violate this policy may not adversely affect the:

1. Educational assignments or educational environment of a student or other person initiating the complaint, reporting the behavior, or participating in the investigation; or
2. Any terms or conditions of employment or of work or educational environment of a public charter school staff member or other person initiating the complaint, reporting the behavior, or participating in the investigation.

Students who initiate a complaint or otherwise report harassment covered by the policy or who participate in an investigation may not be disciplined for violations of the public charter school's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered because of the report or investigation, unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct.

Notices

When a person¹⁰ who may have been affected by this policy files a complaint or otherwise reports behavior that may violate the policy, the public charter school shall provide written notification to the following:

1. Each reporting person;
2. If appropriate, any impacted person who is not a reporting person;
3. Each reported person; and
4. Where applicable, a parent or legal guardian of a reporting person, impacted person, or reported person.

The written notification must include¹¹:

1. Name and contact information for all persons designated by the public charter school to receive complaints;
10. The rights of the person that the notification is going to;
11. Information about the internal complaint processes available through the public charter school that the [student, student's parents, staff member, person or person's parent] [person] who filed the complaint may pursue, including the person designated for the public charter school for receiving complaints and any timelines;
12. Notice that civil and criminal remedies that are not provided by the public charter school may be available to the person through the legal system and that those remedies may be subject to statutes of limitation;
13. Information about services available to the student or staff member through the public charter school, including any counseling services, nursing services or peer advising;
14. Information about the privacy rights of the person and legally recognized exceptions to those rights for internal complaint processes and services available through the public charter school;
15. Information about, and contact information for, services and resources that are available to the person, including but not limited to:
 - a. For the reporting person, state and community-based resources for persons who have experienced sexual harassment; or
 - b. For the reported persons, information about and contact information for state and community-based mental health services.
16. Notice that students who report about possible prohibited conduct and students who participate in an investigation under this policy may not be disciplined for violations of the public charter school's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered as a result of a prohibited conduct report or investigation unless the student gave

¹⁰ Student, staff member, or third party, or if applicable, the student or third party's parent. If the person is a minor, the public charter school should consider when to contact the person's parent.

¹¹ Remember confidentiality laws when providing any information.

another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct; and

17. Prohibition of retaliation.

~~Notification, to the extent allowable under state and federal student confidentiality laws, must be provided when the investigation is initiated and concluded. The notification at the conclusion must include whether a violation of the policy was found to have occurred.~~

The notice must:

1. Be written in plain language that is easy to understand;
18. Use print that is of a color, size and font that allows the notification to be easily read; and
19. Be made available to students, students' parents, staff members and member of the public at each office, at the public charter school office and on the website of the public charter school.

Additionally, notice must be provided to the person who initiated the complaint and, if applicable, the person's parents, when an investigation is initiated and when it is concluded. The notification at the conclusion of the investigation must include whether a violation of the policy was found to have occurred, to the extent allowable under state and federal student confidentiality laws.

[Oregon Department of Education (ODE) Support

The ODE will provide technical assistance and training upon request.]

FEDERAL DEFINITION AND PROCEDURES

Federal Definition

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the public charter school conditioning the provision of an aid, benefit, or service of the public charter school on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the public charter school's education program or activity¹²;
3. "Sexual assault": an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
4. "Dating violence": violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship;

¹² "Education program or activity" includes locations, events, or circumstances over which the public charter school exercised substantial control over both the respondent and the context in which the sexual harassment occurs. (Title 34 C.F.R. § 106.44(a))

5. “Domestic violence”: felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction; or
6. “Stalking”: engaging in a course of conduct directed at a specific person that would cause a reasonable person fear for the person’s own safety or the safety of others, or suffer substantial emotional distress.

This definition only applies to sex discrimination occurring against a person who is a subject of this policy in the United States. A public charter school’s treatment of a complainant or a respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX.

Federal Procedures

The public charter school will adopt and publish grievance procedures that provide for the prompt and equitable resolution of the student and employee complaints alleging any action that would be prohibited by this policy. *See* GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure.

Reporting

Any person may report sexual harassment. This report may be made in person, by mail, by telephone, or by electronic mail, or by any other means that results in the Title IX coordinator receiving the person’s verbal or written report. The report can be made at any time.

~~{Person or position}~~ The superintendent or human resource director is designated as the Title IX coordinator ~~[and can be contacted at {insert phone number}]~~ (541) 444-1100. The Title IX coordinator will coordinate the public charter school’s efforts to comply with its responsibilities related to this AR. The public charter school prominently will display the contact information for the Title IX coordinator on the public charter school website and in each handbook. ^{13}

Response

The public charter school will promptly respond to information, allegations or reports of sexual harassment when there is actual knowledge of such harassment, even if a formal complaint has not been filed.¹⁴ The public charter school shall treat complainants and respondents equitably by providing supportive measures¹⁵ to the complainant and by following a grievance procedure¹⁶ prior to imposing any

¹³ {Note the difference in requirements for Title IX and Oregon law. It makes sense to align these requirements.}

¹⁴ (Title 34 C.F.R. §106.44(a)) Response cannot be deliberately indifferent. A public charter school is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

¹⁵ (Title 34 C.F.R. § 106.44(a)) “Supportive measures” means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the public charter school’s educational environment, or deter sexual harassment.¹⁵ The public charter school must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent

disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX coordinator is responsible for coordinating the effective implementation of supportive measures.

The Title IX coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes, with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.¹⁷

If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place.¹⁸ The public charter school must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. A non-student employee may also be placed on non-disciplinary administrative leave pending the grievance process.

Notice

The public charter school shall provide notice to all applicants for admission and employment, students, parents or legal guardians, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the public charter school of the following:

1. The name or title, office address, electronic mail address, and telephone number of the Title IX coordinator(s);
2. That the public charter school does not discriminate on the basis of sex in the education program or activity that it operates, as required by Title IX. This includes admissions and employment; and
3. The grievance procedure and process, how to file a formal complaint of sex discrimination or sexual harassment, and how the public charter school will respond.

[Inquiries about the application to Title IX and its requirements may be referred to the Title IX coordinator or the Assistant Secretary¹⁹, or both.]

No Retaliation

Neither the public charter school or any person may retaliate²⁰ against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. The public charter school must keep

that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures. (Title 34 C.F.R. § 99.30(a))

¹⁶ This grievance procedure must meet the requirements of Title 34 C.F.R. § 106.45 (included in accompanying administrative regulation, *see* GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure).

¹⁷ The Title IX coordinator may also discuss that the Title IX coordinator has the ability to file a formal complaint.

¹⁸ The public charter school may still have obligations under Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the American with Disabilities Act (ADA). (Title 34 C.F.R. § 106.44(c))

¹⁹ Of the United States Department of Education.

²⁰ Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act (FERPA), as required by law, or to carry out the proceedings herein. Complaints of retaliation may be filed using these procedures.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation.

Publication

This policy shall be made available to students, parents of students and staff members. This policy [and contact information for the Title IX coordinator] shall be prominently published in the public charter school student handbook and on the school website. This policy shall also be made available at the school office [~~and in each building central office, if applicable~~]. The public charter school shall post this policy on a sign in all buildings housing grades 6 through 12 schools, on a sign that is at least 8.5 inches by 11 inches in size. A copy of the policy will be made available to any [student, parent of a student, school staff member, or third party] [person] upon request.

END OF POLICY

Legal Reference(s):

[ORS 243.706](#)
[ORS 338.115](#)
[ORS 342.700](#)
[ORS 342.704](#)
[ORS 342.708](#)
[ORS 342.850](#)
[ORS 342.865](#)
[ORS 659.850](#)
[ORS 659A.006](#)
[ORS 659A.029](#)
[ORS 659A.030](#)

[OAR 581-021-0038](#)
[OAR 584-020-0040](#)
[OAR 584-020-0041](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

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

Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).

Gebser v. Lago Vista Indep. Sch. Dist., 524 U.S. 274 (1998).

Siletz Valley School

Current Policy
for Reference

Code: GBN/JBA
Adopted: 3/18/25

Sexual Harassment

The public charter school is committed to eliminating sexual harassment. Sexual harassment will not be tolerated in the public charter school. All students, staff members and other persons are entitled to learn and work in an environment that is free of harassment. All staff members, students and third parties are subject to this policy. Any person may report sexual harassment.

The public charter school processes complaints or reports of sexual harassment under Oregon Revised Statute (ORS) 342.700 et. al. and federal Title IX laws found in Title 34 C.F.R. Part 106. Individual complaints may require both of these procedures, and may involve additional complaint procedures.

General Procedures

When information, a report or complaint regarding sexual harassment is received by the public charter school, the public charter school will review such information, report or complaint to determine which law applies and will follow the appropriate procedures. When the alleged conduct could meet both of the definitions in ORS Chapter 342 and Title IX, both complaint procedures should be processed simultaneously (*see* GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure and GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure). The public charter school may also need to use other complaint procedures when the alleged conduct could meet the definitions for other complaint procedures¹.

OREGON DEFINITION AND PROCEDURES

Oregon Definition

Sexual harassment of students, staff members or third parties² shall include:

1. A demand or request for sexual favors in exchange for benefits;
2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:
 - a. Interferes with a student's educational activity or program;
 - b. Interferes with a public charter school staff member's ability to perform their job; or
 - c. Creates an intimidating, offensive, or hostile environment.

¹ Common complaint procedures that may also be involved include: Nondiscrimination (Board policy AC), Workplace Harassment (Board policy GBEA), Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence and Domestic Violence – Student (Board policy JFCF), and Reporting Requirements for Suspected Sexual Conduct with Students (Board policy GBNA/JHFF)

² "Third party" means a person who is not a student or a school staff member and who is: 1) on or immediately adjacent to school grounds or public charter school property; 2) at a school-sponsored activity or program; or 3) off school grounds or public charter school property if a student or a public charter school staff member acts toward the person in a manner that creates a hostile environment for the person while on public charter school property, or at a school-sponsored activity.

3. Assault when sexual contact occurs without consent³.

Sexual harassment does not include conduct that is necessary because of a job duty of a public charter school staff member or because of a service required to be provided by a contractor, agent, or volunteer, if the conduct is not the product of sexual intent or a person finding another person, or another person's actions, offensive because of that other person's sexual orientation or gender identity.

Examples of sexual harassment may include, but not be limited to, physical touching or graffiti of a sexual nature; displaying or distributing of sexually explicit drawings; pictures and written materials; sexual gestures or obscene jokes; touching oneself sexually or talking about one's sexual behaviors in front of others; or spreading rumors about or rating other students or others as to appearance, sexual activity or performance.

Oregon Procedures

Reports and complaints of sexual harassment should be made to the following individual(s):

Name	Position	Phone	Email
Debra Barnes	Interim Superintendent	(541) 444-1100	dbarnes@siletzvalleyschools.org
Christina Bushnell	Business Mgr/HR	(541) 444-1100	cbushnell@siletzvalleyschools.org

These individual(s) are responsible for accepting and managing complaints of sexual harassment. Persons wishing to report should contact them using the above information. The superintendent or human resource director is also designated as the Title IX Coordinator. *See* GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure.

Response

Any staff member who becomes aware of behavior that may violate this policy shall immediately report to a public charter school official so the public charter school official (with coordination involving the reporting staff member when appropriate) will take any action necessary to ensure the:

1. Student is protected and to promote a nonhostile learning environment;
2. Staff member is protected and to promote a nonhostile work environment; or
3. Third party who is subjected to the behavior is protected and to promote a nonhostile environment.

This includes providing resources for support measures to the student, staff member or third party who was subjected to the behavior and taking any actions necessary to remove potential future impact on the student, staff member or third party, but are not retaliatory against the student, staff member or third party being harassed or the person who reported to the public charter school official.

Any student or staff member who feels they are a victim of sexual harassment are encouraged to report their concerns to public charter school officials, this includes officials such as the principal, compliance

³ "Without consent" means an act performed: (a) without the knowing, voluntary and clear agreement by all parties to participate in the specific act; or (b) when a person who is a party to the act is incapacitated by drugs or alcohol; unconscious; or pressured through physical force, coercion or explicit or implied threats to participate in the act.

officer or superintendent. Students may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate public charter school official.

Investigation

All reports and complaints about behavior that may violate this policy shall be investigated. The public charter school may use, but is not limited to, the following means for investigating incidents of possible harassment:

1. Interviews with those involved;
2. Interviews with witnesses;
3. Review of video surveillance;
4. Review of written communications, including electronic communications;
5. Review of any physical evidence; and
6. Use of third-party investigator.

The public charter school will use a reasonable person standard when determining whether a hostile environment exists. A hostile environment exists if a reasonable person with similar characteristics and under similar circumstances would consider the conduct to be so severe as to create a hostile environment.

The public charter school may take, but is not limited to, the following procedures and remedial action to address and stop sexual harassment:

1. Discipline of staff and students engaging in sexual harassment;
2. Removal of third parties engaged in sexual harassment;
3. Additional supervision in activities;
4. Additional controls for public charter school electronic systems;
5. Trainings and education for staff and students; and
6. Increased notifications regarding public charter school procedures and resources.

When a student or staff member is harassed by a third party, the public charter school will consider the following:

1. Removing that third party's ability to contract or volunteer with the public charter school, or be present on public charter school property;
2. If the third party works for an entity that contracts with the public charter school, communicating with the third party's employer;
3. If the third party is a student of another public charter school or school, communicate information related to the incident to the other public charter school, school or school district;

4. Limiting attendance at public charter school events; and
5. Providing for additional supervision, including law enforcement if necessary, at public charter school events.

No Retaliation

Retaliation against persons who initiate complaint or otherwise report sexual harassment or who participate in an investigation or other related activities is prohibited. The initiation of a complaint, reporting of behavior, or participation in an investigation, in good faith about behavior that may violate this policy may not adversely affect the:

1. Educational assignments or educational environment of a student or other person initiating the complaint, reporting the behavior, or participating in the investigation; or
2. Any terms or conditions of employment or of work or educational environment of a public charter school staff member or other person initiating the complaint, reporting the behavior, or participating in the investigation.

Students who initiate a complaint or otherwise report harassment covered by the policy or who participate in an investigation may not be disciplined for violations of the public charter school's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered because of the report or investigation, unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct.

Notice

When a person⁴ who may have been affected by this policy files a complaint or otherwise reports behavior that may violate the policy, the public charter school shall provide written notification to the following:

1. Each reporting person;
2. If appropriate, any impacted person who is not a reporting person;
3. Each reported person; and
4. Where applicable, a parent or legal guardian of a reporting person, impacted person, or reported person.

The written notification must include⁵:

1. Name and contact information for all person designated by the public charter school to receive complaints;

⁴ Student, staff member, or third party, or if applicable, the student or third party's parent. If the person is a minor, the public charter school should consider when to contact the person's parent.

⁵ Remember confidentiality laws when providing any information.

2. The rights of the person that the notification is going to;
3. Information about the internal complaint processes available through the public charter school that the student, student's parents, staff member, person or person's parent who filed the complaint may pursue, including the person designated for the public charter school for receiving complaints and any timelines.
4. Notice that civil and criminal remedies that are not provided by the public charter school may be available to the person through the legal system and that those remedies may be subject to statutes of limitation;
5. Information about services available to the student or staff member through the public charter school, including any counseling services, nursing services or peer advising;
6. Information about the privacy rights of the person and legally recognized exceptions to those rights for internal complaint processes and services available through the public charter school;
7. Information about, and contact information for, services and resources that are available to the person, including but not limited to:
 - a. For the reporting person, state and community-based resources for persons who have experienced sexual harassment; or
 - b. For the reported persons, information about and contact information for state and community-based mental health services.
8. Notice that students who report about possible prohibited conduct and students who participate in an investigation under this policy may not be disciplined for violations of the public charter school's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered as a result of a prohibited conduct report or investigation unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct; and
9. Prohibition of retaliation.

Notification, to the extent allowable under state and federal student confidentiality laws, must be provided when the investigation is initiated and concluded. The notification at the conclusion must include whether a violation of the policy was found to have occurred.

The notice must:

1. Be written in plain language that is easy to understand;
2. Use print that is of a color, size and font that allows the notification to be easily read; and
3. Be made available to students, students' parents, staff members and member of the public at each office, at the public charter school office and on the website of the public charter school.

Oregon Department of Education (ODE) Support

The ODE will provide technical assistance and training upon request.

FEDERAL DEFINITION AND PROCEDURES

Federal Definition

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the public charter school conditioning the provision of an aid, benefit, or service of the public charter school on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the public charter school's education program or activity⁶;
3. "Sexual assault": an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
4. "Dating violence": violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship;
5. "Domestic violence": felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or
6. "Stalking": engaging in a course of conduct directed at a specific person that would cause a reasonable person fear for the person's own safety or the safety of others, or suffer substantial emotional distress.

This definition only applies to sex discrimination occurring against a person who is a subject of this policy in the United States. A public charter school's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX.

Federal Procedures

The public charter school will adopt and publish grievance procedures that provide for the prompt and equitable resolution of the student and employee complaints alleging any action that would be prohibited by this policy. *See* GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure.

⁶ "Education program or activity" includes locations, events, or circumstances over which the public charter school exercised substantial control over both the respondent and the context in which the sexual harassment occurs." Title 34 C.F.R. § 106.44(a).

Reporting

Any person may report sexual harassment. This report may be made in person, by mail, by telephone, or by electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. The report can be made at any time.

The superintendent or human resource director is designated as the Title IX Coordinator and can be contacted at (541) 444-1100. The Title IX Coordinator will coordinate the public charter school's efforts to comply with its responsibilities related to this AR. The public charter school prominently will display the contact information for the Title IX Coordinator on the public charter school website and in each handbook.

Response

The public charter school will promptly respond to information, allegations or reports of sexual harassment when there is actual knowledge of such harassment, even if a formal complaint has not been filed.⁷ The public charter school shall treat complainants and respondents equitably by providing supportive measures⁸ to the complainant and by following a grievance procedure⁹ prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes, with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.¹⁰

If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place.¹¹ The public charter school must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. A non-student employee may also be placed on non-disciplinary administrative leave pending the grievance process.

⁷ (Title 34 C.F.R. §106.44(a)) Response cannot be deliberately indifferent. A public charter school is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

⁸ (Title 34 C.F.R. § 106.44(a)) "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the public charter school's educational environment, or deter sexual harassment.⁸ The public charter school must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures. (Title 34 C.F.R. § 99.30(a))

⁹ This grievance procedure must meet the requirements of Title 34 C.F.R. § 106.45 (included in accompanying administrative regulation, *see* GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure).

¹⁰ The Title IX Coordinator may also discuss that the Title IX Coordinator has the ability to file a formal complaint.

¹¹ The public charter school may still have obligations under Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the American with Disabilities Act (ADA). (Title 34 C.F.R. § 106.44(c))

Notice

The public charter school shall provide notice to all applicants for admission and employment, students, parents or legal guardians, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the public charter school of the following:

1. The name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator(s);
2. That the public charter school does not discriminate on the basis of sex in the education program or activity that it operates, as required by Title IX. This includes admissions and employment; and
3. The grievance procedure and process, how to file a formal complaint of sex discrimination or sexual harassment, and how the public charter school will respond.

Inquiries about the application to Title IX and its requirements may be referred to the Title IX Coordinator or the Assistant Secretary¹², or both.

No Retaliation

Neither the public charter school or any person may retaliate¹³ against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. The public charter school must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act (FERPA), as required by law, or to carry out the proceedings herein. Complaints of retaliation may be filed using these procedures.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation.

Publication

This policy shall be made available to students, parents of students and staff members. This policy and contact information for the Title IX Coordinator shall be prominently published in the public charter school student handbook and on the school website. This policy shall also be made available at the school office. The public charter school shall post this policy on a sign in all buildings housing grades 6 through 12 schools, on a sign that is at least 8.5 inches by 11 inches in size. A copy of the policy will be made available to any student, parent of a student, school staff member, or third party upon request.

END OF POLICY

Legal Reference(s):

[ORS 243.706](#)
[ORS 338.115](#)
[ORS 342.700](#)

[ORS 342.704](#)
[ORS 342.708](#)
[ORS 342.850](#)

[ORS 342.865](#)
[ORS 659.850](#)
[ORS 659A.006](#)

¹² Of the United States Department of Education.

¹³ Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

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

Corrected 6/05/23; Corrected 7/02/24

Cross Reference(s):

AC - Nondiscrimination

ACB - Every Student Belongs

GBNA - Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying – Staff

GBNAA/JHFF - Suspected Sexual Conduct with Students and Reporting Requirements

GBNAB/JHFE - Suspected Abuse of a Child Reporting Requirements

JBA/GBN - Sexual Harassment

JFCF - Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying,

Teen Dating Violence, or Domestic Violence – Student

JHFE/GBNAB - Suspected Abuse of a Child Reporting Requirements

OSBA Model Charter School Sample Administrative Regulation

Code: IGBAB/JO-AR
Adopted:

Education Records/Records of Students with Disabilities Management

1. Student Education Record

Student education records are those records that are directly related to a student and maintained by the public charter school, or by a party acting for the public charter school; however, this does not include the following:

- a. Records of instructional, supervisory and administrative personnel and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record, used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- b. Records of the law enforcement unit of the public charter school subject to the provisions of Oregon Administrative Rule (OAR) 581-021-0225;
- c. Records relating to an individual who is employed by the public charter school that are made and maintained in the normal course of business that relate exclusively to the individual in that individual's capacity as an employee and that are not available for use for any other purpose. Records relating to an individual in attendance at the public charter school who is employed as a result of status as a student, are education records and are not accepted under this section;
- d. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:
 - (1) Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in a professional capacity or assisting in a paraprofessional capacity;
 - (2) Made, maintained or used only in connection with treatment of the student; and
 - (3) Disclosed only to individuals providing the treatment. For purposes of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the public charter school.
- e. Records that only contain information relating to activities in which an individual engaged after the individual is no longer a student at the public charter school;
- f. Medical or nursing records which are made or maintained separately and solely by a licensed health care professional who is not employed by the public charter school, and which are not used for education purposes or planning.

The public charter school shall keep and maintain a permanent record on each student which includes the:

- a. Name and address of educational agency or institution;
- b. Full legal name of the student;
- c. Student's birth date ~~and place of birth~~;
- d. Name of parents/guardians;

- e. Date of entry into the school;
- f. Name of school previously attended;
- g. Courses of study and marks received;
- h. Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;
- i. Credits earned;
- j. Attendance;
- k. Date of withdrawal from school; ~~and,~~
- l. ~~Such additional information as the public charter school may prescribe.~~

The public charter school may ~~also~~ request the social security number of the student ~~and will include the social security number on the permanent record only if the eligible student or parent complies with the request.~~ The request shall include notification to the eligible student or the student's parent(s) that the provision of the social security number is voluntary and notification of the purpose for which the social security number will be used.

The public charter school shall retain permanent records in a minimum one-hour fire-safe place in the public charter school, or keep a duplicate copy of the permanent records in a safe depository in another public charter school location.

2. Confidentiality of Student Records

- a. The public charter school shall keep confidential any record maintained on a student in accordance with OAR 581-021-0220 through 581-021-0430.
- b. The public charter school shall protect the confidentiality of personally identifiable information at collection, storage, disclosure and destruction stages.
- c. The public charter school shall identify one official to assume responsibility for ensuring the confidentiality of any personally identifiable information.
- d. All persons collecting or using personally identifiable information shall receive training or instruction on state policies and procedures.

3. Rights of Parents and Eligible Students

The public charter school shall annually notify parents and eligible students through the public charter school student/parent handbook or any other means that are reasonably likely to inform the parents or eligible students of their rights. This notification shall state that the parent(s) or an eligible student has a right to:

- a. Inspect and review the student's education records;
- b. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy or other rights;
- c. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the applicable state or federal law authorizes disclosure without consent;
- d. Pursuant to OAR 581-021-0410, file with the Family Policy Compliance Office, United States Department of Education a complaint under 34 C.F.R. § 99.64 concerning alleged failures by the public charter school to comply with the requirements of federal law; and
- e. Obtain a copy of the public charter school policy with regard to student education records.

The notification shall also inform parents or eligible students that the public charter school forwards education records requested under OAR 581-021-0255. The notification shall also indicate where copies of the public charter school policy are located and how copies may be obtained.

If the eligible student or the student's parent(s) has a primary or home language other than English, or has a disability, the public charter school shall provide effective notice.

These rights shall be given to either parent unless the public charter school has been provided with specific written evidence there is a court order, state statute or legally binding document relating to such matters as divorce, separation or custody that specifically revokes these rights.

When a student becomes an eligible student, which is defined as a student who has reached 18 years of age or is attending only an institution of postsecondary education and is not enrolled in a secondary school, the rights accorded to, and the consent required of, the parents transfer from the parents to the student. Nothing prevents the public charter school from giving students rights in addition to those given to parents.

4. Parent's or Eligible Student's Right to Inspect and Review

The public charter school shall permit an eligible student or student's parent(s) or a representative of a parent or eligible student, if authorized in writing by the eligible student or student's parent(s), to inspect and review the education records of the student, unless the education records of a student contain information on more than one student. In that case the eligible student or student's parent(s) may inspect, review or be informed of only the specific information about the student.

The public charter school shall comply with a request for access to records:

- a. Within a reasonable period of time and without unnecessary delay;
- b. For children with disabilities before any meeting regarding an individualized education program (IEP), or any due process hearing, or any resolution session related to a due process hearing¹;
- c. In no case more than 45 days after it has received the request.

The public charter school shall respond to reasonable requests for explanations and interpretations of the student's education record.

The parent(s) or an eligible student shall comply with the following procedure to inspect and review a student's education record:

- a. Provide a written, dated request to inspect a student's education record; and
- b. State the specific reason for requesting the inspection.

The written request will be permanently added to the student's education record.

¹ Records must be provided without undue delay, which may not exceed 10 business days from the date of the request for the records. Records may be redacted only to the extent necessary to protect personally identifiable information of other children unless disclosure is authorized by law or court order.

The public charter school shall not destroy any education record if there is an outstanding request to inspect and review the education record.

While the public charter school is not required to give an eligible student or student's parent(s) access to treatment records under the definition of "education records" in OAR 581-021-0220(6)(b)(D), the eligible student or student's parent(s) may, at their expense, choose a physician or other appropriate professional and have those records reviewed.

If an eligible student or student's parent(s) so requests, the public charter school shall give the eligible student or student's parent(s) a copy of the student's education record. The public charter school may recover a fee for providing a copy of the record, but only for the actual costs of reproducing the record unless the imposition of a fee effectively prevents a parent or eligible student from exercising the right to inspect and review the students' educational records. The public charter school may not charge a fee to search for or to retrieve the education records of a student.

The public charter school shall not provide the eligible student or student's parent(s) with a copy of test protocols, test questions and answers and other documents described in Oregon Revised Statutes (ORS) 192.345(4) unless authorized by federal law.

The public charter school will maintain a list of the types and locations of education records maintained by the public charter school and the titles and addresses of officials responsible for the records.

Students' education records will be maintained at the public charter school building at which the student is in attendance except for special education records which may be located at another designated location within the public charter school or the district². The [executive director or designee] shall be the person responsible for maintaining and releasing the education records.

5. Release of Personally Identifiable Information

Personally identifiable information shall not be released without prior written consent of the eligible student or student's parent(s) except in the following cases:

- a. The disclosure is to other school officials, including teachers, within the public charter school or district who have a legitimate educational interest.

As used in this section, "legitimate educational interest" means a public charter school or district¹ official employed by the public charter school or district as an administrator, supervisor, instructor or staff support member; a person serving on a public charter school or district board; a person or company with whom the public charter school or district has contracted to perform a special task; or a parent or student serving on a special committee such as a disciplinary or grievance committee, or assisting another public charter school or district official in performing his or her tasks needed to review an educational record in order to fulfill his or her professional responsibility (definition from FERPA).

² "District," for the purpose of this policy, means the district in which the public charter school is located.

The public charter school shall maintain, for public inspection, a listing of the names and positions of individuals within the public charter school or district who have access to personally identifiable information with respect to students with disabilities.

- b. The disclosure is to officials of another school within the district;
- c. The disclosure is to authorized representatives of:

[The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division] in connection with an audit or evaluation of federal or state-supported education programs or the enforcement of or compliance with federal or state-supported education programs or the enforcement of or compliance with federal or state regulations.

- d. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:

- (1) Determine eligibility for the aid;
- (2) Determine the amount of the aid;
- (3) Determine the conditions for the aid; or
- (4) Enforce the terms and condition of the aid.

As used in this section “financial aid” means any payment of funds provided to an individual that is conditioned on the individual’s attendance at an educational agency or institution.

- e. The disclosure is to organizations conducting studies for, or on behalf of, the district to:

- (1) Develop, validate or administer predictive tests;
- (2) Administer student aid programs; or
- (3) Improve instruction.

- f. The public charter school may disclose information under this section only if disclosure is to an official listed in paragraph (c) above and who enters into a written agreement with the district that:

- (1) Specifies the purpose, scope and duration of the study and the information to be disclosed;
- (2) Limits the organization to using the personally identifiable information only for the purpose of the study;
- (3) The study is conducted in a manner that does not permit personal identification of parents or students by individuals other than representatives of the organization; and
- (4) The information is destroyed when no longer needed for the purposes for which the study was conducted.

For purposes of this section, the term “organization” includes, but is not limited to, federal, state and local agencies and independent organizations.

