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Siuslaw School District 97J

Policy Packet



February 13, 2019

Siuslaw School District 97J
2111 Oak Street
Florence, OR 97439

Presented to the Board of Directors:

Subject: Policy Revisions and Updates – Advertising & Public Solicitation	Item No: 021319-8(i)(i)
	Attachment: Yes
Reason: Action	From: Andrew Grzeskowiak
	Date: February 13, 2019

Background:

Superintendent Grzeskowiak met with community member Pam Hickson, SHS Leadership students and board members Mann-Heintz and McDougale to review:

KI – Public Solicitation in District Facilities

KJ - Commercial Advertising

KJ-AR - Commercial Advertising

The language about sale of travel services has been deleted in policy KI due to the repeal of ORS 332.593. In addition, to make this series of policies less confusing, OSBA has deleted policy KJ – Advertising in District Facilities for districts, and recoded and retitled the combined policy versions of KI/KJ – Commercial Advertising/Merchandise Sales to KJ – Commercial Advertising. Versions 1 and 2 of the new KJ are highly recommended. The committee has recommended version 2 of the policy and accompanying AR. The policies and the AR were presented for a 1st reading at the January 16, 2019 board meeting. Since the January 16, 2019 board meeting, the committee met again to align the advertising language in KJ-AR with the advertising language in policy KJA - Materials Distribution. Policy KJA-Materials Distribution will be presented separately for a 1st reading.

Recommendation:

Administration recommends approval of KI – Public Solicitation in District Facilities, KJ - Commercial Advertising and KJ-AR - Commercial Advertising as presented.

Resolution #021319-8(i)(i)

Be it Resolved that the Siuslaw School District Board of Directors approve KI – Public Solicitation in District Facilities, KJ - Commercial Advertising and KJ-AR - Commercial Advertising as presented.

Suzanne Mann-Heintz, Board Chair

Kari Blake, Business Manager/Deputy Clerk

Siuslaw School District 97J

Code: **KI**

Adopted: 2/12/03

Revised/Readopted: 5/14/14; 12/13/17

Public Solicitation in District Facilities

~~Students and staff are to be protected from intrusions by announcements, posters, bulletins and communications of any kind from individuals and organizations not directly connected with the schools.~~

Fund raising and solicitation by non-school agencies or for non-school activities during school hours will not be permitted without prior approval of the superintendent and/or principal.

Demonstrations of services or materials and canvassing of students or employees for the purpose of selling products or services shall not be permitted in either the district's schools or grounds, unless authorized by the superintendent and/or principal.

No non-school-sponsored organization or individual may solicit funds or sell tickets within the district without first securing permission through the superintendent and/or principal.

Solicitation shall only occur during non-classroom time.

~~The solicitation and sale of travel services to students may be permitted with approval of the superintendent on district property, at activities under the jurisdiction of the district and at interscholastic activities administered by a voluntary.~~

~~This includes sale of services to students by any person or group that sells, provides, furnishes, contracts for, arranges or advertises travel services.~~

~~Sellers of travel services must meet the following district criteria:~~

- ~~1. — Belong to an association of sellers of travel certified by the director of the Department of Consumer and Business Services;~~
- ~~2. — Provide proof of errors and omissions insurance;~~
- ~~3. — Provide proof of a client trust account or performance bond~~
- ~~4. — Include in all information provided to students and parents that drug, alcohol and tobacco use will be prohibited~~
- ~~5. — Include in all information provided to students and parents a statement that the activity is a non-school sponsored event;~~

The administration of surveys, questionnaires and requests for information by non-school-connected organizations are ~~disallowed~~ prohibited. Exceptions may be approved by the superintendent. In the event an exception is granted for the administration or distribution of a survey created by a third party, the

district will provide an opportunity for the student's parent to inspect such survey upon request, before the survey is administered or distributed by a school to a student, ~~as required by the Every Student Succeeds Act of 2015 (ESSA).~~ Any district survey containing any "covered survey items"¹ ~~as defined by ESSA,~~ may also be inspected by parents.

Parents may also request that their student be excused from participation in such surveys. Requests may be submitted in accordance with the provisions of Board policy KAB - Parental Rights and accompanying administrative regulation.

As required by law, the superintendent shall ensure that notification is provided to parents of students at least annually at the beginning of the school year or when enrolling students for the first time in school, of the specific or approximate dates during the school year when such surveys are scheduled or expected to be scheduled. The rights provided to parents under this policy transfer to the student when the student turns 18 years of age or is an emancipated minor under applicable state law.

The district recognizes its responsibility to protect student privacy. Personal information that may be collected as a result of such surveys will be released only with prior, written parental permission, unless as otherwise provided by ~~ESSA law~~ and/or the provisions of Board policy JOB - Personally Identifiable Information.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 339.880](#)

Protection of Pupil Rights, 20 U.S.C. § 1232h (2012); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2017).

Every Student Succeeds Act, 20 U.S.C. § 7928 (2012).

Family Education Rights and Privacy Act, 20 U.S.C. § 1232g (2012).

Cross Reference(s):

GBI - Gifts and Solicitations

KG - Community Use of School Facilities

KJA - Materials Distribution

Corrected 8/28/18

¹"Covered survey items" include one or more of the following items: political affiliations or beliefs of the student or the student's family; mental and psychological problems of the student or the student's family; sex behavior or attitudes; illegal, anti-social, self-incriminating or demeaning behavior; critical appraisals of other individuals with whom respondents have close family relationships; legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers; religious practices, affiliations or beliefs of the student or the student's parent; and income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program.

Oregon School Boards Association

Selected Sample Policy

Code: **KJ**
Adopted:

Commercial Advertising (Version 2)

(May permit some commercial advertising as approved.)

The Board recognizes that district-sponsored commercial advertising may provide an important source of revenue for its programs and activities. Such sales may be permitted as approved by the superintendent or designee and by this policy.

“Commercial advertising” as used in this policy means, use by any person, company, business or corporation, for personal or private gain, of any district media, including, but not limited to, school newspaper, yearbook or other printed material, flyer or circular, [radio, television,] video or any other electronic technology or indoor or outdoor signage designed to:

1. Transmit a message offering any goods or services;
2. Cause or induce any other person to purchase any goods or services;
3. Increase demand for any goods or services.

Commercial advertising approved by the district must be consistent with district mission, goals, Board policies and administrative regulations; promote positive values for district students through proactive educational messages that encourage student achievement and high standards of personal conduct.

The superintendent may consider for approval revenue-enhancing activities that include, but are not limited to, contracts or agreements for:

1. Exclusive advertising of any product or service throughout the district or at specified locations or times to a person, business or corporation in exchange for goods or services (e.g., scoreboards, electronic message boards, athletic gear, exclusive right to sell beverages, bottled water, snacks, meals, etc.);
2. Products or services that require the dissemination of advertising to staff, students, parents or others or allow any person, business or corporation to obtain information from staff, students, parents or others for the purposes of market research;
3. The use of district facilities or grounds in exchange for products, services or financial considerations (e.g., cell phone towers, etc.);
4. Technology hardware, software, satellite hook-up and/or access in exchange for free or reduced prices and/or fees and/or advertising rights, or agreement to use equipment a certain number of hours of the day, month, etc.;
5. Naming rights to district property in exchange for goods, services or monetary considerations.

Contracts shall include a provision allowing the district to terminate the contract if it is determined by the district to have an adverse impact on district programs, services or activities. Revenue derived shall be used for programs, services and/or activities ~~[designed to enhance student achievement, assist in the maintenance of existing district programs, services or activities and/or to provide scholarships for students who demonstrate financial need and merit]~~ [as determined by the district].

All contracts considered for approval are subject to the competitive procurement requirements of Board policies DJ - District Purchasing, DJC - Bidding Requirements and the local contract review board's public contracting rules. Competitive procurement as used in this policy includes monetary as well as in-kind contributions (i.e., scoreboards, computers, other equipment or materials).

~~[The superintendent will develop administrative regulations as needed for implementation of this policy.]~~

END OF POLICY

Legal Reference(s):

[ORS 279B.055](#)
[ORS 279C.335](#)

[ORS 332.107](#)
[ORS 339.880](#)

HR6/21/18 | RS

Oregon School Boards Association Selected Sample Policy

Code: **KJ-AR**
Revised/Reviewed:

Commercial Advertising

(This administrative regulation accompanies Version 2 of policy KJ.)

