POLICY READINGS  
August 13, 2018  
2018 POLICY UPDATE

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The following symbol(s) are used on some policies:

* May be subject to collective bargaining.

** As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005(4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 169.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.
Permission is to be obtained from the principal before animals are brought into the school. Only service animals, serving persons with a disability and animals approved by the building administrator that are part of an approved district curriculum or extracurricular activity are allowed in district facilities.

Approved animals must be adequately cared for and appropriately secured. Only the teacher or students designated by the teacher are to handle the animals.

If animals are to be kept in the classroom on days when classes are not in session, arrangements must be made for their care.

Animals, except those service animals serving persons with a disability, may not be transported on a school bus.

Certified service animals would be an exception to this policy.

END OF POLICY

Legal References:
ORS 659A.409
OAR 581-053-0230(9)(d)
OAR 581-053-0430(16)
OAR 581-053-0530(15)

Americans with Disabilities Act Amendments Act of 2008

10/24/13RS

The American with Disabilities Act definition of “service animal” means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. Companion and comfort animals are not considered service animals. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual’s disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with the navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort or companionship do not constitute work or tasks for the purposes of this definition. The law and its regulations also make an allowance for miniature horses.
Section 504 – Students

The district recognizes its responsibility to provide a free, appropriate public education to students with disabilities under Section 504 of the Rehabilitation Act of 1973. Accordingly, no otherwise qualified individual with disabilities shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any district program or activity or those provided by the district through contractual or other arrangements. District aids, benefits and services will afford qualified students with disabilities equal opportunity to obtain the same result, gain the same benefit or reach the same level of achievement as students without disabilities in the most integrated setting appropriate to the student’s needs. Programs and activities shall be accessible to and usable by individuals with disabilities as prescribed by law.

A qualified individual with disabilities under Section 504 is an individual who has a physical or mental impairment\(^1\) that substantially limits one or more major life activities\(^2\); has a record of such an impairment; or is regarded as having such an impairment.

In compliance with the provisions of Section 504, the district will:

1. Provide written assurance of nondiscrimination in accordance with application procedures whenever the district receives federal money;

2. Designate an employee to coordinate compliance with Section 504;

3. Provide procedures to resolve complaints of discrimination under Section 504;

4. Provide notice to students, parents, employees, including those with vision or hearing impairments, of the district’s policy and compliance with law assuring nondiscrimination in admission or access to, or treatment, in district programs, activities or employment. Notice will be included in student/parent and staff handbooks and other materials as appropriate;

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\(^1\) Impairments which may substantially limit major life activities, and without regard for the ameliorative effects of medication or aids/devices include, but are not limited to, chronic asthma and severe allergies, blindness or visual impairment, cancer, diabetes, deafness or hearing impairment, heart disease, mental illness and conditions which may be episodic or in remission.

\(^2\) Major life activities, as defined by the Americans with Disabilities Act Amendments Act of 2008, include caring for one’s self, walking, seeing, hearing, speaking, breathing, working, performing manual tasks, learning, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, communicating; and major bodily functions, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions.
5. Annually identify and locate all Section 504 qualified students with disabilities in the district who are not receiving a free appropriate\textsuperscript{3}, public education;

6. Ensure that tests and other evaluation materials have been validated, are administered by trained personnel, are tailored to assess educational need and are not based on IQ scores, and reflect what the tests purport to measure.

7. Provide nonacademic and extracurricular services\textsuperscript{4} and activities in such a manner as to afford students with disabilities an equal opportunity for participation in such services and activities. The decision whether a student requires a 504 plan, however, is not automatic and must be made on a case-by-case basis. The district will convene a 504 eligibility meeting and will seek the participation and involvement of relevant individuals including but not limited to the guardians or parents of the student and relevant school staff;

8. Annually notify students with disabilities and their parents or guardians of the district’s responsibilities under Section 504, including those with limited proficiency in English and those with vision or hearing impairments;

9. Provide parents or guardians with procedural safeguards, including notification of their right:

   a. To be notified in writing of any decisions made by the district concerning the identification, evaluation or educational placement of their student pursuant to Section 504. [The district will request parental consent prior to conducting an evaluation of the student];

   b. To examine, copy and request amendments of the student’s educational records;

   c. To request an impartial hearing, with opportunity for participation by the student’s parents or guardian and representation by counsel regarding district decisions concerning identification, evaluation or educational placement of their student. A review procedure will be provided.