The district may disclose information under this section only if the disclosure is to an official listed in paragraph (c) above who is conducting an audit related to the enforcement of or

compliance with federal or state legal requirements and who enters into a written agreement with the district that:

- (1) Designates the individual or entity as an authorized representative;
 - (5) Specifies the personally identifiable information being disclosed;
 - (6) Specifies the personally identifiable information being disclosed in the furtherance of an audit, evaluation or enforcement or compliance activity of the federal or state supported education programs;
 - (7) Describes the activity with sufficient specificity to make clear it falls within the audit or evaluation exception; this must include a description of how the personally identifiable information will be used;
 - (8) Requires information to be destroyed when no longer needed for the purpose for which the study was conducted;
 - (9) Identifies the time period in which the personally identifiable information must be destroyed; and
 - (10) Establishes policies and procedures which are consistent with Family Education Rights and Privacy Act (FERPA) and other federal and state confidentiality and privacy provisions to insure the protection of the personally identifiable information from further disclosure and unauthorized use.
- g. The disclosure is to accrediting organizations to carry out their accrediting functions;
- h. The disclosure is to comply with a judicial order or lawfully issued subpoena. The public charter school may disclose information under this section only if the public charter school makes a reasonable effort to notify the eligible student or student's parent(s) of the order or subpoena in advance of compliance, unless an order or subpoena of a federal court or agency prohibits notification to the parent(s) or student;
- i. The disclosure is to comply with a judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependency matters;
- j. The disclosure is to the parent(s) of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;
- k. The disclosure is in connection with a health or safety emergency. The public charter school shall disclose personally identifiable information from an education record to law enforcement, child protective services and health care professionals, and other appropriate parties 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.
- As used in this section a "health or safety emergency" includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnap, abduction or custodial interference and law enforcement or child protective services efforts to respond to a report of abuse of a child or neglect pursuant to applicable state law.
- l. The disclosure is information the district has designated as "directory information" (See Board policy JOA – Directory Information);
- m. The disclosure is to the parent(s) of a student who is not an eligible student or to an eligible student;
- n. The disclosure is to officials of another school, school system, institution of postsecondary education, an education service district (ESD), state regional program or other educational agency that has requested the records and in which the student seeks or intends to enroll or is

enrolled or in which the student receives services. The term “receives services” includes, but is not limited to, an evaluation or reevaluation for purposes of determining whether a student has a disability;

- o. The disclosure is to the Board during an executive session pursuant to ORS 332.061.

The public charter school will use reasonable methods to identify and authenticate the identity of the parents, students, school officials and any other parties to whom the public charter school discloses personally identifiable information from educational records;

- p. The disclosure is to a caseworker or other representative of a state or local child welfare agency or tribal organization that are legally responsible for the care and protection of the student, including educational stability of children in foster care.

6. Record-Keeping Requirements

The public charter school shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student. Exceptions to the record keeping requirements shall include the parent, eligible student, school official or designee responsible for custody of the records and parties authorized by state and federal law for auditing purposes. The public charter school shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure the record must include:

- a. The party or parties who have requested or received personally identifiable information from the education records; and
- b. The legitimate interests the parties had in requesting or obtaining the information.

The following parties may inspect the record of request for access and disclosure to a student’s personally identifiable information:

- a. The parent(s) or an eligible student;
- b. The school official or designee who are responsible for the custody of the records;
- c. Those parties authorized by state or federal law for purposes of auditing the record keeping procedures of the public charter school.

7. Request for Amendment of Student’s Education Record

If an eligible student or student’s parent(s) believes the education records relating to the student contain information that is inaccurate, misleading or in violation of the student’s rights of privacy or other rights, the student or parent(s) may ask the executive director where the record is maintained to amend the record.

The executive director shall decide, after consulting with the necessary staff, whether to amend the record as requested within a reasonable time after the request to amend has been made.

The request to amend the student’s education record shall become a permanent part of the student’s education record.

If the executive director decides not to amend the record as requested, the eligible student or the student’s parent(s) shall be informed of the decision and of a right to appeal the decision by requesting a hearing.

8. Hearing Rights of Parents or Eligible Students

If the executive director decides not to amend the education record of a student as requested by the eligible student or the student's parent(s), the eligible student or student's parent(s) may request a formal hearing for the purpose of challenging information in the education record as inaccurate, misleading or in violation of the privacy or other rights of the student. The public charter school shall appoint a hearings officer to conduct the formal hearing requested by the eligible student or student's parent. The hearing may be conducted by any individual, including an official of the public charter school, who does not have a direct interest in the outcome of the hearing. The hearings officer will establish a date, time and location for the hearing, and give the student's parent or eligible student notice of date, time and location reasonably in advance of the hearing. The hearing will be held within [10] working days of receiving the written or verbal request for the hearing.

The hearings officer will convene and preside over a hearing panel consisting of:

- a. The executive director or designee;
- b. A member chosen by the eligible student or student's parent(s); and
- c. A disinterested, qualified third party appointed by the executive director.

The parent or eligible student may, at own expense, choose one or more individuals to assist or represent them, including an attorney. The hearing shall be private. Persons other than the student, parent, witnesses and counsel shall not be admitted. The hearings officer shall preside over the panel. The panel will hear evidence from the public charter school staff and the eligible student or student's parent(s) to determine the point(s) of disagreement concerning the records. Confidential conversations between a licensed employee or public charter school or district counselor and a student shall not be part of the records hearing procedure. The eligible student or student's parent(s) has the right to insert written comments or explanations into the record regarding the disputed material. Such inserts shall remain in the education record as long as the education record or a contested portion is maintained and exists. The panel shall make a determination after hearing the evidence and make its recommendation in writing within [10] working days following the close of the hearing. The panel will make a determination based solely on the evidence presented at the hearing and will include a summary of the evidence and the reason for the decision. The findings of the panel shall be rendered in writing not more than [10] working days following the close of the hearing and submitted to all parties.

If, as a result of the hearing, the panel decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the eligible student or the student's parent(s) of the right to place a statement in the record commenting on the contested information in the record or stating why there is disagreement with the decision of the panel. If a statement is placed in an education record, the public charter school will ensure that the statement:

- a. Is maintained as part of the student's records as long as the record or a contested portion is maintained by the public charter school or the district³; and

³ Ibid. p. 4.

- d. Is disclosed by the public charter school to any party to whom the student's records or the contested portion are disclosed.

If, as a result of the hearing, the panel decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall:

- a. Amend the record accordingly; and
- e. Inform the eligible student or the student's parent(s) of the amendment in writing.

9. Duties and Responsibilities When Requesting Education Records

The public charter school shall, within 10 days of a student seeking initial enrollment in or services from the public charter school, notify the public or private school, ESD, institution, agency or detention facility or youth care center in which the student was formerly enrolled and shall request the student's education records.

10. Duties and Responsibilities When Transferring Education Records

The public charter school shall transfer originals of all requested student education records, including any ESD records, relating to the particular student to the new educational agency when a request to transfer the education records is made to the public charter school. The transfer shall be made no later than 10 days after receipt of the request. For students in substitute care programs, the transfer must take place within five days of a request. Readable copies of the following documents shall be retained:

- a. The student's permanent records, for one year;
- b. Such special education records as are necessary to document compliance with state and federal audits, for five years after the end of the school year in which the original was created. In the case of records documenting speech pathology and physical therapy services, until the student reaches age 21 or 5 years after last seen, whichever is longer.

Note: Education records shall not be withheld for student fees, fines and charges if requested in circumstances described in ORS 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

Disclosure Statement
Required for use in collecting personally identifiable information
related to social security numbers.

On any form that requests the social security number (SSN), the following statement shall appear just above the space for the SSN:

“Providing your social security number (SSN) is voluntary. If you provide it, the public charter school will use your SSN for record keeping, research, and reporting purposes only. The public charter school will not use your SSN to make any decision directly affecting you or any other person. Your SSN will not be given to the general public. If you choose not to provide your SSN, you will not be denied any rights as a student. Please read the statement on the back of this form that describes how your SSN will be used. Providing your SSN means that you consent to the use of your SSN in the manner described.”

The public charter school, district and Oregon Department of Education may also match your SSN with records from other agencies as follows:

The Oregon Department of Education uses information gathered from the Oregon Employment Division to learn about education, training and job market trends. The information is also used for planning, research and program improvement.

State and private universities, colleges, community colleges and vocational schools use the information to find out how many students go on with their education and their level of success.

Other state agencies use the information to help state and local agencies plan educational and training services to help Oregon citizens get the best jobs available.

Your SSN will be used only for statistical purposes as listed above. State and federal law protects the privacy of your records.

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Adopted: 3/18/25

Education Records/Records of Students with Disabilities Management

1. Student Education Record

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- a. Records of instructional, supervisory and administrative personnel and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record, used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- b. Records of the law enforcement unit of the public charter school subject to the provisions of Oregon Administrative Rule (OAR) 581-021-0225;
- c. Records relating to an individual who is employed by the public charter school that are made and maintained in the normal course of business that relate exclusively to the individual in that individual's capacity as an employee and that are not available for use for any other purpose. Records relating to an individual in attendance at the public charter school who is employed as a result of status as a student, are education records and are not accepted under this section;
- d. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:
 - (1) Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in a professional capacity or assisting in a paraprofessional capacity;
 - (2) Made, maintained or used only in connection with treatment of the student; and
 - (3) Disclosed only to individuals providing the treatment. For purposes of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the public charter school.
- e. Records that only contain information relating to activities in which an individual engaged after the individual is no longer a student at the public charter school;
- f. Medical or nursing records which are made or maintained separately and solely by a licensed health care professional who is not employed by the public charter school, and which are not used for education purposes or planning.

The public charter school shall keep and maintain a permanent record on each student which includes the:

- a. Name and address of educational agency or institution;
- b. Full legal name of the student;
- c. Student birth date and place of birth;
- d. Name of parents;

- e. Date of entry in school;
- f. Name of school previously attended;
- g. Courses of study and marks received;
- h. Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;
- i. Credits earned;
- j. Attendance;
- k. Date of withdrawal from school; and
- l. Such additional information as the public charter school may prescribe.

The public charter school may also request the social security number of the student and will include the social security number on the permanent record only if the eligible student or parent complies with the request. The request shall include notification to the eligible student or the student's parent(s) that the provision of the social security number is voluntary and notification of the purpose for which the social security number will be used.

The public charter school shall retain permanent records in a minimum one-hour fire-safe place in the public charter school, or keep a duplicate copy of the permanent records in a safe depository in another public charter school location.

2. Confidentiality of Student Records

- a. The public charter school shall keep confidential any record maintained on a student in accordance with OAR 581-021-0220 through 581-021-0430.
- b. The public charter school shall protect the confidentiality of personally identifiable information at collection, storage, disclosure and destruction stages.
- c. The public charter school shall identify one official to assume responsibility for ensuring the confidentiality of any personally identifiable information.
- d. All persons collecting or using personally identifiable information shall receive training or instruction on state policies and procedures.

3. Rights of Parents and Eligible Students

The public charter school shall annually notify parents and eligible students through the public charter school student/parent handbook or any other means that are reasonably likely to inform the parents or eligible students of their rights. This notification shall state that the parent(s) or an eligible student has a right to:

- a. Inspect and review the student's education records;
- b. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy or other rights;
- c. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the applicable state or federal law authorizes disclosure without consent;
- d. Pursuant to OAR 581-021-0410, file with the Family Policy Compliance Office, United States Department of Education a complaint under 34 C.F.R. § 99.64 concerning alleged failures by the public charter school to comply with the requirements of federal law; and
- e. Obtain a copy of the public charter school policy with regard to student education records.

The notification shall also inform parents or eligible students that the public charter school forwards education records requested under OAR 581-021-0255. The notification shall also indicate where copies of the public charter school policy are located and how copies may be obtained.

If the eligible student or the student's parent(s) has a primary or home language other than English, or has a disability, the public charter school shall provide effective notice.

These rights shall be given to either parent unless the public charter school has been provided with specific written evidence there is a court order, state statute or legally binding document relating to such matters as divorce, separation or custody that specifically revokes these rights.

When a student becomes an eligible student, which is defined as a student who has reached 18 years of age or is attending only an institution of postsecondary education and is not enrolled in a secondary school, the rights accorded to, and the consent required of, the parents transfer from the parents to the student. Nothing prevents the public charter school from giving students rights in addition to those given to parents.

4. Parent's or Eligible Student's Right to Inspect and Review

The public charter school shall permit an eligible student or student's parent(s) or a representative of a parent or eligible student, if authorized in writing by the eligible student or student's parent(s), to inspect and review the education records of the student, unless the education records of a student contain information on more than one student. In that case the eligible student or student's parent(s) may inspect, review or be informed of only the specific information about the student.

The public charter school shall comply with a request for access to records:

- a. Within a reasonable period of time and without unnecessary delay;
- b. For children with disabilities before any meeting regarding an individualized education program (IEP), or any due process hearing, or any resolution session related to a due process hearing;
- c. In no case more than 45 days after it has received the request.

The public charter school shall respond to reasonable requests for explanations and interpretations of the student's education record.

The parent(s) or an eligible student shall comply with the following procedure to inspect and review a student's education record:

- a. Provide a written, dated request to inspect a student's education record; and
- b. State the specific reason for requesting the inspection.

The written request will be permanently added to the student's education record.

The public charter school shall not destroy any education record if there is an outstanding request to inspect and review the education record.

While the public charter school is not required to give an eligible student or student's parent(s) access to treatment records under the definition of "education records" in OAR 581-021-

0220(6)(b)(D), the eligible student or student's parent(s) may, at their expense, choose a physician or other appropriate professional and have those records reviewed.

If an eligible student or student's parent(s) so requests, the public charter school shall give the eligible student or student's parent(s) a copy of the student's education record. The public charter school may recover a fee for providing a copy of the record, but only for the actual costs of reproducing the record unless the imposition of a fee effectively prevents a parent or eligible student from exercising the right to inspect and review the students' educational records. The public charter school may not charge a fee to search for or to retrieve the education records of a student.

The public charter school shall not provide the eligible student or student's parent(s) with a copy of test protocols, test questions and answers and other documents described in Oregon Revised Statutes (ORS) 192.345(4) unless authorized by federal law.

The public charter school will maintain a list of the types and locations of education records maintained by the public charter school and the titles and addresses of officials responsible for the records.

Students' education records will be maintained at the public charter school building at which the student is in attendance except for special education records which may be located at another designated location within the public charter school or the district¹. The [administrator or designee] shall be the person responsible for maintaining and releasing the education records.

5. Release of Personally Identifiable Information

Personally identifiable information shall not be released without prior written consent of the eligible student or student's parent(s) except in the following cases:

- a. The disclosure is to other school officials, including teachers, within the public charter school or district who have a legitimate educational interest.

As used in this section, "legitimate educational interest" means a public charter school or district¹ official employed by the public charter school or district as an administrator, supervisor, instructor or staff support member; a person serving on a public charter school or district board; a person or company with whom the public charter school or district has contracted to perform a special task; or a parent or student serving on a special committee such as a disciplinary or grievance committee, or assisting another public charter school or district official in performing his or her tasks needed to review an educational record in order to fulfill his or her professional responsibility (definition from FERPA).

The public charter school shall maintain, for public inspection, a listing of the names and positions of individuals within the public charter school or district¹ who have access to personally identifiable information with respect to students with disabilities.

- b. The disclosure is to officials of another school within the district¹;

¹ "District," for the purpose of this policy, means the district in which the public charter school is located.

- c. The disclosure is to authorized representatives of:

The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division in connection with an audit or evaluation of federal or state-supported education programs or the enforcement of or compliance with federal or state-supported education programs or the enforcement of or compliance with federal or state regulations.

- d. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:

- (1) Determine eligibility for the aid;
- (2) Determine the amount of the aid;
- (3) Determine the conditions for the aid; or
- (4) Enforce the terms and condition of the aid.

As used in this section “financial aid” means any payment of funds provided to an individual that is conditioned on the individual’s attendance at an educational agency or institution.

- e. The disclosure is to organizations conducting studies for, or on behalf of, the district to:

- (1) Develop, validate or administer predictive tests;
- (2) Administer student aid programs; or
- (3) Improve instruction.

- f. The public charter school may disclose information under this section only if disclosure is to an official listed in paragraph (c) above and who enters into a written agreement with the district that:

- (1) Specifies the purpose, scope and duration of the study and the information to be disclosed;
- (2) Limits the organization to using the personally identifiable information only for the purpose of the study;
- (3) The study is conducted in a manner that does not permit personal identification of parents or students by individuals other than representatives of the organization; and
- (4) The information is destroyed when no longer needed for the purposes for which the study was conducted.

For purposes of this section, the term “organization” includes, but is not limited to, federal, state and local agencies and independent organizations.

The district may disclose information under this section only if the disclosure is to an official listed in paragraph (c) above who is conducting an audit related to the enforcement of or compliance with federal or state legal requirements and who enters into a written agreement with the district that:

- (1) Designates the individual or entity as an authorized representative;
- (2) Specifies the personally identifiable information being disclosed;

- (3) Specifies the personally identifiable information being disclosed in the furtherance of an audit, evaluation or enforcement or compliance activity of the federal or state supported education programs;
 - (4) Describes the activity with sufficient specificity to make clear it falls within the audit or evaluation exception; this must include a description of how the personally identifiable information will be used;
 - (5) Requires information to be destroyed when no longer needed for the purpose for which the study was conducted;
 - (6) Identifies the time period in which the personally identifiable information must be destroyed; and
 - (7) Establishes policies and procedures which are consistent with Family Education Rights and Privacy Act (FERPA) and other federal and state confidentiality and privacy provisions to insure the protection of the personally identifiable information from further disclosure and unauthorized use.
- g. The disclosure is to accrediting organizations to carry out their accrediting functions;
 - h. The disclosure is to comply with a judicial order or lawfully issued subpoena. The public charter school may disclose information under this section only if the public charter school makes a reasonable effort to notify the eligible student or student's parent(s) of the order or subpoena in advance of compliance, unless an order or subpoena of a federal court or agency prohibits notification to the parent(s) or student;
 - i. The disclosure is to comply with a judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependency matters;
 - j. The disclosure is to the parent(s) of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;
 - k. The disclosure is in connection with a health or safety emergency. The public charter school shall disclose personally identifiable information from an education record to law enforcement, child protective services and health care professionals, and other appropriate parties 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.
- As used in this section a "health or safety emergency" includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnap, abduction or custodial interference and law enforcement or child protective services efforts to respond to a report of abuse of a child or neglect pursuant to applicable state law.
- l. The disclosure is information the district has designated as "directory information" (See Board policy JOA – Directory Information);
 - m. The disclosure is to the parent(s) of a student who is not an eligible student or to an eligible student;
 - n. The disclosure is to officials of another school, school system, institution of postsecondary education, an education service district (ESD), state regional program or other educational agency that has requested the records and in which the student seeks or intends to enroll or is enrolled or in which the student receives services. The term "receives services" includes, but is not limited to, an evaluation or reevaluation for purposes of determining whether a student has a disability;
 - o. The disclosure is to the Board during an executive session pursuant to ORS 332.061.

The public charter school will use reasonable methods to identify and authenticate the identity of the parents, students, school officials and any other parties to whom the public charter school discloses personally identifiable information from educational records;

- p. The disclosure is to a caseworker or other representative of a state or local child welfare agency or tribal organization that are legally responsible for the care and protection of the student, including educational stability of children in foster care.

6. Record-Keeping Requirements

The public charter school shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student. Exceptions to the record keeping requirements shall include the parent, eligible student, school official or designee responsible for custody of the records and parties authorized by state and federal law for auditing purposes. The public charter school shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure the record must include:

- a. The party or parties who have requested or received personally identifiable information from the education records; and
- b. The legitimate interests the parties had in requesting or obtaining the information.

The following parties may inspect the record of request for access and disclosure to a student's personally identifiable information:

- a. The parent(s) or an eligible student;
- b. The school official or designee who are responsible for the custody of the records;
- c. Those parties authorized by state or federal law for purposes of auditing the record keeping procedures of the public charter school.

7. Request for Amendment of Student's Education Record

If an eligible student or student's parent(s) believes the education records relating to the student contain information that is inaccurate, misleading or in violation of the student's rights of privacy or other rights, the student or parent(s) may ask the administrator where the record is maintained to amend the record.

The administrator shall decide, after consulting with the necessary staff, whether to amend the record as requested within a reasonable time after the request to amend has been made.

The request to amend the student's education record shall become a permanent part of the student's education record.

If the administrator decides not to amend the record as requested, the eligible student or the student's parent(s) shall be informed of the decision and of a right to appeal the decision by requesting a hearing.

8. Hearing Rights of Parents or Eligible Students

If the administrator decides not to amend the education record of a student as requested by the eligible student or the student's parent(s), the eligible student or student's parent(s) may request a

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formal hearing for the purpose of challenging information in the education record as inaccurate, misleading or in violation of the privacy or other rights of the student. The public charter school shall appoint a hearings officer to conduct the formal hearing requested by the eligible student or student's parent. The hearing may be conducted by any individual, including an official of the public charter school, who does not have a direct interest in the outcome of the hearing. The hearings officer will establish a date, time and location for the hearing, and give the student's parent or eligible student notice of date, time and location reasonably in advance of the hearing. The hearing will be held within 15 working days of receiving the written or verbal request for the hearing.

The hearings officer will convene and preside over a hearing panel consisting of:

- a. The administrator or designee;
- b. A member chosen by the eligible student or student's parent(s); and
- c. A disinterested, qualified third party appointed by the administrator.

The parent or eligible student may, at own expense, choose one or more individuals to assist or represent them, including an attorney. The hearing shall be private. Persons other than the student, parent, witnesses and counsel shall not be admitted. The hearings officer shall preside over the panel. The panel will hear evidence from the public charter school staff and the eligible student or student's parent(s) to determine the point(s) of disagreement concerning the records. Confidential conversations between a licensed employee or public charter school or district counselor and a student shall not be part of the records hearing procedure. The eligible student or student's parent(s) has the right to insert written comments or explanations into the record regarding the disputed material. Such inserts shall remain in the education record as long as the education record or a contested portion is maintained and exists. The panel shall make a determination after hearing the evidence and make its recommendation in writing within 10 working days following the close of the hearing. The panel will make a determination based solely on the evidence presented at the hearing and will include a summary of the evidence and the reason for the decision. The findings of the panel shall be rendered in writing not more than 10 working days following the close of the hearing and submitted to all parties.

If, as a result of the hearing, the panel decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the eligible student or the student's parent(s) of the right to place a statement in the record commenting on the contested information in the record or stating why there is disagreement with the decision of the panel. If a statement is placed in an education record, the public charter school will ensure that the statement:

- a. Is maintained as part of the student's records as long as the record or a contested portion is maintained by the public charter school or the district²; and
- b. Is disclosed by the public charter school to any party to whom the student's records or the contested portion are disclosed.

If, as a result of the hearing, the panel decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall:

² Ibid. p. 4.

- a. Amend the record accordingly; and
- b. Inform the eligible student or the student's parent(s) of the amendment in writing.

9. Duties and Responsibilities When Requesting Education Records

The public charter school shall notify the public or private school, ESD, institution, agency or detention facility or youth care center in which the student was formerly enrolled and shall request the student's education records.

10. Duties and Responsibilities When Transferring Education Records

The public charter school shall transfer originals of all requested student education records, including any ESD records, relating to the particular student to the new educational agency when a request to transfer the education records is made to the public charter school. For students in substitute care programs, the transfer must take place within five days of a request. Readable copies of the following documents shall be retained:

- a. The student's permanent records, for one year;
- b. Such special education records as are necessary to document compliance with state and federal audits, for five years after the end of the school year in which the original was created. In the case of records documenting speech pathology and physical therapy services, until the student reaches age 21 or 5 years after last seen, whichever is longer.

Note: Education records shall not be withheld for student fees, fines and charges if requested in circumstances described in ORS 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

Disclosure Statement
Required for use in collecting personally identifiable information
related to social security numbers.

On any form that requests the social security number (SSN), the following statement shall appear just above the space for the SSN:

“Providing your social security number (SSN) is voluntary. If you provide it, the public charter school will use your SSN for record keeping, research, and reporting purposes only. The public charter school will not use your SSN to make any decision directly affecting you or any other person. Your SSN will not be given to the general public. If you choose not to provide your SSN, you will not be denied any rights as a student. Please read the statement on the back of this form that describes how your SSN will be used. Providing your SSN means that you consent to the use of your SSN in the manner described.”

The public charter school, district and Oregon Department of Education may also match your SSN with records from other agencies as follows:

The Oregon Department of Education uses information gathered from the Oregon Employment Division to learn about education, training and job market trends. The information is also used for planning, research and program improvement.

State and private universities, colleges, community colleges and vocational schools use the information to find out how many students go on with their education and their level of success.

Other state agencies use the information to help state and local agencies plan educational and training services to help Oregon citizens get the best jobs available.

Your SSN will be used only for statistical purposes as listed above. State and federal law protects the privacy of your records.

OSBA Model Charter School Sample Administrative Regulation

Code: JO/IGBAB-AR

Adopted:

Education Records/Records of Students with Disabilities Management

1. Student Education Record

Student education records are those records that are directly related to a student and maintained by the public charter school, or by a party acting for the public charter school; however, this does not include the following:

- a. Records of instructional, supervisory and administrative personnel and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record, used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- b. Records of the law enforcement unit of the public charter school subject to the provisions of Oregon Administrative Rule (OAR) 581-021-0225;
- c. Records relating to an individual who is employed by the public charter school that are made and maintained in the normal course of business that relate exclusively to the individual in that individual's capacity as an employee and that are not available for use for any other purpose. Records relating to an individual in attendance at the public charter school who is employed as a result of status as a student, are education records and are not accepted under this section;
- d. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:
 - (1) Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in a professional capacity or assisting in a paraprofessional capacity;
 - (2) Made, maintained or used only in connection with treatment of the student; and
 - (3) Disclosed only to individuals providing the treatment. For purposes of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the public charter school.
- e. Records that only contain information relating to activities in which an individual engaged after the individual is no longer a student at the public charter school;
- f. Medical or nursing records which are made or maintained separately and solely by a licensed health care professional who is not employed by the public charter school, and which are not used for education purposes or planning.

The public charter school shall keep and maintain a permanent record on each student which includes the:

- a. Name and address of educational agency or institution;
- b. Full legal name of the student;
- c. Student's birth date ~~and place of birth~~;
- d. Name of parents/guardians;

- e. Date of entry into the school;
- f. Name of school previously attended;
- g. Courses of study and marks received;
- h. Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;
- i. Credits earned;
- j. Attendance;
- k. Date of withdrawal from school ~~and~~;
- l. ~~Such additional information as the public charter school may prescribe.~~

The public charter school may ~~also~~ request the social security number of the student ~~and will include the social security number on the permanent record only if the eligible student or parent complies with the request.~~ The request shall include notification to the eligible student or the student's parent(s) that the provision of the social security number is voluntary and notification of the purpose for which the social security number will be used.

The public charter school shall retain permanent records in a minimum one-hour fire-safe place in the public charter school, or keep a duplicate copy of the permanent records in a safe depository in another public charter school location.

2. Confidentiality of Student Records

- a. The public charter school shall keep confidential any record maintained on a student in accordance with OAR 581-021-0220 through 581-021-0430.
- b. The public charter school shall protect the confidentiality of personally identifiable information at collection, storage, disclosure and destruction stages.
- c. The public charter school shall identify one official to assume responsibility for ensuring the confidentiality of any personally identifiable information.
- d. All persons collecting or using personally identifiable information shall receive training or instruction on state policies and procedures.

3. Rights of Parents and Eligible Students

The public charter school shall annually notify parents and eligible students through the public charter school student/parent handbook or any other means that are reasonably likely to inform the parents or eligible students of their rights. This notification shall state that the parent(s) or an eligible student has a right to:

- a. Inspect and review the student's education records;
- b. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy or other rights;
- c. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the applicable state or federal law authorizes disclosure without consent;
- d. Pursuant to OAR 581-021-0410, file with the Family Policy Compliance Office, United States Department of Education a complaint under 34 C.F.R. § 99.64 concerning alleged failures by the public charter school to comply with the requirements of federal law; and
- e. Obtain a copy of the public charter school policy with regard to student education records.

The notification shall also inform parents or eligible students that the public charter school forwards education records requested under OAR 581-021-0255. The notification shall also indicate where copies of the public charter school policy are located and how copies may be obtained.

If the eligible student or the student's parent(s) has a primary or home language other than English, or has a disability, the public charter school shall provide effective notice.

These rights shall be given to either parent unless the public charter school has been provided with specific written evidence there is a court order, state statute or legally binding document relating to such matters as divorce, separation or custody that specifically revokes these rights.

When a student becomes an eligible student, which is defined as a student who has reached 18 years of age or is attending only an institution of postsecondary education and is not enrolled in a secondary school, the rights accorded to, and the consent required of, the parents transfer from the parents to the student. Nothing prevents the public charter school from giving students rights in addition to those given to parents.

4. Parent's or Eligible Student's Right to Inspect and Review

The public charter school shall permit an eligible student or student's parent(s) or a representative of a parent or eligible student, if authorized in writing by the eligible student or student's parent(s), to inspect and review the education records of the student, unless the education records of a student contain information on more than one student. In that case the eligible student or student's parent(s) may inspect, review or be informed of only the specific information about the student.

The public charter school shall comply with a request for access to records:

- a. Within a reasonable period of time and without unnecessary delay;
- b. For children with disabilities before any meeting regarding an individualized education program (IEP), or any due process hearing, or any resolution session related to a due process hearing¹;
- c. In no case more than 45 days after it has received the request.

The public charter school shall respond to reasonable requests for explanations and interpretations of the student's education record.

The parent(s) or an eligible student shall comply with the following procedure to inspect and review a student's education record:

- a. Provide a written, dated request to inspect a student's education record; and
- b. State the specific reason for requesting the inspection.

The written request will be permanently added to the student's education record.

¹ Records must be provided without undue delay, which may not exceed 10 business days from the date of the request for the records. Records may be redacted only to the extent necessary to protect personally identifiable information of other children unless disclosure is authorized by law or court order.

The public charter school shall not destroy any education record if there is an outstanding request to inspect and review the education record.

While the public charter school is not required to give an eligible student or student's parent(s) access to treatment records under the definition of "education records" in OAR 581-021-0220(6)(b)(D), the eligible student or student's parent(s) may, at their expense, choose a physician or other appropriate professional and have those records reviewed.

If an eligible student or student's parent(s) so requests, the public charter school shall give the eligible student or student's parent(s) a copy of the student's education record. The public charter school may recover a fee for providing a copy of the record, but only for the actual costs of reproducing the record unless the imposition of a fee effectively prevents a parent or eligible student from exercising the right to inspect and review the students' educational records. The public charter school may not charge a fee to search for or to retrieve the education records of a student.