Commercial advertising in district schools may be permitted by the superintendent or designee subject to the following. Schools, with prior approval, may:

1. Publish advertising in any school newspaper, other school periodical, school or district publication, web page or yearbook;
2. Distribute advertising or market research as part of a district-approved curriculum on advertising, marketing or media literacy, etc.;
3. Post signs of school, district or public appreciation for financial or other support from any person, business or corporation for the educational program in any school in the district;
4. Use free educational materials with incidental advertisements;
5. Permit demonstrations of educational materials and equipment;
6. Cooperate with nonprofit community organizations in making or posting announcements or distributing program materials that supplement the school program provided that such cooperation does not interfere with the school program and is consistent with the mission, goals and policies of the district;
7. Utilize films or other educational materials and instructional aids, including newspapers and magazines in either print or electronic form furnished by private sources, when the advertising content is reasonable in the judgment of the superintendent or designee;
8. Permit participation, on a student-option basis, in essay, art, science and similar contests sponsored by outside interests when such activities parallel the curriculum and contribute to the educational program;
9. Release promotional material for nonschool athletic and cultural events through appropriate school departments;
10. Accept limited advertising on extracurricular activity schedules and programs.

Other exceptions may be approved when, in the judgment of the superintendent or designee, students of the district will benefit.

There may be no obligation on the part of students or staff to sell products, make purchases or distribute information.

[The administration shall always prohibit distribution of material that advertises or promotes any product not permitted to minors by law or for any other purpose inconsistent with board policies and administrative regulations.]

No activity which requires staff or students to assist in promoting campaigns (financial, charitable, educational or otherwise) will be permitted without the express permission of the superintendent.

HR6/21/18 | RS

PROPOSED

Siuslaw School District 97J
2111 Oak Street
Florence, OR 97439

Presented to the Board of Directors:

Subject: Policy Revisions and Updates – Advertising & Public Solicitation	Item No: 021319-8(i)(ii)
	Attachment: Yes
Reason: Action	From: Andrew Grzeskowiak
	Date: February 13, 2019

Background:

Superintendent Grzeskowiak met with community member Pam Hickson, SHS Leadership students and board members Mann-Heintz and McDougale to review:

KJA – Materials Distribution

The committee has recommended new language in the AR of policy KJ – Commercial Advertising. The committee is recommending the same language be applied to Policy KJA – Materials Distribution to maintain consistency throughout policy.

Recommendation:

Administration recommends a 1st reading and if there is no further discussion needed, the policies and AR will be placed on the March 13, 2019 Consent Agenda.

Resolution #021319-8(i)(ii)

Be it resolved that the Siuslaw School District Board of Directors approve policy KJA- Materials Distribution as presented.

Suzanne Mann-Heintz, Board Chair

Kari Blake, Business Manager/Deputy Clerk

Siuslaw School District 97J

Code: **KJA**
Adopted: 12/16/98
Readopted: 01/08/14

Materials Distribution**

Requests by individuals or groups to distribute pamphlets, booklets, flyers, brochures and other similar materials to students for classroom use or to take home shall be submitted to the school administration. Materials as well as the proposed method of distribution shall be subject to review.

Materials shall be reviewed based on legitimate educational concerns. Such concerns include the following: the material is or may be defamatory; the material is inappropriate based on the age, grade level and/or maturity of the reading audience; the material is poorly written, inadequately researched, biased or prejudiced; the material contains information that is not factual; the material is not free of racial, ethnic, religious or sexual bias; or the material contains advertising that violates public school laws, rules and/or policy, is deemed inappropriate for students or that the public might reasonably perceive to bear the sanction or approval of the district.

The administration shall always prohibit distribution of material that advertises or promotes any product not permitted to minors by law or for any other purpose inconsistent with board policies and administrative regulations. ~~The administration shall always prohibit distribution of material that: advertises or promotes any product or service not permitted to minors by law; or will take place at an organization that conducts business that is illegal or inappropriate for minors.~~

The superintendent or his/her designee shall determine distribution procedures depending on the situation. Such procedures may include, but not be limited to, the following:

1. Distribution to each student before or after class if materials are not directly related to the instructional goals;
2. Notification to students or parents of the availability of the materials in a specified location if this procedure is deemed less disruptive to the educational process;
3. Inclusion of materials in a direct mailing; or
4. Solicitation of school-related groups such as parent organizations to disseminate materials.

The practice of distributing pamphlets, booklets, flyers, brochures and other similar materials shall be periodically reviewed to ensure that requests have not become an interruption to the educational process.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

46 OR. ATTY. GEN. OP. 239 (1989)

Cross Reference(s):

GBI - Gifts and Solicitations

IIAD - Special Interest Materials

KI - Public Solicitation in District Facilities

Proposed

Siuslaw School District 97J
2111 Oak Street
Florence, OR 97439

Presented to the Board of Directors:

Subject: Policy Revisions and Updates – IBDJA – Relations with Home Schooled Students IGDA – Interscholastic Activities	Item No: 021319-8(i)(iii)
	Attachment: Yes
Reason: Action	From: Andrew Grzeskowiak
	Date: February 13, 2019

Background:

Superintendent Grzeskowiak met with community member Pam Hickson along with board members Mann-Heintz and McDougle to review:

IBDJA – Relations with Home Schooled Students

IGDA – Interscholastic Activities

The policy changes for IBDJA and IGDA are recommended by OSBA. The 2017 Legislature passed Senate Bill (SB) 208 adding to and revising the statutory language in ORS 339.450 and 339.460, establishing the right of public charter school students and reiterating the right of homeschooled students to participate in available OSSA sanctioned activities of their resident school district. The State Board of Education has adopted OARs governing these new requirements and its process for determining student eligibility. The policies were presented for a 1st reading at the January 16, 2019 board meeting.

Recommendation:

Administration recommends approval of IBDJA – Relations with Home Schooled Students and IGDA – Interscholastic Activities.

Resolution #021319-8(i)(iii) IBDJA – Relations with Home Schooled Students and IGDA – Interscholastic Activities

Be it Resolved that the Siuslaw School District Board of Directors approval of IBDJA – Relations with Home Schooled Students and IGDA – Interscholastic Activities.

Suzanne Mann-Heintz, Board Chair

Relations with Home-Schooled Students**

The district recognizes the rights of parents to educate students at home and acknowledges the education service district's role in registering and monitoring test results for students who are being taught at home.

Further, the Board is willing to assist parents in this endeavor if a request is made through the superintendent. The district will furnish basic course descriptions, state standards for elementary and secondary education, and, when available, may furnish basic instructional materials upon deposit of a loss/damage fee.

Students may, upon parent request, be allowed to participate in district programs such as physical education programs, instrumental and vocal music programs, or other selected options if space and materials are available. Such students must then adhere to regular attendance procedures as established by the school and must avoid disruption of said programs. Parents are responsible for transportation for students attending selected school offerings.

The Board reaffirms its prerogative not to accept home instruction course credit toward graduation requirements.

Homeschooled students may participate in **available** interscholastic activities if the following **criteria requirements** are met:

1. The student can meet the district eligibility requirements except the district or class attendance requirements;
2. The student need not meet class requirements of the voluntary association administering the interscholastic activities;
3. **The student must meet one of the following:**
 - a. **The student can must achieve the minimum score on an examination from the list adopted by the State Board of Education. The minimum composite test score that a student must achieve shall place that places the student at or above the 23rd percentile based on national norms. The examination shall be taken at the end of each school year. The parent or guardian shall submit the examination results to the district. (The Sstudents may participate while awaiting test results.); or**
 - b. **The district may adopt alternative requirements, in consultation with the parent or guardian, that a student must meet to participate in interscholastic activities, including, but not limited to, a requirement that a student submit a portfolio of work samples to the district for review to determine whether a student is eligible to participate in interscholastic activities.**

~~4. The parent shall submit the examination results to the district; or the district may adopt alternative requirements, in consultation with the parent, that a student must meet to participate in interscholastic activities, including, but not limited to, a requirement that a student submit a portfolio of work samples to the district for review to determine whether a student is eligible to participate in interscholastic activities;~~

4. The student must fulfill the same responsibilities and standards of behavior and performance including related class or practice requirements of other students participating in the interscholastic activity. The student must meet the same standards for acceptance on the team or squad. The student must also comply with all public school requirements during the time of participation;

5. The student must reside in the attendance boundaries of the school for which the student participates.

~~An interscholastic activity is defined as an activity:~~

~~1. With optional student participation which complements the curriculum, encourages students' physical, academic or social development;~~

~~2. Supervised by school personnel;~~

~~3. Generally conducted outside the instructional day.~~

"Interscholastic activities" mean athletics, music, speech and other similar or related activities.