Students identified as qualified individuals with disabilities under Section 504 shall be placed in the regular educational environment unless it is demonstrated by the district that the education of the student with the use of related aids and services in such a placement cannot be achieved satisfactorily. All placement decisions will be made by an evaluation team comprised of persons designated by the superintendent or designee, knowledgeable about the student, the meaning of the evaluation data and placement options.

Students will be re-evaluated periodically, but no less than every three years. Additionally, before implementing discipline that constitutes a significant change in the placement (i.e., expulsion, serial suspensions which exceed 10 school days in a school year, a series of suspensions each of which is 10 or

\textsuperscript{3}Appropriate education means the provision of regular or special education and related aids and services that are designed to meet the student’s individual educational needs as adequately as the needs of persons without disabilities are met and are based upon adherence to appropriate procedural requirements of 34 C.F.R. §§ 104.34 - 104.36 concerning educational setting, evaluation and placement and procedural safeguards.

\textsuperscript{4}Nonacademic and extracurricular services and activities may include, but are not limited to, counseling services, transportation, health services, athletics, intramurals, clubs or organization activities, referrals to agencies which provide assistance to persons with disabilities and employment of students, including both employment by the district and assistance by the district in making available outside employment.

Section 504 – Students - JBAA
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fewer school days in duration but that creates a pattern of exclusion), the district shall conduct a re-evaluation of the student to determine whether the misconduct in question is caused by the student’s disability and, if so, whether the student’s current educational placement is appropriate.

If it is determined that the misconduct of the student is caused by the disability, the district’s team will continue the evaluation, following the requirements of Section 504 and the Americans with Disabilities Act of 1990 and Americans with Disabilities Act Amendments Act of 2008 (ADA) for evaluation and placement to determine whether the student’s current educational placement is appropriate. Due process procedures that meet the requirements of the Individuals with Disabilities Education Act (IDEA) may be used to meet the procedural safeguards of law. If it is determined that the misconduct is not caused by the student’s disability, the student may be excluded from school in the same manner as are similarly situated students who do not have disabilities.

A student identified as a qualified individual with disabilities under Section 504, who is also covered by the Individuals with Disabilities Education Act (IDEA), will be disciplined in accordance with Board policy JGDA/JGEA - Discipline of Disabled Students and accompanying administrative regulation.

A reevaluation will also be required before any other significant change in placement (i.e., transferring a student to alternative education, graduation from high school, significantly changing the composition of the student’s class schedule, such as from regular education to the resource room, etc.).

END OF POLICY

Legal Reference(s):

ORS 192.630  ORS 659A.103  OAR 581-021-0045
ORS 326.051(1)(e)  ORS 659A.109  OAR 581-021-0046
ORS 659.850  OAR 581-015-2030  OAR 581-021-0049
ORS 659.865  OAR 581-022-1140

Educational Equity

The Oregon City School District is a community of learners committed to equity and the success of each student. The pursuit of academic excellence and maximizing the potential of each and every student is core to our mission. We are committed to that pursuit at the individual level and at the aggregate level. We believe that educational outcomes should not be predetermined by a student’s background or circumstances. We will set high expectations, remove barriers to success and elevate the achievement of all students. The school district will affirmatively support and will take no action that negatively impacts student achievement no matter who the student is.

When each student enters a school of the Oregon City School District, dreams are nurtured; history and cultural heritage are celebrated; love of learning is fostered; and educational, physical, emotional and social needs are supported.

Equity fosters an inclusive and barrier-free environment in which everyone will fully benefit. The district will apply this principle of equity to all policies, programs, operations, practices and resource allocations. All students will have access and opportunity to a high-quality education. Equity is achieved when there is sufficient evidence that each child has a high-quality educational experience.