The public charter school shall not provide the eligible student or student's parent(s) with a copy of test protocols, test questions and answers and other documents described in Oregon Revised Statutes (ORS) 192.345(4) unless authorized by federal law.

The public charter school will maintain a list of the types and locations of education records maintained by the public charter school and the titles and addresses of officials responsible for the records.

Students' education records will be maintained at the public charter school building at which the student is in attendance except for special education records which may be located at another designated location within the public charter school or the district². The [executive director or designee] shall be the person responsible for maintaining and releasing the education records.

5. Release of Personally Identifiable Information

Personally identifiable information shall not be released without prior written consent of the eligible student or student's parent(s) except in the following cases:

- a. The disclosure is to other school officials, including teachers, within the public charter school or district who have a legitimate educational interest.

As used in this section, "legitimate educational interest" means a public charter school or district¹ official employed by the public charter school or district as an administrator, supervisor, instructor or staff support member; a person serving on a public charter school or district board; a person or company with whom the public charter school or district has contracted to perform a special task; or a parent or student serving on a special committee such as a disciplinary or grievance committee, or assisting another public charter school or district official in performing his or her tasks needed to review an educational record in order to fulfill his or her professional responsibility (definition from FERPA).

² "District," for the purpose of this policy, means the district in which the public charter school is located.

The public charter school shall maintain, for public inspection, a listing of the names and positions of individuals within the public charter school or district who have access to personally identifiable information with respect to students with disabilities.

- b. The disclosure is to officials of another school within the district;
- c. The disclosure is to authorized representatives of:

[The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division] in connection with an audit or evaluation of federal or state-supported education programs or the enforcement of or compliance with federal or state-supported education programs or the enforcement of or compliance with federal or state regulations.

- d. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:

- (1) Determine eligibility for the aid;
- (2) Determine the amount of the aid;
- (3) Determine the conditions for the aid; or
- (4) Enforce the terms and condition of the aid.

As used in this section “financial aid” means any payment of funds provided to an individual that is conditioned on the individual’s attendance at an educational agency or institution.

- e. The disclosure is to organizations conducting studies for, or on behalf of, the district to:

- (1) Develop, validate or administer predictive tests;
- (2) Administer student aid programs; or
- (3) Improve instruction.

- f. The public charter school may disclose information under this section only if disclosure is to an official listed in paragraph (c) above and who enters into a written agreement with the district that:

- (1) Specifies the purpose, scope and duration of the study and the information to be disclosed;
- (2) Limits the organization to using the personally identifiable information only for the purpose of the study;
- (3) The study is conducted in a manner that does not permit personal identification of parents or students by individuals other than representatives of the organization; and
- (4) The information is destroyed when no longer needed for the purposes for which the study was conducted.

For purposes of this section, the term “organization” includes, but is not limited to, federal, state and local agencies and independent organizations.

The district may disclose information under this section only if the disclosure is to an official listed in paragraph (c) above who is conducting an audit related to the enforcement of or

compliance with federal or state legal requirements and who enters into a written agreement with the district that:

- (1) Designates the individual or entity as an authorized representative;
 - (5) Specifies the personally identifiable information being disclosed;
 - (6) Specifies the personally identifiable information being disclosed in the furtherance of an audit, evaluation or enforcement or compliance activity of the federal or state supported education programs;
 - (7) Describes the activity with sufficient specificity to make clear it falls within the audit or evaluation exception; this must include a description of how the personally identifiable information will be used;
 - (8) Requires information to be destroyed when no longer needed for the purpose for which the study was conducted;
 - (9) Identifies the time period in which the personally identifiable information must be destroyed; and
 - (10) Establishes policies and procedures which are consistent with Family Education Rights and Privacy Act (FERPA) and other federal and state confidentiality and privacy provisions to insure the protection of the personally identifiable information from further disclosure and unauthorized use.
- g. The disclosure is to accrediting organizations to carry out their accrediting functions;
- h. The disclosure is to comply with a judicial order or lawfully issued subpoena. The public charter school may disclose information under this section only if the public charter school makes a reasonable effort to notify the eligible student or student's parent(s) of the order or subpoena in advance of compliance, unless an order or subpoena of a federal court or agency prohibits notification to the parent(s) or student;
- i. The disclosure is to comply with a judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependency matters;
- j. The disclosure is to the parent(s) of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;
- k. The disclosure is in connection with a health or safety emergency. The public charter school shall disclose personally identifiable information from an education record to law enforcement, child protective services and health care professionals, and other appropriate parties 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.
- As used in this section a "health or safety emergency" includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnap, abduction or custodial interference and law enforcement or child protective services efforts to respond to a report of abuse of a child or neglect pursuant to applicable state law.
- l. The disclosure is information the district has designated as "directory information" (See Board policy JOA – Directory Information);
- m. The disclosure is to the parent(s) of a student who is not an eligible student or to an eligible student;
- n. The disclosure is to officials of another school, school system, institution of postsecondary education, an education service district (ESD), state regional program or other educational agency that has requested the records and in which the student seeks or intends to enroll or is

enrolled or in which the student receives services. The term “receives services” includes, but is not limited to, an evaluation or reevaluation for purposes of determining whether a student has a disability;

- o. The disclosure is to the Board during an executive session pursuant to ORS 332.061.

The public charter school will use reasonable methods to identify and authenticate the identity of the parents, students, school officials and any other parties to whom the public charter school discloses personally identifiable information from educational records;

- p. The disclosure is to a caseworker or other representative of a state or local child welfare agency or tribal organization that are legally responsible for the care and protection of the student, including educational stability of children in foster care.

6. Record-Keeping Requirements

The public charter school shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student. Exceptions to the record keeping requirements shall include the parent, eligible student, school official or designee responsible for custody of the records and parties authorized by state and federal law for auditing purposes. The public charter school shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure the record must include:

- a. The party or parties who have requested or received personally identifiable information from the education records; and
- b. The legitimate interests the parties had in requesting or obtaining the information.

The following parties may inspect the record of request for access and disclosure to a student’s personally identifiable information:

- a. The parent(s) or an eligible student;
- b. The school official or designee who are responsible for the custody of the records;
- c. Those parties authorized by state or federal law for purposes of auditing the record keeping procedures of the public charter school.

7. Request for Amendment of Student’s Education Record

If an eligible student or student’s parent(s) believes the education records relating to the student contain information that is inaccurate, misleading or in violation of the student’s rights of privacy or other rights, the student or parent(s) may ask the executive director where the record is maintained to amend the record.

The executive director shall decide, after consulting with the necessary staff, whether to amend the record as requested within a reasonable time after the request to amend has been made.

The request to amend the student’s education record shall become a permanent part of the student’s education record.

If the executive director decides not to amend the record as requested, the eligible student or the student’s parent(s) shall be informed of the decision and of a right to appeal the decision by requesting a hearing.

8. Hearing Rights of Parents or Eligible Students

If the executive director decides not to amend the education record of a student as requested by the eligible student or the student's parent(s), the eligible student or student's parent(s) may request a formal hearing for the purpose of challenging information in the education record as inaccurate, misleading or in violation of the privacy or other rights of the student. The public charter school shall appoint a hearings officer to conduct the formal hearing requested by the eligible student or student's parent. The hearing may be conducted by any individual, including an official of the public charter school, who does not have a direct interest in the outcome of the hearing. The hearings officer will establish a date, time and location for the hearing, and give the student's parent or eligible student notice of date, time and location reasonably in advance of the hearing. The hearing will be held within [10] working days of receiving the written or verbal request for the hearing.

The hearings officer will convene and preside over a hearing panel consisting of:

- a. The executive director or designee;
- b. A member chosen by the eligible student or student's parent(s); and
- c. A disinterested, qualified third party appointed by the executive director.

The parent or eligible student may, at own expense, choose one or more individuals to assist or represent them, including an attorney. The hearing shall be private. Persons other than the student, parent, witnesses and counsel shall not be admitted. The hearings officer shall preside over the panel. The panel will hear evidence from the public charter school staff and the eligible student or student's parent(s) to determine the point(s) of disagreement concerning the records. Confidential conversations between a licensed employee or public charter school or district counselor and a student shall not be part of the records hearing procedure. The eligible student or student's parent(s) has the right to insert written comments or explanations into the record regarding the disputed material. Such inserts shall remain in the education record as long as the education record or a contested portion is maintained and exists. The panel shall make a determination after hearing the evidence and make its recommendation in writing within [10] working days following the close of the hearing. The panel will make a determination based solely on the evidence presented at the hearing and will include a summary of the evidence and the reason for the decision. The findings of the panel shall be rendered in writing not more than [10] working days following the close of the hearing and submitted to all parties.

If, as a result of the hearing, the panel decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the eligible student or the student's parent(s) of the right to place a statement in the record commenting on the contested information in the record or stating why there is disagreement with the decision of the panel. If a statement is placed in an education record, the public charter school will ensure that the statement:

- a. Is maintained as part of the student's records as long as the record or a contested portion is maintained by the public charter school or the district³; and

³ Ibid. p. 4.

- d. Is disclosed by the public charter school to any party to whom the student's records or the contested portion are disclosed.

If, as a result of the hearing, the panel decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall:

- a. Amend the record accordingly; and
- e. Inform the eligible student or the student's parent(s) of the amendment in writing.

9. Duties and Responsibilities When Requesting Education Records

The public charter school shall, within 10 days of a student seeking initial enrollment in or services from the public charter school, notify the public or private school, ESD, institution, agency or detention facility or youth care center in which the student was formerly enrolled and shall request the student's education records.

10. Duties and Responsibilities When Transferring Education Records

The public charter school shall transfer originals of all requested student education records, including any ESD records, relating to the particular student to the new educational agency when a request to transfer the education records is made to the public charter school. The transfer shall be made no later than 10 days after receipt of the request. For students in substitute care programs, the transfer must take place within five days of a request. Readable copies of the following documents shall be retained:

- a. The student's permanent records, for one year;
- b. Such special education records as are necessary to document compliance with state and federal audits, for five years after the end of the school year in which the original was created. In the case of records documenting speech pathology and physical therapy services, until the student reaches age 21 or 5 years after last seen, whichever is longer.

Note: Education records shall not be withheld for student fees, fines and charges if requested in circumstances described in ORS 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

Disclosure Statement
Required for use in collecting personally identifiable information
related to social security numbers.

On any form that requests the social security number (SSN), the following statement shall appear just above the space for the SSN:

“Providing your social security number (SSN) is voluntary. If you provide it, the public charter school will use your SSN for record keeping, research, and reporting purposes only. The public charter school will not use your SSN to make any decision directly affecting you or any other person. Your SSN will not be given to the general public. If you choose not to provide your SSN, you will not be denied any rights as a student. Please read the statement on the back of this form that describes how your SSN will be used. Providing your SSN means that you consent to the use of your SSN in the manner described.”

The public charter school, district and Oregon Department of Education may also match your SSN with records from other agencies as follows:

The Oregon Department of Education uses information gathered from the Oregon Employment Division to learn about education, training and job market trends. The information is also used for planning, research and program improvement.

State and private universities, colleges, community colleges and vocational schools use the information to find out how many students go on with their education and their level of success.

Other state agencies use the information to help state and local agencies plan educational and training services to help Oregon citizens get the best jobs available.

Your SSN will be used only for statistical purposes as listed above. State and federal law protects the privacy of your records.

Education Records/Records of Students with Disabilities Management

1. Student Education Record

Student education records are those records that are directly related to a student and maintained by the public charter school, or by a party acting for the public charter school; however, this does not include the following:

- a. Records of instructional, supervisory and administrative personnel and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record, used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- b. Records of the law enforcement unit of the public charter school subject to the provisions of Oregon Administrative Rule (OAR) 581-021-0225;
- c. Records relating to an individual who is employed by the public charter school that are made and maintained in the normal course of business that relate exclusively to the individual in that individual's capacity as an employee and that are not available for use for any other purpose. Records relating to an individual in attendance at the public charter school who is employed as a result of status as a student, are education records and are not accepted under this section;
- d. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:
 - (1) Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in a professional capacity or assisting in a paraprofessional capacity;
 - (2) Made, maintained or used only in connection with treatment of the student; and
 - (3) Disclosed only to individuals providing the treatment. For purposes of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the public charter school.
- e. Records that only contain information relating to activities in which an individual engaged after the individual is no longer a student at the public charter school;
- f. Medical or nursing records which are made or maintained separately and solely by a licensed health care professional who is not employed by the public charter school, and which are not used for education purposes or planning.

The public charter school shall keep and maintain a permanent record on each student which includes the:

- a. Name and address of educational agency or institution;
- b. Full legal name of the student;
- c. Student birth date and place of birth;
- d. Name of parents;

- e. Date of entry in school;
- f. Name of school previously attended;
- g. Courses of study and marks received;
- h. Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;
- i. Credits earned;
- j. Attendance;
- k. Date of withdrawal from school; and
- l. Such additional information as the public charter school may prescribe.

The public charter school may also request the social security number of the student and will include the social security number on the permanent record only if the eligible student or parent complies with the request. The request shall include notification to the eligible student or the student's parent(s) that the provision of the social security number is voluntary and notification of the purpose for which the social security number will be used.

The public charter school shall retain permanent records in a minimum one-hour fire-safe place in the public charter school, or keep a duplicate copy of the permanent records in a safe depository in another public charter school location.

2. Confidentiality of Student Records

- a. The public charter school shall keep confidential any record maintained on a student in accordance with OAR 581-021-0220 through 581-021-0430.
- b. The public charter school shall protect the confidentiality of personally identifiable information at collection, storage, disclosure and destruction stages.
- c. The public charter school shall identify one official to assume responsibility for ensuring the confidentiality of any personally identifiable information.
- d. All persons collecting or using personally identifiable information shall receive training or instruction on state policies and procedures.

3. Rights of Parents and Eligible Students

The public charter school shall annually notify parents and eligible students through the public charter school student/parent handbook or any other means that are reasonably likely to inform the parents or eligible students of their rights. This notification shall state that the parent(s) or an eligible student has a right to:

- a. Inspect and review the student's education records;
- b. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy or other rights;
- c. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the applicable state or federal law authorizes disclosure without consent;
- d. Pursuant to OAR 581-021-0410, file with the Family Policy Compliance Office, United States Department of Education a complaint under 34 C.F.R. § 99.64 concerning alleged failures by the public charter school to comply with the requirements of federal law; and
- e. Obtain a copy of the public charter school policy with regard to student education records.

The notification shall also inform parents or eligible students that the public charter school forwards education records requested under OAR 581-021-0255. The notification shall also indicate where copies of the public charter school policy are located and how copies may be obtained.

If the eligible student or the student's parent(s) has a primary or home language other than English, or has a disability, the public charter school shall provide effective notice.

These rights shall be given to either parent unless the public charter school has been provided with specific written evidence there is a court order, state statute or legally binding document relating to such matters as divorce, separation or custody that specifically revokes these rights.

When a student becomes an eligible student, which is defined as a student who has reached 18 years of age or is attending only an institution of postsecondary education and is not enrolled in a secondary school, the rights accorded to, and the consent required of, the parents transfer from the parents to the student. Nothing prevents the public charter school from giving students rights in addition to those given to parents.

4. Parent's or Eligible Student's Right to Inspect and Review

The public charter school shall permit an eligible student or student's parent(s) or a representative of a parent or eligible student, if authorized in writing by the eligible student or student's parent(s), to inspect and review the education records of the student, unless the education records of a student contain information on more than one student. In that case the eligible student or student's parent(s) may inspect, review or be informed of only the specific information about the student.

The public charter school shall comply with a request for access to records:

- a. Within a reasonable period of time and without unnecessary delay;
- b. For children with disabilities before any meeting regarding an individualized education program (IEP), or any due process hearing, or any resolution session related to a due process hearing;
- c. In no case more than 45 days after it has received the request.

The public charter school shall respond to reasonable requests for explanations and interpretations of the student's education record.

The parent(s) or an eligible student shall comply with the following procedure to inspect and review a student's education record:

- a. Provide a written, dated request to inspect a student's education record; and
- b. State the specific reason for requesting the inspection.

The written request will be permanently added to the student's education record.

The public charter school shall not destroy any education record if there is an outstanding request to inspect and review the education record.

While the public charter school is not required to give an eligible student or student's parent(s) access to treatment records under the definition of "education records" in OAR 581-021-

0220(6)(b)(D), the eligible student or student's parent(s) may, at their expense, choose a physician or other appropriate professional and have those records reviewed.

If an eligible student or student's parent(s) so requests, the public charter school shall give the eligible student or student's parent(s) a copy of the student's education record. The public charter school may recover a fee for providing a copy of the record, but only for the actual costs of reproducing the record unless the imposition of a fee effectively prevents a parent or eligible student from exercising the right to inspect and review the students' educational records. The public charter school may not charge a fee to search for or to retrieve the education records of a student.

The public charter school shall not provide the eligible student or student's parent(s) with a copy of test protocols, test questions and answers and other documents described in Oregon Revised Statutes (ORS) 192.345(4) unless authorized by federal law.

The public charter school will maintain a list of the types and locations of education records maintained by the public charter school and the titles and addresses of officials responsible for the records.

Students' education records will be maintained at the public charter school building at which the student is in attendance except for special education records which may be located at another designated location within the public charter school or the district¹. The [administrator or designee] shall be the person responsible for maintaining and releasing the education records.

5. Release of Personally Identifiable Information

Personally identifiable information shall not be released without prior written consent of the eligible student or student's parent(s) except in the following cases:

- a. The disclosure is to other school officials, including teachers, within the public charter school or district who have a legitimate educational interest.

As used in this section, "legitimate educational interest" means a public charter school or district¹ official employed by the public charter school or district as an administrator, supervisor, instructor or staff support member; a person serving on a public charter school or district board; a person or company with whom the public charter school or district has contracted to perform a special task; or a parent or student serving on a special committee such as a disciplinary or grievance committee, or assisting another public charter school or district official in performing his or her tasks needed to review an educational record in order to fulfill his or her professional responsibility (definition from FERPA).

The public charter school shall maintain, for public inspection, a listing of the names and positions of individuals within the public charter school or district¹ who have access to personally identifiable information with respect to students with disabilities.

- b. The disclosure is to officials of another school within the district¹;

¹ "District," for the purpose of this policy, means the district in which the public charter school is located.

- c. The disclosure is to authorized representatives of:

The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division in connection with an audit or evaluation of federal or state-supported education programs or the enforcement of or compliance with federal or state-supported education programs or the enforcement of or compliance with federal or state regulations.

- d. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:

- (1) Determine eligibility for the aid;
- (2) Determine the amount of the aid;
- (3) Determine the conditions for the aid; or
- (4) Enforce the terms and condition of the aid.

As used in this section "financial aid" means any payment of funds provided to an individual that is conditioned on the individual's attendance at an educational agency or institution.

- e. The disclosure is to organizations conducting studies for, or on behalf of, the district to:

- (1) Develop, validate or administer predictive tests;
- (2) Administer student aid programs; or
- (3) Improve instruction.

- f. The public charter school may disclose information under this section only if disclosure is to an official listed in paragraph (c) above and who enters into a written agreement with the district that:

- (1) Specifies the purpose, scope and duration of the study and the information to be disclosed;
- (2) Limits the organization to using the personally identifiable information only for the purpose of the study;
- (3) The study is conducted in a manner that does not permit personal identification of parents or students by individuals other than representatives of the organization; and
- (4) The information is destroyed when no longer needed for the purposes for which the study was conducted.

For purposes of this section, the term "organization" includes, but is not limited to, federal, state and local agencies and independent organizations.

The district may disclose information under this section only if the disclosure is to an official listed in paragraph (c) above who is conducting an audit related to the enforcement of or compliance with federal or state legal requirements and who enters into a written agreement with the district that:

- (1) Designates the individual or entity as an authorized representative;
- (2) Specifies the personally identifiable information being disclosed;

- (3) Specifies the personally identifiable information being disclosed in the furtherance of an audit, evaluation or enforcement or compliance activity of the federal or state supported education programs;
 - (4) Describes the activity with sufficient specificity to make clear it falls within the audit or evaluation exception; this must include a description of how the personally identifiable information will be used;
 - (5) Requires information to be destroyed when no longer needed for the purpose for which the study was conducted;
 - (6) Identifies the time period in which the personally identifiable information must be destroyed; and
 - (7) Establishes policies and procedures which are consistent with Family Education Rights and Privacy Act (FERPA) and other federal and state confidentiality and privacy provisions to insure the protection of the personally identifiable information from further disclosure and unauthorized use.
- g. The disclosure is to accrediting organizations to carry out their accrediting functions;
 - h. The disclosure is to comply with a judicial order or lawfully issued subpoena. The public charter school may disclose information under this section only if the public charter school makes a reasonable effort to notify the eligible student or student's parent(s) of the order or subpoena in advance of compliance, unless an order or subpoena of a federal court or agency prohibits notification to the parent(s) or student;
 - i. The disclosure is to comply with a judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependency matters;
 - j. The disclosure is to the parent(s) of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;
 - k. The disclosure is in connection with a health or safety emergency. The public charter school shall disclose personally identifiable information from an education record to law enforcement, child protective services and health care professionals, and other appropriate parties 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.
- As used in this section a "health or safety emergency" includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnap, abduction or custodial interference and law enforcement or child protective services efforts to respond to a report of abuse of a child or neglect pursuant to applicable state law.
- l. The disclosure is information the district has designated as "directory information" (See Board policy JOA – Directory Information);
 - m. The disclosure is to the parent(s) of a student who is not an eligible student or to an eligible student;
 - n. The disclosure is to officials of another school, school system, institution of postsecondary education, an education service district (ESD), state regional program or other educational agency that has requested the records and in which the student seeks or intends to enroll or is enrolled or in which the student receives services. The term "receives services" includes, but is not limited to, an evaluation or reevaluation for purposes of determining whether a student has a disability;
 - o. The disclosure is to the Board during an executive session pursuant to ORS 332.061.

The public charter school will use reasonable methods to identify and authenticate the identity of the parents, students, school officials and any other parties to whom the public charter school discloses personally identifiable information from educational records;

- p. The disclosure is to a caseworker or other representative of a state or local child welfare agency or tribal organization that are legally responsible for the care and protection of the student, including educational stability of children in foster care.

6. Record-Keeping Requirements

The public charter school shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student. Exceptions to the record keeping requirements shall include the parent, eligible student, school official or designee responsible for custody of the records and parties authorized by state and federal law for auditing purposes. The public charter school shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure the record must include:

- a. The party or parties who have requested or received personally identifiable information from the education records; and
- b. The legitimate interests the parties had in requesting or obtaining the information.

The following parties may inspect the record of request for access and disclosure to a student's personally identifiable information:

- a. The parent(s) or an eligible student;
- b. The school official or designee who are responsible for the custody of the records;
- c. Those parties authorized by state or federal law for purposes of auditing the record keeping procedures of the public charter school.

7. Request for Amendment of Student's Education Record

If an eligible student or student's parent(s) believes the education records relating to the student contain information that is inaccurate, misleading or in violation of the student's rights of privacy or other rights, the student or parent(s) may ask the administrator where the record is maintained to amend the record.

The administrator shall decide, after consulting with the necessary staff, whether to amend the record as requested within a reasonable time after the request to amend has been made.

The request to amend the student's education record shall become a permanent part of the student's education record.

If the administrator decides not to amend the record as requested, the eligible student or the student's parent(s) shall be informed of the decision and of a right to appeal the decision by requesting a hearing.

8. Hearing Rights of Parents or Eligible Students

If the administrator decides not to amend the education record of a student as requested by the eligible student or the student's parent(s), the eligible student or student's parent(s) may request a

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formal hearing for the purpose of challenging information in the education record as inaccurate, misleading or in violation of the privacy or other rights of the student. The public charter school shall appoint a hearings officer to conduct the formal hearing requested by the eligible student or student's parent. The hearing may be conducted by any individual, including an official of the public charter school, who does not have a direct interest in the outcome of the hearing. The hearings officer will establish a date, time and location for the hearing, and give the student's parent or eligible student notice of date, time and location reasonably in advance of the hearing. The hearing will be held within 15 working days of receiving the written or verbal request for the hearing.

The hearings officer will convene and preside over a hearing panel consisting of:

- a. The administrator or designee;
- b. A member chosen by the eligible student or student's parent(s); and
- c. A disinterested, qualified third party appointed by the administrator.

The parent or eligible student may, at own expense, choose one or more individuals to assist or represent them, including an attorney. The hearing shall be private. Persons other than the student, parent, witnesses and counsel shall not be admitted. The hearings officer shall preside over the panel. The panel will hear evidence from the public charter school staff and the eligible student or student's parent(s) to determine the point(s) of disagreement concerning the records. Confidential conversations between a licensed employee or public charter school or district counselor and a student shall not be part of the records hearing procedure. The eligible student or student's parent(s) has the right to insert written comments or explanations into the record regarding the disputed material. Such inserts shall remain in the education record as long as the education record or a contested portion is maintained and exists. The panel shall make a determination after hearing the evidence and make its recommendation in writing within 10 working days following the close of the hearing. The panel will make a determination based solely on the evidence presented at the hearing and will include a summary of the evidence and the reason for the decision. The findings of the panel shall be rendered in writing not more than 10 working days following the close of the hearing and submitted to all parties.

If, as a result of the hearing, the panel decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the eligible student or the student's parent(s) of the right to place a statement in the record commenting on the contested information in the record or stating why there is disagreement with the decision of the panel. If a statement is placed in an education record, the public charter school will ensure that the statement:

- a. Is maintained as part of the student's records as long as the record or a contested portion is maintained by the public charter school or the district²; and
- b. Is disclosed by the public charter school to any party to whom the student's records or the contested portion are disclosed.

If, as a result of the hearing, the panel decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall:

² Ibid. p. 4.

- a. Amend the record accordingly; and
- b. Inform the eligible student or the student's parent(s) of the amendment in writing.

9. Duties and Responsibilities When Requesting Education Records

The public charter school shall notify the public or private school, ESD, institution, agency or detention facility or youth care center in which the student was formerly enrolled and shall request the student's education records.

10. Duties and Responsibilities When Transferring Education Records

The public charter school shall transfer originals of all requested student education records, including any ESD records, relating to the particular student to the new educational agency when a request to transfer the education records is made to the public charter school. For students in substitute care programs, the transfer must take place within five days of a request. Readable copies of the following documents shall be retained:

- a. The student's permanent records, for one year;
- b. Such special education records as are necessary to document compliance with state and federal audits, for five years after the end of the school year in which the original was created. In the case of records documenting speech pathology and physical therapy services, until the student reaches age 21 or 5 years after last seen, whichever is longer.

Note: Education records shall not be withheld for student fees, fines and charges if requested in circumstances described in ORS 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

Disclosure Statement
Required for use in collecting personally identifiable information
related to social security numbers.

On any form that requests the social security number (SSN), the following statement shall appear just above the space for the SSN:

“Providing your social security number (SSN) is voluntary. If you provide it, the public charter school will use your SSN for record keeping, research, and reporting purposes only. The public charter school will not use your SSN to make any decision directly affecting you or any other person. Your SSN will not be given to the general public. If you choose not to provide your SSN, you will not be denied any rights as a student. Please read the statement on the back of this form that describes how your SSN will be used. Providing your SSN means that you consent to the use of your SSN in the manner described.”

The public charter school, district and Oregon Department of Education may also match your SSN with records from other agencies as follows:

The Oregon Department of Education uses information gathered from the Oregon Employment Division to learn about education, training and job market trends. The information is also used for planning, research and program improvement.

State and private universities, colleges, community colleges and vocational schools use the information to find out how many students go on with their education and their level of success.

Other state agencies use the information to help state and local agencies plan educational and training services to help Oregon citizens get the best jobs available.

Your SSN will be used only for statistical purposes as listed above. State and federal law protects the privacy of your records.

OSBA Model Charter School Sample Policy

Code: IKF

Adopted:

Graduation Requirements**

{Required for public charter schools with services to grades 9-12, and for student-initiated test impropriety (OAR 581-022-2115 (13)) if not covered by policy IL. OAR 581-022-2120 requires public charter schools to have a policy about proficiency in Essential Skills in student languages of origin (suspended through 2027-2028 school year).}

The Board establishes graduation requirements for awarding a high school diploma, a modified diploma, an extended diploma and a certificate of attendance which meet or exceed state requirements.

A student may satisfy graduation requirements in less than four years. The public charter school will award a diploma to a student fulfilling graduation requirements in less than four years if consent is given by the student's parent or guardian or by the student if the student is 18 years of age or older or emancipated.

If the public charter school requires diploma requirements beyond the state requirements, the public charter school shall grant a waiver for those requirements to any student who, at any time from grade 9 to 12, was:

1. In foster care¹;
2. Experiencing houselessness²;
3. A runaway;
4. A child in a military family covered by the Interstate Compact on Educational Opportunity for Military Children;
5. A child of a migrant worker;
6. Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education Program; or
7. ³Enrolled in an approved recovery school under ORS 336.680.

For any student identified above, the public charter school shall accept any credits earned by the student in an educational program⁴ in this state and apply those credits toward the state requirements for a diploma if the credits satisfied those requirements in that educational program in this state.

¹ "Foster child" is defined in ORS 30.297.

² {ORS 329.451(2) and OAR 581-022-use the term "homeless."} See OAR 581-022-2000 for additional information.

³ Applies to high school diplomas awarded on or after January 1, 2026.

⁴ "Educational program in this state" means an educational program that is provided by a school district, a public charter school, an approved recovery school (applies to diplomas awarded on or after January 1, 2026), the Youth Corrections Education Program or the Juvenile Detention Program, or funded as provided by ORS 343.243 for students in a long term care or treatment facility described in ORS 343.961 or a hospital identified in ORS 343.261.