END OF POLICY

Legal Reference(s):

[ORS 326.051](#)
[ORS 339.030](#)
[ORS 339.035](#)

[ORS 339.450 to -339.460](#)
[OAR 581-021-0026 to -0029](#)
[OAR 581-021-0033](#)

[OAR 581-021-0071](#)
[OAR 581-021-0210](#)
[OAR 581-022-2505](#)

Corrected 8/28/18



"Home of
the Vikings"

SIUSLAW SCHOOL DISTRICT 97J

2111 Oak Street ♦ Florence, Oregon 97439 ♦ (541) 997-2651 ♦ Fax (541) 997-4160

School District Website: <http://www.siuslaw.k12.or.us>

**AR or procedure
for policy IBDJA**

Motivating and Preparing All Students to Reach Their Greatest Potential

Siuslaw Elementary School ♦ Siuslaw Middle School ♦ Siuslaw High School

Elective & Enrichment Classes Contract Procedure & Expectations

**Included for reference. This will be a
district procedure and not in policy/AR.**

Home school, charter school, on-line school, private school students may be informally admitted to the Siuslaw School District for the purposes of taking elective and enrichment classes if there is adequate roster space to allow for placement and continuous scheduling for a maximum of two consecutive courses.

EECC Enrollment Procedure

- 1) Complete the Siuslaw Admission Form and return to Siuslaw District Office for the Superintendent's signature.
- 2) Upon the Superintendent's approval, a building level meeting will be scheduled to with the student, parent and administrator to outline details of the student's course and behavior expectations.

The Elective & Enrichment Classes Contract will be good through the student's graduation, completion of a GED, or the end of their 12th grade year.

EECC Enrollment Expectations

The continuation of the elective and enrichment classes contract between the student and the Siuslaw School District is contingent upon the following meeting behavior and attendance expectations:

- Attendance of 92% or greater;
- Two consecutively scheduled courses, maximum;
- Time on campus is limited to class and passing times only; student is to arrive 4 minutes before class and can remain on campus 4 minutes after class, school will not provide any supervision outside of those times;
- Transportation, both to and from campus, is the responsibility of the family;
- Discipline issues, including loitering, would invalidate this arrangement.
- This is an 'audit only' opportunity – course credit cannot be awarded to any student enrolled in another public school that collects funds for that student (credit can be awarded to students that chose to pay tuition or seek release of ADM from their public institution);
- Student is eligible for OSAA competitions related to courses, clubs and teams;
- Other terms as written in the acceptance letter, will be applied consistently to all students.

Elective & Enrichment Classes Contract

As per Siuslaw School District policy, the general expectations for home school, charter school, on-line school, private school students informally admitted to the Siuslaw School District for the purposes of taking elective and enrichment classes are as follows:

- Attendance of 92% or greater;
- Two consecutively scheduled courses, maximum;
- Time on campus is limited to class and passing times only; student is to arrive 4 minutes before class and can remain on campus 4 minutes after class, school will not provide any supervision outside of those times;
- Transportation, both to and from campus, is the responsibility of the family;
- Discipline issues, including loitering, would invalidate this arrangement.
- This is an 'audit only' opportunity – course credit cannot be awarded to any student enrolled in another public school that collects funds for that student (credit can be awarded to students that chose to pay tuition or seek release of ADM from their public institution);
- Student is eligible for OSAA competitions related to courses, clubs and teams;
- Specific or unique expectations –

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Student schedule – requested Elective & Enrichment Classes

Course 1:		Period:	
Course 2:		Period:	

Time of Day M/T/F:_____ Wednesday Block:_____ Thursday Block:_____

As stated in the policy, procedure, expectations and the specific or unique expectations sections of this Electives and Enrichment Classes Contract, a student's ability to attend courses may be revoked at any time for violations of these conditions or other behavioral/discipline issues of the student by the building administrator at any time.

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Interscholastic Activities

The Board recognizes the integral role interscholastic activities play in the character development and general enhancement of the education of its students. Accordingly, administrators, coaches, student participants and others associated with the district's high school activities programs and events¹ shall conduct themselves in a manner that is consistent with the letter and spirit of policies, rules and regulations of the district and of the Oregon School Activities Association (OSAA) and the fundamental values of sportsmanship. Each will be held accountable for its actions.

The district shall allow homeschooled students and students attending a public charter school to participate in available interscholastic activities in compliance with state law **and district policies and procedures**.

The district will provide interscholastic activities for students in compliance with Title IX.

District employees and activity volunteers are prohibited from making contact or otherwise causing contact to be made with a student for purposes of suggesting or encouraging the student and/or family to maintain or change residency for activities eligibility or participation. The principal, activities director and coaches are each responsible for ensuring student participants meet all district and OSAA eligibility requirements. The principal is responsible for ensuring accurate certification regarding the eligibility of participating students and for verifying that coaches have been certified through the National Federation of High School Coaches Certification program prior to assuming coaching duties. The principal shall ensure that a program is in place to effectively evaluate the performance of all coaches and activities advisers under his/her supervision.

Volunteers may be approved to assist with district activities with prior approval from the principal.

The principal shall investigate all allegations of district student ineligibility, staff recruitment violations or other student or staff conduct that may violate Board policies, administrative regulations and/or OSAA rules and regulations. The principal shall notify the superintendent of conduct that violates the terms of this policy and report to the OSAA as required.

An employee determined to have violated rules and regulations of the OSAA ~~[will]~~ [may] be subject to discipline, up to and including, dismissal. A student in violation of the OSAA rules and regulations will be subject to discipline, up to and including, dismissal from his/her interscholastic activity or program, suspension and/or expulsion from school. Volunteers shall be subject to discipline up to and including removal from district programs and activities and such other sanctions as may be deemed appropriate by the district.

¹This applies to only OSAA-sanctioned activities and events.

Employees, volunteers or students in violation of OSAA rules and/or regulations ~~[will]~~ [may] be required to remunerate the district in the event of fines assessed by OSAA as a result of their actions.

The superintendent will develop procedures, as necessary, to implement this policy, including a process to ensure that all district rules governing the conduct of students, staff and volunteers engaged in district activities are regularly reviewed and updated.

END OF POLICY

Legal Reference(s):

[ORS 326](#).051
[ORS 332](#).075(1)(e)
[ORS 339](#).450 to -339.460

[OAR 581-015](#)-2255
[OAR 581-021](#)-0045 to -0049
[OAR 581-026](#)-0005
[OAR 581-026](#)-0700

[OAR 581-026](#)-0705
[OAR 581-026](#)-0710

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2012); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2017).
OREGON SCHOOL ACTIVITIES ASSOCIATION, OSAA HANDBOOK.
Montgomery v. Bd. of Educ., 188 Or. App. 63 (2003).

2/08/18 | PH

Siuslaw School District 97J
2111 Oak Street
Florence, OR 97439

Presented to the Board of Directors:

Subject: Policy Revisions and Updates – JFCIA-AR – Student Drug Testing	Item No: 021319-8(i)(iv)
	Attachment: Yes
Reason: Action	From: Andrew Grzeskowiak
	Date: February 13, 2019

Background:

Superintendent Grzeskowiak met with community member Pam Hickson along with board members Mann-Heintz and McDougle to review administrative rule JFCIA-AR – Student Drug Testing. The board adopted revised language in Policy JFCIA – Student Drug Testing at the January 16, 2019 board meeting. The administrative rule for the policy has been revised to match the language in Policy JFCIA.

Recommendation:

Administration recommends the board review the administrative rule.

Siuslaw School District 97J

Code: JFCIA-AR
Adopted: 9/11/13
Revised/Reviewed: 11/13/13; 1/11/17; 12/13/17
Readopted: 4/11/18
Revised/Readopted: 12/13/17
Orig. Code: GBN-AR

Student Drug Testing**

(Student may possess a personal electronic device with certain restrictions)

The use of tobacco, alcohol, or illegal drugs is prohibited. No student involved in OSAA extracurricular, OSAA cocurricular and district-sponsored activities shall knowingly possess, use, sell, supply or be under the influence of alcohol, a tobacco product, performance enhancing drug, inhalants or controlled substance of any kind. This policy shall be in effect 24 hours a day from the first day an athlete or activity participant signs the participation agreement throughout the remainder of that school year and all of their subsequent high school years. Student-athletes are expected to maintain the policy standard during any school-sponsored activity outside the established school calendar (i.e., summer camps, competitions or events).