The Oregon City School District is committed to the following foundational beliefs:

1. We believe that each student can learn with adequate support at the highest levels when all staff provide equitable access and opportunity for learning, and hold each student to high expectations;

2. We believe that an inclusive and welcoming environment plays a critical role in supporting a child’s educational goals;

3. We believe that everyone in the district must act to eliminate barriers to preparing all students for college, career and active participation in civil society;

4. We believe an equitable education system requires providing teachers with the tools and support to meet the needs of each student; and

5. We believe resources must be allocated equitably, not necessarily equally, in order to maximize the academic achievement of every child and the ultimate success of the entire student body.

To realize our beliefs the Oregon City School District will:

1. Create and nurture a safe and healthy learning environment that is inclusive; and welcoming; and highly collaborative; and where all students, families and staff behave and interact with integrity, respect and fairness.
2. Systematically use district-wide and school level data to inform district decision-making while maintaining the privacy of individual students. Whenever available, the data will be disaggregated by race, ethnicity, language, special education, gender, socioeconomic background and mobility;

3. Provide all students with equitable access to high-quality curriculum, programs, teachers and administrators, extracurricular activities and support services, even when this means differentiating resource allocation;

4. Affirm the identity of each student, acknowledge and celebrate differences to create a sense of belonging for each student and promote unity;

5. Incorporate the voice, culture and perspectives of students, staff, families and communities that reflect student demographics to support and enhance student success;

6. Identify and counteract biased instructional materials, assessments; and practices that perpetuate achievement disparities and lead to disproportionate levels of student success;

7. Provide multiple and aried opportunities in order to meet the needs of the diverse student body;

8. Actively recruit, hire; and retain highly qualified staff that reflect student demographics at all organizational levels and support employees to engage in culturally responsive practices and delivery of quality instruction and service; and

9. Ensure that district priorities and strategic plans embrace the principle of equity as a key feature and present measurable outcomes to prepare all students for college, career and life.

END OF POLICY

Legal Reference(s):

ORS 174.100(7) ORS 332.107 ORS 342.437 to -342.449

ORS 332.075

6/30/16 | PH

Educational Equity - JBB
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Oregon City School District

Admission of Exchange Students

The district will accept a maximum of 10 exchange students from other nations on a J-1 Visa who reside within the district as participants in an exchange program officially recognized by the Board. Exchange students on a J-1 Visa are not required to pay tuition.

Exchange students must be enrolled in district-approved programs registered with the Council on Standards for International Education Travel (CSIET), Oregon Institutional Council.

Privately sponsored exchange students on an F-1 Visa may be enrolled if an adult resident of the district has been given temporary guardianship and the student lives in the home of that guardian. Exchange students on an F-1 Visa are required to pay tuition at the established district rate. F-1 student admission is limited to students who have been a J-1 exchange student in Oregon City secondary schools and attendance may not exceed 12 months.

Exchange students must comply with immunization requirements set forth in state law. Once admitted, exchange students become subject to all district policies and regulations governing students.

Exchange students may not receive a district diploma; however, the student may receive an honorary diploma and may participate in graduation ceremonies.

Approved foreign exchange program qualifications, student admission requirements and procedures, academic placement, school expectations for conduct and behavior shall be outlined in administrative regulations.

END OF POLICY

Legal Reference(s):
ORS 339.133
ORS 433.267


5/12/01 MW
Students in Homeless Situations

Students in homeless situations the district will have access to the same education and other services available to "housed" students that provide the opportunity to meet the state's needed to ensure that an opportunity is available to meet the same academic achievement standards to which all students are held.

A liaison for students in homeless situations will be designated by the district to carry out duties as required by law.

The district will ensure that homeless students are not stigmatized nor segregated on the basis of their status as homeless. Students in homeless situations will be admitted, in accordance with the student's best interest, to the district school in the attendance area in which the student is actually living or be allowed to remain in the student's school of origin as requested by the parent and in accordance with the student's best interest; or enroll the student in a district school in the attendance area in which the homeless student is actually living, unless contrary to the request of the parent or unaccompanied student. Transportation will be provided to and from the student's school of origin at the request of the parent, or in the case of an unaccompanied student, the district's liaison for students in homeless situations in accordance with law.

