



**NEWBERG**  
**PUBLIC SCHOOLS**

INSPIRE. INNOVATE. SUCCEED.

## **CODE OF PROFESSIONAL CONDUCT FOR STAFF**

**Administrators**

**Teachers**

**Education Specialists**

**Educational Staff Support**

**Substitutes**

**College and University Trainees**

**Volunteers**

**Copies of Board Policies can be found in each school library,  
in each principal's office, and on the district website.**

# **The Ethical Educator**

## *Oregon Administrative Rules*

### *584-020-0035*

The ethical educator is a person who accepts the requirements of membership in the teaching profession and acts at all times in ethical ways. In so doing the ethical educator considers the needs of the students, the district, and the profession.

(1) The ethical educator, in fulfilling obligations to the student, will:

- (a) Keep the confidence entrusted in the profession as it relates to confidential information concerning a student and the student's family;
- (b) Refrain from exploiting professional relationships with any student for personal gain, or in support of persons or issues; and
- (c) Maintain an appropriate professional student-teacher relationship by:
  - (A) Not demonstrating or expressing professionally inappropriate interest in a student's personal life;
  - (B) Not accepting or giving or exchanging romantic or overly personal gifts or notes with a student;
  - (C) Reporting to the educator's supervisor if the educator has reason to believe a student is or may be becoming romantically attached to the educator; and
  - (D) Honoring appropriate adult boundaries with students in conduct and conversations at all times.

(2) The ethical educator, in fulfilling obligations to the district, will:

- (a) Apply for, accept, offer, or assign a position of responsibility only on the basis of professional qualifications, and will adhere to the conditions of a contract or the terms of the appointment;
- (b) Conduct professional business, including grievances, through established lawful and reasonable procedures;
- (c) Strive for continued improvement and professional growth;
- (d) Accept no gratuities or gifts of significance that could influence judgment in the exercise of professional duties; and
- (e) Not use the district's or school's name, property, or resources for non-educational benefit or purposes without approval of the educator's supervisor or the appointing authority.

(3) The ethical educator, in fulfilling obligations to the profession, will:

- (a) Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty;
- (b) Extend equal treatment to all members of the profession in the exercise of their professional rights and responsibilities; and
- (c) Respond to requests for evaluation of colleagues and keep such information confidential as appropriate.

# **Outside Employment/Honoraria Guidelines**

All district employees have been hired for the primary goal of furthering the district's mission to educate all students. It is the district's expectation that staff act in performance of their professional activities with that goal in mind.

It is a violation of the Oregon Governmental Standards and Practices Law (O.R.S. 244.020 through 244.040) for public employees to receive remuneration for other duties during the time they are also being paid as public employees. In other words, one cannot "double dip" pay while on the public's time. For instance, an automotive mechanics teacher is prohibited from doing auto "tune-ups" for pay for other teachers during the school day. Another instance would be a custodian who is paid by a cleaning supply company for demonstrating products on school time.

Newberg School District has an excellent reputation for many of its programs. It is reasonable, even desirable, that our staff be asked to lend its expertise in performance contest adjudication. Approval to attend such activities during the school day is totally discretionary on the District's part. The availability of substitutes and budget constraints are but two considerations. However, the District has developed the following guidelines and procedures for dealing with these requests.

1. Permission to attend must be sought from the building principal if these extra duties require any absence from school. If it is an evening, non-contract day or weekend event, there are no constraints on the ability of our staff to participate.
2. Permission will be granted only upon the principal's receipt of a written invitation and/or a published schedule of activities from the sponsoring organization or school.
3. If there is an honorarium or pay attached to the activity for which permission is sought, it will be subject to the following restrictions:
  - a) If the activity extends for a period of time concurrent to the regular workday, then the pay or honorarium must be submitted to the District (as we do now with pay for jury duty) or, if the employee wishes to keep the honorarium or pay, then he/she must take the day as unpaid. Again, the ability to take such leave is at the District's discretion.
  - b) If the activity including travel time extends to a significant degree beyond the workday, then the employee is allowed to keep the pay or honorarium. Mileage, meals, and lodging expenses, if paid by the sponsoring organization, are not reportable as long as they are reasonable and customary.

The intent of these guidelines and procedures is to protect our employees from putting themselves at risk of violating state law by using their positions for private gain. They are not meant to stop worthwhile professional activities which benefit our staff, students, and programs.

# **Newberg School District 29J**

Code: JHFE-AR(1)  
Adopted: 8/09/11  
Revised/Readopted: 2/26/13; 3/06/18; 11/26/18

## **Reporting of Suspected Child Abuse**

### **Reporting**

Any district employees having reasonable cause to believe that any child with whom the employee comes in contact has suffered abuse, or that any person with whom the employee comes in contact has abused a child, shall orally report or cause an oral report to be immediately (within 24 hours) made by telephone or otherwise to the local office of the Oregon Department of Human Services (DHS) or to a law enforcement agency within the county where the person making the report is at the time of the contact. The district employee should also immediately (within 24 hours) inform their supervisor, principal, or superintendent.

If known, such report shall contain the names and addresses of the child and the parents of the child or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, the explanation given for the suspected abuse, any other information which the person making the report believes might be helpful in establishing the possible cause of the suspected abuse and the identity of a possible perpetrator.

A written record of the child abuse report shall be made by the employee suspecting the child abuse. This report shall include at a minimum:

The name and position of the person making the report;

The names and addresses of the child and of the parents of the child or other persons responsible for the child's care and the age of the child;

The name and position of any witness to the report;

A description of the abuse or suspected abuse, the explanation given for the abuse or suspected abuse, if any was given, and any other information which the person making the report thinks might be helpful;

A description of how the report was made (i.e., phone or other method);

The name of the agency and individual who took the report;

The date and time that the report was made; and

The names of persons who received a copy of the written report.