“School year” is defined as the first date in August when practices may commence, defined annually by the OSAA, through the end of the school calendar established by the Board of Directors.

“Co-curricular” activities are those which take place during the school day and are associated with a curricular program.

“Extracurricular” activities are those which take place outside the school day and are not associated with a curricular program.

“Illegal drug” is any drug which an individual may not sell, possess, use, distribute or purchase under state law, or as defined in schedules I through V of the Controlled Substances Act (21 U.S.C. § 812) including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP). As used in this policy, “illegal drug” also means possession, use, sale or supply of prescription and nonprescription medication - in violation of Board policy JHCD - Administering Noninjectable Medicines to Students and accompanying administrative regulation [and JHCDA - Administering Injectable Medicines to Students]. “Illegal drug” shall also include alcohol.”

Testing

Siuslaw School District believes that student safety is paramount in building positive extracurricular, co-curricular and other district-sponsored programs. Because of this belief, all students involved in OSAA extracurricular, OSAA cocurricular and other district-sponsored programs **may will** be tested for illegal substances. This includes all students involved in OSAA competitions, leadership and other possible activities.

Students who participate in OSAA extracurricular, OSAA co-curricular and other district-sponsored programs **will be subject to initial pre-season drug screening** and may be tested randomly during the season. Random testing will be conducted periodically throughout the entire season, from the opening of practice through the conclusion of games, contests or festivals. Selection for random testing will be by

[Date]□[Initials]

Student Drug Testing** – JFCIA-AR

1-5

lottery from a pool of all current participating students in OSAA extracurricular, OSAA co-curricular and other district-sponsored programs in the district at the time of the drawing. The superintendent shall take reasonable steps to assure the integrity, confidentiality and random nature of the selection process including, but not limited to, assuring that:

1. The names of all current participating students will be in the pool for testing;
2. The pool of names for testing is entered into a spreadsheet;
3. Spreadsheet line numbers are selected via an on-line random number generator;
4. The random number generation and spreadsheet cross-referencing process will be observed by at least two adults.

These tests will be urine analysis (UA) that will be given by administrators and/or their designee. Samples will be collected on the same day the student is selected for testing or, if the student is absent on that day, on the day of the student's return to school. If a student is unable to produce a sample at any particular time, the student will be allowed to return later that same day to provide the sample. All students selected for testing will be given the option of providing samples in private.

Sample containers will be labeled and sealed by the participant. After completion, each participant will bring the container to the test administrator who will take it and place the container on a table and keep it private from other participants.

The test will be for one or more illegal drugs. The superintendent shall decide prior to selection of students which illegal drugs shall be screened. Samples will not be screened for the presence of any substance other than an illegal drug or for the existence of any physical condition other than drug intoxication.

Parents will always be contacted if their child has a positive result on any test.

Students who refuse to provide a sample will be considered to have tested positive and will be subject to the procedures listed below.

First Offense

5. Notify student and parent/guardian.
6. A 14 calendar day suspension from participation in all athletic games, competitions and activities. (Must attend all practice sessions.)
7. Attend mandatory follow-up sessions with the student, parent/guardian, school counselor, administrator and athletic director. Reinstatement of the student into the activity is contingent upon the student complying with recommendations presented and having clean UA's throughout the 14 calendar day suspension. UA's will be conducted on or near day 7 and day 14 of the suspension period. Failure to comply with the recommendations will be treated as a second offense.
8. Submit to drug testing at any time during the remainder of the season.

Second Offense

9. Notify student and parent/guardian.
10. Full suspension from participation in all athletic games, competitions and activities for 45 calendar days. (Must attend all practice sessions.) However, students may still participate in the following school year's activities with the principal, athletic director and school counselor's unanimous approval.
11. Attend mandatory follow-up sessions with the student, parent/guardian, school counselor, administrator and athletic director. Reinstatement of the student into the activity is contingent upon the student complying with recommendations¹ presented and having clean UAs throughout the 45 calendar day suspension. UAs will be conducted on or near day 14, day 28 and day 45 of the suspension period. Failure to comply with the recommendations will be treated as a third offense.
12. {Level1} Submit to drug testing at any time during the remainder of the season.

Third Offense

Full suspension from all extracurricular activities and district sponsored programs for the remainder of the school year and the following school year per OSAA calendar. However, students may still participate in the following school year's activities with the principal, athletic director and school counselor's unanimous approval.

Subsequent Violations

Violations that are more than two years apart are not considered consecutive and the student would repeat the previous level consequence.

Appeal Process

13. The student may voluntarily disclose use of prescription medication which may have affected the outcome of the test; when verified, the test results will be set aside.
14. The student or parent may request within 72 hours of a positive test notification that a second test, at their expense, be conducted at a certified testing lab or medical facility. If the second sample is negative, the student and parent will be notified and no further action will be taken. If the sample tests positive, the first test result and violation will be upheld.
15. A student who has been determined to be in violation of the district's drug testing policy shall have the right to appeal the decision to the superintendent or his/her designee. The appeal must be submitted to the superintendent, in writing, within five calendar days following the meeting with the principal. The student will remain ineligible to participate in athletics contests and/or extracurricular activities competitions or festivals pending the appeal, but will continue to practice with the team,

¹ First and Second Offense – Recommendations presented may include, but are not limited to; community service, prevention/awareness presentations, classroom based educational opportunities, mentoring and other undisclosed actions deemed appropriate by the counselor, administrator and athletic director.

squad or group during the process of the appeal. The superintendent or his/her designee will determine whether the original finding was justified.

16. If dissatisfied with the superintendent's decision, the student may appeal to the Board by providing notice within five calendar days of the superintendent's decision.

Siuslaw School District 97J

Student Drug Testing Consent Form

Student Section

I have received, read and understand Siuslaw School District Policy JFCIA – Student Drug Testing – Extracurricular Activity Participants, for students who desire to participate in Oregon School Activities Association (OSAA) sanctioned athletic, extracurricular, or co-curricular activities or any other Siuslaw School District sponsored activity or event.

I understand that participation in extracurricular and co-curricular activities sponsored by the Siuslaw School District is not required. **It is a privilege, not a requirement.** I further understand that in order to participate in OSAA sanctioned events for Siuslaw High School I must participate in this drug testing program.

I agree to participate in this drug testing program and to be subject to its terms until such time that I graduate, permanently leave Siuslaw School District or formally withdraw from the program. I accept all aspects of this program and I agree to be drug tested when I am selected for testing.

I understand that the results of all drug tests will be confidential, that they will be used for no other purpose than in this program. I agree and consent to the disclosure of any and all test results to the site administrator of this drug testing program and through him/her to me and my parents. In the case of a verified positive result, I further agree and consent to the disclosure of information to my coach and the SHS Athletic Director on a need to know basis. I understand that if I refuse to participate, I will not be allowed to participate in OSAA sanctioned or school district sponsored activities. I further understand that by signing my name below, that this consent form supersedes any previous, signed forms as it relates to athletic, extracurricular, or co-curricular activities, as sanctioned by the OSAA or sponsored by the Siuslaw School District.

Student Name (Print): _____

Student Signature: ____

Date: __

Parent Section

I have received, read and understand Siuslaw School District Policy JFCIA – Student Drug Testing – Extracurricular Activity Participants, for students who desire to participate in Oregon School Activities Association (OSAA) sanctioned extracurricular or co-curricular activities or any other Siuslaw School District sponsored activity or event. As the parent or legal guardian of the above named student, I agree to the terms of this program and give my permission and consent for him/her to participate in this drug testing program. I further understand that by signing my name below, that this consent form supersedes

[Date]□[Initials]

Student Drug Testing** – JFCIA-AR

4-5

any previous, signed forms as it relates to athletic, extracurricular, or co-curricular activities, as sanctioned by the OSAA or sponsored by the Siuslaw School District.

Parents/Guardian Name (Print): _____

Parents/Guardian Signature: _

Date: _

Siuslaw School District 97J
2111 Oak Street
Florence, OR 97439

Presented to the Board of Directors:

Subject: Policy Revisions and Updates – JECB-AR – Admission/Interdistrict Transfer	Item No: 021319-8(i)(v)
	Attachment: Yes
Reason: Action	From: Andrew Grzeskowiak
	Date: February 13, 2019

Background:

Superintendent Grzeskowiak met with community member Pam Hickson along with board members Mann-Heintz and McDougle to review administrative rule JECB-AR – Admission/Interdistrict Transfer. The revised form for admission under interdistrict transfer has been updated to include language that was previously on two pages. Language with the behavior and attendance expectation has also been added. Changes to JECB-AR are highlighted on the attached policy.