Diploma

A high school diploma will be awarded to students in grades 9 through 12 who complete a minimum of {⁵ 24 credits which include at least:

1. Four credits in language arts⁶ (shall include the equivalent of one unit in written composition);
8. Three credits in mathematics (shall include one unit at the Algebra I level and two units that are at a level higher than Algebra I);
9. Three credits in science;
10. Three credits in social sciences (shall include 0.5 unit of US Civics⁷ credit in addition to at least 2.5 units of credit aligned to the Oregon State Board adopted standards for US and world history, geography, economics and ⁸financial literacy);
11. ⁹One-half credit of higher education and career path skills;
12. ¹⁰One-half credit of personal financial education;
13. One credit in health education;
14. One credit in physical education; and
15. Three credits in career technical education, the arts or world languages¹¹ (units shall be earned in any one or a combination).

The public charter school shall offer students credit options provided the method for obtaining such credit is described in the student's personal education plan and the credit is earned by meeting requirements described in Oregon Administrative rule (OAR) 581-022-2025.

~~[(¹²) A student completing the International Baccalaureate Organization's (IB) Diploma Programme~~

⁵ {If the public charter school has additional credit or graduation requirements beyond the state minimum of 24, the school is required to include those additional credits and graduation requirements in the following lists.}

⁶ "Language arts" includes reading, writing and other communications in any language, including English.

⁷ Civics becomes a half-credit requirement beginning on January 1, 2026 (ORS 329.451).

⁸ This requirement is replaced with a one-half credit of personal financial education requirement for students who were first enrolled in grade 9 during the 2023-2024 school year or first enrolled in grade 9 in any subsequent school year.

⁹ Higher education and career path skills becomes a one-half credit graduation requirement for students who were first enrolled in grade 9 during the 2023-2024 school year or first enrolled in grade 9 in any subsequent school year (a requirement for a high school diploma awarded on or after January 1, 2027; a school may request a one-year waiver in accordance with law).

¹⁰ Personal finance education becomes a one-half credit graduation requirement for students who were first enrolled in grade 9 during the 2023-2024 school year or first enrolled in grade 9 in any subsequent school year (a requirement for a high school diploma awarded on or after January 1, 2027; a school may request a one-year waiver in accordance with law).

¹¹ "World languages" includes sign language, heritage languages and languages other than a student's primary language.

~~¹² {Adopt this language only if the public charter school offers an International Baccalaureate program for high school students. Waivers for the Personal Finance and Higher Education and Career-path Skills can be requested by the public charter school.}~~

curriculum or the IB Career-related Programme curriculum will be considered to have completed the credit requirements listed above. The public charter school shall ensure students in the IB programs complete .5 credit of Personal Finance Education and .5 credit of Higher Education and Career path Skills as stand-alone courses. The public charter school shall develop a curriculum plan that ensures students in an IB program receive inclusive instruction aligned to the adopted standards in Civics and Health.]

In addition to credit requirements as outlined in OAR 581-022-2000 a student must:

1. ¹³Demonstrate proficiency in the Essential Skills of reading, writing, and apply mathematics in a variety of settings;
2. Develop an education plan and build an education profile;
16. Demonstrate extended application of standards through a collection of evidence (or include evidence in existing collection(s)); and
17. Participate in career-related learning experiences.

Modified Diploma

A modified diploma will be awarded only to students who have demonstrated the inability to meet the full set of academic content standards adopted by the State Board of Education for a high school diploma while receiving reasonable modifications and accommodations. A modified diploma may only be awarded to a student who meets the eligibility criteria listed below and other criteria, if applicable, outlined in OAR 581-022-2010 (3):

1. The student has a documented history of an inability to maintain grade level achievement due to significant learning and instructional barriers; or
18. The student has a documented history of a medical condition that creates a barrier to achievement.

Having met the above eligibility criteria, a modified diploma will be awarded to students who, while in grade nine through completion of high school, complete 24 credits with at least 13 of those credits to include:

1. Three credits in language arts;
19. Two credits in mathematics;
20. Two credits in science;
21. Two credits in social sciences (which may include history, civics, geography and economics (including personal finance));
22. ¹⁴One-half credit in personal financial education;
23. ¹⁵One-half credit in higher education and career path skills;

¹³ The State Board of Education has suspended proficiency in Essential Skills requirement through the 2027-2028 school year.

¹⁴ This unit of credit applies to all students who are awarded a modified diploma on or after January 1, 2027.

24. One credit in health education;
25. One credit in physical education; and
26. One credit in career technical education, the arts or world languages (units may be earned in any one or a combination).

Students may earn additional credits to earn a modified diploma pursuant to OAR 581-022-2010.

In addition to credit requirements outlined in OAR 581-022-2010 a student must:

1. ¹⁶Demonstrate proficiency in the Essential Skills of reading, writing and apply mathematics in a variety of settings;
2. Develop an education plan and build an education profile; and
27. Demonstrate extended application of standards through a collection of evidence (or include evidence in existing collection(s)).

Public charter schools may make modifications to the assessment for students who seek a modified diploma when the following conditions are met:

1. For a student on an individualized education program (IEP) or Section 504 plan, any modifications to work samples must be consistent with the requirements established in the IEP or 504 plan. Modifications include practices and procedures that compromise the intent of the assessment through a change in the achievement level, construct, or measured outcome of the assessment. This means that IEP or 504 school teams responsible for approving modifications for a student's assessment may adjust the administration of the assessment and/or the assessment's achievement standard. The IEP or 504 team must inform the student's parent that the use of a modification on an assessment will result in an invalid assessment;
28. For a student not on an IEP or 504 plan, any modifications to work samples must have been provided to the student during instruction in the content area to be assessed, and in the year in which the student is being assessed and modifications must be approved by the school team that is responsible for monitoring the student's progress toward the modified diploma.

Students not on an IEP or a Section 504 Plan may not receive a modified statewide assessment.

A student's school team (which must include an adult student, parent/guardian of the student) shall decide if a student will work toward a modified diploma no earlier than the end of grade six and no later than two years before the student's anticipated exit from high school.

A student's school team may decide to revise a modified diploma decision.

¹⁵ This unit of credit applies to all students who are awarded a modified diploma on or after January 1, 2027.

¹⁶ The State Board of Education has waived this requirement in Essential Skills for students graduating through the 2027-2028 school year.

A student's school team may decide that a student who was not previously working toward a modified diploma should work toward one when the student is less than two years from anticipated exit from high school if the documented history has changed.

For students with a document history as described above, the public charter school shall annually provide the parents or guardians of students, beginning in grade five or after such documented history has been established, the following:

1. Information about the availability of high school diplomas, modified diplomas, ~~extended diplomas~~ and the requirements for such diplomas; and
2. A disclosure that students awarded a certificate of attendance will not be counted as a high school graduate in any reporting for the State or school and that such students awarded a certificate of attendance may not indicate they received a high school diploma on applications for employment, military service, financial aid, admittance to an institution of higher education or any other purpose.

[¹⁷] **Essential Skills**

The public charter school [will] ~~[will not]~~ allow English Language Learner (ELL) students to demonstrate proficiency in all required Essential Skills in the student's language of origin.

The public charter school will develop procedures to provide assessment options as described in the Test Administration Manual, in the ELL student's language of origin, and will develop procedures to ensure that locally scored assessment options administered in an ELL student's language of origin are scored by a qualified rater.

Essential Skills Appeal

The public charter school will ~~[establish an appeal process]~~ [follow Board policy KL - Public Complaints] in the event of an appeal for the denial of a diploma based on the Essential Skills graduation requirement. The school will retain student work samples and student performance data to ensure that sufficient evidence is available in the event of an appeal.]

Extended Diploma

An extended diploma will be awarded only to students who have demonstrated the inability to meet the full set of academic content standards adopted by the State Board of Education for a high school diploma while receiving reasonable modifications and accommodations.

To be eligible for an extended diploma, a student must:

1. While in grade nine through completion of high school, complete 12 credits, which may not include more than 6 credits in a self-contained special education classroom and will include:
 - a. Two credits of mathematics;
 - b. Two credits of language arts;

¹⁷ {[OAR 581-022-2115 (4): Consistent with section (22) of OAR 581-022-2115 Assessment of Essential Skills, the requirements established by sections (2) and (3) of this rule are waived through the end of the 2027-28 school year.]} Therefore, these two sections, i.e., Essential Skills and Essential Skills Appeal, are not required to be in policy at this time. The public charter school could elect to keep the language and the footnote.}

- c. Two credits of science;
- d. Three credits of history, geography, economics or civics;
- e. One credit of health;
- f. One credit of physical education; and
- g. One credit of the arts or a world language; and

29. Have a documented history of:

- a. An inability to maintain grade level achievement due to significant learning and instructional barriers;
- b. A medical condition that creates a barrier to achievement; or
- c. A change in the student's ability to participate in grade level activities as a result of a serious illness or injury that occurred after grade eight.

For students with a document history as described above, the public charter school shall annually provide the parents or guardians of such students, beginning in grade five or after such documented history has been established, the following:

- 1. Information about the availability of high school diplomas, modified diplomas, extended diplomas and the requirements for such diplomas; and
- 2. A disclosure that students awarded a certificate of attendance will not be counted as a high school graduate in any reporting for the State or school and that such students awarded a certificate of attendance may not indicate they received a high school diploma on applications for employment, military service, financial aid, admittance to an institution of higher education or any other purpose.

Certificate of Attendance

A ^{18} certificate of attendance¹⁹ will be awarded to students who:

- 1. [Have maintained regular full-time attendance²⁰ for at least four years beginning in grade nine;
- 2. Do not satisfy requirements for a high school diploma, modified diploma or extended diploma; and
- 3. Have a documented history²¹.]

¹⁸ {The Board shall define criteria for a certificate of attendance. OAR 581-022-2200 (3). See the Oregon Department of Education's [Certificates for School Completion: Questions and Answers Related to the Implementation of SB 992](#).}

¹⁹ A student who began grade 9 before July 1, 2020, may be awarded an alternative certificate if the student satisfies the requirements for an alternative certificate which are in effect on the day before July 1, 2024.

²⁰ {There is no established definition of "regular full-time attendance. The public charter school should review any existing attendance definitions, consider the needs of students in the school and establish clear criteria. This should include how excused and unexcused absences are counted. A few options are provided.}

["Regular full-time attendance" means not being absent for more than 10 percent of school days that the student is enrolled in a school year. See OAR 581-020-0631 for definition of chronic absenteeism. Excused absences [are considered absences for this purpose] [will not be counted against a student.]]

["Regular full-time attendance" means not having eight or more unexcused absences in any four-week period during which school is in session. See ORS 339.065 for definition of irregular attendance. This will be calculated on an annual basis and equates to having unexcused absences for less than 20 percent of the days or class periods during which school is in session.]

For students with a documented history²², the public charter school shall annually provide the parents or guardians of such students, beginning in grade five or after such a documented history has been established, the following:

1. Information about the availability of high school diplomas, modified diplomas, extended diplomas and the requirements for the diplomas; and
30. A disclosure that students awarded a certificate of attendance will not be counted as a high school graduate in any required reporting for the State or public charter school and that such students awarded a certificate of attendance may not indicate they received a high school diploma on applications for employment, military service, financial aid, admittance to an institution of higher education or any other purpose.

Other Public Charter School Responsibilities

The public charter school will ensure that all students have onsite access to the appropriate resources and courses to achieve high school diplomas, modified diplomas, and extended diplomas at a high school operated by the public charter school. The school will provide [age-appropriate and developmentally appropriate] literacy instruction to all students until graduation.

The public charter school may not deny a student who has the documented history listed under the modified or extended diploma requirements outlined above the opportunity to pursue a diploma with more stringent requirements, for the sole reason the student has the documented history.

The public charter school may award a modified diploma or an extended diploma to a student only upon the written consent of a student who is an emancipated minor or who has reached the age of 18 (adult student) at the time the modified or extended diploma is awarded, or the student's parent or guardian. The school must receive the written consent during the school year in which the modified diploma or the extended diploma is awarded.

A student shall have the opportunity to satisfy the requirements for a modified diploma, an extended diploma or a certificate of attendance in the later of 4 years after starting grade 9 or until the student reaches the age of 21 years, if the student is entitled to a public education until the age of 21 under state or federal law.

A student may **complete** the requirements for a modified diploma, an extended diploma or a certificate of attendance in less than four years but not less than three years. In order to satisfy the requirements for a modified diploma, an extended diploma or a certificate of attendance in less than 4 years, the student's parent or guardian or a student who is emancipated or has reached the age of 18 must provide written consent which clearly states the parent, guardian or student is waiving the fourth year and/or years until the student reaches the age of 21. A copy of the consent will be forwarded to the district's superintendent in which the public charter school is located, who will annually report to the Superintendent of Public Instruction the number of such consents.

²¹ "Documented history" means evidence in the cumulative record and education plans of a student that demonstrates the inability over time to maintain grade level achievement even with appropriate modifications and accommodations.

²² "Documented history" means evidence in the cumulative record and education plans of a student that demonstrates the inability over time to maintain grade level achievement even with appropriate modifications and accommodations.

A student who qualifies to receive or receives a modified diploma, an extended diploma or a certificate of attendance shall have the option of participating in a high school graduation ceremony with the student's class.

A student who receives a modified diploma, an extended diploma or a certificate of attendance shall have access to instructional hours, hours of transition services and hours of other services that are designed to meet the unique needs of the student. When added together, the public charter school will provide a total number of hours of instruction and services to the student that equals at least the total number of instructional hours that is required to be provided to students who are attending a public high school. The school may not unilaterally decrease the total number of hours of instruction and services to which a student has access regardless of the age of the student.

The public charter school will award to students with disabilities a document certifying successful completion of program requirements. No document issued to students with disabilities educated in full or in part in a special education program shall indicate that the document is issued by such a program. When a student who has an IEP completes high school, the public charter school will give the student an individualized summary of performance.

Eligible students with disabilities are entitled to a free appropriate public education (FAPE) until the age of 21, even if they have earned a modified diploma, an extended diploma, a certificate of attendance or completion of a General Education Development document. The continuance of services for students with disabilities for a modified diploma, an extended diploma or a certificate of attendance is contingent on the IEP team determining the student's continued eligibility and special education services are needed.

Students and their parents will be notified of graduation and diploma requirements.

The public charter school may not deny a diploma to a student who has opted-out of the statewide assessments if the student is able to satisfy all other requirements for the diploma. Students may opt-out of the Oregon statewide assessments in language arts and/or mathematics by completing the Oregon Department of Education's Opt-out Form²³ and submitting the form to the public charter school.

The public charter school will issue a high school diploma to a veteran if the veteran resides within the boundaries of the school district or is an Oregon resident and attended a high school of the school district, or to a deceased veteran, upon request from a representative of the veteran, if the deceased veteran resided within the boundaries of the school district at the time of death or was an Oregon resident at the time of death and attended a high school of the school district.

The act of student-initiated test impropriety is prohibited. A student that participates in an act of student-initiated test impropriety will be subject to discipline. "Student-initiated test impropriety" means student conduct that is inconsistent with the *Test Administration Manual* or accompanying guidance; or results in a score that is invalid.

END OF POLICY

Legal Reference(s):

Oregon Department of Education page for: [30-day notice and opt-out form](#)

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Graduation Requirements** – IKF
8-9

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ORS 329.007
ORS 329.045
ORS 329.451
ORS 329.479
ORS 332.114
ORS 339.115
ORS 339.505
ORS 343.295
OAR 581-021-0009
OAR 581-022-0102
OAR 581-022-2000
OAR 581-022-2005
OAR 581-022-2010
OAR 581-022-2015
OAR 581-022-2020
OAR 581-022-2025
OAR 581-022-2030
OAR 581-022-2115
OAR 581-022-2120
OAR 581-022-2505

Test Administration Manual, published by the OREGON DEPARTMENT OF EDUCATION.

Certificates for School Completion: Questions and Answers Related to the Implementation of SB 992, published by the OREGON DEPARTMENT OF EDUCATION.

Siletz Valley School

Current Policy -
For Reference

Code: IKF
Adopted: 3/18/25

Graduation Requirements**

The Board establishes graduation requirements for awarding a high school diploma, a modified diploma, an extended diploma and an alternative certificate which meet or exceed state requirements.

A student may satisfy graduation requirements in less than four years. The public charter school will award a diploma to a student fulfilling graduation requirements in less than four years if consent is given by the student's parent or guardian or by the student if the student is 18 years of age or older or emancipated.

If the public charter school requires diploma requirements beyond the state requirements, the public charter school shall grant a waiver for those requirements to any student who, at any time from grade 9 to 12, was:

1. A foster child¹;
2. Homeless;
3. A runaway;
4. A child in a military family covered by the Interstate Compact on Educational Opportunity for Military Children;
5. A child of a migrant worker; or
6. Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education Program.

For any student identified above, the public charter school shall accept any credits earned by the student in an educational program² in this state and apply those credits toward the state requirements for a diploma if the credits satisfied those requirements in that educational program in this state.

Diploma

A high school diploma will be awarded to students in grades 9 through 12 who complete a minimum of 24 credits which include at least:

1. Four credits in language arts (shall include the equivalent of one unit in written composition);

¹ As defined in ORS 30.297.

² "Educational program in this state" means an educational program that is provided by a school district, a public charter school, the Youth Corrections Education Program or the Juvenile Detention Program, or funded as provided by ORS 343.243 for students in a long term care or treatment facility described in ORS 343.962 or a hospital identified in ORS 343.261.

2. Three credits in mathematics (shall include one unit at the Algebra I level and two units that are at a level higher than Algebra I);
3. Three credits in science;
4. Three credits in social sciences (including history, civics³, geography and economics (including personal finance));
5. One credit in health education;
6. One credit in physical education; and
7. Three credits in career technical education, the arts or world languages⁴ (units shall be earned in any one or a combination).

The public charter school shall offer students credit options provided the method for obtaining such credit is described in the student's personal education plan and the credit is earned by meeting requirements described in Oregon Administrative rule (OAR) 581-022-2025.

In addition to credit requirements as outlined in OAR 581-022-2000 a student must⁵:

1. Develop an education plan and build an education profile;
2. Demonstrate extended application through a collection of evidence; and
3. Participate in career-related learning experiences.

Modified Diploma

A modified diploma will be awarded only to students who have demonstrated the inability to meet the full set of state board adopted academic standards adopted by the State Board of Education for a high school diploma even with reasonable modifications and accommodations. A modified diploma may only be awarded to a student who meets the eligibility criteria listed below and other criteria, if applicable, outlined in OAR 581-022-2010(3):

1. Has a documented history of an inability to maintain grade level achievement due to significant learning and instructional barriers; or
2. Has a documented history of a medical condition that creates a barrier to achievement.

Having met the above eligibility criteria, a modified diploma will be awarded to students who, while in grade nine through completion of high school, complete 24 credits which shall include:

1. Three credits in language arts;

³ Civics becomes a half-credit requirement beginning on January 1, 2026 (ORS 329.451).

⁴ "World language" includes sign language, heritage language and languages other than a student's primary language.

⁵ The proficiency in Essential Skills requirement has been waived and is not a condition of receiving a high school diploma during the 2021-2022, 2022-2023 or 2023-2024 school year (Senate Bill 744, 2021).

2. Two credits in mathematics;
3. Two credits in science;
4. Two credits in social sciences (which may include history, civics, geography and economics (including personal finances));
5. One credit in health education;
6. One credit in physical education; and
7. One credit in career technical education, the arts or world languages (units may be earned in any one or a combination).

Students may earn additional credits to earn a modified diploma pursuant to OAR 581-022-2010.

In addition to credit requirements outlined in OAR 581-022-2010 a student must:

1. Develop an education plan and build an education profile; and
2. Demonstrate extended application through a collection of evidence.

Public charter schools may make modifications to the assessment for students who seek a modified diploma when the following conditions are met:

1. For a student on an individualized education program (IEP) or Section 504 plan, any modifications to work samples must be consistent with the requirements established in the IEP or 504 plan. Modifications include practices and procedures that compromise the intent of the assessment through a change in learning expectations, construct, or content that is to be measured, grade level standard, or measured outcome of the assessment. This means that IEP or 504 school teams responsible for approving modifications for a student's assessment may adjust the administration of the assessment and/or the assessment's achievement standard;
2. For a student not on an IEP or 504 plan, any modifications to work samples must have been provided to the student during instruction in the content area to be assessed, and in the year in which the student is being assessed and modifications must be approved by the school team that is responsible for monitoring the student's progress toward the modified diploma.

Students not on an IEP or a Section 504 Plan may not receive a modified Smarter Balanced assessment.

A student's school team shall decide that a student should work toward a modified diploma no earlier than the end of grade six and no later than two years before the student's anticipated exit from high school.

A student's school team may decide to revise a modified diploma decision.

A student's school team may decide that a student who was not previously working toward a modified diploma should work toward one when the student is less than two years from anticipated exit from high school if the documented history has changed.

Beginning in grade five or beginning after a document history to qualify for a modified diploma, the public charter school shall annually provide to the parents or guardians of the student, information about the availability and requirements of a modified diploma.

Extended Diploma

An extended diploma will be awarded only to students who have demonstrated the inability to meet the full set of academic content standards adopted by the State Board of Education for a diploma while receiving modifications and accommodations. To be eligible for an extended diploma, a student must:

1. While in grade nine through completion of high school, complete 12 credits, which may not include more than six credits in a self-contained special education classroom and will include:
 - a. Two credits of mathematics;
 - b. Two credits of language arts;
 - c. Two credits of science;
 - d. Three credits of history, geography, economics or civics;
 - e. One credit of health;
 - f. One credit of physical education;
 - g. One credit of the arts or a world language.
2. Have a documented history of:
 - a. An inability to maintain grade level achievement due to significant learning and instructional barriers;
 - b. A medical condition that creates a barrier to achievement; or
 - c. A change in the student's ability to participate in grade level activities as a result of a serious illness or injury that occurred after grade eight.

Beginning in grade five or beginning after a documented history to qualify for an extended diploma, the public charter school shall annually provide to the parents or guardians of the student, information about the availability and requirements of an extended diploma.

Alternative Certificates

Alternative certificates will be awarded to students who do not satisfy the requirements for a diploma, a modified diploma or an extended diploma if the students meet minimum credit requirements established by the public charter school.

Beginning in grade five or beginning after a documented history to qualify for an alternative certificate, the public charter school shall annually provide to the parents or guardians of the student, information about the availability and requirements of an alternative certificate.

Other Public Charter School Responsibilities

The public charter school will ensure that students have onsite access to the appropriate resources to achieve a diploma, a modified diploma, an extended diploma or an alternative certificate at each high school. The public charter school will provide age-appropriate and developmentally appropriate literacy instruction to all students until graduation.

The public charter school may not deny a student the opportunity to pursue a diploma with more stringent requirements than a modified diploma or an extended diploma for the sole reason the student has the documented history listed under modified or extended diploma requirements.

The public charter school may award a modified diploma or an extended diploma to a student only upon the written consent of a student who is emancipated or who has reached the age of 18 at the time the modified or extended diploma is awarded, or the student's parent or guardian. The public charter school shall receive the written consent during the school year in which the modified diploma or the extended diploma is awarded.

A student shall have the opportunity to satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in the later of 4 years after starting the ninth grade or until the student reaches the age of 21, if the student is entitled to a public education until the age of 21 under state or federal law.

A student may satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in less than four years but not less than three years. In order to satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in less than four years, the student's parent or guardian or a student who is emancipated or has reached the age of 18 must provide written consent which clearly states the parent, guardian or student is waiving the fourth year and/or years until the student reaches the age of 21. A copy of the consent will be forwarded to the district's superintendent in which the public charter school is located, who will annually report to the Superintendent of Public Instruction the number of such consents.

A student who qualifies to receive or receives a modified diploma, an extended diploma or an alternative certificate shall have the option of participating in a high school graduation ceremony with the student's class.

A student who receives a modified diploma, an extended diploma or an alternative certificate shall have access to instructional hours, hours of transition services and hours of other services that are designed to meet the unique needs of the student and when added together provide a total number of hours of instruction and services that equals at least the total number of instructional hours that is required to be provided to students who are attending a public charter high school.

The public charter school will award to students with disabilities a document certifying successful completion of program requirements. No document issued to students with disabilities educated in full or in part in a special education program shall indicate that the document is issued by such a program. When a student who has an IEP completes high school, the public charter school will give the student an individualized summary of performance.

Eligible students with disabilities are entitled to a free appropriate public education (FAPE) until the age of 21, even if they have earned a modified diploma, an extended diploma, an alternative certificate or completion of a General Education Development document. The continuance of services for students with disabilities for a modified diploma, an extended diploma or an alternative certificate is contingent on the IEP team determining the student's continued eligibility and special education services are needed.

Students and their parents will be notified of graduation and diploma requirements.

The public charter school may not deny a diploma to a student who has opted-out of the statewide assessments if the student is able to satisfy all other requirements for the diploma. Students may opt-out of

the Smarter Balanced or alternate Oregon Extended Assessment by completing the Oregon Department of Education's Opt-out Form⁶ and submitting the form to the public charter school.

The public charter school will issue a high school diploma pursuant to Oregon law (ORS 332.114) to a veteran if the veteran resides within the boundaries of the school district or is an Oregon resident and attended a high school of the school district, or to a deceased veteran, upon request from a representative of the veteran, if the deceased veteran resided within the boundaries of the school district at the time of death or was an Oregon resident at the time of death and attended a high school of the school district.

The act of student-initiated test impropriety is prohibited. A student that participates in an act of student-initiated test impropriety will be subject to discipline. "Student-initiated test impropriety" means student conduct that is inconsistent with the *Test Administration Manual* or accompanying guidance; or results in a score that is invalid.

END OF POLICY

Legal Reference(s):

[ORS 329.007](#)
[ORS 329.045](#)
[ORS 329.451](#)
[ORS 329.479](#)
[ORS 332.114](#)
[ORS 339.115](#)
[ORS 339.505](#)

[ORS 343.295](#)
[OAR 581-021-0009](#)
[OAR 581-022-0102](#)
[OAR 581-022-2000](#)
[OAR 581-022-2005](#)
[OAR 581-022-2010](#)
[OAR 581-022-2015](#)

[OAR 581-022-2020](#)
[OAR 581-022-2025](#)
[OAR 581-022-2030](#)
[OAR 581-022-2115](#)
[OAR 581-022-2120](#)
[OAR 581-022-2505](#)

Test Administration Manual, published by the OREGON DEPARTMENT OF EDUCATION.
Senate Bill 1522 (2022).

Cross Reference(s):

IKFB - Graduation Exercises
IL - Assessment Program

OSBA Model Charter School Sample Policy

Code: JOA
Adopted:

Directory Information**

“Directory information” means those items of personally identifiable information contained in a student education record which is not generally considered harmful or an invasion of privacy if released. ~~The following categories are designated as directory information. The following d~~ Directory information^(*) may be released ~~to the public~~ through appropriate procedures and includes:

1. Student’s name;
2. ~~Student’s address including electronic address;~~
3. ~~Student’s telephone listing;~~
4. Student’s photograph;
5. ~~Date and place of birth;~~
6. Major field of study;
7. Participation in officially recognized ~~sports and~~ activities and sports;
8. Weight and height of ~~athletic team~~ members of athletic teams;
9. Dates of attendance; and
10. ~~Grade level;~~
11. Degrees, ~~honors or~~ and awards received;
12. ~~Most recent previous school or program attended.~~

Public Notice

The public charter school will give annual public notice to parents of students in attendance and students 18 years of age or emancipated. The notice shall identify the types of information considered to be directory information, the public charter school’s option to release such information and the requirement that the public charter school must, by law, release secondary students’ names, addresses and telephone numbers to military recruiters and/or institutions of higher education, unless parents or eligible students request the public charter school withhold this information. Such notice will be given prior to release of directory information.

Exclusions

^(*) ~~{For the health, safety and welfare of students, the public charter school may want to consider limiting this list. Consider deleting 2, 3, 5, 6, 9, 10, 11 and/or 12; recommend deleting the word “degrees” in #11 if kept.}~~

Exclusions from any or all directory categories named as directory information or release of information to military recruiters and/or institutions of higher education must be submitted in writing to the public charter school executive director by the parent, student 18 years of age or emancipated student within 15 days of annual public notice. A parent or student 18 years of age or emancipated student may not opt out of directory information to prevent the public charter school from disclosing or requiring a student to disclose their name[, identifier, institutional email address in a class in which the student is enrolled] or from requiring a student to disclose a student ID card or badge that exhibits information that has been properly designated directory information by the public charter school in this policy.

Directory information shall be released only with administrative direction.

Directory information considered by the public charter school to be detrimental will not be released.

Information will not be given over the telephone except in health and safety emergencies.

At no point will a student's Social Security Number or student identification number be considered directory information. The public charter school shall not, in accordance with state law, disclose personal information for the purpose of enforcement of federal immigration laws.

END OF POLICY

Legal Reference(s):

[ORS 30.864](#)

[ORS 107.154](#)

[ORS 180.805](#)

[ORS 326.565](#)

[ORS 326.575](#)

[ORS 336.187](#)

[ORS 338.115\(1\)\(a\)](#)

[OAR 581-021-0220 - 0430](#)

[OAR 581-022-2260](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (~~2012~~2024).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (~~2012~~2024); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (~~2017~~2025).

Every Student Succeeds Act of 2015, 20 U.S.C. § 7908 (~~2012~~2024).

Siletz Valley School

Current Policy -
For Reference

Code: JOA
Adopted: 3/18/25

Directory Information**

“Directory information” means those items of personally identifiable information contained in a student education record which is not generally considered harmful or an invasion of privacy if released. The following categories are designated as directory information. The following directory information may be released to the public through appropriate procedures:

1. Student’s name;
2. Student’s photograph;
3. Participation in officially recognized sports and activities;
4. Weight and height of athletic team members;
5. Dates of enrollment;
6. Age and grade level;
7. Degrees, honors or awards received;
8. Most recent previous school or program attended.

Public Notice

The public charter school will give annual public notice to parents of students in attendance and students 18 years of age or emancipated. The notice shall identify the types of information considered to be directory information, the public charter school’s option to release such information and the requirement that the public charter school must, by law, release secondary students’ names, addresses and telephone numbers to military recruiters and/or institutions of higher education, unless parents or eligible students request the public charter school withhold this information. Such notice will be given prior to release of directory information.