The written record of the child abuse report shall not be placed in the student's educational record. A copy of the written report shall be retained by the employee making the report and a copy shall be provided to the employee's supervisor and/or superintendent/designee.

When the district receives a report of suspected child abuse by one of its employees, and the superintendent/designee determines that there is reasonable cause to support the report, the district shall place the district employee on paid administrative leave until the DHS or a law enforcement agency either: 1) determines that the report is unfounded or that the report will not be pursued; or 2) determines that the report is founded and the education provider takes the appropriate disciplinary action against the district employee. If the DHS or a law enforcement agency is unable to determine whether the child abuse occurred the district may either reinstate the employee or take disciplinary action at the district's discretion.

The written record of each reported incident of child abuse, action taken by the district and any findings as a result of the report shall be maintained by the district.

## **Definitions**

1. Oregon law recognizes these types of abuse:
  - a. Physical;
  - b. Neglect;
  - c. Mental injury;
  - d. Threat of harm;
  - e. Sexual abuse and sexual exploitation.
2. Child means an unmarried person who is under 18 years of age.

These suggested guidelines below may help employees in identifying the most effective agency for receipt of immediate reports, although staff members may meet reporting requirements by submitting to either agency.

Physical Abuse:	Newberg-Dundee Police Department and Department of Human Services
Mental Injury:	Neglect: Department of Human Services
Threat of Harm:	Department of Human Services
Sexual Abuse or Sexual Exploitation:	Department of Human Services
	Newberg-Dundee Police Department and Department of Human Services

## **Confidentiality of Records**

The name, address and other identifying information about the employee who made the report are confidential and are not accessible for public inspection.

The disciplinary records of a district employee or former district employee convicted of a crime listed in Oregon Revised Statute (ORS) 342.143 are not exempt from disclosure under ORS 192.501 or 192.502. Therefore, if a district employee or former employee is convicted of a crime listed in ORS 342.143, the district that is or was the employer of that employee when the crime was committed shall disclose the disciplinary records of the employee to any person upon request. However, prior to the disclosure of a disciplinary record the district shall remove any personally identifiable information from the record that would disclose the identity of a child, a crime victim or a district employee who is not the subject of the disciplinary record.

## **Failure to Comply**

Any district employee who fails to report a suspected child abuse as provided by this policy and the prescribed Oregon law commits a violation punishable by law. A district employee who fails to comply with the confidentiality of records requirements commits a violation punishable by the prescribed law. If an employee fails to report suspected child abuse or fails to maintain confidentiality of records as required by this policy, the employee will be disciplined.

## **Cooperation with Investigator**

The district staff shall make every effort in suspected child abuse cases to cooperate with investigating officials as follows:

1. Any investigation of child abuse will be directed by the DHS or law enforcement officials as required by law. DHS or law enforcement officials wishing to interview a student shall present themselves at the school office and contact the school administrator, unless the school administrator is the subject of the investigation. When an administrator is notified that the DHS or law enforcement would like to interview a student at school, the administrator must request that the investigating official fill out the appropriate form. (See JHFE-AR(3) – Abuse of a Child Investigations Conducted on District Premises.) The administrator or designee should not deny the interview based on the investigator's refusal to sign the form. If the student is to be interviewed at the school, the administrator or designee shall make a private space available. The administrator or designee of the school may at the discretion of the investigator, be present to facilitate the interview. If the investigating official does not have adequate identification the administrator shall refuse access to the student. Law enforcement officers wishing to interview or remove a student from the premises shall present themselves at the office and contact the administrator or designee. The officer shall sign the student out on a form to be provided by the school;
2. When the subject matter of the interview or investigation is identified to be related to suspected child abuse, district employees shall not notify parents;
3. The principal or representative shall advise the investigator of any conditions of disability prior to any interview with the affected child;
4. District employees are not authorized to reveal anything that transpires during an investigation in which the employee participates, nor shall the information become part of the student's education records, except that the employee may testify at any subsequent trial resulting from the investigation and may be interviewed by the respective litigants prior to any such trial.

# Newberg School District 29J

Code: **JHFF**  
Adopted: 8/09/10  
Readopted: 12/13/10

## **Reporting Requirements Regarding Sexual Conduct with Students**

This policy applies to all district employees and volunteers.

“Sexual conduct” as defined by Oregon law is any verbal or physical or other conduct that is sexual in nature; directed toward a kindergarten through grade 12 student; unreasonably interferes with a student’s educational performance; and creates an intimidating, hostile or offensive educational environment. The definition for sexual conduct does not include behavior that would be considered child abuse as outlined by Oregon law and district Board policy JHFE and JHFE-AR - Reporting of Suspected Child Abuse.

Any district employee or volunteer who has reasonable cause to believe that another district/school employee or volunteer has engaged in sexual conduct with a student must immediately notify his/her supervisor or the person identified by the district to receive such reports.

When the district receives a report of suspected sexual conduct by a district employee or volunteer, the district shall conduct an investigation.

If, following the investigation, the report is substantiated, the district shall inform the employee/volunteer that the report has been substantiated and provide information regarding any appeal process. If the report of sexual conduct is substantiated the employee/volunteer may be referred to law enforcement officials.

When a report of sexual conduct against the employee is substantiated the employee shall be subject to discipline, up to and including, termination from employment.

A licensed employee whose alleged conduct is substantiated shall be reported to Teacher Standards and Practices Commission.

A volunteer whose alleged sexual conduct is substantiated shall have his/her volunteer badge revoked and may face additional restrictions regarding his/her access to children and/or school district sites.

If the employee or volunteer decides not to appeal the determination or if the determination is sustained after an appeal, a record of the substantiated report shall be placed in the employee’s personnel file. The employee shall be notified that this information may be disclosed to a potential employer.