The Superintendent will develop administrative regulations to implement this policy to remove barriers to access and participation by students in homeless situations.

END OF POLICY

Legal Reference(s):
ORS 109.056  ORS 339.133  ORS 339.115
ORS 327.006  ORS 433.267  OAR 581-021-0045
ORS 339.115  OAR 581-021-0046

Letter Opinions, Office of the OR Attorney General (March 15, April 18, June 30 1988).

RG/10/16 PH

1McKinney-Vento Homeless Assistance Act (see 42 U.S.C. 11432(g)(1)(J)(iii)).
Students in Homeless Situations**

Definitions

1. "Enrollment" means attending classes and participating fully in school activities.

2. "School of origin" means the school that a student attended when permanently housed or the school in which the student was last enrolled.

   When the student has completed the final grade served by the school of origin, the term "school of origin" shall include the designated receiving school at the next grade level for all feeder schools.

3. "Students in Homeless Situations" means individuals who lack a fixed, regular and adequate nighttime residence and includes:
   a. Students who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals; or are awaiting foster placement;
   b. Students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
   c. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings; and
   d. Migratory students who qualify as homeless because the students are living in circumstances described in a.-c.

4. "Unaccompanied student" includes a student not in the physical custody of a parent or guardian.

Assignment to School

The district shall, according to the student’s best interest, continue the student’s education in the school of origin for the duration of homelessness, or enroll the student in a district school in the attendance area in which the student is actually living, on the same basis as other district students that nonhomeless students who live in the attendance area in which the student is actually living are eligible to attend.

In determining the best interest of the student, the district shall:

1. To the extent feasible, presume that keeping a student in a homeless situation in their school of origin is in their best interest, unless doing so is contrary to the wishes request of the student’s parent or guardian;
2. Provide a written explanation, including a statement regarding the right to appeal, if the district sends a student in a homeless situation to a school other than the school of origin or a school in the attendance area where the student is actually living requested by the parent or guardian.

3. In the case of an unaccompanied student, ensure that the district’s liaison helps in with placement or enrollment decisions for an unaccompanied student, and considers the views of the student, and provides a notice of the right to appeal on placement and enrollment decisions.

Enrollment

The district shall immediately enroll the student in the school selected even if the student is unable to produce records normally required for enrollment, such as academic records, medical records, proof of residency or other documentation.

The district shall immediately contact the school last attended to obtain relevant academic and other records.

If the student needs to obtain immunizations, or immunization or medical records, the district shall immediately refer the parent or guardian to the district’s liaison, who will help in obtaining necessary immunizations or records.

A student shall be granted enrollment even if he or she has missed application or enrollment deadlines during any period of homelessness.

Records

Any records ordinarily maintained by the district, including immunization or medical records, academic records, birth certificates, guardianship records and evaluations for special services or programs, shall be maintained so that the records are available, in a timely fashion, when a student in a homeless situation enters a new school or school district, consistent with state and federal law.

Enrollment Disputes

If a dispute arises over school selection or enrollment or eligibility, the student shall be immediately admitted to the school requested, pending resolution of the dispute.

The parent or guardian of the student shall be provided with a written explanation of the district’s decision regarding school selection, including the rights of the parent, guardian or student to appeal the decision through the district’s discrimination complaint procedure, McKinney-Vento Act dispute resolution and appeal process, including final appeal to the Oregon Department of Education (ODE) State Coordinator.

The student, parent or guardian shall be referred to the district’s liaison, who shall ensure the resolution process is carried out as expeditiously as possible. In the case of an unaccompanied student, the district’s liaison shall ensure the student is immediately enrolled in school pending the resolution of the dispute.

Services

Each student in a homeless situation shall be provided services comparable to services offered to other students, including the following:
1. Transportation services;

2. Education services for which the student is eligible, such as:
   a. Title I;
   b. Special education;
   c. Programs for students with limited English proficiency learners;
   d. Professional Career and technical programs education;
   e. Talented and gifted programs.