Exclusions

Exclusions from any or all directory categories named as directory information or release of information to military recruiters and/or institutions of higher education must be submitted in writing to the public charter school administrator by the parent, student 18 years of age or emancipated student within 15 days of annual public notice. A parent or student 18 years of age or emancipated student may not opt out of directory information to prevent the public charter school from disclosing or requiring a student to disclose their name or from requiring a student to disclose a student ID card or badge that exhibits information that has been properly designated directory information by the public charter school in this policy.

Directory information shall be released only with administrative direction.

Directory information considered by the public charter school to be detrimental will not be released.

Information will not be given over the telephone except in health and safety emergencies.

At no point will a student's Social Security Number or student identification number be considered directory information. The public charter school shall not, in accordance with state law, disclose personal information for the purpose of enforcement of federal immigration laws.

END OF POLICY

Legal Reference(s):

[ORS 30.864](#)
[ORS 107.154](#)
[ORS 180.805](#)
[ORS 326.565](#)

[ORS 326.575](#)
[ORS 336.187](#)
[ORS 338.115\(1\)\(a\)](#)

[OAR 581-021-0220 to -0430](#)
[OAR 581-022-2260](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2012).
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).
Every Student Succeeds Act of 2015, 20 U.S.C. § 7908 (2012).

Cross Reference(s):

IGBAB/JO - Education Records/Records of Students with Disabilities
JO/IGBAB - Education Records/Records of Students with Disabilities

OSBA Model Charter School Sample Policy

Code: GBNAA/JHFF

Adopted:

Suspected Sexual Conduct with Students and Reporting Requirements *

(Version 1)

{Required policy. ORS 339.372 establishes the requirement for boards to adopt policy on suspected sexual conduct. A virtual public charter school should use Version 2.)

Sexual conduct by public charter school employees, contractors¹, agents², and volunteers³ is prohibited and will not be tolerated. All public charter school employees, contractors, agents, ~~and volunteers, and students⁴~~ are subject to this policy. ~~Students are also subject to this policy if they are acting as an employee, contractor, agent or volunteer.~~

“Sexual conduct,” means verbal or physical conduct or verbal, written or electronic communications by a school employee, a contractor, an agent or a volunteer that involve a student and that are sexual advances or requests for sexual favors directed toward the student, or of a sexual nature that are directed toward the student or that have the effect of unreasonably interfering with a student’s educational performance, or of creating an intimidating or hostile environment. “Sexual conduct” does not include touching or other physical contact that is necessitated by the nature of the school employee’s job duties or by the services required to be provided by the contractor, agent or volunteer, and for which there is no sexual intent; verbal, written or electronic communications that are provided as part of an education program that meets state educational standards or a policy approved by the Board; or conduct or communications described in the definition of sexual conduct herein if the school employee, contractor, agent or volunteer is also a student and the conduct or communications arise out of a consensual relationship between students, do not create an intimidating or hostile educational environment and are not prohibited by law, any policies of the public charter school or any applicable employment agreements.

“Student” means any person who is in any grade from prekindergarten through grade 12 or 21 years of age or younger and receiving educational or related services from the public charter school that is not a post-secondary institution of education, or who was previously known as a student by the person engaging in sexual conduct and who left school or graduated from high school within ~~90 days~~ one calendar year prior to the sexual conduct.

¹ “Contractor” means a person providing services to the public charter school under a contract in a manner that requires the person to have direct, unsupervised contact with students.

² “Agent” means a person acting as an agent for the public charter school in a manner that requires the person to have direct, unsupervised contact with students.

³ “Volunteer” means a person acting as a volunteer for the public charter school in a manner that requires the person to have direct, unsupervised contact with students.

⁴ Student conduct may only be sexual conduct if the student is also an employee, contractor, agent, or volunteer.

⁵ This definition of “sexual conduct” affects all conduct that occurs before, on or after June 23, 2021, for purposes of reports that are made, investigations that are initiated, or a collective bargaining agreement, an employment contract, an agreement for resignation or termination, a severance agreement or any similar contract or agreement entered into, on or after June 23, 2021.

R~~10/05/21~~ 12/24 | LF

Suspected Sexual Conduct with Students and Reporting Requirements * –

GBNAA/JHFF

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The public charter school will post in the school building [and on the school website] the names and contact information of the employees designated for the respective school building to receive reports of suspected sexual conduct and the procedures the designee will follow upon receipt of the report.

Any public charter school employee [{⁶}, ~~contractor, agent or~~ volunteer] who has reasonable cause to believe that a student has been subjected to sexual conduct by another public charter school employee, contractor, agent or volunteer, or that another public charter school employee, contractor, agent or volunteer has engaged in sexual conduct with a student shall immediately report such suspected sexual conduct to the [{⁷} designated licensed administrator] or the [{⁸} alternate designated licensed administrator] in the event the designated administrator is the alleged perpetrator, for their school building. If the conduct also constitutes child abuse, the employee must make mandatory reports in accordance with Board policy GBNAB/JHFE – Suspected Abuse of a Child Reporting Requirements.

A report of suspected sexual conduct about the school administrator will be reported to the [~~insert licensed or registered administrator position title~~] human resources director who shall also report same to the Board chair.

[If an employee fails to report suspected sexual conduct or fails to maintain confidentiality of records, the employee will be disciplined up to and including dismissal.]

When a designated administrator receives a report of suspected sexual conduct by a public charter school employee, contractor, agent or volunteer, the administrator will follow procedures established by the public charter school and set forth in administrative regulation GBNAAR/JHFF-AR - Suspected Sexual Conduct Report Procedures and Forms. All such reports will be reported to the Oregon Department of Education (ODE) or Teacher Standards and Practices Commission (TSPC) in accordance with such administrative regulation. The agency receiving a report will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged perpetrator.

When there is reasonable cause to support the report, a public charter school employee suspected of sexual conduct shall be placed on paid administrative leave pending an investigation and the public charter school will take necessary actions to ensure the student's safety.

When there is reasonable cause to support the report, a public charter school contractor, agent or volunteer suspected of sexual conduct shall be removed from providing services to the public charter school and the public charter school will take necessary actions to ensure the student's safety.

* {The following language in brackets, i.e., [, contractor, agent or volunteer], is optional language for the public charter school to consider including. If the language is kept, the public charter school must make these groups aware of the policy and its administrative regulation and their responsibilities under both. This may also be included in contracts with agents and contractors and include reference to this policy.}

⁷ {ORS 339.372 requires the public charter school to have a policy that designates the licensed administrators and requires the school to post the names and contact information of the designees in the respective school building. A "licensed administrator" is a person employed as an administrator by the school and holds an administrative license issued by TSPC or may be a person employed by the school that does not hold an administrative license issued by TSPC if the school does not require the administrator to be licensed by TSPC (ORS 339.370). An administrator not requiring licensing by the school will at least be registered as an administrator with TSPC (ORS 338.125(7)(a)).}

⁸ {Consider that this alternate licensed administrator may need to be a licensed administrator employed by the school's sponsor if a second licensed or registered administrator is not employed by the public charter school. Discuss this with the school sponsor and insert appropriate language.}

The public charter school will notify, as allowed by state and federal law, the person who was subjected to the suspected sexual conduct about any actions taken by the public charter school as a result of the report.

A public charter school employee, contractor or agent will not assist another public charter school employee, contractor or agent in obtaining a new job if the individual knows, or has reasonable cause to believe the public charter school employee, contractor or agent engaged in sexual conduct. Nothing in this policy prevents the public charter school from disclosing information required by law or providing the routine transmission of administrative and personnel files pursuant to law.

The initiation of a report in good faith about suspected sexual conduct may not adversely affect any terms or conditions of employment or the work environment of the person who initiated the report or who may have been subject to sexual conduct. If a student initiates a report of suspected sexual conduct by a public charter school employee, contractor, agent or volunteer in good faith, the student will not be disciplined by the public charter school or any public charter school employee, contractor, agent or volunteer.

The public charter school will provide to employees at the time of hire, or to a contractor, agent or volunteer at the time of beginning service for the public charter school, the following:

1. A description of conduct that may constitute sexual conduct;
2. A description of the investigatory process and possible consequences if a report of suspected sexual conduct is substantiated; and
3. A description of the prohibitions imposed on public charter school employees, contractors and agents when they attempt to obtain a new job, pursuant to ORS 339.378(2).

All public charter school employees are subject to Board policy GCAB - Personal Electronic Devices and Social Media - Staff regarding appropriate electronic communications with students.

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

The administrator shall develop administrative regulations to implement this policy and to comply with state law.

END OF POLICY

Legal Reference(s):

ORS 338.115
ORS 338.135(7)(a)
ORS 339.370 - 339.400
ORS 419B.005 - 419B.045

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Suspected Sexual Conduct with Students and Reporting Requirements * –
GBNAA/JHFF

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Every Student Succeeds Act, 20 U.S.C. § 7926 (2018).

~~House Bill 2136 (2021).~~

~~Senate Bill 51 (2021).~~

House Bill 4160 (2024).

Siletz Valley School

Current Policy -
For Reference

Code: GBNAA/JHFF
Adopted: 3/18/25
Orig. Code(s): JHFF

Suspected Sexual Conduct with Students and Reporting Requirements

Sexual conduct by public charter school employees, contractors¹, agents², and volunteers³ is prohibited and will not be tolerated. All public charter school employees, contractors, agents, and volunteers are subject to this policy. Students are also subject to this policy if they are acting as an employee, contractor, agent or volunteer.

⁴“Sexual conduct,” means verbal or physical conduct or verbal, written or electronic communications by a school employee, a contractor, an agent or a volunteer that involve a student and that are sexual advances or requests for sexual favors directed toward the student, or of a sexual nature that are directed toward the student or that have the effect of unreasonably interfering with a student’s educational performance, or of creating an intimidating or hostile environment. “Sexual conduct” does not include touching or other physical contact that is necessitated by the nature of the school employee’s job duties or by the services required to be provided by the contractor, agent or volunteer, and for which there is no sexual intent; verbal, written or electronic communications that are provided as part of an education program that meets state educational standards or a policy approved by the Board; or conduct or communications described in the definition of sexual conduct herein if the school employee, contractor, agent or volunteer is also a student and the conduct or communications arise out of a consensual relationship between students, do not create an intimidating or hostile educational environment and are not prohibited by law, any policies of the public charter school or any applicable employment agreements.

“Student” means any person who is in any grade from prekindergarten through grade 12 or 21 years of age or younger and receiving educational or related services from the public charter school that is not a post-secondary institution of education, or who was previously known as a student by the person engaging in sexual conduct and who left school or graduated from high school within 90 days prior to the sexual conduct.

The public charter school will post in the school building and on the school website the names and contact information of the employees designated for the respective school building to receive reports of suspected sexual conduct and the procedures the designee will follow upon receipt of the report.

¹ “Contractor” means a person providing services to the public charter school under a contract in a manner that requires the person to have direct, unsupervised contact with students.

² “Agent” means a person acting as an agent for the public charter school in a manner that requires the person to have direct, unsupervised contact with students.

³ “Volunteer” means a person acting as a volunteer for the public charter school in a manner that requires the person to have direct, unsupervised contact with students.

⁴ This definition of “sexual conduct” affects all conduct that occurs before, on or after June 23, 2021, for purposes of reports that are made, investigations that are initiated, or a collective bargaining agreement, an employment contract, an agreement for resignation or termination, a severance agreement or any similar contract or agreement entered into, on or after June 23, 2021.

Any public charter school employee who has reasonable cause to believe that a student has been subjected to sexual conduct by another public charter school employee, contractor, agent or volunteer, or that another public charter school employee, contractor, agent or volunteer has engaged in sexual conduct with a student shall immediately report such suspected sexual conduct to the designated licensed administrator, or the alternate designated licensed administrator in the event the designated administrator is the alleged perpetrator, for their school building. If the conduct also constitutes child abuse, the employee must make mandatory reports in accordance with Board policy GBNAB/JHFE – Suspected Abuse of a Child Reporting Requirements.

A report of suspected sexual conduct about the superintendent will be reported to the human resources director who shall also report same to the Board chair.

If an employee fails to report suspected sexual conduct or fails to maintain confidentiality of records, the employee will be disciplined up to and including dismissal.

When a designated administrator receives a report of suspected sexual conduct by a public charter school employee, contractor, agent or volunteer, the administrator will follow procedures established by the public charter school and set forth in administrative regulation GBNA/JHFF-AR - Suspected Sexual Conduct Report Procedures and Forms. All such reports will be reported to the Oregon Department of Education (ODE) or Teacher Standards and Practices Commission (TSPC) in accordance with such administrative regulation. The agency receiving a report will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged perpetrator.

When there is reasonable cause to support the report, a public charter school employee suspected of sexual conduct shall be placed on paid administrative leave pending an investigation and the public charter school will take necessary actions to ensure the student's safety.

When there is reasonable cause to support the report, a public charter school contractor, agent or volunteer suspected of sexual conduct shall be removed from providing services to the public charter school and the public charter school will take necessary actions to ensure the student's safety.

The public charter school will notify, as allowed by state and federal law, the person who was subjected to the suspected sexual conduct about any actions taken by the public charter school as a result of the report.

A public charter school employee, contractor or agent will not assist another public charter school employee, contractor or agent in obtaining a new job if the individual knows, or has reasonable cause to believe the public charter school employee, contractor or agent engaged in sexual conduct. Nothing in this policy prevents the public charter school from disclosing information required by law or providing the routine transmission of administrative and personnel files pursuant to law.

The initiation of a report in good faith about suspected sexual conduct may not adversely affect any terms or conditions of employment or the work environment of the person who initiated the report or who may have been subject to sexual conduct. If a student initiates a report of suspected sexual conduct by a public charter school employee, contractor, agent or volunteer in good faith, the student will not be disciplined by the public charter school or any public charter school employee, contractor, agent or volunteer.

1. A description of conduct that may constitute sexual conduct;
2. A description of the investigatory process and possible consequences if a report of suspected sexual conduct is substantiated; and
3. A description of the prohibitions imposed on public charter school employees, contractors and agents when they attempt to obtain a new job, pursuant to ORS 339.378(2).

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

END OF POLICY

GBN/JBA - Sexual Harassment
GBNAB/JHFE - Suspected Abuse of a Child Reporting Requirements
GCAB - Personal Electronic Devices and Social Media - Staff
IIBGA - Electronic Communications System
JFCF - Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence, or Domestic Violence – Student
JHFE/GBNAB - Suspected Abuse of a Child Reporting Requirements
JHFF/GBNAA - Suspected Sexual Conduct with Students and Reporting Requirements

OSBA Model Charter School Sample Policy

Code: AC

Adopted:

Nondiscrimination and Civil Rights

{Required policy. This requirement comes from State and Federal law. OAR 581-021-0655(3) requires policy regarding civil rights coordinators. *This is the revised November 2024 published version of this policy with the removal of a footnote referencing 34 CFR § 106.10 on sex-based discrimination (previously identified as footnote #2), and is the policy recommendation following the invalidation of the 2024 Title IX regulations.*}

The public charter school **does not discriminate on any basis listed below and prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual race¹, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans' status, or because of the perceived or actual race, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans' status of any other persons with whom the individual associates.**

The public charter school may not limit student enrollment based on ethnicity, national origin, race, religion, disability, sex, sexual orientation, gender identity, income level, proficiency in English language, the terms of an individualized education program (IEP), or athletic ability, except as authorized under Oregon law. The school may limit admission to students within a given grade level. The school must select students through an equitable lottery selection process if the number of student applicants exceeds the capacity of a program, class, grade level or building. The school may implement a weighted lottery that favors historically underserved students in accordance with ORS 338.125. The school may give priority for admission to students in accordance with ORS 338.125.

The public charter school prohibits discrimination and harassment in, but not limited to: employment, assignment and promotion of personnel; educational opportunities and services offered students; student assignment to the school and classes; student discipline; location and use of facilities; educational offerings and materials; and accommodating the public at public meetings.

The public charter school prohibits retaliation and discrimination against an individual who has opposed any discrimination act or practice or because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing, and further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under state and federal law.

The Board encourages staff to improve human relations within the school, to respect all individuals, and to establish channels through which the school community can communicate their concerns to school administration and the Board.

¹ Includes discriminatory use of a Native American mascot pursuant to OAR 581-021-0047. Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001.

~~[The Board designates the {insert position title(s)} as the public charter school's civil rights coordinator.]~~
~~[The Board directs the director to designate the public charter school's civil rights coordinator and make contact information available to staff, students and parents. {¹}]~~

The administrator shall appoint individuals at the public charter school to contact on issues concerning the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, Titles VI and VII of the Civil Rights Act, Title IX of the Education Amendments Act, and other civil rights or discrimination issues, and notify students, parents, and employees with their names, office addresses, and phone numbers.

The Board will adopt and the public charter school will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees, and the public, and such procedures will be available at the school's administrative office [during business hours] and published on the home page of the school's website.

Any complaint alleging discrimination may be made to any civil rights coordinator and will be processed in accordance with administrative regulation AC-AR(+) - Discrimination ~~or Civil Rights~~ Complaint Procedure. Depending on the nature of the complaint, additional requirements may apply.

The public charter school will document and track:

1. All reports of discrimination received by the public charter school and all responses to those reports issued by the school, including any investigations completed and remedies provided; and
2. The training completed by each civil rights coordinator.

Civil Rights Coordinator

[The [Superintendent] is the public charter school's civil rights coordinator.]

The civil rights coordinator(s) will:

1. Be knowledgeable of the requirements in OARs 581-021-0038, 581-021-0045, 581-021-0046, and 581-021-0660;
3. Have the independence and authority necessary to carry out the provisions of OAR 581-021-0660;
4. Monitor, coordinate, and oversee public charter school compliance with state and federal laws prohibiting discrimination in education, including ensuring the availability of, and providing to students and staff:
 - a. The notice of nondiscrimination³ required by OAR 581-021-0045; and
 - b. The public charter school written complaint process for making reports of discrimination.
5. Oversee and ensure the resolution of public charter school investigations of complaints alleging and substantiating discrimination, including the provision of remedies designed to restore or preserve equal access to an education program or activity;

¹ ~~[For additional information regarding civil rights coordinators and their responsibilities, see ORS 332.505(2).]~~

³ The notice of nondiscrimination will include the name or title, work address, email address, and phone number of each civil rights coordinator.

6. Provide guidance to school staff on civil rights issues in the public charter school;
7. Respond to questions and concerns about civil rights in the public charter school;
8. Coordinate efforts to prevent civil rights violations from occurring in the public charter school; and
9. {}[Satisfy the training requirements in OAR 581-021-0660 (2)-(3)] [Satisfy the following training requirements:
 - a. Upon initial designation, a civil rights coordinator must receive the following training in accordance with a schedule established by the Oregon Department of Education (ODE):
 - (1) The meaning of discrimination under state and federal nondiscrimination law, including ORS 659.850, Title VI of the Civil Rights Act of 1964 Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990;
 - (2) The duties of public charter schools under state and federal nondiscrimination law, including ORS 342.700 to 342.708, ORS 659.850 and 659.855, Title VI of the Civil Rights Act of 1964, Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the American's with Disabilities Act of 1990, those statutes' implementing rules and regulations, and determinations made by the Oregon Department of Education and the United States Department of Education's Office for Civil Rights;
 - (3) The coordinators required by Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and those coordinators' duties;
 - (4) Identifying discrimination and reports of discrimination;
 - (5) Responding to reports of discrimination;
 - (6) Conducting civil rights investigations, including identifying conflicts of interest, and using strategies to mitigate conflicts of interest;
 - (7) Preventing discrimination in public school programs and activities;
 - (8) Identifying retaliation taken in response to reports of discrimination, responding to reports of such retaliation, and preventing such retaliation in public school programs and activities;
 - (9) Tracking and documenting reports of discrimination.
 - b. In years subsequent to being designated a civil rights coordinator, a civil rights coordinator must annually receive the following training in accordance with a schedule established by ODE:
 - (1) The meaning of discrimination under state and federal nondiscrimination law, including ORS 659.850, Title VI of the Civil Rights Act of 1964 Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990;
 - (2) The duties of public charter schools under state and federal nondiscrimination law, including ORS 342.700 to 342.708, ORS 659.850 and 659.855, Title VI of the Civil

* {OAR 581-021-0655(3)(a) requires the public charter school adopt a policy including the requirements in OAR 581-021-0660, including the training requirements referenced and listed here. The school can meet this requirement by choosing either of the two bracketed options.}

Rights Act of 1964, Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the American's with Disabilities Act of 1990, those statutes' implementing rules and regulations, and determinations made by the Oregon Department of Education and the United States Department of Education's Office for Civil Rights;

- (3) The coordinators required by Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and those coordinators' duties;
- (4) Reporting discrimination, and responding to reports of discrimination, including through complaint processes and investigations.⁵

END OF POLICY

Legal Reference(s):

⁵ Training must first be completed by June 30, 2025.

[ORS 174.100](#)
[ORS 192.630](#)
[ORS 326.051\(1\)\(e\)](#)
[ORS 338.115](#)
[ORS 338.125](#)
[ORS 408.230](#)
[ORS 659.805](#)
[ORS 659.815](#)
[ORS 659.850 - 659.860](#)
[ORS 659.865](#)
[ORS 659A.001](#)
[ORS 659A.003](#)
[ORS 659A.006](#)
[ORS 659A.009](#)
[ORS 659A.029](#)
[ORS 659A.030](#)
[ORS 659A.040](#)
[ORS 659A.103 - 659A.145](#)
[ORS 659A.230 - 659A.233](#)
[ORS 659A.236](#)
[ORS 659A.309](#)
[ORS 659A.321](#)
[ORS 659A.409](#)

[OAR 581-021-0045](#)
[OAR 581-021-0046](#)
[OAR 581-021-0047](#)
[OAR 581-021-0650 - 0665](#)
[OAR 581-075-0001 - 075-0005](#)
[OAR 581-075-0901](#)
[OAR 839-003](#)

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-633 (2018); 29 C.F.R Part 1626 (2019).

Americans with Disabilities Act ~~of 1990~~/Americans with Disabilities Act Amendments Act, 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2018).

Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2018); 34 C.F.R. Part 104 (2019).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018); 29 C.F.R. § 1601 (2019).

Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (2018).

Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (2018); 29 C.F.R. Part 1635 (2019).

Siletz Valley School

Current Policy -
For Reference

Code: AC
Adopted: 8/27/24

Nondiscrimination

The public charter school prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual race¹, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans' status, or because of the perceived or actual race, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans' status of any other persons with whom the individual associates.

The public charter school may not limit student enrollment based on ethnicity, national origin, race, religion, disability, sex, sexual orientation, gender identity, income level, proficiency in English language, the terms of an individualized education program (IEP), or athletic ability, except as authorized under Oregon law. The school may limit admission to students within a given grade level. The school must select students through an equitable lottery selection process if the number of student applicants exceeds the capacity of a program, class, grade level or building. The school may implement a weighted lottery that favors historically underserved students in accordance with ORS 338.125. The school may give priority for admission to students in accordance with ORS 338.125.

The public charter school prohibits discrimination and harassment in, but not limited to: employment, assignment and promotion of personnel; educational opportunities and services offered students; student assignment to the school and classes; student discipline; location and use of facilities; educational offerings and materials; and accommodating the public at public meetings.

The public charter school prohibits retaliation and discrimination against an individual who has opposed any discrimination act or practice or because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing, and further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under state and federal law.

The Board encourages staff to improve human relations within the school, to respect all individuals, and to establish channels through which the school community can communicate their concerns to school administration and the Board.

The Board directs the superintendent-principal to designate the public charter school's civil rights coordinator and make contact information available to staff, students and parents.

The administrator shall appoint individuals at the public charter school to contact on issues concerning the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, Titles VI and VII of the Civil

¹ Includes discriminatory use of a Native American mascot pursuant to OAR 581-021-0047. Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001.

Rights Act, Title IX of the Education Amendments Act, and other civil rights or discrimination issues, and notify students, parents, and employees with their names, office addresses, and phone numbers.

The Board will adopt and the public charter school will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees, and the public, and such procedures will be available at the school's administrative office during business hours and published on the home page of the school's website.

END OF POLICY

Legal Reference(s):

ORS 174.100	ORS 659A.001	ORS 659A.309
ORS 192.630	ORS 659A.003	ORS 659A.321
ORS 326.051(1)(e)	ORS 659A.006	ORS 659A.409
ORS 338.115	ORS 659A.009	
ORS 338.125	ORS 659A.029	OAR 581-021-0045
ORS 408.230	ORS 659A.030	OAR 581-021-0046
ORS 659.805	ORS 659A.040	OAR 581-021-0047
ORS 659.815	ORS 659A.103 - 659A.145	OAR 839-003
ORS 659.850 - 659.860	ORS 659A.230 - 659A.233	
ORS 659.865	ORS 659A.236	

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-633 (2018); 29 C.F.R. Part 1626 (2019).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2018).

Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2018); 34 C.F.R. Part 104 (2019).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018); 29 C.F.R. § 1601 (2019).

Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (2018).

Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (2018); 29 C.F.R. Part 1635 (2019).

Cross Reference(s):

ACA - Americans with Disabilities Act
ACB - Every Student Belongs
GBA - Equal Employment Opportunity
GBEA - Workplace Harassment
JB - Equal Educational Opportunity
KL - Public Complaints

OSBA Model Charter School Sample Policy

Code: AC-AR
Adopted:

Discrimination Complaint Procedure

{Required administrative regulation. Public charter schools are required to prohibit discrimination and have procedures in place to respond to reports or complaints of discrimination. *This is the March 2023 published version of this administrative regulation and is the recommendation following the invalidation of the 2024 Title IX regulations.*}

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

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

Step 1 {¹} Complaints may be oral or in writing and should be filed with the [administrator] [director]. Any staff member that receives a written or oral complaint shall report the complaint to the [administrator] [director].

The [administrator] [director] 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.

~~{²} [Step 2] If the complainant wishes to appeal the decision of the [administrator], the complainant may submit a written appeal to the [director] [or designee] Board within [five] school days after receipt of the [administrator's] response to the complaint.~~

~~The [director] [or designee] Board shall review the [administrator's] decision within [five] school days and may meet with all parties involved. The [director] [or designee] Board will review the merits of the complaint and the [administrator's] decision. The [director] Board will respond in writing to the complainant within [10] school days.~~

Step [3] ² If the complainant is not satisfied with the decision of the [director] [or designee] administrator a written appeal may be filed with the Board within [five] school days of receipt of the [director's] [or designee's] administrator's response in [Step 2-1]. 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] [a Board meeting]. The Board's decision will address each allegation in the complaint and contain the reasons for the Board's decision. A copy of the Board's decision shall be sent to the complainant in writing within [10³⁰] days of ~~this meeting~~ receipt of the appeal by the Board.

If the Board decides not to hear the appeal the administrator's decision is final.

¹ {For public charter school information. The timelines set forth in each step of the school's complaint procedure, beginning here, is recommended to be within 30 days of the submission of the complaint at any step. The school and complainant may agree in writing to a longer time period for that step. The school's complaint procedure is recommended to not exceed a total of 90 days from the initial filing of the complaint, regardless of the number of steps involved, unless the school and the complainant have agreed in writing to a longer time period.}

² {Notes on preparation of this administrative regulation for adoption: If there is only an administrator, delete step 2 and move directly to step 3. Be sure to change 'director' to 'administrator' as appropriate and renumber the steps appropriately.}

{³} If the [administrator] [director] is the subject of the complaint the individual may start at Step [2] [3] and file a complaint with the [director] [Board chair]. [If the [director] administrator is the subject of the complaint, the complaint may start at Step [2] [3] and should be referred to the [Board chair].] [The Board may refer the investigation to a third party.]

Complaints against the Board as a whole or against an individual Board member may start at Step [3] 2, should be submitted to the Board chair, and may be referred to counsel. Complaints against the Board chair may start at Step [3] 2 and should be referred directly to [counsel] [the Board vice chair].

[Timelines may be extended based upon mutual consent of the public charter school and the complainant in writing].

Appeal Process

A decision reached by this public charter school board for a complaint that alleges a violation of OAR 581-021-0047 (Prohibition against using Native American mascots) may be appealed to Oregon Department of Education (ODE) under OAR 581-002-0001 - 581-002-0023.

{⁴}

~~[A decision reached by this public charter school board for a complaint that alleges a violation of Oregon Revised Statute (ORS) 659.850 or Oregon Administrative Rule (OAR) 581-021-0045 or OAR 581-021-0046 (Discrimination), may be appealed to the board of the [⁵] school sponsor]. The complainant may file such appeal with the [superintendent] [Board chair] of the [school sponsor]. A final decision reached by the Board of [school sponsor] may be appealed to ODE under OAR 581-002-0001 - 581-002-0023.]~~

OR

[A final decision reached by the public charter school board for a complaint that alleges a violation of Oregon Revised Statute (ORS) 659.850 or Oregon Administrative Rule (OAR) 581-021-0045 or OAR 581-021-0046 (Discrimination), is recognized as the final decision regarding this complaint⁶ by the Board of [name of public charter school's sponsor]. A final decision may be appealed to ODE under OAR 581-002-0001 - 581-002-0023.]

³ {If there is only a public charter school administrator, the complainant may file with the Board chair; make appropriate bracketed language selections in the first sentence then delete second sentence. If there is an administrator and a director, make the appropriate bracketed language selections in this paragraph using the first and second sentences to outline to whom a complaint is filed.}

⁴ {The public charter school board is strongly encouraged to have a discussion with their sponsor about the next step for a complainant – choose one of the following bracketed options.}

⁵ {Insert the name of the public charter school's sponsor/sponsoring district.}

⁶ The public charter school board is given this authority by the school's sponsor, [name of school sponsor], as established by [the charter agreement] [Board policy] [a resolution of the [name of school sponsor] board].