The district shall post the name and contact information of the person designated to receive sexual conduct reports and the procedures the superintendent/designee shall follow upon receipt of a report. When the superintendent/designee takes action on the report, the person who initiated the report shall be notified.

If a student in good faith initiates a report of suspected sexual conduct by a district employee or volunteer, the student shall not be disciplined for making such a report.

The district shall provide annual training to district employees, volunteers, parents and students regarding the prevention and identification of sexual conduct. At the time of hire of new employees, the district shall provide a description of conduct that may constitute sexual conduct and a description of records subject to disclosure if a sexual conduct report is substantiated.

The district shall follow hiring and reporting procedures as outlined in ORS 339.374 for all district employees.

END OF POLICY

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**Legal Reference(s):**

[ORS 339.370](#)  
[ORS 339.372](#)  
[ORS 339.374](#)  
[ORS 339.378](#)  
[ORS 339.388](#)  
[ORS 339.400](#)  
[ORS 418.746 to-418.751](#)  
[ORS 418.990](#)  
[ORS 419B.005 to-419B.045](#)

**Cross Reference(s):**

JHFE - Reporting of Suspected Child Abuse



# Newberg School District 29J

Code: **JHFF-AR**

## Sexual Conduct Complaint Form

Name of complainant: \_\_\_\_\_

Position of complainant: \_\_\_\_\_

Date of complaint: \_\_\_\_\_

Name of person allegedly engaging in sexual conduct: \_\_\_\_\_

Date and place of incident or incidents: \_\_\_\_\_

Description of sexual conduct: \_\_\_\_\_

Name of witnesses (if any): \_\_\_\_\_

Evidence of sexual conduct, e.g., letters, photos, etc. (attach evidence if possible): \_\_\_\_\_

Any other information: \_\_\_\_\_

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## WITNESS DISCLOSURE FORM

Name of Witness: \_\_\_\_\_

Position of Witness: \_\_\_\_\_

Date of Testimony/Interview: \_\_\_\_\_

Description of Instance Witnessed: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Any Other Information: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# Newberg School District 29J

Code: JHFE-AR(3)  
Revised/Reviewed: 3/06/18; 11/05/18

## Abuse of a Child Investigations Conducted on District Premises

An investigation of a report of abuse of a child may be conducted on school premises by an investigator from the Department of Human Services (DHS) or a law enforcement agency according to Oregon Revised Statute (ORS) 419B.045. The school administrator must be notified that the investigation is to take place, unless the administrator is a subject of the investigation. The investigator is not required to reveal information about the investigation to the school as a condition of conducting the investigation.

After the investigator provides adequate identification, school staff shall allow access to the child and provide a private space for conducting the interview. The investigator shall be advised by a school administrator or a school staff member of a child's relevant disabling conditions, if any, prior to any interview with the child. The school administrator or designee may, at the investigator's discretion, be present to facilitate the investigation.

School staff may only notify DHS, the law enforcement agency or school employees that are necessary to enable the investigation. School staff may not notify any other persons, including the child's parent(s) or guardian(s).

Investigator Name (Printed)

Name of Agency

Name of Worker's/Investigator's Supervisor

Supervisor Contact Information

Investigator Position and Badge or ID Number

Student Name

School

Investigator Signature

Date

☐ Investigator refused to sign. District staff should not deny entry based on refusal to sign.

### FOR COMPLETION BY DISTRICT STAFF

- ☐ Student not available for interview
- ☐ Student refused to be interviewed
- ☐ Administrator participated in interview

Name of Administrator Notified

Name of Office Staff Involved

Name of Participating Administrator

This form should be placed in a separate secure file and not in the student's file.

# Newberg School District 29J

Code: **JHFE-AR(2)**  
Revised/Reviewed: 8/9/11; 10/23/12; 3/06/18;  
3/06/18

## Child Abuse Report Form

**CONFIDENTIAL**

ORS 419B.010 requires that "Any public or private official having reasonable cause to believe that any child with whom the official comes in contact with has suffered abuse, or that any person with whom the official comes in contact has abused a child shall report or cause a report to be made..." Public official includes all school employees.

### RECORD OF REPORT

Agency to which the report is made \_\_\_\_\_

Employee making the report /Work Location \_\_\_\_\_

Person taking the report \_\_\_\_\_

Date of the report/Method (i.e., phone, etc.) \_\_\_\_\_ Time \_\_\_\_\_

### INFORMATION ON ABUSE VICTIM

Name of Child/Children \_\_\_\_\_ Age(s)/Grade \_\_\_\_\_

Parent or Guardian \_\_\_\_\_

Address \_\_\_\_\_

Phone # \_\_\_\_\_ Child/Children's birthdate(s) \_\_\_\_\_

Date and Time of Alleged Abuse Occurrence \_\_\_\_\_

Nature and Extent of the Alleged Abuse \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Identify of Alleged Perpetrator (if known) \_\_\_\_\_

Other pertinent information regarding the alleged abuse \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature of person completing this report \_\_\_\_\_

Date \_\_\_\_\_

Original: Superintendent's Office ☐  
Copy: Building Principal ☐

Personnel Office (if alleged perpetrator is an employee) ☐

## **Concussions and Head Injuries\*\***

The Board acknowledges that concussions and other head injuries are serious and could result in significant brain damage and/or death and should be recognized and managed properly. The Board promotes the safety of students participating in school activities, including but not limited to extracurricular athletic activities and interscholastic sports.