Recommendation:

Administration recommends the board review the administrative rule.

Siuslaw School District 97J

Code: **JECB-AR**
Revised/Reviewed: 4/8/2015

Revised 2/13/2019

Application for Nonresident Student Admission – Interdistrict Transfer

Transfer requested for School Year _____

For Office Use Only

Student ID# _____

Student Information/Parent Request

Legal Last Name _____ Legal First Name _____ Legal Middle Name _____

Mailing Address _____ Apartment # _____

City _____ State _____ Zip _____

Date of Birth _____ (MM/DD/YY) Current Student Grade Level _____

Primary Phone of Parent/Guardian _____ Secondary Phone _____

E-mail Address _____

Parent/Guardian Name (Person in Parental Relationship) _____

I/We, the parent/guardian(s) of the above student who reside in the _____ School District, requests a transfer to the Siuslaw School District.

Is the student currently under expulsion? ☐ Yes ☐ No

If yes, what was the reason? _____

Is there a sibling of this applicant currently attending in this district? ☐ Yes ☐ No

If yes, name of sibling and school attending: _____

Does the student currently have a transfer for the current school year? ☐ Yes ☐ No

Siuslaw School District transfer status is good until graduation except in the cases out lined below. Transfer students may need to complete paperwork each year in their resident district/transfer district. The continuation of a transfer into Siuslaw School District is contingent upon meeting behavior and attendance expectations:

- Attendance is 92% or greater;
- No more than one suspension per academic year, no suspension of five days or more;
- No expulsion;
- Transportation is the responsibility of the family;
- Other terms as written in the acceptance letter, to be applied consistently to all students.

Signature of Parent/Guardian _____ Date _____

For Office Use Only:

Final Action of Resident District: ☐ Approved ☐ Denied

Reason for denial: _____

Superintendent/Designee: _____ Date _____

Final Action of Non-Resident District: ☐ Approved ☐ Denied ☐ Lottery number _____

Reason for Denial: _____

Superintendent/Designee: _____ Date _____

Siuslaw School District 97J
2111 Oak Street
Florence, OR 97439

Presented to the Board of Directors:

Subject: Policy Revisions and Updates DLC/DLC-AR – Expense Reimbursement	Item No: 021319-8(vi)
	Attachment: Yes
Reason: Action	From: Andrew Grzeskowiak
	Date: February 13, 2019

Background:

The attached policy revisions for DLC, Expense Reimbursement and DLC-AR are attached for your review. The current policy and AR has very minimal language and does not address many of the components of expense reimbursements and staff travel. The policy and AR have been updated to include further detail to help guide both the District and the employee.

Some of the notable changes are increases in meal reimbursements, guidance around the use of private vehicles for district travel and personal travel combined with business travel.

For policy DLC, a new section was added to the current policy and is highlighted. DLC-AR is entirely new with the exception of the highlighted language, which is in the current AR.

Superintendent Grzeskowiak met with community member Pam Hickson along with board members Mann-Heintz and McDougle to review.

Recommendation:

With the upcoming PBIS conference, starting on 2/27, the administration requests that policy DLC and DLC-AR be considered for a 2nd reading at tonight's meeting. There will be 18 staff members traveling to this event in Portland, OR.

Resolution 021319-8(vi) Expense Reimbursement

Be it Resolved that the Siuslaw School District Board of Directors approve DLC – Expense Reimbursement and DLC-AR as presented.

Suzanne Mann-Heintz, Board Chair

Kari Blake, Business Manager/Deputy Clerk

Siuslaw School District 97J

Code: **DLC**

Adopted: 10/04/02

Revised/Readopted: 01/08/14

Expense Reimbursements

The Board recognizes that district employees in carrying out authorized duties incur certain expenses. The Board approves the reimbursement of such necessary and reasonable expenditures.

The district will establish a meal reimbursement rate for in-state and out-of-state travel.

Employees traveling on district business should use a district vehicle. Prior approval by the superintendent is required for personal use of a vehicle for district business. The mileage rate for travel for district business in an employee's personal vehicle will be set to match the Internal Revenue Service rate for mileage reimbursement. Immediate supervisors may approve a reduced mileage rate if several employees are traveling to the same out-of-town location and the situation warrants it.

Persons who travel on district business will exercise prudent and economical expenditures of district funds and will differentiate between business expenditures and those for personal convenience. – New Language

All approval and reimbursement procedures must be followed prior to reimbursement.

END OF POLICY

- The following legal references are under review With OSBA:

Legal Reference(s):

[ORS 294.155](#)

[ORS 332.107](#)

[OAR 581-022-1660](#)

I.R.C. § 162 (2006); Business Expenses, 26 C.F.R. 1.162-1 (2006).

INTERNAL REVENUE SERVICE, PUBLICATION 463: TRAVEL, ENTERTAINMENT, GIFT AND CAR EXPENSES.

Cross Reference(s):

EEBB - Private Vehicles Use for School Business

Staff Expense Reimbursement

Expense reimbursement for staff traveling on approved district business will be governed by the following procedures. Travel expenses include travel fares, meals and lodging and expenses incident to travel. Only travel expenses as are ordinary and necessary in the conduct of approved travel for district business purposes and directly attributable to it will be reimbursed. As used in this regulation an “ordinary” expense means one that is common and accepted in the profession; a “necessary” expense means one that is essential and appropriate in order to conduct district business. Reimbursement procedures established by the district will also apply to Board members traveling on Board-approved district business, as applicable.

In-District Travel – Use of Private Vehicles

1. Staff will use district-owned vehicles, whenever possible, in conducting district business that requires travel within district boundaries.

Out-of-District Travel (In-state) – Use of Private Vehicles

1. Staff will use district-owned vehicles, whenever possible, in conducting approved district business that requires in-state travel outside district boundaries.

2. District mileage rate for travel by car:

- a. Staff members are encouraged to request a district vehicle for out-of-district travel and should be arranged so that the most number of staff members can be accommodated with the fewest number of cars. Contact the transportation supervisor for availability of a vehicle.
- b. If a district vehicle is not available and staff members are required to use their personal vehicle, the mileage rate will be set to match the Internal Revenue Service for mileage reimbursement.
- c. If a district vehicle is available but the staff member chooses to drive their personal vehicle, the mileage reimbursement will be at a reduced rate. – Current Language

Out-of-State Travel

Out-of-state travel requires prior superintendent or designee approval.

Insurance Coverage

1. Insurance costs are included as part of the mileage reimbursement for employees authorized to use a private vehicle to conduct district business. It is the responsibility of the owner or driver of the vehicle to be certain that the vehicle is adequately covered by insurance.
2. The responsibility of the district for damages resulting from vehicle accidents is not the same as set forth in the district's general liability insurance policy. The employee's insurance coverage provides primary coverage when the employee is driving his/her own vehicle on approved district business.
3. All district employees operating private vehicles on approved district business are required to provide a copy of their vehicle insurance card with advanced travel or reimbursement requests.

Meals and Meetings

Reimbursement will be made for ordinary and necessary meal expenses incurred in the course of approved travel for district business. Meals include amounts spent for food, beverage, taxes and up to 15% related gratuities. Alcoholic beverages will not be reimbursed by the district. See **Expense Reimbursement Request and Accounting Procedures** below.

Travel Advances

1. A travel advance may be requested when the estimated cost for meals, lodging, etc., exceeds \$50. The travel advance may be requested by completing the form provided by the district.
2. In the event of loss, the employee is personally responsible for cash advances issued and for any third party use of a district-provided credit card.
3. At least 15 working days are required for processing an advance check after the approved request is received by the business office. Any unspent or over the limit amounts must be returned to the district.
4. Only one cash advance may be outstanding to any employee at any time.

Reservations, Commercial Carrier and Lodging

1. Travel must be conducted in the most expeditious and cost-effective manner, as determined by the district.
2. The district will make reservation whenever possible on behalf of the employee.
3. The district prohibits the accrual of travel credits for individuals traveling on approved district business.

Vehicle Rentals

1. Rental vehicles may be used only when use will affect a savings or otherwise be more advantageous to the district or when the use of other transportation is not feasible.
2. Rental of a compact vehicle is recommended when suitable for approved district business because of the lower initial rate and the guaranteed rate. Certain rental agencies guarantee the compact rate in all owned stations and in most licensee stations, which means that if a reservation for a compact vehicle is accepted and one is not available, a standard-sized vehicle will be substituted at the compact rate.
3. Rental vehicles will be used only for official travel or in lieu of taxi for necessary travel. Any additional costs incurred for other usage will be the personal responsibility of the traveler.