3. School nutrition programs.

Coordination

The district shall coordinate the provision of services to homeless students with local social service agencies, and other agencies or programs providing services to homeless students and their families. Services will also be provided in cooperation with other districts on interdistrict issues; such as transportation, or transfer of school records; and issues concerning appropriate credit for full or partial coursework completed at a prior school, in order to ensure that homeless students have access to available educational and related services.

District Liaison

The district's liaison shall ensure that:

1. Homeless students in homeless situations are identified;

2. Homeless students in homeless situations enroll in and have a full and equal opportunity to succeed in district schools;

3. Families and students in homeless situations have access to and receive educational services through Head Start, Early Intervention and preschool services;

4. Homeless families and students in homeless situations receive educational services for which they are eligible, and referrals to health care services, dental services, mental health services and other appropriate services;

5. Parents of homeless students in homeless situations are informed of the educational and related opportunities available to the students and are provided with meaningful opportunities to participate in the education of their students;

6. Public notice of the educational rights of homeless students in homeless situations is distributed where such students receive services (e.g., schools, family shelters, public libraries and soup kitchens);

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1All students in homeless situations are automatically eligible for Title I services, regardless of their current academic performance.
7. Enrollment disputes are mediated through McKinney-Vento Act dispute resolution procedures.

8. The parents of a homeless student, or any unaccompanied student, is fully informed of all transportation services, including transportation to the school of origin, and is assisted in accessing transportation to the school selected;

9. School personnel, service providers and advocates working with homeless students and their families are informed of the liaison’s duties.

The district’s liaison shall coordinate and collaborate with the ODE state coordinator, community and school personnel responsible for the provision of educational and related services to students in homeless situations.
Student Involvement in Decision Making

The Board recognizes the value of student participation in decision making.

All students will be encouraged to attend open Board meetings and to participate in discussions. A student representative to the Board will be appointed annually.

In developing rules, regulations and arrangements for school system operation, the Superintendent will notify whenever feasible and appropriate, the representative to the Board.

The superintendent will establish procedures through which students can readily communicate their ideas and opinions regarding the operation of the schools.

END OF POLICY

Legal Reference(s):

ORS 332.107
Care of District Property by Students**

Any student who damages, destroys or defaces any district, staff or student property shall be in violation of the district’s disciplinary policies and may be suspended or expelled.

Damage to school property caused by a student shall be evaluated and the amount of the damage shall may be assessed against the student and the parent or parents having legal custody of the student.

If assessed damages are not paid as demanded, the Superintendent will may an take action against the student and the parent or parents having legal custody of the student for the amount of the assessed damages, not to exceed $5,000 plus legal, or other, costs of recovering the funds.

END OF POLICY

Legal Reference(s):

ORS 339.250  ORS 30765  OAR 581-021-0050 to -0075
ORS 339.270
Gang Activity

The Board has determined that the presence of gangs and gang activities can cause a substantial disruption of or material interference with school and school activities. “Gang” means a group that identifies itself through the use of a name, unique appearance or language, including hand signs, the claiming of geographical territory or the espousing of a distinctive belief system that frequently results in criminal activity. By this policy, the Board acts to prohibit existence of gangs and gang activities.

After consulting with parents, teachers, students, local community and state agencies, the district will develop a comprehensive program that addresses gang involvement and related violent activities. The comprehensive program will be coordinated with the district’s drug and alcohol health education plan.

Gang Prevention and Intervention Program

The district will develop a plan to include:

1. An assessment of the nature and extent of gang involvement, violent activities and drug abuse by students in the district;

2. An assessment of the impact of the gang involvement, violent activities and drug abuse on attendance and educational achievement by students of the district;

3. A summary of the extent and type of needs to reduce gang involvement, violent activities and drug abuse by the students which shall minimally include:
   a. Strategies to reduce gang activities, violent activities and drug abuse;
   b. Methods to communicate conflict resolution skills for staff and students;
   c. Strategies to keep staff, students, parents and the public informed about the district’s comprehensive gang prevention and intervention policy and related activities.

END OF POLICY

Legal Reference(s):

ORS 336.109
ORS 339.240 to -339.280
ORS 339.885
ORS 659.850
OAR 581-021-0050 to -0075