### **Training and Screening**

Prior to the beginning of each school year and/or each sports season, school staff, coaches, athletic/activities coordinators, and volunteers involved in the supervision of athletics or activities must be made aware of this policy, the administrative regulation JHB-AR - Management of Concussions and Head Injuries, and school protocols related to the management of concussions. Athletic and activities staff and supervisory volunteers must participate in annual concussion awareness training that includes recognizing signs and symptoms that may suggest a concussion or other head injury. This training must be consistent with protocols as identified or developed by OSAA and include instruction in documentation required by OSAA's Concussion Management Protocol. This training must occur prior to the start of the season in which they are acting as a supervisor and be consistent with ORS 336.485.

Prior to the beginning of a student's first sports/activities season of a school year, all student athletes shall be screened using a baseline screening tool. The impact screening tool shall be used to develop baseline data. This baseline data shall be used when a student sustains a head injury and may be provided to a student's health care provider when a student sustains a head injury with permission from an eligible student or parent. Students are responsible to self-report any concussions that have occurred in their lifetime when entering or transferring to Newberg High School and/or when completing the baseline screening tool questionnaire.

### **Students and Parents/Guardians**

Prior to the beginning of each sports season, students intending to participate in school-sponsored athletics along with the parents/guardians of these students, shall be provided information including:

1. The risk of concussion and other head injuries and the dangers associated with continuing to participate when a concussion or other head injury is suspected;
2. The signs and symptoms associated with a concussion and other head injuries; and
3. The process and procedures by which a student with concussive injuries are managed and the protocol by which a student is allowed to return to participation in athletics, activities and academics.

Any student intending to participate in any school-sponsored athletics along with his or her parents/guardians, must sign a statement acknowledging that they received and read this information before the student is allowed to participate.

The superintendent shall establish administrative regulations for the management of concussions and head injuries.

END OF POLICY

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**Legal Reference(s):**

[ORS 336.485](#)

[OAR 581-022-0421](#)

## **Management of Concussions and Head Injuries**

The Newberg School District is a member of the Oregon School Activities Association (OSAA) and follows direction provided by OSAA with regard to management of concussions and head injuries. In addition to OSAA protocols the district may implement additional protocols, training or requirements for the safety of students.

### **Training and Screening**

Prior to the beginning of each school year and/or each sports season, school staff, coaches, athletic/activities coordinators, and volunteers involved in the supervision of athletics or activities must be made aware of this administrative regulation, Board policy JHB - Concussions and Head Injuries (Board policy JHB), and school protocols related to the management of concussions. Athletic and activities staff and supervisory volunteers must participate in annual concussion awareness training that includes recognizing signs and symptoms that may suggest a concussion or other head injury. This training must be consistent with protocols as identified or developed by OSAA and include instruction in documentation required by OSAA's Concussion Management Protocol. This training must occur prior to the start of the season in which they are acting as a supervisor and be consistent with ORS 336.485.

Prior to the beginning of a student's first sports/activities season of a school year, all students shall be screened using a baseline screening tool. The impact screening tool shall be used to develop baseline data. This baseline data may be provided to a student's healthcare provider when a student sustains a head injury with permission from an eligible student or parent/guardian. Students are responsible to self-report any concussions that have occurred in their lifetime when entering or transferring to Newberg High School and/or when completing the baseline screening tool questionnaire.

### **Management of Concussions and Other Head Injuries**

It is the responsibility of staff members and/or volunteers trained in the signs and symptoms related to concussion or other head injuries to act in accordance with Board policy JHB and with this administrative regulation when the individual recognizes that a student may be exhibiting such signs and symptoms of a concussion.

Any student suspected of having sustained a concussion or head injury during a school activity, including but not limited to participation in interscholastic sports, must be removed from the activity immediately. A student and his/her parents/guardians shall be informed of the need for an evaluation for brain injury and the District/OSAA Return to Play protocol before the student is allowed to return to full participation in school activities, including learning.

No student is permitted to return to the activity or to participate in other school activities on the day of the suspected concussion, whether sustained in school-sponsored or nonschool-sponsored activities.

Any student suspected of having sustained a head injury is prohibited from further participation in any school activities until he/she is evaluated for a concussion. This rule applies whether the injury was sustained in a school-sponsored or nonschool-sponsored activity. If a concussion is suspected, the student must be removed from school activities and evaluated by a licensed health care provider trained in concussion management.

If a concussion is confirmed, a student is not permitted to return to full participation in any school activities until medically cleared to do so by a licensed health care provider trained in concussion management. More than one evaluation by the student's health care provider may be necessary before the student is cleared for full participation.

Coaches and other staff shall comply with the recommendations regarding the student's gradual return-to-participation outlined by a student's treating health care provider who is trained in concussion management. If at any time during the return to full participation in school activities the student exhibits signs and symptoms of a concussion, the student must be removed from the activity and be re-evaluated by the school athletic trainer. The school athletic trainer may refer the student back to a health care provider trained in concussion management.

### **Protocol For Return To Play/Participation**

Per ORS 336.485 (b) no member of a school athletic team or activities team involving physical activity shall participate in any athletic event or practice the same day he or she is injured and:

1. Exhibits signs, symptoms or behaviors attributable to a concussion; or
2. Has been diagnosed with a concussion.

The district shall not allow any student to return to participate in an athletic event or training on the days after he/she experiences a concussion unless all of the following conditions have been met:

1. The student no longer exhibits signs, symptoms or behaviors consistent with a concussion, at rest or with exertion;
2. The student is asymptomatic during, or following periods of supervised exercise that is gradually intensifying; and
3. The student receives a written medical release from a licensed health care provider trained in concussion management.

The district may limit a student's return-to-participation after the student has received a medical release from a licensed health care provider trained in concussion management. "Return to Play" standards and protocol, as determined by OSAA, are listed below:

1. No player shall return to play following a concussion on that same day and the student must be cleared by an appropriate health care provider trained in concussion management before he/she is allowed to return to play or practice.