Cancelled Trips

1. If an employee cannot leave at the scheduled time, it is his/her responsibility to call the travel agency or carrier and arrange to have the tickets cancelled or exchanged.
2. Commercial carrier reservation cancellations must be made at least 24 hours before departure time, whenever possible.
3. Lodging reservations must be cancelled by the employee as soon as possible to avoid a cancellation charge.
4. If a trip is cancelled after an advance and/or tickets have been issued, the advance and tickets must be returned to the business office immediately.

Personal Travel Combined with District Business Travel

1. If an individual traveling on approved district business engages in both business and personal activities, travel expenses incurred will be reimbursed only for expenses that are ordinary and necessary in the conduct of district business. Expenses for an employee guest(s) will not be reimbursed. Expenses incurred as a part of personal business are the sole responsibility of the traveler.
2. When personal travel is combined with approved district business travel and the individual is traveling by less than the most expeditious and cost-effective manner, any additional costs must be paid by the traveler.
3. Time away from work caused by traveling by less than the most expeditious means available for personal purposes must be charged to vacation or other appropriate leave.
4. Vacation or other personal leave may be taken in conjunction with approved district travel subject to the following:
 - a. Time delays related to approved district business are charged as working time even if no work is performed;

- b. If the employee travels by less than the most cost-effective manner, as determined by the district, for approved district business or for personal travel combined with travel for district business purposes, he/she must pay the additional cost (e.g., increased fare, meals, lodging expenses, etc.) incurred as a result of the personal travel;
- c. All subsistence and local transportation (taxi, vehicle fare, etc.) while on vacation status or other appropriate leave must be paid by the employee;
- d. The traveler will not be required to pay any of the basic transportation costs incurred as a part of the approved district business, even though he/she spends a substantial part of the total time away from home on vacation or other personal leave, provided the employee was traveling on approved district business;
- e. A traveler who decides on his/her own to conduct district business without prior approval, while on vacation or other personal leave, cannot then use this as a justification to have the district pay his/her basic transportation cost from the district to the location visited, or submit a request for other expense reimbursement.

Expense Reimbursement Request and Accounting Procedures

1. Reimbursement requests detailing actual expenditures must be submitted on the district's leave/reimbursement request form and approved by the superintendent or designee in writing. Original receipts and supporting documentation must accompany all expense reimbursement requests. Employees may elect to receive payment for meals at the **per diem** rate and does not need to be accompanied by itemized receipts. If an employee elects this option, payments to the employee will be treated as supplemental wages and are subject to income, social security, Medicare, FUTA taxes and PERS per the IRS regulations. This includes, but is not limited to, receipts for transportation, lodging, meals, registration, conference and workshop fees. All requests must be submitted to the district office within 10 working days of the conclusion of the trip.
PLEASE NOTE: Receipts must be submitted if expenses are grant funded. The business office will determine if travel is grant funded and will notify the building Principal and employee.
 - a. If the completed travel expense report totals less than the travel advance, the difference must be returned within 10 working days to the business office with the report.
 - b. Reimbursement for expenditures where no travel advance has been requested, will be made within 14 working days after the approved travel expense report is received by the business office.

Expenses which consist primarily of the cost of furnishing meals for others will be reimbursed upon submission of a travel expense report which includes:

- c. Names of guests;
 - d. Organizations involved;
 - e. Full explanation of the district business purpose of the meeting.
2. In the event a vehicle was rented, a copy of the rental agreement must be attached to the travel expense report. The rental charge should be paid from the amount advanced, as applicable. Purchase of gas and oil which have been deducted from the rental charge by the rental agency must be included.
 3. A reimbursement claim must be submitted no later than 90 calendar days of incurring the

expense. Reimbursement claims later than 90 calendar days of the expense will be denied.

4. Mileage for approved district business travel in a private vehicle will be reimbursed at the current rate per mile established by the district, collective bargaining agreement or Internal Revenue Service (IRS), as applicable. Reimbursement that exceeds the IRS rate will be included as income to the employee in accordance with IRS regulations.
5. Meal expenses for approved district business travel purposes may be reportable as income to the employee in accordance with IRS regulations. Generally, meal expenses incurred for approved district business purposes in which district business is conducted with at least one or more other persons or that is incurred on approved district business for a trip that is overnight, or long enough that the individual needs to stop for sleep or rest to properly perform his/her duties, as defined by the IRS, will not be reportable as income to the employee. The following applies to meal reimbursements for non-overnight travel:

For travel that occurs for only a portion of a day, the cost of meals will be reimbursed with an itemized receipt, providing the approved travel time meets the following requirement:

Breakfast: Reimbursement may be claimed if travel begins by 6:00 a.m. and ends after 9:00 a.m.
Lunch: Reimbursement may be claimed if travel begins by 11:00 a.m. and ends after 2:00 p.m.
Dinner: Reimbursement may be claimed if travel begins by 4:00 p.m. and ends after 7:00 p.m.

Meals included in a registration fee are not reimbursed separately. – Current Language

6. In the event the total of the amount charged to, and/or received from, the district by the employee as advances, reimbursement or otherwise, exceeds the ordinary and necessary business expenses, the excess must be reported as income in accordance with IRS requirements.

Reimbursable Expense Limitations

1. Meal expenses may be reimbursed at the district's reimbursement rate. The leave/reimbursement request form and rates are available at the district website and at the district office.

District rates for meal reimbursement:

- a. The district rate for in-state travel meal reimbursement shall not exceed \$50 per day (\$10/breakfast; \$15/lunch; \$25/dinner).
- b. The district rate for out-of-state travel meal reimbursements shall not exceed \$60 per day (\$12/breakfast; \$17/lunch; \$31/dinner).
2. Gratuities must not exceed 15 percent and must be included as a part of the receipt. Gratuities in excess of 15 percent are the responsibility of the employee and will not be reimbursed by the district.
3. Other expenses such as toll charges, parking fees, valet services, cleaning, pressing and laundry may be reimbursed if length of trip or circumstances demand.
4. Mileage reimbursement for actual miles traveled on district business, may be approved subject to the following limitations:

- a. In-district mileage reimbursement will not be granted to an employee, other than a district-approved tutor, for traveling from his/her residence to the place where work begins for the day or for returning home from the last place worked during the day;
 - b. Reimbursement will be made only for those miles actually traveled in the course of completing approved district business.
 - c. Group travel may be requested on one travel request form for a group traveling together as long as advance and reimbursement is payable to one person who has complete responsibility for reporting expenses;
 - d. In the event a private vehicle is approved for use from home, to or from airport or railroad station, mileage for one round trip and economy parking will be reimbursed. Parking receipts are required;
5. Lodging will be reimbursed at reasonable commercial rates.
6. Local taxi, shuttle, bus fares and vehicle rentals may be reimbursed, subject to the district's requirement that travel selected is by the most expeditious, cost-effective manner, as determined by the district.

Siuslaw School District 97J
2111 Oak Street
Florence, OR 97439

Presented to the Board of Directors:

Subject: Policy Revisions and Updates – Criminal Records Checks, Volunteers	Item No: 021319(8)(vii)
	Attachment: Yes
Reason: Action	From: Andrew Grzeskowiak
	Date: February 13, 2019

Background:

Superintendent Grzeskowiak met with community member Pam Hickson and board members Mann-Heintz and McDougle to review GCDA/GDDA, GCDA/GDDA-AR – Criminal Records Checks and Fingerprinting and IICC-Volunteers. The state board of education adopted permanent rule Oregon Administrative Rule (OAR) 581-021-0502, implementing House Bill 2992 (2017), which directs that if a district wants to fingerprint certain volunteer positions with direct, unsupervised contact with students, that those specific volunteer positions must be identified in board policy. The board previously viewed these policies at the November 27, 2018 and December 12, 2018 board meetings, but the policies were tabled until ODE and OSBA could be consulted for language changes. Additionally, the committee aligned policy with practice in consideration of the matrix used for volunteer background checks.

Recommendation:

Administration recommends a 1st reading of GCDA/GDDA, GCDA/GDDA-AR – Criminal Records Checks and IICC - Volunteers.

Resolution #021319(8)(vii) – GCDA/GDDA, GCDA/GDDA-AR – Criminal Records and Checks/IICC - Volunteers

Be it Resolved that the Siuslaw School District Board of Directors approve the policy changes as presented.