[] Charter School

DISCRIMINATION COMPLAINT FORM

Name of Person Filing Complaint _____ Date _____ School or Activity _____

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

Subject of complaint:

- ☐ Race
- ☐ Color
- ☐ Religion
- ☐ Sex
- ☐ National or ethnic origin
- ☐ Mental or physical disability
- ☐ Marital status
- ☐ Familial status
- ☐ Economic status
- ☐ Veterans' status
- ☐ Age
- ☐ Sexual orientation
- ☐ Gender identity
- ☐ Pregnancy
- ☐ Income level
- ☐ Athletic ability
- ☐ Proficiency in English language
- ☐ Discriminatory use of a Native American mascot
- ☐ Other _____

Specific complaint: (Please provide detailed information including names, dates, places, activities and results of 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 [administrator] [director].

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.

Siletz Valley School

Current Policy -
For Reference

Code: AC-AR(1)
Adopted: 8/27/24

Discrimination Complaint Procedure

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

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 should be filed with the administrator. Any staff member that receives a written or oral complaint shall report the complaint to the administrator.

The administrator 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 is not satisfied with the decision of the administrator, a written appeal may be filed with the Board within five school days of receipt of the administrator's response in Step 1. 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 a Board meeting. The Board's decision will address each allegation in the complaint and contain the reasons for the Board's decision. A copy of the Board's decision shall be sent to the complainant in writing within 30 days of receipt of the appeal by the Board.

If the Board decides not to hear the appeal the administrator's decision is final.

If the administrator is the subject of the complaint the individual may start at Step 2 and file a complaint with the Board chair.

Complaints against the Board as a whole or against an individual Board member may start at Step 2, should be submitted to the Board chair, and may be referred to counsel. Complaints against the Board chair may start at Step 2 and should be referred directly to the Board vice chair.

Timelines may be extended based upon mutual consent of the public charter school and the complainant in writing.

Appeal Process

A decision reached by this public charter school board for a complaint that alleges a violation of OAR 581-021-0047 (Prohibition against using Native American mascots) may be appealed to Oregon Department of Education (ODE) under OAR 581-002-0001 - 581-002-0023.

A final decision reached by the public charter school board for a complaint that alleges a violation of Oregon Revised Statute (ORS) 659.850 or Oregon Administrative Rule (OAR) 581-021-0045 or OAR

581-021-0046 (Discrimination), is recognized as the final decision regarding this complaint¹ by the Board of Lincoln County School District. A final decision may be appealed to ODE under OAR 581-002-0001 - 581-002-0023.

¹ The public charter school board is given this authority by the school's sponsor, Lincoln County School District, as established by Board policy.

Siletz Valley School

Code: AC-AR(2)
Revised/Reviewed: 8/27/24

Discrimination Complaint Form

Name of Person Filing Complaint

Date

School or Activity

Student/Parent ☐ Employee ☐ Job applicant ☐ Other ☐

Subject of complaint:

☐ Race

☐ Color

☐ Religion

☐ Sex

☐ National or ethnic origin

☐ Mental or physical disability

☐ Marital status

☐ Familial status

☐ Economic status

☐ Veterans' status

☐ Age

☐ Sexual orientation

☐ Gender identity

☐ Pregnancy

☐ Income level

☐ Athletic ability

☐ Proficiency in English
language

☐ Discriminatory use of a
Native American mascot

☐ Other

Specific complaint: (Please provide detailed information including names, dates, places, activities and results of 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 administrator.

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.

OSBA Model Charter School Sample Policy

Code: IL
Adopted:

Assessment Program**

{This policy is required for all public charter schools because of the student test impropriety (OAR 581-022-2115(3)) and opt-out notice for summative assessment; remaining language is highly recommended and is bracketed. See {braced} footnotes for guidance.}

[The public charter school assessment program shall be designed for the purpose of determining public charter school program improvement and individual student needs including the requirements of the Oregon Administrative Rules. Each year the public charter school shall determine each student's progress toward achieving federal, state and local achievement requirements.]

[Assessments shall be used to measure the academic content standards and to identify students who meet or exceed the performance standards adopted by the State Board of Education.]

[Accordingly, the public charter school shall maintain the following assessment program:

1. Criterion-reference assessments, including performance-based assessments, content-based assessments and other valid methods as may be required by state and federal requirements;
2. Individual diagnostic and ability evaluations in all grades when students have been referred and parental permission obtained;
3. Assessments by individual teachers;
4. Other schoolwide and grade levelwide assessments.]

[It is the intent of the Board that progress be measured in a manner that clearly enables the student and parents to know whether the student is making progress toward meeting or exceeding academic content standards. School and individual results shall be reported to the Board, parents and the community, as prescribed by law.]

[The public charter school shall not discriminate in, including but not limited to, the methods, practices and materials used for assessment, evaluating and counseling students on the basis of race, color, national origin, religion, sex, sexual orientation, gender identity, age, disability or marital status. Discrimination complaints shall be processed in accordance with established procedures.]

[Staff will receive in-service education in the use of designated assessments and interpretation of assessment results.]

A parent on behalf of their student or an adult student may annually opt-out of taking a statewide summative assessment in language arts and/or mathematics by completing and submitting ODE's opt-out form¹ to the public charter school. The school shall provide supervised study time for students who are excused from participating in the assessment. A student may be excused from the Oregon Statewide Assessment Program for disability or religious reasons. Parents and adult students will be provided the required notices² and access to forms by the school that include a time frame in which statewide

¹ Oregon Department of Education page for: [30-day notice and opt-out form](#)

² Public charter schools are required to provide notice twice each year: once at the beginning of the year and second time at least 30 days prior to the administration of the test.

assessments will take place, and an adult student's or parent's right to request an exemption from taking the statewide summative assessments.

The act of student-initiated test impropriety is prohibited. A student that participates in an act of student-initiated test impropriety will be subject to discipline. "Student-initiated test impropriety" means student conduct that is inconsistent with the *Test Administration Manual* or accompanying guidance; or results in a score that is invalid.

~~[{³} Beginning in grade five or beginning after a documented history to qualify for a modified diploma, an extended diploma, or an alternative certificate has been established, the public charter school will annually provide to the parents or guardians of the student, information about Oregon's graduation requirements for a modified diploma, an extended diploma, and an alternative certificate. Parents or guardians of students with a documented history of an inability to maintain grade level achievement due to significant learning and instructional barriers, or a documented history of a medical condition that creates a barrier to achievement, must be annually provided the following information:~~

1. Information about the availability of high school diplomas, modified diplomas and the requirements for such diplomas; and
5. A disclosure that students awarded a certificate of attendance will not be counted as a high school graduate in any reporting for the State or the school and that such students awarded a certificate of attendance may not indicate that the student received a high school diploma on applications for employment, military service, financial aid, admittance to an institution of higher education or any other purpose.]

[The administrator shall ensure a periodic review and evaluation of the public charter school's assessment program is conducted.]

END OF POLICY

Legal Reference(s):

³ {Language is highly recommended for schools that serve students grade 5 and above; the annual notice to parents or guardians is required.}

ORS 40.245
ORS 326.565
ORS 326.575
ORS 329.451
ORS 329.479
ORS 329.485
ORS 336.187
ORS 338.115(1)
ORS 659.850

OAR 581-021-0030
OAR 581-022-2010
OAR 581-022-2015
OAR 581-022-2020
OAR 581-022-2030
OAR 581-022-2060
OAR 581-022-2100
OAR 581-022-2115
OAR 581-022-2250
OAR 581-022-2270
OAR 581-022-2310

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2020).

Protection of Pupil Rights, 20 U.S.C. § 1232h (2018); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2020).

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2018).

Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2018).

Test Administration Manual, published by the OREGON DEPARTMENT OF EDUCATION.

~~House Bill 3041 (2021).~~

~~Senate Bill 602 (2021).~~

~~Senate Bill 744 (2021).~~

Siletz Valley School

Current Policy -
For Reference

Code: IL
Adopted: 3/18/25

Assessment Program**

The public charter school assessment program shall be designed for the purpose of determining public charter school program improvement and individual student needs including the requirements of the Oregon Administrative Rules. Each year the public charter school shall determine each student's progress toward achieving federal, state and local achievement requirements.

Assessments shall be used to measure the academic content standards and to identify students who meet or exceed the performance standards adopted by the State Board of Education.

Accordingly, the public charter school shall maintain the following assessment program:

1. Criterion-reference assessments, including performance-based assessments, content-based assessments and other valid methods as may be required by state and federal requirements;
2. Individual diagnostic and ability evaluations in all grades when students have been referred and parental permission obtained;
3. Assessments by individual teachers;
4. Other schoolwide and grade levelwide assessments.

It is the intent of the Board that progress be measured in a manner that clearly enables the student and parents to know whether the student is making progress toward meeting or exceeding academic content standards. School and individual results shall be reported to the Board, parents and the community, as prescribed by law.

The public charter school shall not discriminate in, including but not limited to, the methods, practices and materials used for assessment, evaluating and counseling students on the basis of race, color, national origin, religion, sex, sexual orientation, gender identity, age, disability or marital status. Discrimination complaints shall be processed in accordance with established procedures.

Staff will receive in-service education in the use of designated assessments and interpretation of assessment results.

The superintendent shall ensure a periodic review and evaluation of the public charter school's assessment program is conducted.

END OF POLICY

Legal Reference(s):

<u>ORS 40.245</u>	<u>ORS 338.115(1)</u>	<u>OAR 581-022-2030</u>
<u>ORS 326.565</u>	<u>ORS 659.850</u>	<u>OAR 581-022-2060</u>
<u>ORS 326.575</u>		<u>OAR 581-022-2100</u>
<u>ORS 329.451</u>	<u>OAR 581-021-0030</u>	<u>OAR 581-022-2115</u>
<u>ORS 329.479</u>	<u>OAR 581-022-2010</u>	<u>OAR 581-022-2250</u>
<u>ORS 329.485</u>	<u>OAR 581-022-2015</u>	<u>OAR 581-022-2270</u>
<u>ORS 336.187</u>	<u>OAR 581-022-2020</u>	<u>OAR 581-022-2310</u>

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2020).

Protection of Pupil Rights, 20 U.S.C. § 1232h (2018); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2020).

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2018).

Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2018).

Test Administration Manual, published by the OREGON DEPARTMENT OF EDUCATION.

House Bill 3041 (2021).

Senate Bill 602 (2021).

Senate Bill 744 (2021).

Cross Reference(s):

IKF - Graduation Requirements

OSBA Model Charter School Sample Policy

Code: JHCD
Adopted:

Medications**/*

{Required policy. The requirement for policy comes from ORS 339.866 (2).}

The public charter school recognizes administering a medication to a student and/or permitting a student to administer a medication to themselves, may be necessary to allow the student to attend school. Therefore, the school allows medication, including injectable medications, to be administered to a student by designated personnel and the administration of medication by a student to themselves without assistance from designated personnel, subject to criteria established by the school and in accordance with Oregon law.

The public charter school shall designate personnel authorized to administer medications to students. Medications, including injectable medications, may be administered by designated school personnel as part of a formal delegation by a registered nurse. Annual training shall be provided to designated personnel in accordance with law. The training will align with the ODE Medication Administration Training and include discussion of this policy, procedures and materials, including but not limited to, procedures outlined in administrative regulation JHCD-AR - Medications.

When a licensed health care professional is not immediately available, trained personnel designated by the public charter school may administer epinephrine, glucagon, treatment for adrenal insufficiency, or another medication to a student as prescribed and/or as otherwise allowed by Oregon law.

A current first-aid/CPR/AED card is required for designated personnel.

The public charter school reserves the right to reject a request for administration of medication at school, either by school personnel or student self-administration, if the medication is not necessary for the student to remain in school.

The public charter school may revoke permission given to a student to self-administer medication if the student does not responsibly self-administer the medication or abuses the use of the medication, as determined by school personnel.

Medications will be handled, stored, monitored, disposed of and records maintained in accordance with law and established public charter school procedures governing the administration of prescription or nonprescription medications to students, including procedures for the disposal of sharps and glass.

A process shall be established by which, upon parent or guardian written request, a backup medication is kept at a reasonably, secure location in the student's classroom as provided by state law.

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on public charter school premises who the person believes in good faith is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

[{'}] A non-injectable short-acting opioid antagonist may be administered to any student or other individual

by public charter school personnel (whether or not they have received training on administering medications) on school premises who the individual administering the short-acting opioid antagonist believes in good faith is experiencing an opioid overdose.

A school administrator, teacher or other school employee, may administer a short-acting opioid antagonist to a student who experienced or is experiencing an opioid overdose without written permission and instructions of the student's parents or guardian.]

This policy shall not prohibit, in any way, the administration of recognized first aid to a student by public charter school employees in accordance with established state law, Board policy and administrative regulation.

The superintendent shall develop administrative regulations to meet the requirements of law and the implementation of this policy.

END OF POLICY

Legal Reference(s):

¹ {The public charter school is not required to provide or administer this medication. If the school is going to provide for, and administer this medication, this policy language is required. If the school does not intend to provide or administer this medication, there is no requirement to include this language in this policy.}

ORS 338.115
ORS 339.866 - 339.871
ORS 433.800 - 433.830
ORS 689.800
OAR 166-400-0010(17)
OAR 166-400-0060(29)
OAR 333-055-0000 - 0035
OAR 581-021-0037
OAR 581-022-2220
OAR 851-047-0000 - 0030

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).

OREGON HEALTH AUTHORITY AND OREGON DEPARTMENT OF EDUCATION, *Medication Administration: A Manual for School Personnel*.

House Bill 1552 (2024).

Siletz Valley School

Current Policy -
For Reference

Code: JHCD/JHCDA
Adopted: 3/18/25
Orig. Code(s): JHCD; JHCDA

Medications**

The public charter school recognizes that administering a medication to a student and/or permitting a student to administer a medication to themselves, may be necessary when the failure to take such medication during school hours would prevent the student from attending school, and recognizes a need to ensure the health and well-being of a student who requires regular doses or injections of a medication as a result of experiencing a life-threatening allergic reaction or adrenal crisis¹, or a need to manage hypoglycemia, asthma or diabetes. Accordingly, the public charter school may administer or a student may be permitted to administer to themselves a prescription (injectable and noninjectable) and/or nonprescription (noninjectable) medication at school.

The public charter school shall designate personnel authorized to administer medications to students. Annual training shall be provided to designated personnel as required by law in accordance with guidelines approved by the Oregon Department of Education (ODE). When a licensed health care professional is not immediately available, trained personnel designated by the public charter school may administer to a student, epinephrine, glucagon or another medication to a student as prescribed and/or allowed by Oregon law.

Current first-aid and CPR cards are strongly encouraged for designated personnel.

The public charter school reserves the right to reject a request for administration of medication at school, either by school personnel or student self-administration, if the medication is not necessary for the student to remain in school.

The administrator and/or designee will require that an individualized health care plan and allergy plan is developed for every student with a known life-threatening allergy or a need to manage asthma, and an individualized health care plan for every student for whom the public charter school has been given proper notice of a diagnosis of adrenal insufficiency. Such a plan will include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before-school or after-school care programs on school-owned property and in transit to or from school or a school-sponsored activity.

A student may be allowed to self-administer a medication for asthma, diabetes, hypoglycemia or severe allergies as prescribed by an Oregon licensed health care professional, upon written and signed request of the parent or guardian and subject to age-appropriate guidelines. This self-administration provision also requires a written and signed confirmation the student has been instructed by the Oregon licensed health care professional on the proper use of and responsibilities for the prescribed medication.

¹ Under proper notice given to the public charter school by a student or student's parent or guardian.

A request to the public charter school to administer or allow a student to self-administer prescription medication shall include a signed prescription and treatment plan from a prescriber².

A request to the public charter school to administer or allow a student to self-administer nonprescription medication that is not approved by the Federal Drug Administration (FDA) shall include a written order from the student's prescriber that meets the requirements of law.

A written request and permission form signed by a student's parent or guardian, unless the student is allowed to access medical care without parental consent under state law³, is required and will be kept on file.

If the student is deemed to have violated Board policy or medical protocol by the public charter school, the public charter school may revoke the permission given to a student to self-administer medication.

Prescription and nonprescription medication will be handled, stored, monitored, disposed of and records maintained in accordance with established public charter school administrative regulations governing the administration of prescription or nonprescription medications to students, including procedures for the disposal of sharps and glass.

A process shall be established by which, upon parent or guardian written request, a back-up prescribed autoinjectable epinephrine is kept at a reasonably, secure location in the student's classroom as provided by state law.

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on school premises who the person believes, in good faith, is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

Naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing an overdose of an opioid drug.

This policy shall not prohibit, in any way, the administration of recognized first aid to a student by public charter school employees in accordance with established state law, Board policy and administrative regulation.

A school administrator, teacher or other public charter school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration, in good faith and pursuant to state law, of prescription and/or nonprescription medication.

A school administrator, school nurse, teacher or other public charter school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of a student's self-

² A registered nurse who is employed by a public or private school, ESD or local public health authority to provide nursing services at a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

³ Subject to ORS 109.610, 109.640 and 109.675.

administration of medication, as described in Oregon Revised Statute (ORS) 339.866, if that person in good faith and pursuant to state law, assisted the student in self-administration of the medication.

A school administrator, school nurse, teacher or other public charter school employee designated by the school administration is not liable in a criminal action or for civil damages as a result of the use of medication if that person in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who that person believes in good faith is experiencing an overdose of an opioid drug.

A public charter school and the members of a public charter school board are not liable in a criminal action or for civil damages as a result of the use of medication if any person in good faith, on school premises, including at a school, on school property under the jurisdiction of the public charter school or at an activity under the jurisdiction of the public charter school, administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who the person believes in good faith is experiencing an overdose of an opioid drug.

The superintendent shall develop administrative regulations as needed to meet the requirements of law and the implementation of this policy.

END OF POLICY

Legal Reference(s):

<u>ORS 109.610</u>	<u>ORS 433.800 - 433.830</u>	<u>OAR 333-055-0000 - 055-0115</u>
<u>ORS 109.640</u>	<u>ORS 475.005 - 475.285</u>	<u>OAR 581-021-0037</u>
<u>ORS 109.675</u>		<u>OAR 581-022-2220</u>
<u>ORS 338.115(1)(z)</u>	<u>OAR 166-400-0010(17)</u>	<u>OAR 851-047-0030</u>
<u>ORS 339.866 - 339.871</u>	<u>OAR 166-400-0060(29)</u>	<u>OAR 851-047-0040</u>

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).

OREGON HEALTH AUTHORITY AND OREGON DEPARTMENT OF EDUCATION, *Medication Administration: A Manual for School Personnel*.

OSBA Model Charter School Sample Administrative Regulation

Code: JHCD-AR

Adopted:

Medications**/*

{Required administrative regulation. The requirement comes from ORS 339.866 (2).}

Students may, subject to the provisions of this administrative regulation, have prescription or nonprescription medication administered by designated public charter school personnel, or may be permitted to administer prescription or nonprescription medication to themselves.

1. Definitions¹

- a. ["Administer" means the direct application of a drug or device whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by: (1) a practitioner or the practitioner's authorized agent; or (2) the patient or research subject at the direction of the practitioner. (ORS 689.005)]
- b. "Adrenal crisis" means a sudden, severe worsening of symptoms associated with adrenal insufficiency, such as severe pain in the lower back, abdomen or legs, vomiting, diarrhea, dehydration, low blood pressure or loss of consciousness. (ORS 433.800)
- c. "Adrenal insufficiency" means a hormonal disorder that occurs when the adrenal glands do not produce enough adrenal hormones. (ORS 433.800)
- d. "Asthma" means a chronic inflammatory disorder of the airways that requires ongoing medical intervention. (ORS 339.866)
- e. "Delegation" means a formal delegation of a nursing procedure by a registered nurse to public charter school personnel in accordance with the Oregon Nurse Practice Act. (OAR Chapter 851)
- f. "Designated personnel" means the school personnel designated and trained to administer medication pursuant to public charter school policy and procedure.
- g. "Medication" means medication that is not injected; premeasured doses of epinephrine that are injected; medication that is available for treating adrenal insufficiency; and Naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug. "Medication" also means any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student's Oregon licensed health care professional for asthma or severe allergies. "Medication" does not include nonprescription sunscreen. (ORS 339.866; ORS 339.867)
- h. "Nonprescription medication" means nonprescription drugs as defined in ORS 689.005, which means drugs that may be sold without prescription and that are prepackaged for use by the consumer and labeled in accordance with the requirements of the statutes and regulations of this state and the federal government. (OAR 581-021-0037)
- i. "Notice of a diagnosis of adrenal insufficiency" means written notice to the public charter school from the parent or guardian of a student who has been diagnosed as adrenal insufficient with a copy of an order from the student's primary care provider that includes the student's diagnosis, description of symptoms indicating the student is in crisis, prescription for

¹ There are several laws that apply to medications in schools. Some of these laws have unique definitions that may apply in specific situations. If the applicable law uses a definition that varies from the definition here, use the definition in the law.

- medication to treat adrenal insufficiency crisis, and instructions for follow-up care after medication to treat adrenal insufficiency crisis has been administered. (OAR 581-021-0037)
- j. ["Opioid overdose" means a medical condition that causes depressed consciousness, depressed respiratory function or the impairment of vital bodily functions as a result of ingesting opioids. (ORS 689.800)]
 - k. "Prescriber"² means a "practitioner" as defined in ORS 689.005, which means a person licensed and operating within the scope of such license to prescribe, dispense, conduct research with respect to or administer drugs in the course of professional practice or research: (a) in this state; or (b) in another state or territory of the U.S. if the person does not reside in Oregon and is registered under the federal Controlled Substances Act. (OAR 581-021-0037)
 - l. "Prescription medication" means a "prescription drug" as defined in ORS 689.005, which means a drug that is: required by federal law, prior to being dispensed or delivered, to be labeled with "Caution: Federal law prohibited dispensing without prescription" or "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian"; or required by any applicable federal or state law or regulation to be dispensed on prescription only or is restricted to use by practitioners only.
 - m. "Severe allergy" means a life-threatening hypersensitivity to a specific substance such as food, pollen, or dust. (ORS 339.866)
 - n. "Short-acting opioid antagonist" means any short-acting drug approved by the U.S. Food and Drug Administration for the complete or partial reversal of an opioid overdose. (ORS 689.800)

2. Designated Staff/Training

- a. Medications, including injectable medications, may be administered by trained personnel as part of a formal delegation by a registered nurse.
- b. The administrator, in consultation with the school nurse, will designate public charter school personnel authorized to administer prescription or nonprescription medication to a student which takes into account when the student is in school, at a school-sponsored activity, under the supervision of school personnel, or in transit to or from school- or district-sponsored activities, and may include when a student is in a before-school or after-school care program on school-owned property when required by law. The administrator will supervise and ensure building and activity practices and procedures are consistent with the requirements of law, rules, policy and this administrative regulation.
- c. The public charter school will provide staff who are designated personnel to administer prescription or nonprescription medication access to a school nurse.
- d. The administrator will ensure the annual training required by Oregon law is provided to designated public charter school personnel. Training must be conducted by a qualified trainer, which is a person who is familiar with the delivery of health services in a school setting and who is either a registered nurse licensed by the Oregon State Board of Nursing or a prescriber. Public charter school personnel designated to administer epinephrine, glucagon, and medication to treat adrenal insufficiency shall be trained using related training developed by the Oregon Health Authority (OHA). The first training and every third training thereafter shall be provided in-person³. During subsequent years, designated public charter school personnel

² A registered nurse who is employed by a public charter school or local public health authority to provide nursing services at a school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

³ An online training may qualify as "in-person" when these measures are met: content is provided via synchronous, interactive online sessions with a trainer and learners visible on screen; trainers must be licensed and work within their scope of practice;

may complete an online training so long as a trainer is available following the training to answer questions and provide clarification.

- e. The training for public charter school personnel will provide an overview of applicable provisions of Oregon law, administrative rules, school policy and administrative regulations and include, but not be limited to, discussion of the following: safe storage, administration, handling and disposing of medications; accessibility of medication during an emergency; record keeping; whether response to medication should be monitored by designated personnel and the role of designated personnel in such monitoring; emergency medical response procedures following administration of the medication; confidentiality of health information; and assessment of gained knowledge. Training as recommended and/or approved by ODE will be used.
- f. The public charter school shall maintain documentation of school personnel's completion of training in accordance with OAR 166-400-0010.

3. Administering Premeasured Doses of Epinephrine to a Student or Other Individual

A premeasured dose of epinephrine may be administered by trained public charter school personnel to any student or other individual on school premises who the person believes in good faith is experiencing a severe allergic response, regardless of whether the student or individual has a prescription for epinephrine.

4. Administering Short-Acting Opioid Antagonists

[⁴] A short-acting opioid antagonist may be administered by any public charter school personnel⁵ to any student or other individual, on school premises who the individual administering the short-acting opioid antagonist believes in good faith is experiencing an overdose of an opioid drug.

The [administrator] [~~or school nurse~~] or health assistant shall immediately notify the parent or guardian of a minor student enrolled in the public charter school when a short-acting opioid antagonist is administered to the student while at school, on school property under the jurisdiction of the school or at any activity under the jurisdiction of the public charter school.]

The public charter school shall provide to the parent or legal guardian of each minor student enrolled in the school information regarding short-acting opioid antagonists. The information will include at least:

- a. A description of short-acting opioid antagonists and their purpose;
- b. A statement regarding, in an emergency situation, the risks of administering to an individual a short-acting opioid antagonist and the risks of not administering to an individual a short-acting opioid antagonist;

and include in-person, skills demonstration for training developed by the Oregon Health Authority for epinephrine, glucagon, and for medication to treat adrenal insufficiency.

⁴ {If the public charter school plans to provide for, and administer a short-acting opioid antagonist, this bracketed language is highly recommended. If the school does not intend to provide and/or administer this medication, there is no requirement to include this language.}

⁵ Including public charter school personnel who have not received medication administration training.

- c. A statement identifying which school(s), if any, have short-acting opioid antagonists, and the necessary medical supplies to administer short-acting opioid antagonists, onsite and available for emergency situations; and
- d. A statement that a representative of the public charter school may administer a short-acting opioid antagonist to a student in an emergency if the student appears to be unconscious and experiencing an opioid overdose.

5. Administering of Medication to a Student Experiencing Symptoms of Adrenal Crisis

A student experiencing symptoms of adrenal crisis while the student is in school, at a public charter school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and/or in transit to or from a school- or district-sponsored activity, may be treated by designated personnel and shall be subject to the following:

- a. Upon notice of a diagnosis of adrenal insufficiency, as defined in Oregon Administrative Rule (OAR) 581-021-0037, the building administrator of the school the student attends will designate one or more public charter school personnel to receive training and be responsible for administering the medication to treat adrenal insufficiency to a student in the event the student exhibits symptoms the school personnel believe in good faith indicate the student is experiencing symptoms of adrenal crisis;
- b. The designated personnel will successfully complete required training to administer medication to treat a student who has adrenal insufficiency and is experiencing symptoms of adrenal crisis;
- c. The student's parent or guardian must provide adequate supply of the student's prescribed medication to the public charter school;
- d. The public charter school will develop an individualized health care plan for the student;
- e. In the event that a student experiences symptoms of adrenal crisis and the designated personnel determines the medication to treat adrenal insufficiency should be administered, any available public charter school staff member will immediately call 911 and the student's parent or guardian.

6. Administering Medication to a Student

- a. A request to permit designated personnel to administer medication to a student may be approved by the public charter school and is subject to the following:
 - (1) A written request for designated personnel to administer prescription medication to a student, if because of the prescribed frequency or schedule, the medication must be given while the student is in school, at a school-sponsored activity, while under the supervision of school personnel and in transit to or from school or a school-sponsored activity, must be submitted to the school office and shall include:
 - (a) The written permission of the student's parent or guardian; and
 - (b) The written instruction from the prescriber for the administration of the medication to the student that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;

- (v) Frequency of administration;
- (vi) Other special instructions from the prescriber, if any; and
- (vii) Signature of the prescriber.

The prescription medication is provided in the original prescription packaging by the student's parent or guardian. The prescription label prepared by a pharmacist at the direction of the prescriber, will be sufficient to meet this requirement if it contains the information listed in (i)-(vi) above.

- (2) A written request for designated personnel to administer nonprescription medication to a student must be submitted to the school office and is subject to the following:

- (a) The nonprescription medication is necessary for the student to remain in school;
- (b) The nonprescription medication is:
 - (i) Provided in the original manufacturer's container by the student's parent or guardian; or
 - (ii) Is part of the public charter school's stock medication program in compliance with the Oregon Board of Pharmacy rules including OAR 855-035-0005.
- (c) The written instruction and permission from the student's parent or guardian for the administration of the nonprescription medication⁶ includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instructions, if any; and
 - (vii) Signature of the student's parent or guardian.

If the written instruction is not consistent with the manufacturer's guidelines for the nonprescription medication, the written instruction must also include a written order allowing the inconsistent administration signed by a prescriber.

- (d) If the nonprescription medication is not approved by the Food and Drug Administration (FDA), a written order from the student's prescriber is required and will include:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;

⁶ For nonprescription medication that is not approved by the Food and Drug Administration (FDA), see requirements in 6.a.(2)(d).