2. Once a student is cleared to return to play he/she shall proceed with activity in a step-wise fashion to allow their brain to re-adjust to exertion. A student may complete a new step each day. The return to play schedule shall proceed as below following medical clearance:

Step 1: Light exercise, including walking or riding an exercise bike. No weightlifting.

Step 2: Running in the gym or on the field. No helmet or other equipment.

Step 3: Non-contact training drills in specific sports. Weight-training can begin.

Step 3: Non-contact training drills in full equipment.

Step 5: Full contact practice or training.

Step 6: Game play.

3. If symptoms occur or reoccur at any step, a student should cease activity be re-evaluated by the school athletic trainer. A student shall not be allowed to continue to the next step of the return-to-play protocol until symptoms no longer occur. If the symptoms continue to occur or reoccur at a particular step in the return-to-play protocol the school athletic trainer may refer a student back to a health care provider trained in concussion management for further evaluation.

### **Impact on Learning and Academics**

Following a concussion, a student may have difficulty in school. These problems may last from days to months and often involve difficulties with short and long-term memory, concentration and organization.

Teaching and coaching staff should be alert to cognitive and academic issues that may be experienced by a student who has suffered a concussion or other head injury, including but not limited to:

1. Difficulty with concentration;
2. Difficulty with organization;
3. Difficulty with long-term and/or short-term memory;
4. Sensitivity to bright lights and sounds;
5. Difficulty with reading;
6. Difficult working on a computer/tablet screen or observing visual stimuli (e.g., reading on a computer screen, observing a document/lesson projected or shown on document camera).

All staff shall accommodate a gradual return to full participation in academic courses, as appropriate, based on the recommendation of the student's health care provider and any appropriate designated school personnel (e.g. 504 coordinator).

Decreasing the stress on the brain early on after a concussion may lessen symptoms and shorten the recovery time. Consideration of accommodations should occur regardless of whether the concussion or

head injury was sustained during school-sponsored or nonschool-sponsored athletics or activities. Students who have experienced a concussion or head injury may be considered for one or more of the following accommodations:

1. Cognitive test;
2. Attend half day at school;
3. Untimed testing;
4. Modification of reading/homework load;
5. Shorten classes and/or frequent breaks;
6. Increased time to complete projects;
7. No significant classroom or standardized testing;
8. Check for return of symptoms when performing activities requiring attention and/or concentration;
9. Request for 504 Plan meeting or other planning meeting to discuss student supports.

Experiencing extended periods of concussion symptoms may also result in emotional or social challenges for students. All staff should be cognizant of these challenges in addition to academic and learning challenges.

### **Concussion Policy Management Team**

The superintendent shall appoint a Concussion Policy Management Team to make recommendations related to the implementation of this administrative regulation and Board policy JHB. The Concussion Policy Management Team shall be led by the athletic director and may include a principal and the school athletic trainer. The team may include the district nurse and other school personnel on a case-by-case basis.

The team shall oversee and implement this administrative regulation, Board policy JHB and related protocols for concussions based on the generally accepted protocols. This team shall identify the individuals who shall be trained in concussion signs and symptoms and the activities covered by this administrative regulation.

This administrative regulation and/or related protocols should be reviewed every two years or when generally accepted protocols change.

# Newberg School District 29J

Code: **JFCM**  
Adopted: 2/28/00  
Readopted: 4/9/07; 6/28/10

## Threats of Violence

The Board is committed to promoting healthy relationships and a safe learning environment. To this end, student threats of harm to self or others, threatening behavior or acts of violence, including threats to damage school property, shall not be tolerated on district property or at activities under the jurisdiction of the district.

Students shall be instructed that they are expected to inform a teacher, counselor or administrator regarding any information or knowledge relevant to conduct prohibited by this policy. Parents and others shall be encouraged to report such information to the district. Staff shall immediately notify an administrator of any threat, threatening behavior or act of violence he/she has knowledge of, has witnessed or received. All reports shall be promptly investigated.

Students found in violation of this policy shall be subject to discipline up to and including expulsion. A referral to law enforcement shall be made for any infraction involving a student bringing, possessing, concealing or using a weapon or destructive device as prohibited by state and federal law and Board policy.

The principal shall, in determining appropriate disciplinary action, consider:

1. Immediately removing from the classroom setting any student who has threatened to injure self, another person or to damage school property;
2. Placing the student in a setting where the behavior shall receive immediate attention from an administrator, counselor, licensed mental health professional or others;
3. Requiring the student to be evaluated by a licensed mental health professional before allowing the student to return to the classroom setting.

The principal shall ensure notification is provided to:

1. The parent of any student in violation of this policy and the disciplinary action imposed;
2. The parent of a student when the student's name appears on a targeted list that threatens violence or harm to the students on the list or when threats of violence or harm to the student are made by another student;
3. Any school employee whose name appears on a targeted list threatening violence or harm to the district employee and when threats of violence or harm are made by a student or others toward the employee.

Notification to the above shall be attempted by telephone or in person within 12 hours following discovery of a targeted list or learning of a threat. Regardless, a written follow-up notification shall be sent within 24 hours of discovery of a targeted list or learning of a threat.

The principal shall provide necessary information regarding threats of violence to law enforcement, child protective services and health-care professionals in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. Additionally, he/she may provide such information to other school officials, including teachers, within the district or other districts who have a legitimate educational interest in the student(s) consistent with state and federal education records laws and district policies.

The district may enter into contract with licensed mental health professionals to perform student evaluations. Funds for evaluations or other disciplinary options as may be required by law and this policy shall be provided by the district.

The Board directs the superintendent to establish administrative regulations to implements this policy.