Suzanne Mann-Heintz, Board Chair

Kari Blake, Business Manager/Deputy Clerk

Siuslaw School District 97J

Code: GCDA/GDDA

Adopted:

Committee reviewed 1/29/19

Criminal Records Checks and Fingerprinting * (Version 2)

In a continuing effort to ensure the safety and welfare of students and staff, the district shall require all newly hired full-time and part-time employees not requiring licensure to undergo a criminal records check and/or fingerprinting. Other individuals, as determined by the district, that will have direct, unsupervised contact with students shall submit to criminal records checks and/or fingerprinting as required by law.

“Direct, unsupervised contact with students” means contact with students that provides the person opportunity and probability for personal communication or touch when not under direct supervision.

As required by state law, a criminal records check and/or fingerprinting shall be required of the following individuals¹:

1. All district contractors and their employees, whether employed part-time or full-time, considered by the district to have direct, unsupervised contact with students;
2. All district contractors and their employees who provide early childhood special education or early intervention services in accordance with rules established by the Oregon Department of Education, Child Care Division;
3. Any community college faculty member providing instruction at the site of an early childhood education program, at a school site as part of an early childhood program or at a grade K through 12 school site during the regular school day;
4. Any individual who is an employee of a public charter school and not requiring licensure; and
5. [²Any individual considered for volunteer service with the district who is to have direct, unsupervised contact with students].

[Beginning in September 2019, †The district shall require a nationwide criminal records check based on fingerprinting for a volunteer with direct, unsupervised contact with students in the following positions³:

¹Subject individuals and requirements are further outlined in GCDA/GDDA-AR - Criminal Records Checks and Fingerprinting.

²[If the district allows volunteer service and the volunteers have direct, unsupervised contact with students, this policy language is required, and districts are required to conduct background checks on these volunteers.]

³[If the district requires fingerprinting for certain volunteer positions, the district is required to list those volunteer positions in board policy. The bracketed language is only possible examples; modify to identify the needs of the district.]

1. [Head coach;]
2. [Assistant coach;]
3. [Overnight chaperone;]
4. [Volunteers transporting students, other than their own, in a private vehicle off district property for a district-sponsored activity] [;] [.]
5. **[List of other positions subject to this fingerprinting, if any. The following club and program advisors: ASPIRE, Builders Club, Interact Club, Interact Club Jr., Key Club, Gay-Straight Alliance (GSA), Health Occupations Students of America (HOSA), SES Attendance Intervention Volunteer]]**

The identity of a subject individual requiring fingerprinting will be provided by the district to the authorized fingerprinter for verification.

A subject individual shall be subject to fingerprinting only after acceptance of an offer of employment or contract **or upon submission of a volunteer application for the above positions.**

~~The district [shall] [shall not] begin the employment of a subject individual for expedited hirings or terms of a district contractor [on a probationary basis pending] [before] the return and disposition of the required criminal records checks.~~ **SEE REPLACEMENT PARAGRAPH BELOW/ REVISED 12/12/2018**

Except for expedited hirings, the district shall not begin the employment of an individual or terms of a district contractor ~~[on a probationary basis pending]~~ **[before]** the return and disposition of the required criminal records checks. For expedited hirings, the district shall begin the employment of a subject individual **[on a probationary basis pending]** ~~[before]~~ the return and disposition of the required criminal records checks.

A subject individual who has been convicted of any crimes prohibiting employment or contract will be terminated and/or will not be employed or contracted. A subject individual who fails to disclose the presence of convictions that would not otherwise prohibit employment or contract with the district as provided by law ~~[may]~~ [will not] be employed or contracted with by the district. A subject individual who knowingly made a false statement as to the conviction of any crime ~~[may]~~ [will not] be employed or contracted with by the district.

The district's use of criminal history must be relevant to the specific requirements of the position, services or employment.

[The service of a volunteer allowed to have direct, unsupervised contact with students ~~[may]~~ [will not] begin ~~[on a probationary basis pending]~~ [before] the return and disposition of a criminal records check.]

[The service of a volunteer in a position identified by the district as requiring a nationwide criminal records check including fingerprinting [may] ~~[will not]~~ begin [on a probationary basis pending] ~~[before]~~ the return and disposition of the nationwide criminal records check including

fingerprinting.] **REVISED 12/12/2018** *The “may” language will allow us time to begin the fingerprinting while allowing current volunteers to continue volunteering in their current capacity. A year from now, or sooner, we can revert to the “will not” language if it is the pleasure of the committee/board.

[A subject individual who knowingly made a false statement or has been convicted of a crime listed in ORS 342.143 ~~may~~ [will] result in immediate termination from the ability to volunteer in the district.]

Fees associated with a criminal records check and/or fingerprinting may be charged.

The superintendent shall develop administrative regulations as necessary to meet the requirements of law.

Appeals

A subject individual may appeal a determination that prevents employment or eligibility to contract with the district to the Superintendent of Public Instruction as a contested case and will be notified of such in writing by ODE.

A volunteer required to submit to a fingerprint-based criminal records check may appeal a determination that prevents the ability to volunteer with the district to the Superintendent of Public Instruction as a contested case, if the results of the background check were provided by ODE or ODE’s vendor and will be notified of such in writing by ODE.

END OF POLICY

Legal Reference(s):

[ORS 181A.180](#)
[ORS 181A.230](#)
[ORS 326.603](#)
[ORS 326.607](#)
[ORS 332.107](#)

[ORS 336.631](#)
[ORS 342.143](#)
[ORS 342.223](#)
[OAR 414-061-0010 - 0030](#)
[OAR 581-021-0500](#)

[OAR 581-021-0502](#)
[OAR 581-022-2430](#)
[OAR 584-050-0012](#)

Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et. seq. (2012).

R6/21/18 | PH

Criminal Records Checks and Fingerprinting (Version 2)

Requirements

1. Any individual newly hired, whether full-time or part-time, and not requiring licensure as a teacher, administrator, personnel specialist or school nurse shall be required to undergo a nationwide criminal records check and fingerprinting.
2. Any individual applying for reinstatement of an Oregon license with the Teacher Standards and Practices Commission (TSPC) that has lapsed for more than three years shall be required to undergo a nationwide criminal records check and fingerprinting with TSPC.
3. Any individual registering with the TSPC for student teaching, practicum or internship as a teacher, administrator or personnel specialist shall be required to undergo a nationwide criminal records check and fingerprinting with TSPC.
4. Any district contractor and its employees¹, whether part-time or full-time, hired into a position having direct, unsupervised contact with students shall be required to undergo a nationwide criminal records check and fingerprinting.

The superintendent will identify district contractors who are present on district property and regularly interact with students and are subject to such requirements.

5. Any contractor or an employee of the contractor who provides early childhood special education or early intervention services shall be required to undergo a nationwide criminal records check and fingerprinting with the Oregon Department of Education (ODE), Child Care Division.
6. Any community college faculty member providing instruction at the site of an early childhood education program, a school site as part of an early childhood program or at a grade K through 12 school site during the regular school day, shall be required to undergo a nationwide criminal records check and fingerprinting.
7. Any individual who is an employee of a public charter school not requiring licensure shall be required to undergo a nationwide criminal records check and fingerprinting.
8. [²][Any individual authorized by the district for volunteer service into a position allowing direct, unsupervised contact with students shall be required to undergo an Oregon criminal records check.]

¹A contractor's employee may not be required to submit to fingerprinting until the contractor has been offered a contract by the district.

²[If the district allows volunteers to have direct, unsupervised contact with students, districts are required to conduct criminal background checks on these volunteers. Choose the bracketed language options in 8, 9 and/or 10 of this policy that aligns with

9. [Any volunteer allowed to have direct, unsupervised contact with students, in a volunteer position identified in Board policy³ by the district as requiring fingerprinting, shall be required to undergo a nationwide criminal records check and fingerprinting.]
10. [Any individual authorized by the district for volunteer service that is not likely to have direct, unsupervised contact with students [will] ~~[will not]~~ be required to undergo an Oregon criminal records check.]

Exceptions

A newly hired employee is not subject to fingerprinting if the district has evidence on file that the newly hired employee was previously checked through an Oregon and a FBI criminal records check by a previous employer that was a school district.

Evidence of the prior check will be either a copy of the criminal records check or a written statement of verification from a supervisor or officer of the previous employer.

Furthermore:

1. The ODE or TSPC verification of a previous check shall be acceptable only in the event the district can demonstrate records are not otherwise available; and
2. The district shall maintain evidence that the employee has not resided outside the state during the interval between the two periods of time working in the district.