- (vi) A statement that the medication must be administered while the student is in school;
 - (vii) Other special instructions, if any; and
 - (viii) Signature of the prescriber.
 - b. The administrator or designee will require an individualized health care plan or allergy plan be developed for every student with a need to manage asthma or a known life-threatening allergy. A plan will include protocols for preventing exposures to allergens and procedures for responding to life-threatening allergic responses, and include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity;
 - c. A student being administered a medication may be monitored by designated personnel to monitor the student's response to the medication;
 - d. A determination will be made by the public charter school on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;
 - e. It is the student's parent or guardian's responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
 - f. It is the student's parent or guardian's responsibility to ensure that the school is informed in writing of any changes in medication instructions;
 - g. In the event a student refuses medication, the parent or guardian will be notified immediately. No attempt will be made to administer medication to a student who refuses a medication;
 - h. Any error in administration of a medication will be reported to the parent or guardian immediately and documented on a medication administration record. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dose, frequency of administration or method of administration;
 - i. Medication shall not be administered until the necessary permission form and written instructions have been submitted and received as required by the public charter school.
7. Administration of Medication by a Student to Themselves
- a. A student, including a student in grade K through 12 with asthma or severe allergies, may be permitted to administer prescription or nonprescription medication to themselves without assistance from designated personnel and is subject to the following:
 - (1) A student must demonstrate the ability, developmentally and behaviorally, to self-administer prescription medication and must have:
 - (a) The written permission from a parent or guardian and other documentation requested by the public charter school must be submitted for self-medication of all prescription medications;
 - (b) If the student has asthma or a severe allergy, a medication that is prescribed by a prescriber and a written treatment plan developed by a prescriber or other Oregon licensed health care professional for managing of the student's asthma, diabetes and/or severe allergy, and directs use by the student while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in

transit to or from school or a school-sponsored activity. The prescriber will include acknowledgment that the student has been instructed in the correct and responsible use of the prescribed medication;

- (c) The permission to self-administer the medication from a building administrator and a prescriber or registered nurse practicing in a public charter school setting.
- (2) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication⁷ and must have:
- (a) The written permission of the student's parent or guardian;
 - (b) The student's name affixed to the manufacturer's original container; and
 - (c) The permission to self-administer medication from a building administrator.
- (3) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication that is not approved by the FDA and must have:
- (a) The written permission of the student's parent or guardian; and
 - (b) A written order from the student's prescriber that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school, at a public charter school-sponsored activity, under the supervision of school personnel, or in transit to or from school- or district-sponsored activities;
 - (vii) Other special instructions, if any; and
 - (viii) Signature of the prescriber.
- b. A determination will be made by the public charter school on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;
 - c. A student may have in their possession only the amount of medication needed for that school day, except for manufacturer's packaging that contains multiple dosage, the student may carry one package, such as, but not limited to, autoinjectable epinephrine or bronchodilators/inhalers;
 - d. The sharing and/or borrowing by a student of any medication with another student is strictly prohibited⁸;
 - e. The public charter school personnel will request backup medication, when the medication is to treat a student's asthma or severe allergy emergency, from the student's parent or guardian. Backup medication, if provided by a student's parent or guardian, will be kept at the student's school in a location to which the student has immediate access in the event the student has an asthma and/or severe allergy emergency;

⁷ For nonprescription medication that is not approved by the Food and Drug Administration (FDA), see requirements in 7.a.(3).

⁸ [Except for short-acting opioid antagonists.]

- f. A student shall not administer medication to themselves until the necessary permission form and written instructions have been submitted as required by the public charter school;
- g. The permission for a student to administer medication to themselves may be revoked if the student does not responsibly self-administer the medication or abuses the use of the medication as determined by public charter school personnel;
- h. A student may be subject to discipline, up to and including expulsion, as appropriate for violations of these procedures;
- i. A student permitted to administer medication to themselves may be monitored by designated personnel to monitor the student's response to the medication[.] [;]
- j. [The public charter school allows the application of and use by students of nonprescription sunscreen, including sunscreen that contains para-aminobenzoic acid, without any required documentation from a licensed health care professional per ORS 339.874.]

8. Handling, Monitoring and Safe Storage of Medication Supplies for Administration of Medication

- a. Any medication must be delivered to the school in its original manufacturer's or current prescription container, accompanied by the permission form and written instructions, as required above.
- b. Prescription medication must always be the most current prescription and kept in the original, labeled container.
- c. Nonprescription medication must be kept in original manufacturer's bottle or box.
- d. [Never administer medication sent to school in unlabeled containers.]
- e. [Never repackage medication into a plastic bag or other container for any reason.]
- f. [Medication in any form categorized as a sedative, stimulant, anti-convulsive, narcotic analgesic or psychotropic medication will be counted or measured by designated personnel or parent or guardian in the presence of another public charter school employee upon receipt [and initialed by the two individuals who counted or witnessed the procedure], documented in the student's medication administration record (MAR) and routinely monitored during storage and administration. Any discrepancies will be reported to the [school nurse or] administrator immediately and documented in the student's MAR. For such medication not in capsule or tablet form, standard measuring and monitoring procedures will apply.]
- g. Designated personnel will follow the written instructions of the prescriber and the student's parent or guardian, and training guidelines as may be recommended by ODE for administering all forms of prescription and/or nonprescription medications.
- h. [Medication will be secured as follows:
 - (1) Nonrefrigerated medications will be stored in a locked cabinet, drawer or box in a secure area;
 - (2) Medications requiring refrigeration will be stored in a locked box in a refrigerator or in a separate refrigerator used solely for the storage of medication in a secure area;
 - (3) Access to medication storage keys will be limited to the administrator and designated personnel.]
- i. [Designated personnel will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering and that the medication container is properly sealed and returned to storage.]
- j. When medication is running low or an inadequate dosage is on hand to administer the medication, the designated personnel will notify the student's parent or guardian immediately.

9. Emergency Response

- a. Designated personnel will immediately call 911 or other appropriate emergency medical response systems and administer first aid, as necessary, in the event of life-threatening side effects and allergic reactions, including the administration of epinephrine. The parent or guardian[, school nurse] and administrator will be notified immediately.
- b. Adverse reactions which result from school-administered medication or from student self-medication will be reported to the parent or guardian immediately.
- c. Any available public charter school staff will immediately call 911 and the student's parent or guardian if the designated personnel believes the student is experiencing symptoms of adrenal crisis and plans to administer medication.
- d. Any available staff will immediately call 911 when a short-acting opioid antagonist is administered to any student or other individual on public charter school premises.

10. Disposal of Medications

- a. [Medication not picked up by the student's parent or guardian, at the end of the school year or within [five] school days of the end of the medication period, whichever is earlier, will be disposed of by designated personnel in the presence of another school employee. The medication may be disposed through a designated drug take-back collection program or in a nonrecoverable fashion as follows:
 - (1) Medication will be removed from its original container and personal information will be destroyed;
 - (2) Mix with an undesirable substance, e.g., coffee grounds, used cat litter;
 - (3) Place in a plastic bag or other sealable container, e.g., such as an empty plastic container; and
 - (4) Place the sealed container with the mixture in the trash as close to garbage pickup time as possible, to prevent theft and misuse.]
- b. [Prescriptions will never be flushed down the toilet or drain or burnt with other waste.]
- c. [Sharps and glass will be disposed of in accordance with state guidelines.]
- d. [All medication will be disposed of by designated personnel following DEQ guidelines and documented on the student's MAR as described below.]

11. Transcribing, Recording and Record Keeping

- a. A medication administration record (MAR) will be maintained for each student administered medication by the public charter school. [The MAR will be in paper* or electronic form and will include, but not be limited to:
 - (1) The full name of the student, date of birth, name of medication, dosage, method of administration, date and time of administration, frequency of administration and the name of the person administering the medication;
 - (2) Student refusals of medication;
 - (3) Errors in administration of medication;
 - (4) Incidents of emergency and minor adverse reaction by a student to medication;

* If a paper record is kept, the record will be documented in blue or black ink, and never in pencil or with use of white-out.

- (5) Discrepancies in medication supply;
 - (6) Disposal of medication including date, quantity, manner in which the medication was destroyed and the signature of the staff involved.]
- b. A MAR for medication administered as part of an IEP goal should be maintained in the IEP record at the end of each school year.
 - c. All records relating to administration of medications, including permissions and written instructions, will be maintained. Records will be retained in accordance with applicable provisions of OAR 166-400-0010(17) and OAR 166-400-0060(29).
 - d. All records relating to the training of designated public charter school personnel will be maintained by the school in accordance with applicable provisions of OAR 166-400-0010.
 - e. Student health information will be kept confidential. Access shall be limited to those designated personnel authorized to administer medication to students, the student and their parent or guardian. Information may be shared with school personnel with a legitimate educational interest in the student or others authorized by the parent or guardian in writing or others as allowed under state and federal law.

[Non-liability Provisions for Administration of Prescription and Nonprescription Medications and Short-Acting Opioid Antagonists]

A school administrator, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration of nonprescription medication, if the school administrator, teacher or other school employee in good faith administers nonprescription medication to a student pursuant to written permission and instructions of the student's parents or guardian.

A school administrator, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration of prescription medication, if the school administrator, teacher or other school employee in compliance with the instructions of a physician, physician assistant, nurse practitioner, naturopathic physician or clinical nurse specialist, in good faith administers prescription medication to a student pursuant to written permission and instructions of the student's parents or guardian.

A person may not maintain an action for injury, death or loss that results from acts or omissions of a school administrator, teacher or other school employee during the administration of a short-acting opioid antagonist unless it is alleged and proved by the complaining party that the school administrator, teacher or other school employee was grossly negligent in administering the short-acting opioid antagonist unless other conditions exist and which are outlined in Oregon law in ORS 339.870.

The civil and criminal immunities provided for above do not apply to an act or omission accounting to gross negligence or willful and wanton misconduct.

Non-Liability Provisions for Self-Administration and Autoinjectable Epinephrine

A school administrator, school nurse, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of a student's self-administration of medication, as described in ORS 339.866, if the school administrator, school nurse, teacher or other school employee, in compliance with the instructions of the student's Oregon licensed health care professional, in good faith assists the student's self-administration of the medication, if the

medication is available to the student pursuant to written permission and instructions of the student's parent, guardian or Oregon licensed health care professional.

A school administrator, school nurse, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the use of medication if the school administrator, school nurse, teacher or other school employee in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication regardless of whether the student or individual has a prescription for epinephrine.

The public charter school and the members of a school Board are not liable in a criminal action or for civil damages as a result of the use of medication if any person in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine; and the person administered the autoinjectable epinephrine on school premises, including at a school, on school property under the jurisdiction of the school or at an activity under the jurisdiction of the school.

The civil and criminal immunities described above (which are identified in ORS 339.871) do not apply to an act or omission to gross negligence or willful and wanton misconduct.]

Siletz Valley School

Current Policy -
For Reference

Code: JHCD/JHCDA-AR
Adopted: 3/18/25

Medications**

Students may, subject to the provisions of this administrative regulation, have prescription or nonprescription medication administered by designated personnel, or may be permitted to administer prescription or nonprescription medication to themselves.

1. Definitions

- a. "Medication" means any drug, chemical compound, suspension or preparation in suitable form for use as a curative or remedial substance taken internally or externally but not injected except for premeasured doses of epinephrine, medication to treat adrenal insufficiency and glucagon to treat severe hypoglycemia. Medication includes any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student's Oregon licensed health care professional for asthma or severe allergies. Medication also includes naloxone or any similar medication that is in any form available for the safe administration and that is designed to rapidly reverse an overdose of an opioid drug.
- b. "Prescription medication" means any medication that under federal or state law requires a prescription by a prescriber.
- c. "Nonprescription medication" means medication that under federal law does not require a prescription from a prescriber.
- d. "Adrenal crisis" means adrenal crisis as defined in Oregon Revised Statute (ORS) 433.800.
- e. "Adrenal insufficiency" means adrenal insufficiency as defined in ORS 433.800.
- f. "Notice of a diagnosis of adrenal insufficiency" means written notice to the public charter school from a student or a parent or guardian of a student who has been diagnosed as adrenal insufficient with a copy of an order from the student's primary care provider that includes the student's diagnosis, description of symptoms indicating the student is in crisis, prescription for medication to treat adrenal insufficiency crisis and instructions for follow-up care after medication to treat adrenal insufficiency crisis has been administered.
- g. "Prescriber"¹ means a doctor of medicine or osteopathy, a physician assistant licensed to practice by the Board of Medical Examiners for the state of Oregon, an Oregon-licensed, advance practice registered nurse with prescriptive authority, a dentist licensed by the Board of Dentistry for the state of Oregon, an optometrist licensed by the Board of Optometry for the state of Oregon, a naturopathic physician licensed by the Board of Naturopathy for the state of Oregon or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.
- h. "Qualified trainer" means a person who is familiar with the delivery of health services in a school setting and who is a registered nurse licensed by the Oregon State Board of Nursing, a doctor of medicine or osteopathy or a physician assistant licensed by the Board of Medical Examiners for the state of Oregon or a pharmacist licensed by the State Board of Pharmacy for the state of Oregon.

¹ A registered nurse who is employed by a public or private school, ESD or local public health authority to provide nursing services at a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

- i. "Severe allergy" means a life-threatening hypersensitivity to a specific substance such as food, pollen, dust or insect sting.
- j. "Asthma" means a chronic inflammatory disorder of the airways that requires ongoing medical intervention.
- k. "Designated personnel" means the school personnel designated to administer medication pursuant to public charter school policy and procedure.

2. Designated Staff/Training

- a. The administrator will designate personnel authorized to administer prescription or nonprescription medication to a student while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, as required by Oregon law. The administrator will supervise and ensure building and activity practices and procedures are consistent with the requirements of law, rules and this administrative regulation.
- b. The administrator will ensure the training required by Oregon law is provided to designated personnel. Training must be conducted by a qualified trainer. Training will be provided annually to designated personnel authorized to administer medication to students. The first year and every third year of training requires in-person instruction; during the intervening years, designated personnel may complete an online training that has been approved by the Oregon Department of Education (ODE) so long as a trainer is available within a reasonable amount of time following the training to answer questions and provide clarification.
- c. Training will provide an overview of applicable provisions of Oregon law, administrative rules, public charter school policy and administrative regulations and include, but not be limited to, the following: safe storage, handling, monitoring medication supplies, disposing of medications, record keeping and reporting of medication administration and errors in administration, emergency medical response for life-threatening side effects, allergic reactions or adrenal insufficiency and student confidentiality. Materials as recommended and/or approved by the ODE will be used.
- d. A copy of the public charter school policy and administrative regulation will be provided to all staff authorized to administer medication to students and others, as appropriate.
- e. A statement that the designated personnel has received the required training will be signed by the staff member and filed in the public charter school office.

3. Administering Premeasured Doses of Epinephrine to a Student or Other Individual

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on school premises who the personnel believe, in good faith, is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

4. Administering Naloxone or Other Similar Medication to a Student or Other Individual

Naloxone or any other similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing an opioid overdose.

5. Administering of Medication to a Student Experiencing Symptoms of Adrenal Crisis

A student experiencing symptoms of adrenal crisis while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, may be treated by designated personnel and shall be subject to the following:

- a. Upon notice of a diagnosis of adrenal insufficiency, as defined in Oregon Administrative Rule (OAR) 581-021-0037, the administrator will designate one or more school personnel to be responsible for administering the medication to treat adrenal insufficiency;
- b. The designated personnel will successfully complete training to administer medication to treat a student who has adrenal insufficiency and is experiencing symptoms of adrenal crisis in accordance with the rules adopted by the Oregon Health Authority;
- c. The student or the student's parent or guardian must provide adequate supply of the student's prescribed medication to the public charter school;
- d. The administrator will require the development of an individualized health care plan for the student that includes protocols for preventing exposures to allergens, and establishes if or when a student may self-carry prescription medication when the student has not been approved to self-administer medication;
- e. In the event that a student experiences symptoms of adrenal crisis and the designated personnel determines the medication to treat adrenal insufficiency should be administered, any available staff member will immediately call 911 and the student's parent or guardian.

6. Administering Medication to a Student

- a. A request to permit designated personnel to administer medication to a student may be approved by the public charter school and is subject to the following:
 - (1) A written request for designated personnel to administer prescription medication to a student, if because of the prescribed frequency or schedule, the medication must be given while the student is in school, at a school-sponsored activity, while under the supervision of school personnel and in transit to or from school or a school-sponsored activity, must be submitted to the public charter school office and shall include:
 - (a) The written permission of the student's parent or guardian or the student if the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
 - (b) The written instruction from the prescriber for the administration of the medication to the student that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instructions from the prescriber, if any; and
 - (vii) Signature of the prescriber.

The prescription label prepared by a pharmacist at the direction of the prescriber, will be considered to meet this requirement if it contains the information listed in (i)-(vi) above.

- (2) A written request for the designated personnel to administer nonprescription medication to a student must be submitted to the public charter school office and is subject to the following:
- (a) The nonprescription medication is necessary for the student to remain in school;
 - (b) The nonprescription medication is provided in the original manufacturer's container by the parent or guardian of the student;
 - (c) The written instruction from the student's parent or guardian for the administration of the nonprescription medication includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instructions, if any; and
 - (vii) Signature of the student's parent or guardian.

If the written instruction is not consistent with the manufacturer's guidelines for the nonprescription medication, the written instruction must also include a written order allowing the inconsistent administration signed by a prescriber.

- (d) If the nonprescription medication is not approved by the Food and Drug Administration (FDA), a written order from the student's prescriber is required and will include:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school;
 - (vii) Other special instructions, if any; and
 - (viii) Signature of the prescriber.
- b. An individualized health care and allergy plan will be developed for a student with a known life-threatening allergy and will include protocols for preventing exposures to allergens and procedures for responding to life-threatening allergic reactions while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, and will include a determination on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;

- c. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
- d. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that the school is informed in writing of any changes in medication instructions;
- e. In the event a student refuses medication, the parent or guardian will be notified immediately, except where a student is allowed to seek medical care without parental consent. No attempt will be made to administer medication to a student who refuses a medication;
- f. Any error in administration of a medication will be reported to the parent or guardian immediately, except where a student is allowed to seek medical care without parental consent, and documentation will be made on the public charter school's Accident/Incident Report form. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dosage, frequency of administration or method of administration;
- g. Medication shall not be administered until the necessary permission form and written instructions have been submitted as required by the public charter school.

7. Administration of Medication by a Student to Themselves

- a. A student, including a student with asthma or severe allergies, may be permitted to administer medication to themselves without assistance from designated personnel and is subject to the following:
 - (1) A student must demonstrate the ability, developmentally and behaviorally, to self-administer prescription medication and must have:
 - (a) A permission form from a parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675, and other documentation requested by the public charter school must be submitted for self-medication of all prescription medications;
 - (b) If the student has asthma, diabetes and/or a severe allergy, a medication that is prescribed by a prescriber and a written treatment plan developed by a prescriber or other Oregon licensed health care professional for managing of a student's asthma, diabetes and/or severe allergy, and directs use by the student while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity. The prescriber will include acknowledgment that the student has been instructed in the correct and responsible use of the prescribed medication;
 - (c) The permission to self-administer the medication from the administrator and a prescriber or a registered nurse practicing in a school setting.
 - (2) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication and must have:
 - (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675;

- (b) The medication must have the student's name affixed to the manufacturer's original container; and
 - (c) The permission to self-administer medication from a building administrator.
- (3) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication that is not approved by the FDA and must have:
 - (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
 - (b) A written order from the student's prescriber that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school;
 - (vii) Other special instructions, if any; and
 - (viii) Signature of the prescriber.
- b. The student may have in their possession only the amount of medication needed for that school day, except for manufacturer's packaging that contains a multiple dosage, the student may carry one package, such as, but not limited to, autoinjectable epinephrine or bronchodilators/inhalers;
- c. Sharing and/or borrowing of any medication with another student is strictly prohibited;
- d. For a student who has been prescribed bronchodilators or epinephrine, the designated personnel will request that the parent or guardian provide backup medication for emergency use by that student. Backup medication, if provided, will be kept at the student's school in a location to which the student has immediate access in the event the student has an asthma and/or severe allergy emergency;
- e. Upon written request from a parent or guardian, and with a prescriber's written statement that the lack of immediate access to a backup autoinjectable epinephrine may be life threatening to a student, and the location the school stores backup medication is not located in the student's classroom, a process shall be established to allow the backup autoinjectable epinephrine to be kept in a reasonably secure location in the student's classroom;
- f. A student shall not administer medication to themselves until the necessary permission form and written instructions have been submitted as required by the public charter school;
- g. Permission for a student to administer medication to themselves may be revoked if the student violates Board policy and/or this administrative regulation;
- h. A student may be subject to discipline, up to and including expulsion, as appropriate;
- i. A student permitted to administer medication to themselves may be monitored by designated personnel to monitor the student's response to the medication.

8. Handling, Monitoring and Safe Storage of Medication Supplies for Administering Medication to Students

- a. Medication administered by designated personnel to a student or self-administered by a student, must be delivered to the school in its original container, accompanied by the permission form and written instructions, as required above.
- b. Medication in capsule or tablet form and categorized as a sedative, stimulant, anticonvulsant, narcotic analgesic or psychotropic medication will be counted by designated personnel in the presence of another public charter school employee upon receipt, documented in the student's medication log and routinely monitored during storage and administration. Discrepancies will be reported to the administrator immediately and documented in the student's medication log. For such medication, not in capsule or tablet form, standard measuring and monitoring procedures will apply.
- c. Designated personnel will follow the written instructions of the prescriber and the student or the student's parent or guardian and training guidelines as may be recommended by the ODE for administering all forms of prescription and/or nonprescription medications.
- d. Medication will be secured as follows:
 - (1) Nonrefrigerated medications will be stored in a locked cabinet, drawer or box;
 - (2) Medications requiring refrigeration will be stored in a locked box in a refrigerator;
 - (3) Access to medication storage keys will be limited to the administrator and designated personnel.
- e. Designated personnel will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering and that the medication container is properly sealed and returned to storage.
- f. In the event medication is running low or an inadequate dosage is on hand to administer the medication, the designated personnel will notify the student's parent or guardian or the student (in situations involving ORS 109.610, 109.640 and 109.675) immediately.

9. Emergency Response

- a. Designated personnel will notify 911 or other appropriate emergency medical response systems and administer first aid, as necessary, in the event of life-threatening side effects that result from staff-administered medication or from student self-medication or allergic reactions. The parent or guardian, school nurse and administrator will be notified immediately.
- b. Minor adverse reactions that result from staff-administered medication or from student self-medication will be reported to the parent or guardian immediately, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675.
- c. Any available public charter school staff will immediately call 911 and the student's parent or guardian if the designated personnel believes the student is experiencing symptoms of adrenal crisis and plans to administer medication.

10. Disposal of Medications

- a. Medication not picked up by the student's parent or guardian, or the student when allowed pursuant to ORS 109.610, 109.640 and 109.675, at the end of the school year or within 10 school days of the end of the medication period, whichever is earlier, will be disposed of by designated personnel in a nonrecoverable fashion as follows:

- (1) Medication will be removed from its original container and personal information will be destroyed;
- (2) Solid medications will be crushed, mixed or dissolved in water, liquid medications will be mixed or dissolved in water; and
- (3) Mixed with an undesirable substance, e.g., coffee grounds, kitty litter, flour; and
- (4) Placed in impermeable nondescriptive containers, e.g., empty cans or sealable bags, and placed in the trash.

Prescriptions will be flushed down the toilet **only** if the accompanying patient information specifically instructs it is safe to do so.

Other medication will be disposed of in accordance with established training procedures including sharps and glass.

- b. All medication will be disposed of by designated personnel in the presence of another public charter school employee and documented as described in Section 10 below.

11. Transcribing, Recording and Record Keeping

- a. A medication log will be maintained for each student administered medication by the public charter school. The medication log will include, but not be limited to:
 - (1) The name of the student, name of medication, dosage, method of administration, date and time of administration, frequency of administration and the name of the person administering the medication;
 - (2) Student refusals of medication;
 - (3) Errors in administration of medication;
 - (4) Incidents of emergency and minor adverse reaction by a student to a medication;
 - (5) Discrepancies in medication supply;
 - (6) Disposal of medication including date, quantity, the manner in which the medication was destroyed and the signature of the staff involved.
- b. All records relating to administration of medications, including permissions and written instructions, will be maintained in a separate medical file apart from the student's education records file unless otherwise related to the student's educational placement and/or individualized education program. Records will be retained in accordance with applicable provisions of OAR 166-400-0010(17) and OAR 166-400-0060(29).
- c. Student health information will be kept confidential. Access shall be limited to those designated personnel authorized to administer medication to students, the student and their parent or guardian. Information may be shared with other staff with a legitimate educational interest in the student or others as may be authorized by the parent or guardian in writing or others as allowed under state and federal law.

Delete

Siletz Valley School

Code: JHCD/JHCDA
Adopted: 3/18/25
Orig. Code(s): JHCD; JHCDA

Medications**

The public charter school recognizes that administering a medication to a student and/or permitting a student to administer a medication to themselves, may be necessary when the failure to take such medication during school hours would prevent the student from attending school, and recognizes a need to ensure the health and well-being of a student who requires regular doses or injections of a medication as a result of experiencing a life-threatening allergic reaction or adrenal crisis¹, or a need to manage hypoglycemia, asthma or diabetes. Accordingly, the public charter school may administer or a student may be permitted to administer to themselves a prescription (injectable and noninjectable) and/or nonprescription (noninjectable) medication at school.

The public charter school shall designate personnel authorized to administer medications to students. Annual training shall be provided to designated personnel as required by law in accordance with guidelines approved by the Oregon Department of Education (ODE). When a licensed health care professional is not immediately available, trained personnel designated by the public charter school may administer to a student, epinephrine, glucagon or another medication to a student as prescribed and/or allowed by Oregon law.

Current first-aid and CPR cards are strongly encouraged for designated personnel.

The public charter school reserves the right to reject a request for administration of medication at school, either by school personnel or student self-administration, if the medication is not necessary for the student to remain in school.

The administrator and/or designee will require that an individualized health care plan and allergy plan is developed for every student with a known life-threatening allergy or a need to manage asthma, and an individualized health care plan for every student for whom the public charter school has been given proper notice of a diagnosis of adrenal insufficiency. Such a plan will include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before-school or after-school care programs on school-owned property and in transit to or from school or a school-sponsored activity.

A student may be allowed to self-administer a medication for asthma, diabetes, hypoglycemia or severe allergies as prescribed by an Oregon licensed health care professional, upon written and signed request of the parent or guardian and subject to age-appropriate guidelines. This self-administration provision also requires a written and signed confirmation the student has been instructed by the Oregon licensed health care professional on the proper use of and responsibilities for the prescribed medication.

¹ Under proper notice given to the public charter school by a student or student's parent or guardian.

A request to the public charter school to administer or allow a student to self-administer prescription medication shall include a signed prescription and treatment plan from a prescriber².

A request to the public charter school to administer or allow a student to self-administer nonprescription medication that is not approved by the Federal Drug Administration (FDA) shall include a written order from the student's prescriber that meets the requirements of law.

A written request and permission form signed by a student's parent or guardian, unless the student is allowed to access medical care without parental consent under state law³, is required and will be kept on file.

If the student is deemed to have violated Board policy or medical protocol by the public charter school, the public charter school may revoke the permission given to a student to self-administer medication.

Prescription and nonprescription medication will be handled, stored, monitored, disposed of and records maintained in accordance with established public charter school administrative regulations governing the administration of prescription or nonprescription medications to students, including procedures for the disposal of sharps and glass.

A process shall be established by which, upon parent or guardian written request, a back-up prescribed autoinjectable epinephrine is kept at a reasonably, secure location in the student's classroom as provided by state law.

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on school premises who the person believes, in good faith, is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

Naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing an overdose of an opioid drug.

This policy shall not prohibit, in any way, the administration of recognized first aid to a student by public charter school employees in accordance with established state law, Board policy and administrative regulation.

A school administrator, teacher or other public charter school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration, in good faith and pursuant to state law, of prescription and/or nonprescription medication.

A school administrator, school nurse, teacher or other public charter school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of a student's self-

² A registered nurse who is employed by a public or private school, ESD or local public health authority to provide nursing services at a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

³ Subject to ORS 109.610, 109.640 and 109.675.

administration of medication, as described in Oregon Revised Statute (ORS) 339.866, if that person in good faith and pursuant to state law, assisted the student in self-administration of the medication.

A school administrator, school nurse, teacher or other public charter school employee designated by the school administration is not liable in a criminal action or for civil damages as a result of the use of medication if that person in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who that person believes in good faith is experiencing an overdose of an opioid drug.

A public charter school and the members of a public charter school board are not liable in a criminal action or for civil damages as a result of the use of medication if any person in good faith, on school premises, including at a school, on school property under the jurisdiction of the public charter school or at an activity under the jurisdiction of the public charter school, administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who the person believes in good faith is experiencing an overdose of an opioid drug.

The superintendent shall develop administrative regulations as needed to meet the requirements of law and the implementation of this policy.

END OF POLICY

Legal Reference(s):

[ORS 109.610](#)
[ORS 109.640](#)
[ORS 109.675](#)
[ORS 338.115\(1\)\(z\)](#)
[ORS 339.866 - 339.871](#)

[ORS 433.800 - 433.830](#)
[ORS 475.005 - 475.285](#)

[OAR 166-400-0010\(17\)](#)
[OAR 166-400-0060\(29\)](#)

[OAR 333-055-0000 - 055-0115](#)
[OAR 581-021-0037](#)
[OAR 581-022-2220](#)
[OAR 851-047-0030](#)
[OAR 851-047-0040](#)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).
OREGON HEALTH AUTHORITY AND OREGON DEPARTMENT OF EDUCATION, *Medication Administration: A Manual for School Personnel*.

Delete

Siletz Valley School

Code: JHCD/JHCDA-AR
Adopted: 3/18/25

Medications**

Students may, subject to the provisions of this administrative regulation, have prescription or nonprescription medication administered by designated personnel, or may be permitted to administer prescription or nonprescription medication to themselves.

1. Definitions

- a. "Medication" means any drug, chemical compound, suspension or preparation in suitable form for use as a curative or remedial substance taken internally or externally but not injected except for premeasured doses of epinephrine, medication to treat adrenal insufficiency and glucagon to treat severe hypoglycemia. Medication includes any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student's Oregon licensed health care professional for asthma or severe allergies. Medication also includes naloxone or any similar medication that is in any form available for the safe administration and that is designed to rapidly reverse an overdose of an opioid drug.
- b. "Prescription medication" means any medication that under federal or state law requires a prescription by a prescriber.
- c. "Nonprescription medication" means medication that under federal law does not require a prescription from a prescriber.
- d. "Adrenal crisis" means adrenal crisis as defined in Oregon Revised Statute (ORS) 433.800.
- e. "Adrenal insufficiency" means adrenal insufficiency as defined in ORS 433.800.
- f. "Notice of a diagnosis of adrenal insufficiency" means written notice to the public charter school from a student or a parent or guardian of a student who has been diagnosed as adrenal insufficient with a copy of an order from the student's primary care provider that includes the student's diagnosis, description of symptoms indicating the student is in crisis, prescription for medication to treat adrenal insufficiency crisis and instructions for follow-up care after medication to treat adrenal insufficiency crisis has been administered.
- g. "Prescriber"¹ means a doctor of medicine or osteopathy, a physician assistant licensed to practice by the Board of Medical Examiners for the state of Oregon, an Oregon-licensed, advance practice registered nurse with prescriptive authority, a dentist licensed by the Board of Dentistry for the state of Oregon, an optometrist licensed by the Board of Optometry for the state of Oregon, a naturopathic physician licensed by the Board of Naturopathy for the state of Oregon or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.
- h. "Qualified trainer" means a person who is familiar with the delivery of health services in a school setting and who is a registered nurse licensed by the Oregon State Board of Nursing, a doctor of medicine or osteopathy or a physician assistant licensed by the Board of Medical Examiners for the state of Oregon or a pharmacist licensed by the State Board of Pharmacy for the state of Oregon.