END OF POLICY

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**Legal Reference(s):**

[ORS 161.015](#)  
[ORS 166.210](#) - 166.370  
[ORS 332.107](#)  
[ORS 339.115](#)  
[ORS 339.240](#)  
[ORS 339.250](#)

[ORS 339.327](#)  
[ORS 809.060](#)  
[ORS 809.260](#)  
  
[OAR 581-021-0050](#) to -0075  
[OAR 581-053-0010](#)(5)

[OAR 581-053-0230](#)(9)(k)  
[OAR 581-053-0330](#)(1)(r)  
[OAR 581-053-0430](#)(17)  
[OAR 581-053-0531](#)(16)  
[OAR 581-053-0630](#)

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2006).

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2011); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2011).

**Cross Reference(s):**

GBNA - Hazing/Harassment/Intimidation/Menacing/Bullying

Cyberbullying – Staff and Third Party

JFCF - Hazing/Harassment/Intimidation/Menacing/Bullying/Cyberbullying – Student

JFCJ - Weapons in the Schools

## **Weapons in the Schools\*\***

Students shall not bring, possess, conceal or use a weapon on district property or at activities under the jurisdiction of the district or interscholastic activities administered by a voluntary organization.

For purposes of this policy, and as defined by state and federal law, weapon includes:

1. “Dangerous weapon” - any weapon, device, instrument, material or substance, which under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury;
2. “Deadly weapon” - any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;
3. “Firearm” - any weapon (including a starter gun) which shall or is designed to or may readily be converted to expel a projectile by the action of an explosive, frame or receiver of any such weapon, or any firearm silencer or any destructive device;
4. “Destructive device” - explosive, incendiary or poison gas component or any combination of parts either designed or intended for use in converting any device into any destructive device or from which a destructive device may be readily assembled. A destructive device does not include any device which is designed primarily or redesigned primarily for use as a signaling, pyrotechnic, line-throwing, safety or similar device.

Weapons may also include, but not be limited to, knives, metal knuckles, straight razors, noxious or irritating gases, poisons, unlawful drugs or other items fashioned with the intent to harm, threaten or harass students, staff members, parents or patrons.

Replicas of weapons, fireworks and pocket knives are also prohibited by Board policy. Exceptions to the district’s prohibition may be granted only with prior principal approval for certain curriculum or school-related activities.

Prohibited weapons, replicas of weapons, fireworks and pocket knives are subject to seizure or forfeiture.

In accordance with Oregon law, any employee who has reasonable cause to believe a student or other person has, within the previous 120 days, unlawfully been in possession of a firearm or destructive device as defined by this policy, shall immediately report such violation to an administrator, his/her designee or law enforcement. Employees who report directly to law enforcement shall also immediately inform an administrator. The administrator shall notify the superintendent.

Administrators shall promptly notify the appropriate law enforcement agency of staff reports received and at any other time there is reasonable cause to believe violations have occurred or that a student has been expelled for bringing, possessing, concealing or using a dangerous or deadly weapon, firearm or destructive device. Parents shall be notified of all conduct by their student that violates this policy.

Employees shall promptly report all other conduct prohibited by this policy to an administrator.

Students found to have brought, possessed, concealed or used a dangerous or deadly weapon, firearm or destructive device in violation of this policy or state law shall be expelled for a period of not less than one year. All other violations of the policy shall result in discipline up to and including expulsion and/or referral to law enforcement, as appropriate. The superintendent may, on a case-by-case basis, modify this expulsion requirement. The district may also request suspension of a student's driving privileges or the right to apply for driving privileges with the Oregon Department of Transportation, as provided by law. Appropriate disciplinary and/or legal action shall be taken against students or others who assist in activity prohibited by this policy.

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

Weapons under the control of law enforcement personnel are permitted. The superintendent may authorize other persons to possess weapons for courses, programs and activities approved by the district and conducted on district property.

The district may post a notice at any site or premise off district grounds that at the time is being used exclusively for a school program or activity. The notice shall identify the district as the sponsor, the activity as a school function and that the possession of firearms or dangerous weapons in or on the site or premises is prohibited under ORS 166.370.

In accordance with the federal Gun-Free School Zone Act, possession or discharge of a firearm in a school zone is prohibited. A "school zone," as defined by federal law, means in or on school grounds or within 1,000 feet of school grounds.

"Gun-Free School Zone" signs may be posted in cooperation with city and/or county officials as appropriate. Violations, unless otherwise excepted by law or this policy, shall be reported to the appropriate law enforcement agency.

END OF POLICY

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**Legal Reference(s):**

[ORS 161.015](#)  
[ORS 166.210 to -166.370](#)  
[ORS 166.382](#)  
[ORS 332.107](#)  
[ORS 339.115](#)  
[ORS 339.240](#)  
[ORS 339.250](#)

[ORS 339.315](#)  
[ORS 339.327](#)  
[ORS 809.135](#)  
[ORS 809.260](#)  
  
[OAR 581-021](#)-0050 to -0075

[OAR 581-053](#)-0010(5)  
[OAR 581-053](#)-0230(9)(k)  
[OAR 581-053](#)-0330(1)(r)  
[OAR 581-053](#)-0430(17)  
[OAR 581-053](#)-0531(16)  
[OAR 581-053](#)-0630

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2006).  
Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).  
Youth Handgun Safety Act, 18 U.S.C. §§ 922(x), 924(a)(6) (2006).  
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2006).