Notification

1. The district will provide the following notification to individuals subject to criminal records checks and/or fingerprinting:
 - a. Such criminal records checks and/or fingerprinting are required by law or Board policy;
 - b. Any action resulting from such checks that impact employment, contract or volunteering may be appealed as a contested case;
 - c. All employment or contract offers [or the ability to volunteer] are contingent upon the results of such checks;
 - d. A refusal to consent to a required criminal records check and/or fingerprinting shall result in immediate termination from employment[,] ~~[or]~~ contract status[or the ability to volunteer in the district];
 - e. An individual determined to have knowingly made a false statement as to the conviction of any crime on district employment applications, contracts[,] ~~[or]~~ ODE forms[or district volunteer forms] [(written or electronic)] ~~[may]~~ [will] result in immediate termination from employment or contract status[or the ability to volunteer in the district];
 - f. An individual determined to have been convicted of any crime that would prohibit employment or contract will be immediately terminated from employment or contract status[;]
~~[.]~~

district practice. If the district allows volunteers to have direct, unsupervised contact with students the presented language is required. Align policy IICC - Volunteers with chosen language here.]

³See policy GCDA/GDDA - Criminal Records Checks and Fingerprinting.

- g. A volunteer candidate⁵ who knowingly makes a false statement regarding past criminal convictions on their application will result in immediate termination from the ability to volunteer in the district. The district will remove the volunteer from the position allowing direct, unsupervised contact with students.
 - h. A potential volunteer⁵ who discloses a past conviction of a crime listed under ORS 342.143 may have their application reviewed by a committee to determine their ability to volunteer in the school system and set the limitation of their volunteer duties. The review committee shall consist if the superintendent, the board chair or vice-chair, and either the board executive secretary or the human resources specialist. The committee shall review any provided documentation or records and schedule a meeting with the potential volunteer to hear any additional commentary. A written letter of approval or denial of volunteer status, and related conditions will be sent within one week after the meeting.
2. The district will provide the written notice described above through such means as employment applications, contracts or [volunteer] forms.

Processing/Reporting Procedures

1. Any individual subject to criminal records checks and/or fingerprinting shall complete the appropriate forms or requirements as approved by ODE (information available through the district).
2. All individuals subject to fingerprinting pursuant to state law are required to report to an authorized fingerprinter for fingerprinting as directed by the district.

Fingerprints may be collected by one of the following:

- a. Employing district staff;
- b. Contracted agent of employing district; or
- c. Local or state law enforcement agency.

The individual subject to fingerprinting, shall be subject only after acceptance of an offer of employment or contract or upon submission of a volunteer application for positions listed in policy GCDA/GDDA.

3. To ensure the integrity of the fingerprinting collection and prevent any compromise of the process, the district will provide the name of the individual to be fingerprinted to the authorized fingerprinter.
4. The authorized fingerprinter will obtain the necessary identification and fingerprinting and notify ODE of the results. ODE will then notify the district of said results as well as the identity of any individual it believes has knowingly made a false statement, has knowingly made a false statement as to conviction of any crime or has a conviction of a crime prohibiting employment[, ~~or~~] contract[or volunteering].
5. A copy of the fingerprinting results will be kept by the district.

Fees

1. Fees associated with criminal records checks and/or fingerprinting for individuals applying for employment with the district and not requiring licensure, including contractors⁴ and their employees, shall be paid by the ~~[individual]~~ [district] with the exception of classified substitutes and volunteer coaches.
2. ~~[Fees are payable [prior to] [within [three] working days of] beginning employment, volunteer service or contract.]~~
3. [An individual offered employment in the district may request that the amount of the fee be withheld from the employee's paycheck, including a periodic payroll deduction rather than a lump sum payment, in accordance with Oregon law. The district may withhold such fees only upon the request of the individual.] REVISED 12/12/18
4. [Fees associated with required criminal records checks for volunteers shall be paid by the ~~[individual]~~ [district].]
5. [Fees associated with a required fingerprinting for volunteers shall be paid by the ~~[individual]~~ [district] with the exception of volunteer coaches.]⁵

Termination of Employment or Withdrawal of Employment/Contract Offer/Volunteer Status

1. Any individual required to submit to a criminal records check and/or fingerprinting in accordance with law and/or Board policy will be terminated from employment or contract status, or withdrawal of offer of employment or contract will be made by the superintendent upon:
 - a. Refusal to consent to a criminal records check and/or fingerprinting; or
 - b. Notification from the Superintendent of Public Instruction or designee that the employee has a conviction of a crime prohibiting employment with the district as specified by law.
2. Any individual required to submit to a criminal records check and/or fingerprinting in accordance with law ~~[may]~~ [will] be terminated from employment or contract status, or withdrawal of offer of employment or contract will be made by the superintendent upon notification from the Superintendent of Public Instruction or designee that the employee has knowingly made a false statement as to the conviction of any crime.
3. Employment termination shall remove the individual from any district policies, collective bargaining provisions regarding dismissal procedures and appeals and the provisions of Accountability for Schools for the 21st Century Law.
4. [Any volunteer who will be allowed to have direct, unsupervised contact with students that refuses to submit to a required criminal records check to acquire or maintain such a volunteer status in the district in accordance with law and/or Board policy will be denied such ability to volunteer in the district.]

⁴A contractor's employee may not be required to submit to fingerprinting until the contractor has been offered a contract by the district.

⁵ Evaluation of criminal records will be based on the district's Background Check Decision Matrix and crimes listed in ORS 342.143.

5. [If the district has been notified by the Superintendent of Public Instruction that an individual knowingly made a false statement or has a conviction of any crime listed in ORS 342.143 the individual [will] ~~may~~ be denied the ability to volunteer.]
6. [Any volunteer who knowingly makes a false statement, as determined by the district, on a district volunteer application form ~~may~~ [will] be denied the ability to volunteer in the district.]

Appeals

An individual may appeal a determination that prevents employment or eligibility to contract with the district to the Superintendent of Public Instruction as a contested case and will be notified of such in writing by ODE.

A volunteer required to submit to a fingerprint-based criminal records check may appeal a determination that prevents the ability to volunteer with the district to the Superintendent of Public Instruction as a contested case, if the results of the background check were provided by ODE or ODE's vendor and will be notified of such in writing by ODE.

R6/21/18 | PH

Siuslaw School District 97J

Code: **IICC**
Adopted: 4/08/98
Revised/Readopted: 3/12/14
Orig. Code(s): IICC

Volunteers

Citizens who voluntarily contribute their time and talents to the improvement and enrichment of the public schools instructional and other programs are valuable assets. The Board encourages constructive participation of groups and individuals in the school to perform appropriate tasks during and after school hours under the direction and supervision of professional personnel.

¹[Any person authorized by the district for volunteer service into a position that allows direct, unsupervised contact with students shall be required to undergo an Oregon criminal records check.] [Any volunteer allowed to have direct, unsupervised contact with students, in a position identified by the district as requiring fingerprinting, shall be required to undergo a nationwide criminal records check and fingerprinting. [(See Board policy GCDA/GDDA - Criminal Records Checks and Fingerprinting and its accompanying administrative regulation.)]] [Any person authorized by the district for volunteer service that will not likely have direct, unsupervised contact with students [will] ~~[will not]~~ be required to undergo an Oregon criminal records check.]

The administration is responsible for the recruitment, use, coordination and training of volunteers. These assignments will be carried out as directed or delegated by the superintendent. Volunteers may be subject to fingerprinting and/or criminal history checks as required by federal or state law or district policy. Every effort should be made to use volunteer resources in a manner which will ensure maximum contribution to the welfare and educational growth of students.

END OF POLICY

Legal Reference(s):

[ORS Chapter 243](#)
[ORS 326.607](#)

[ORS 332.107](#)

[OAR 839-020-0005](#)

Fair Labor Standards Act of 1938, 29 U.S.C. §§ 206-207 (2006).

Cross Reference(s):

GCDA/GDDA - Criminal Records Checks/Fingerprinting

Corrected 8/28/18

¹[The district must make a determination on whether volunteers positions will or will not be allowed direct, unsupervised contact with students, and also decide if any of these volunteer positions will be identified by the district to require a nationwide criminal records check through fingerprinting. If the district allows volunteers direct, unsupervised contact with students, this language is required. Choose the appropriate bracketed options and align with bracketed language selections made in GCDA/GDDA and GCDA/GDDA-AR.]