¹ A registered nurse who is employed by a public or private school, ESD or local public health authority to provide nursing services at a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

- i. "Severe allergy" means a life-threatening hypersensitivity to a specific substance such as food, pollen, dust or insect sting.
- j. "Asthma" means a chronic inflammatory disorder of the airways that requires ongoing medical intervention.
- k. "Designated personnel" means the school personnel designated to administer medication pursuant to public charter school policy and procedure.

2. Designated Staff/Training

- a. The administrator will designate personnel authorized to administer prescription or nonprescription medication to a student while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, as required by Oregon law. The administrator will supervise and ensure building and activity practices and procedures are consistent with the requirements of law, rules and this administrative regulation.
- b. The administrator will ensure the training required by Oregon law is provided to designated personnel. Training must be conducted by a qualified trainer. Training will be provided annually to designated personnel authorized to administer medication to students. The first year and every third year of training requires in-person instruction; during the intervening years, designated personnel may complete an online training that has been approved by the Oregon Department of Education (ODE) so long as a trainer is available within a reasonable amount of time following the training to answer questions and provide clarification.
- c. Training will provide an overview of applicable provisions of Oregon law, administrative rules, public charter school policy and administrative regulations and include, but not be limited to, the following: safe storage, handling, monitoring medication supplies, disposing of medications, record keeping and reporting of medication administration and errors in administration, emergency medical response for life-threatening side effects, allergic reactions or adrenal insufficiency and student confidentiality. Materials as recommended and/or approved by the ODE will be used.
- d. A copy of the public charter school policy and administrative regulation will be provided to all staff authorized to administer medication to students and others, as appropriate.
- e. A statement that the designated personnel has received the required training will be signed by the staff member and filed in the public charter school office.

3. Administering Premeasured Doses of Epinephrine to a Student or Other Individual

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on school premises who the personnel believe, in good faith, is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

4. Administering Naloxone or Other Similar Medication to a Student or Other Individual

Naloxone or any other similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing an opioid overdose.

5. Administering of Medication to a Student Experiencing Symptoms of Adrenal Crisis

A student experiencing symptoms of adrenal crisis while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, may be treated by designated personnel and shall be subject to the following:

- a. Upon notice of a diagnosis of adrenal insufficiency, as defined in Oregon Administrative Rule (OAR) 581-021-0037, the administrator will designate one or more school personnel to be responsible for administering the medication to treat adrenal insufficiency;
- b. The designated personnel will successfully complete training to administer medication to treat a student who has adrenal insufficiency and is experiencing symptoms of adrenal crisis in accordance with the rules adopted by the Oregon Health Authority;
- c. The student or the student's parent or guardian must provide adequate supply of the student's prescribed medication to the public charter school;
- d. The administrator will require the development of an individualized health care plan for the student that includes protocols for preventing exposures to allergens, and establishes if or when a student may self-carry prescription medication when the student has not been approved to self-administer medication;
- e. In the event that a student experiences symptoms of adrenal crisis and the designated personnel determines the medication to treat adrenal insufficiency should be administered, any available staff member will immediately call 911 and the student's parent or guardian.

6. Administering Medication to a Student

- a. A request to permit designated personnel to administer medication to a student may be approved by the public charter school and is subject to the following:
 - (1) A written request for designated personnel to administer prescription medication to a student, if because of the prescribed frequency or schedule, the medication must be given while the student is in school, at a school-sponsored activity, while under the supervision of school personnel and in transit to or from school or a school-sponsored activity, must be submitted to the public charter school office and shall include:
 - (a) The written permission of the student's parent or guardian or the student if the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
 - (b) The written instruction from the prescriber for the administration of the medication to the student that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instructions from the prescriber, if any; and
 - (vii) Signature of the prescriber.

The prescription label prepared by a pharmacist at the direction of the prescriber, will be considered to meet this requirement if it contains the information listed in (i)-(vi) above.

- (2) A written request for the designated personnel to administer nonprescription medication to a student must be submitted to the public charter school office and is subject to the following:
- (a) The nonprescription medication is necessary for the student to remain in school;
 - (b) The nonprescription medication is provided in the original manufacturer's container by the parent or guardian of the student;
 - (c) The written instruction from the student's parent or guardian for the administration of the nonprescription medication includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instructions, if any; and
 - (vii) Signature of the student's parent or guardian.

If the written instruction is not consistent with the manufacturer's guidelines for the nonprescription medication, the written instruction must also include a written order allowing the inconsistent administration signed by a prescriber.

- (d) If the nonprescription medication is not approved by the Food and Drug Administration (FDA), a written order from the student's prescriber is required and will include:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school;
 - (vii) Other special instructions, if any; and
 - (viii) Signature of the prescriber.
- b. An individualized health care and allergy plan will be developed for a student with a known life-threatening allergy and will include protocols for preventing exposures to allergens and procedures for responding to life-threatening allergic reactions while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, and will include a determination on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;

- c. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
- d. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that the school is informed in writing of any changes in medication instructions;
- e. In the event a student refuses medication, the parent or guardian will be notified immediately, except where a student is allowed to seek medical care without parental consent. No attempt will be made to administer medication to a student who refuses a medication;
- f. Any error in administration of a medication will be reported to the parent or guardian immediately, except where a student is allowed to seek medical care without parental consent, and documentation will be made on the public charter school's Accident/Incident Report form. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dosage, frequency of administration or method of administration;
- g. Medication shall not be administered until the necessary permission form and written instructions have been submitted as required by the public charter school.

7. Administration of Medication by a Student to Themselves

- a. A student, including a student with asthma or severe allergies, may be permitted to administer medication to themselves without assistance from designated personnel and is subject to the following:
 - (1) A student must demonstrate the ability, developmentally and behaviorally, to self-administer prescription medication and must have:
 - (a) A permission form from a parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675, and other documentation requested by the public charter school must be submitted for self-medication of all prescription medications;
 - (b) If the student has asthma, diabetes and/or a severe allergy, a medication that is prescribed by a prescriber and a written treatment plan developed by a prescriber or other Oregon licensed health care professional for managing of a student's asthma, diabetes and/or severe allergy, and directs use by the student while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity. The prescriber will include acknowledgment that the student has been instructed in the correct and responsible use of the prescribed medication;
 - (c) The permission to self-administer the medication from the administrator and a prescriber or a registered nurse practicing in a school setting.
 - (2) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication and must have:
 - (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675;

- (b) The medication must have the student's name affixed to the manufacturer's original container; and
 - (c) The permission to self-administer medication from a building administrator.
- (3) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication that is not approved by the FDA and must have:
 - (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
 - (b) A written order from the student's prescriber that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school;
 - (vii) Other special instructions, if any; and
 - (viii) Signature of the prescriber.
- b. The student may have in their possession only the amount of medication needed for that school day, except for manufacturer's packaging that contains a multiple dosage, the student may carry one package, such as, but not limited to, autoinjectable epinephrine or bronchodilators/inhalers;
- c. Sharing and/or borrowing of any medication with another student is strictly prohibited;
- d. For a student who has been prescribed bronchodilators or epinephrine, the designated personnel will request that the parent or guardian provide backup medication for emergency use by that student. Backup medication, if provided, will be kept at the student's school in a location to which the student has immediate access in the event the student has an asthma and/or severe allergy emergency;
- e. Upon written request from a parent or guardian, and with a prescriber's written statement that the lack of immediate access to a backup autoinjectable epinephrine may be life threatening to a student, and the location the school stores backup medication is not located in the student's classroom, a process shall be established to allow the backup autoinjectable epinephrine to be kept in a reasonably secure location in the student's classroom;
- f. A student shall not administer medication to themselves until the necessary permission form and written instructions have been submitted as required by the public charter school;
- g. Permission for a student to administer medication to themselves may be revoked if the student violates Board policy and/or this administrative regulation;
- h. A student may be subject to discipline, up to and including expulsion, as appropriate;
- i. A student permitted to administer medication to themselves may be monitored by designated personnel to monitor the student's response to the medication.

8. Handling, Monitoring and Safe Storage of Medication Supplies for Administering Medication to Students

- a. Medication administered by designated personnel to a student or self-administered by a student, must be delivered to the school in its original container, accompanied by the permission form and written instructions, as required above.
- b. Medication in capsule or tablet form and categorized as a sedative, stimulant, anticonvulsant, narcotic analgesic or psychotropic medication will be counted by designated personnel in the presence of another public charter school employee upon receipt, documented in the student's medication log and routinely monitored during storage and administration. Discrepancies will be reported to the administrator immediately and documented in the student's medication log. For such medication, not in capsule or tablet form, standard measuring and monitoring procedures will apply.
- c. Designated personnel will follow the written instructions of the prescriber and the student or the student's parent or guardian and training guidelines as may be recommended by the ODE for administering all forms of prescription and/or nonprescription medications.
- d. Medication will be secured as follows:
 - (1) Nonrefrigerated medications will be stored in a locked cabinet, drawer or box;
 - (2) Medications requiring refrigeration will be stored in a locked box in a refrigerator;
 - (3) Access to medication storage keys will be limited to the administrator and designated personnel.
- e. Designated personnel will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering and that the medication container is properly sealed and returned to storage.
- f. In the event medication is running low or an inadequate dosage is on hand to administer the medication, the designated personnel will notify the student's parent or guardian or the student (in situations involving ORS 109.610, 109.640 and 109.675) immediately.

9. Emergency Response

- a. Designated personnel will notify 911 or other appropriate emergency medical response systems and administer first aid, as necessary, in the event of life-threatening side effects that result from staff-administered medication or from student self-medication or allergic reactions. The parent or guardian, school nurse and administrator will be notified immediately.
- b. Minor adverse reactions that result from staff-administered medication or from student self-medication will be reported to the parent or guardian immediately, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675.
- c. Any available public charter school staff will immediately call 911 and the student's parent or guardian if the designated personnel believes the student is experiencing symptoms of adrenal crisis and plans to administer medication.

10. Disposal of Medications

- a. Medication not picked up by the student's parent or guardian, or the student when allowed pursuant to ORS 109.610, 109.640 and 109.675, at the end of the school year or within 10 school days of the end of the medication period, whichever is earlier, will be disposed of by designated personnel in a nonrecoverable fashion as follows:

- (1) Medication will be removed from its original container and personal information will be destroyed;
- (2) Solid medications will be crushed, mixed or dissolved in water, liquid medications will be mixed or dissolved in water; and
- (3) Mixed with an undesirable substance, e.g., coffee grounds, kitty litter, flour; and
- (4) Placed in impermeable nondescriptive containers, e.g., empty cans or sealable bags, and placed in the trash.

Prescriptions will be flushed down the toilet **only** if the accompanying patient information specifically instructs it is safe to do so.

Other medication will be disposed of in accordance with established training procedures including sharps and glass.

- b. All medication will be disposed of by designated personnel in the presence of another public charter school employee and documented as described in Section 10 below.

11. Transcribing, Recording and Record Keeping

- a. A medication log will be maintained for each student administered medication by the public charter school. The medication log will include, but not be limited to:
 - (1) The name of the student, name of medication, dosage, method of administration, date and time of administration, frequency of administration and the name of the person administering the medication;
 - (2) Student refusals of medication;
 - (3) Errors in administration of medication;
 - (4) Incidents of emergency and minor adverse reaction by a student to a medication;
 - (5) Discrepancies in medication supply;
 - (6) Disposal of medication including date, quantity, the manner in which the medication was destroyed and the signature of the staff involved.
- b. All records relating to administration of medications, including permissions and written instructions, will be maintained in a separate medical file apart from the student's education records file unless otherwise related to the student's educational placement and/or individualized education program. Records will be retained in accordance with applicable provisions of OAR 166-400-0010(17) and OAR 166-400-0060(29).
- c. Student health information will be kept confidential. Access shall be limited to those designated personnel authorized to administer medication to students, the student and their parent or guardian. Information may be shared with other staff with a legitimate educational interest in the student or others as may be authorized by the parent or guardian in writing or others as allowed under state and federal law.

Code: JFCEB-AR
Revised/Reviewed: 10/28/14; 3/18/25

Personal Electronic Devices and Social Media

Students may use and possess personal electronic devices on public charter school grounds subject to the following:

1. Personal electronic devices shall not be used in a manner that disrupts the educational process, school programs or activities, or in a manner that violates law, Board policy, administrative regulation or school rules;¹
2. Personal electronic devices which have the capability to take photographs or record video or audio shall not be used for such purposes while on public charter school property or at public charter school-sponsored events unless as expressly authorized in advance by the principal or designee;
3. The public charter school shall not be responsible for loss, theft or damage to personal electronic devices brought to public charter school property or public charter school-sponsored events;
4. Personal electronic devices may be used as electronic study aids during the school day if provided as a part of a student's individualized education plan (IEP) or if permission is received from the student's teacher;
5. The use of personal electronic devices in any way to send or receive messages, data or information that would pose a threat to academic integrity, contribute to or constitute academic dishonesty is strictly prohibited;
6. The use of personal electronic devices in any manner that would violate the confidentiality or privacy rights of another individual is strictly prohibited;
7. Students shall comply with any additional school rules as established by the principal and classroom rules as approved by the principal concerning the appropriate use of personal electronic devices;
8. Personal electronic devices used in violation of law, Board policy, administrative regulation or approved school rules will be confiscated, turned in to the school office and returned to the student or parent following parent notification, conference, detention, suspension, expulsion and/or referral to law enforcement officials as appropriate;
9. Students may not access social media websites using public charter school equipment, while on public charter school property or at public charter school-sponsored activities unless the access is approved by a public charter school representative.

¹ The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.

OSBA Model Sample Charter School Policy

Code: JHH
Adopted:

Student Suicide Prevention**

{ORS 339.343 requires school districts to adopt a policy regarding student suicide prevention. ODE has stated this requirement applies to a public charter school under ORS 338.115(1)(z) Health and safety statutes and rules.}

The public charter school shall develop a comprehensive student suicide prevention plan for students in [kindergarten through grade 12^{1}].

[The public charter school may consult with state or national suicide prevention organizations, the Oregon Department of Education (ODE), school districts, school-based mental health professionals, parents, guardians, employees, students, administrators and school boards associations when developing the required plan.]

The plan shall include, at a minimum:

1. Procedures relating to suicide prevention, intervention and activities that reduce risk and promote healing after a suicide;
2. Identification of the school officials responsible for responding to reports of suicidal risk;
3. A procedure by which a person may request the public charter school to review the actions of the school in responding to suicidal risk;
4. Methods to address the needs of high-risk groups, including:
 - a. Youth bereaved by suicide;
 - b. Youth with disabilities, mental illness or substance abuse disorders;
 - c. Youth experiencing homelessness or out of home settings, such as foster care; and
 - d. Lesbian, gay, bisexual, transgender, queer and other minority gender identity and sexual orientation, Native American, Black, Latinx, and Asian students.
5. A description of, and materials for, any training to be provided to employees as part of the plan, which must include:
 - a. When and how to refer youth and their families to appropriate mental health services; and
 - b. Programs that can be completed through self-review of suitable suicide prevention materials.
6. Supports that are culturally and linguistically responsive;
7. Procedures for reentry into a school environment following a hospitalization or behavioral health crisis²; and

¹ {ORS 339.343(2) requires the plan for “students in kindergarten through grade 12.” If the public charter school does not serve all of these grades, consider amending this language.}

8. A process for designating staff to be trained in an evidence-based suicide prevention program.³

The plan must be written to ensure that a public charter school employee acts only within the authorization and scope of the employee's credentials or licenses.

The plan must be available annually to the community of the public charter school, including students, their parents and guardians, and employees and volunteers of the school, and readily available at the school office and on the school website.

END OF POLICY

Legal Reference(s):

² "Behavioral health crisis" as defined by Oregon Administrative Rule (OAR) 581-022-2510, means a disruption in an individual's mental or emotional stability or functioning resulting in an urgent need for immediate treatment to prevent a serious deterioration in the individual's mental or physical health.

³ ODE will provide a list of available programs.

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**SILETZ VALLEY SCHOOLS
REGULAR BOARD MEETING AGENDA
APRIL 28, 2026**

ITEM: ACTION ITEM

TOPIC: ADOPT AMENDMENT TO BYLAWS

PREPARED BY: DEBRA BARNES

WILL BE PRESENTED BY: DEBRA BARNES

TYPE OF ITEM: Consent ☐ Information ☐ Discussion ☐ Decision ☒

DESCRIPTION OF AGENDA ITEM:

Adopt Amendment to Bylaws

RECOMMENDATION:

Approve

ADDITIONAL MATERIAL Attached: Yes ☒ No ☐ Available: Yes ☒ No ☐

AMENDMENT TO BYLAWS OF THE
SILETZ VALLEY SCHOOLS,
a non-profit public benefit corporation

The Bylaws of Siletz Valley Schools, an Oregon nonprofit public benefit corporation, were adopted on March 6, 2012 and updated on May 28, 2024. This Amendment to such Bylaws is made effective the ____ day of April, 2026, after adoption by a majority vote of the Board of Directors at a special meeting called for that purpose. The Bylaws are hereby amended as follows:

1. Amending Article IV, by adding a new Section 12 to read as follows:

“Section 12. **School Superintendent.** The Board of Directors shall hire and the Corporation shall employ a School Superintendent as necessary, to perform and oversee the day-to-day operational and administrative activities of the Siletz Valley School. The School Superintendent shall report to the Board of Directors.”

2. Amending Section (a) of Article XII to read as follows:

“(a) All monies or other assets purchased or acquired with state and/or county education funds will be distributed to the State Board of Education to the extent required by ORS 338.105.”

3. Addition of a new Article XIII to read as follows:

“ARTICLE XIII. CONFLICTS OF INTEREST

Section 1. **Generally.** Generally, Directors are public officials subject to applicable laws governing public officials, including ORS Chapter 244. Directors are also subject to ORS Chapter 65 (the Oregon Nonprofit Corporation Act), governing standards of care for Directors and Director conflicts of interest. All Directors shall comply with the foregoing laws in addition to the terms of these Bylaws.

Section 2. **Approval of Conflict.** A transaction in which a Director of this Corporation has a conflict of interest may be approved:

(A) By the vote of the Board of Directors or a committee of the Board of Directors if the material facts of the transaction and the Director's interest are disclosed or known to the Board of Directors or a committee of the Board of Directors; or

(B) By obtaining approval of the:

(1) Oregon Attorney General; or

(2) The circuit court in an action in which the Oregon Attorney General is joined as party.

Section 3. Liability of Directors. A conflict of interest transaction is a transaction with the Corporation in which a Director of the Corporation has a direct or indirect financial or other interest. A conflict of interest transaction is not voidable on the basis for imposing liability on the Director if the transaction is fair to the Corporation at the time it was entered into or is approved as provided in Subsection 2 of this Section.

Section 4. Indirect Interest. For the purposes of this Section, a Director of the Corporation has an indirect interest in a transaction if:

(A) Another entity in which the Director, or a member of the Director's family, has a current or potential material ownership, investment or other pecuniary interest is a party to the transaction; or

(B) Another entity of which the Director is a Director, officer or trustee is a party to the transaction, and the transaction is or should be considered by the Board of Directors of the Corporation.

(C) The Director has a compensation arrangement with the Corporation or with any entity or individual with which the Corporation has a transaction or arrangement. Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

Section 5. Authorization. For purposes of Subsection 2 of this Section, and in accordance with Section 7 below of this Article, a conflict of interest transaction is authorized, approved or ratified if it receives the affirmative vote of a majority of the Directors on the Board of Directors or on the committee who have no direct or indirect interest in the transaction. A transaction may not be authorized, approved or ratified under this Section by a single Director. If a majority of the Directors, who have no direct or indirect interest in the transaction vote to authorize, approve or ratify the transaction, a quorum is present for the purpose of taking action under this Section. The presence of, or a vote cast by, a Director with a direct or indirect interest in the transaction does not affect the validity of any action taken under Section 2(A) of this Section if the transaction is otherwise approved as provided in Section 2 of this Section.

Section 6. Disclosure. After disclosure of a direct or indirect material interest and all material facts relating thereto, and after any discussion with the interested Board member, the Board of Directors may require the interested Board member to leave the meeting of the Board of Directors or committee while the determination of a conflict of interest is discussed and voted upon. The remaining Board members shall decide if a conflict of interest exists. In the event that the Board of Directors determines that a conflict of interest exists, the interested Director shall be allowed to make a presentation at the meeting of the Board of Directors or committee, but after the presentation, the Board of Directors may require the interested Director to leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.

Section 7. Best Interests. The Board of Directors or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement in which a conflict of interest exists. After exercising due diligence, and where appropriate, the Board of Directors or committee shall determine whether the Corporation can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the Board of Directors or committee shall determine by majority vote of the disinterested Directors whether the transaction or arrangement is in the Corporation's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, the Corporation shall make its decision as to whether to enter into the transaction or arrangement."

DATE ADOPTED: _____, 2026

DATE UPDATED: _____, 2026

Current
Bylaws - For
Reference

**BYLAWS OF THE
SILETZ VALLEY SCHOOLS,**

A non-profit public benefit corporation

ARTICLE I. ORGANIZATION AND PURPOSE

The Siletz Valley School [Siletz Valley School (SVS)] as organized as a public benefit non-profit corporation operated exclusively for educational and charitable purposes within the meaning of Section 501 (c)(3) of the Internal Revenue Code (or its corresponding future provisions) and Chapter 65 of the Oregon Revised Statutes (or its corresponding future provisions).

This corporation's primary purpose shall be to provide elementary (K-8) and high school (9-12) education in a rural, community-based setting.

ARTICLE II. OFFICES

The principal office of the corporation in the State of Oregon will be located in the City of Siletz, County of Lincoln. The corporation will have and continuously maintain a registered office, and a registered agent whose office is identical with the registered office. The address of the registered office may be changed from time to time by the Board of Directors.

ARTICLE III. MEMBERS

This corporation shall have no members as that term is defined by Oregon Revised Statutes Chapter 65.

ARTICLE IV. BOARD OF DIRECTORS

Section 1. **Duties.** The affairs of the corporation shall be managed by the Board of Directors.

Section 2. **Number.** The number of Directors shall be no more than seven and no less than three.

Section 3. **Qualifications.** An individual must be a resident of the Siletz and Logsden communities or a parent/guardian of a current Siletz Valley Schools student in order to serve on the Board of Directors.

Section 4. **Term and Election.** Except for the initial adjustments of shorter terms needed in order to create staggered terms, the term of office for Directors shall be three years. The Board shall make provisions to stagger the terms of directors so that, each year, as close as possible to one third of the Directors' term shall expire. A Director may be re-elected without limitation on the number of terms s/he may serve. Directors shall be elected by plurality vote at an election in which every parent whose child attends SVS, Teachers, Staff, current Board Members and community residents of the Siletz and Logsden area shall be eligible to vote. A community resident is defined as a person who has valid legal identification with a printed address in the 97380 or 97357 zip codes.

Section 5. Removal. Any Director may be removed with or without cause, by a vote of two thirds of the Directors then in office. Any Director positions that become vacant through removal shall be filled pursuant to Section 6 of this article.

Section 6. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the Board of Directors for the un-expired portion of the term.

Section 7. Quorum and Action. A quorum at a board meeting shall be the majority of the fixed number of Directors. If a quorum is present, action is taken by a majority vote of the directors present, unless the act of a greater number is required by law or by these bylaws.

Section 8. Compensation. Directors as such will not receive any stated salaries for their services, but may be reimbursed for expenses related to Board services and nothing therein contained will be construed to preclude any Director from serving the corporation in any other capacity and receiving compensation therefore.

Section 9. Regular Meetings. Regular meetings of the Board of Directors shall be held at the time and place to be determined by the Board of Directors in compliance with ORS 192.601 to 192.690 Public Meeting Law.

Section 10. Special Meetings. Special meetings of the Board of Directors shall be held at the time and place to be determined by the Board of Directors. Notice of such meetings, describing the date, time, place and purpose of the meeting, shall be delivered to each Director personally or by telephone or by mail not less than two days prior to the special meeting.

Section 11. Meeting by Telecommunications. Any regular or special meeting of the Board of Directors may be held by telephone or telecommunications in which all Directors participating may hear each other.

ARTICLE V. COMMITTEES

Section 1. Committees. The Board of Directors may establish such committees as it deems necessary and desirable. Such committees shall be advisory to the Board of Directors. The designation and appointment of any such committee and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual Director, of any responsibility imposed upon it or him/her by law. Any committee members may be removed by the Board of Directors, whenever in their judgment the best interests of the corporation shall be served by such removal.

ARTICLE VI. OFFICERS

Section 1. Titles. The officers of this corporation shall be the President, Vice President, Secretary and Treasurer.

Section 2. Election. The Board of Directors shall elect the President, Vice President, Secretary and Treasurer to serve one-year terms. An officer may be re-elected without limitation on the number of terms the officer may serve. Each officer will hold office until his/her successor will

have been duly elected and will have qualified.

Section 3. Removal. Any officer elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of the corporation would be served thereby, but such removal will be without prejudice to the contract rights, if any, of the officer so removed.

Section 4. Vacancy. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the Board of Directors for the un-expired portion of the term.

Section 5. President. The President shall be the chief officer of the corporation, shall act as the Chair of the Board and will preside at all meetings of the Board of Directors. He/She may sign with the secretary or any other proper officer of the corporation authorized by the Board of Directors, any deeds, leases, mortgages, contracts, or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution is delegated by these bylaws or by statute to some other officer or agent of the corporation.

Section 6. Vice President. The Vice President shall act as the Chair of the Board in the event the Board Chair is not present at any regular or special meeting.

Section 7. Secretary. The Secretary shall have overall responsibility for all record keeping. The Secretary shall perform, or caused to be performed, the following duties: a) official recording of the minutes of all proceedings of the Board of Directors meetings and actions; b) provisions of notice of all meetings of the Board of Directors; c) authentication of records of the corporation; and d) any other duties as may be prescribed by the Board of Directors.

Section 8. Treasurer. The Treasurer shall have overall responsibility for all financial records. The Treasurer shall perform, or caused to be performed the following duties: a) keeping a full and accurate accounts of all financial records of the corporation; b) deposit of all moneys and other valuable assets in the name and to the credit of the corporation in such depositories as may be designed by the Board of Directors; c) disbursement of all funds when proper to do so; d) making financial reports to the financial conditions of the corporation to the Board of Directors; and e) any other duties as may be prescribed by the Board of Directors.

ARTICLE VII. CORPORATION INDEMNITY

This corporation will indemnify its officers and directors to the fullest extent allowed by Oregon law.

ARTICLE VIII. CONTRACTS, CHECKS, DEPOSITS AND FUNDS.

Section 1. Contracts. The Board of Directors may authorize any officer or officers, agent or agents of the corporation, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances.

Section 2. Checks, Drafts, etc. All checks, drafts or money orders for the payment of money, notes or other evidences of indebtedness issued in the name of the corporation, shall be signed by such officer or officers, agent or agents of the corporation and in such manner as shall from time to time be determined by the resolution of the Board of Directors.

Section 3. Deposits. All funds of the corporation shall be deposited from time to time to the credit of the corporation in such banks, or other depositories as the Board of Directors may select.

Section 4. Gifts. The Board of Directors may accept on behalf of the Corporation any contribution, gift, or bequest for the general purpose or for any special purpose of the corporation.

ARTICLE IX. BOOKS AND RECORDS

The corporation shall keep correct and complete books and records of accounts and shall keep minutes of the proceedings of its Board of Directors and committees having any authority of the Board of Directors.

ARTICLE X. FISCAL YEAR

The fiscal year of the corporation shall begin on the first day of July and end on the last day of June in each year.

ARTICLE XI. AMENDMENTS TO BYLAWS

These bylaws may be amended or replaced, and new Bylaws adopted, by the Board of Directors by a majority vote of directors in office. Prior to the adoption of the amendment, each Director shall be given at least two days notice of the date, time, and place of meeting at which the proposed amendment is to be considered, and the notice shall state that one of the purposes of the meeting is to consider a proposed amendment to the bylaws and shall contain a copy of the proposed amendment.

ARTICLE XII. DISSOLUTION

Upon dissolution of the corporation, the assets of the corporation shall be distributed as follows:

- (a) All monies or other assets purchased or acquired with state and/or county education funds will be distributed to the Lincoln County School District.
- (b) All assets gifted to the corporation by the Siletz Tribe will be returned to the Siletz Tribe;
and;
- (c) All remaining assets will be distributed to a local non-profit education entity.

DATE ADOPTED: March 6, 2012

DATE UPDATED: May 28, 2024

**SILETZ VALLEY SCHOOLS
REGULAR BOARD MEETING AGENDA
APRIL 28, 2026**

ITEM: ACTION ITEM

TOPIC: APPROVAL OF DATE CHANGE FOR MAY 26 BOARD MEETING

PREPARED BY: DEBRA BARNES

WILL BE PRESENTED BY: DEBRA BARNES

TYPE OF ITEM: Consent ☐ Information ☐ Discussion ☐ Decision ☒

DESCRIPTION OF AGENDA ITEM:

Approval of date change from May 26 to either May 27 or May 28

RECOMMENDATION:

Approve

ADDITIONAL MATERIAL Attached: Yes ☒ No ☐ Available: Yes ☒ No ☐