**Cross Reference(s):**

JFCM - Threats of Violence  
JGDA/JGEA - Discipline of Students with Disabilities

# Newberg School District 29J

Code: JFCA-AR  
Adopted: 10/13/03  
Readopted: 4/9/07; 2/14/12; 08/23/19  
Orig. Code: AR-5215

## Student Dress Code

Student dress is the responsibility of the student and parents. Students shall dress properly for school and in a manner that is not disruptive to the learning environment. In order to provide an atmosphere conducive to learning and to ensure the safety, health and well-being of all students and staff, all students shall follow the guidelines listed below:

1. Students may not wear clothing with writing, slogans, pictures or symbols that portray alcohol, tobacco, other drugs (or their manufacturers) or weapons.
2. Students may not wear clothing with writing, slogans, pictures or symbols that depict obscenities, vulgarity, racism, violence, sex, gang affiliation or hostility to any group of people or organizations.
3. Students must wear clothing including a shirt, pants or skirt (or the equivalent), and shoes. Shirts and dresses must have fabric in the front and on the sides. Clothing must cover undergarments (waistbands and bra straps excluded). Fabric must cover all private parts and must not be see through.
4. Students in middle school and high school may wear hats, caps, or other head apparel in the school building, as long as the face and ears are visible. Head apparel which is part of a student's customary religious attire is permissible. All students must be identifiable by staff.
5. Students must wear clothing that is suitable for all scheduled classroom activities including physical education, science labs, wood shop, and other activities where unique hazards exist.
6. Students in specialized courses may be required to wear specialized attire, such as sports uniforms or safety gear.

The principal or designee shall make the decision if a student's appearance meets the dress code standards. The principal's decision on the propriety of dress is final.

Violations of the dress code shall result in the student changing into proper attire and returning to class. In addition, the following range of consequences may be implemented:

1. Verbal warning;
2. Written warning requiring a reply from student's parent or guardian;
3. Parent conference;
4. In-school or out of school suspension;
5. Expulsion for serious or continuing infractions.

Violations of this dress code shall be treated as disruptive behavior in violation of the student rights and responsibilities handbook. However, dress-code violations shall not carry over on the student's discipline record to subsequent years.

This dress code shall apply to students at all times when they attend school or any school district facility or when representing the district at any school sponsored event.



# Newberg School District 29J

Code: **JFCA**  
Adopted: 5/19/03  
Readopted: 4/9/07  
Orig. Code(s): 5215

## Student Dress Code

The total learning climate of school is important to the academic and behavioral progress of students. The district's educational system places major emphasis upon developing an environment where the teaching-learning process shall flourish. In order to support learning, students shall wear clothing that is proper for the school environment. Clothing shall not be worn that adversely affects the health or safety of students, is damaging to school facilities or is disruptive to the learning process.

The Board believes that schools should emphasize the importance of proper dress and grooming relative to cleanliness, health, safety and attitudes conducive to learning.

It is the belief of the Board that implementing a consistent district-wide dress code shall assist with the following goals:

1. Ensure the safety, health and well-being of all students and staff;
2. Encourage clothing and personal appearance that promotes the district's mission of providing a positive learning environment that prepares students for the world of work, family and personal advancement and fulfillment;
3. Prohibit apparel that promotes or endorses alcohol, tobacco and other drugs, weapons and disruptive behaviors;
4. Respect the personal beliefs and religious rights and freedoms of everyone.

While student dress is the responsibility of the student and parents, students are encouraged to make clothing choices that are consistent with our district's mission and the learning and social environments that the administration strives to provide for all students.

The superintendent shall develop administrative regulations necessary to implement this policy.

END OF POLICY

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### Legal Reference(s):

[ORS 339.240](#)

[ORS 339.250](#)

[OAR 581-021](#)-0050 to -0075

# Newberg School District 29J

Code: **IK**

Adopted: 3/11/91

Revised/Readopted: 2/26/07; 12/13/11; 6/23/15

Orig. Code(s): 7500

## **Academic Achievement\*\***

In accordance with the district's vision and mission, the Board affirms that the primary purpose of grading and reporting is to communicate to students, parents/guardians, and educators an accurate reflection of academic achievement. Academic achievement is what a student knows, understands and can do in relation to Oregon state standards and district curriculum learning goals.

The district shall:

1. Ensure that all students have the opportunity to demonstrate progress toward mastery of the knowledge and skills of the student's current grade level or course content level.
2. Distribute to parents/guardians and students, at the beginning of each class/course, the following:
  - a. Information on class/course expectations;
  - b. Oregon state standards;
  - c. District and class/course curriculum;
  - d. Learning goals; and
  - e. The meaning of marks, letter grades and performance criteria.
3. Ensure that teachers use a collection of assessment evidence and their professional judgment so that a student's mark is an accurate representation of what the student knows, understands, and is able to do in regard to the class/course standards and learning goals.
4. Ensure that academic achievement grade/mark determinations are accurate and consistent throughout the district, and that these grades/marks provide meaningful information that supports student learning.
5. Inform parents and students annually, at minimum, of their student's progress toward achieving the class/course standards and learning goals, including but not limited to:
  - a. Grades K-5:
    - (1) Standards-based marks on all report cards communicating information on progress in each subject area to meet or exceed the academic content standards at the student's current grade level.
    - (2) Student scores on all state and local assessments indicating any of the requirements that have been waived for the district or the individual and time periods for the waiver.

b. Grades 6-8:

- (1) Letter-grade marks on all report cards.
- (2) Information on progress in each subject area to meet or exceed the academic content standards at the student's current grade level or course content level.
- (3) Student scores on all state and local assessments indicating any of the requirements that have been waived for the district or the individual and time periods for the waiver.

c. Grades 9-12:

- (1) Letter-grade marks on all report cards.
- (2) Student scores on all state and local assessments indicating any of the requirements that have been waived for the district or the individual and time periods for the waiver.
- (3) Student progress toward completion of diploma requirements, including credits earned, demonstration of extended application, and demonstration of the Essential Skills.

6. Alert and confer with parents/guardians when a student's academic achievement and growth is not progressing as expected.

END OF POLICY

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**Legal Reference(s):**

[ORS 107.154](#)  
[ORS 329.485](#)  
[ORS 343.295](#)

[OAR 581-021-0022](#)  
[OAR 581-022-1660](#)  
[OAR 581-022-1670](#)

# **Newberg School District 29J**

Code: IK-AR  
Revised/Reviewed: 7/01/15; 1/22/19

## **Academic Achievement**

### **Reporting Student Progress and Notification**

Teachers shall maintain and report accurate records of academic achievement.

School administrators shall ensure that for each student at least two conferences with parents/guardians are scheduled to verbally inform and discuss academic achievement and growth.

At any time during the grading period, students and parents/guardians have the right to request a student's current summary level of academic achievement from a teacher. This request shall be honored within two school days.

When a student's academic achievement and growth is not progressing as expected, school administrators shall ensure parents/guardians will be alerted and conferred with through the following systems of communication:

1. In person (e.g., phone call, conference, meeting);
2. Utilized at least three times a semester;
3. Responsive to the specific needs of the student and his/her family.

In grades 6-12, teachers shall communicate to students and parents/guardians within 10 school days after the due date of an assignment/assessment:

1. The level of achievement demonstrated on the assignment/assessment.
2. An updated summary of academic achievement.

## Meaning of Marks and Grades

Summary of academic achievement shall be communicated with either Standards-Based or Letter-Grade Marks using the scales listed below.

### 1. Standards-Based Marks

Mark	Academic Performance Descriptor
<b>4</b>	<b>Mastery:</b> Demonstrates the skill or understands concepts at a level beyond end-of-year/course expectations.
<b>3</b>	<b>Proficient:</b> Demonstrates the skill or understands concepts at a level meeting end-of-year/course expectations.
<b>2</b>	<b>Near Proficient:</b> Sometimes demonstrates the skill or understands concepts at a level meeting end-of-year course expectations.
<b>1</b>	<b>Emerging:</b> Seldom or never demonstrates the skill or understands concepts at a level meeting end-of-year/course expectations.
<b>N/A</b>	<b>Insufficient Evidence:</b> Not assessed at this time.

### 2. Letter-Grade Marks

Mark	Academic Performance Descriptor
<b>A</b>	Student demonstrates achievement of all academic standards at a mastery level, or most at a mastery level and all others at a proficient level.
<b>B</b>	Student demonstrates achievement of all academic standards at a proficient or mastery level.
<b>C</b>	Student demonstrates achievement of most academic standards at a proficient or mastery level, with some at a near proficient level.
<b>D</b>	Student demonstrates achievement of some academic standards at a proficient or mastery level but most at a near proficient or emerging level.
<b>F</b>	Student demonstrates achievement of no academic standards at a proficient or mastery level.
<b>I</b>	Incomplete. The student shall be allowed to complete work for a class with an incomplete letter grade within 10 school days following the end of the grading period unless prior arrangements have been made with the teacher and approved by an administrator. The incomplete shall become a letter grade of F after the 10 school days following the end of the grading period if work not completed.
<b>WF</b>	Withdraw F. After the 10th day of enrollment in a class, a student withdrawing shall receive a WF mark and will be calculated into a student's grade point average as an F mark (with zero grade points), unless otherwise approved by a school administrator.
<b>AU</b>	Audit. The student attended and completed the class with regular attendance and assignment completion without receiving credit. Administrator approval of Audit letter-grade mark required at time of class enrollment.
<b>NC*</b>	No Credit. The student has repeated a class and earned a higher grade in another attempt.
<b>NG</b>	No Grade. To only be used for students who have been identified as having a learning disability and/or an individualized education plan (IEP), 504, or documented individual plan created by a designated school team and are enrolled in the class with no expectation of demonstrated learning related to the academic standards and learning goals of the class, as determined by a team.
<b>P**</b>	Pass. Mark for Pass/No Pass courses only. Mark not counted in grade point average, but credit shall be awarded towards graduation requirements.
<b>NP**</b>	No Pass. Mark for Pass/No Pass courses only. Mark not counted in grade point average and credit shall not be awarded towards graduation requirements.

## Repeating Courses

1. Students may repeat courses for which they earned a D or F by:
  - a. Repeating the entire course for a better grade, or
  - b. Retaking missed proficiencies in credit recovery mode
2. If a student repeats an entire course, they can earn any letter grade up to an “A”. If a student retakes the missed proficiencies in credit recovery mode, the highest letter grade they can earn is a “C”.
3. Once the course is retaken or recovered, the original “D” or “F” grade is given an “NC” and the higher grade is recorded on the transcript for the semester in which the course was retaken. If the same grade or a lower grade is earned, the original grade will remain, and an “NC” will be transcribed to indicate a repeated course.
4. Students who have earned a “C” or above can retake the course, but they will not receive an “NC” for the original credit, as their original grade reflects proficiency on standards.
5. Students may repeat courses at an outside accredited program or college to acquire the necessary learning. The outside course must cover the same content area as the course it is replacing.

### **\*\*Pass/No Pass**

1. Pass/No Pass marks are used solely for courses which do not have a recognized set of state, national or industry standards by which students must demonstrate academic achievement.
2. Pass/No Pass course shall be designated in school course guides and class syllabi.
3. Pass/No Pass course designation may also be used for an individual student who has been identified as having a learning disability and/or an individualized education plan (IEP), as determined by a team.

## State Accountability Assessments

The district recognizes the role and value of state required accountability assessments. Given the purpose of these assessments, a student’s results on these assessments are not factored into his/her final marks or grades summarizing academic achievement.

### **Modified\*\*\* Grading**

Students who have been identified as having a learning disability and/or an individualized education plan (IEP) may have the option of having academic standards modified for a class using the letter-grades marking scale. A modified letter-grade mark would be based upon application of the academic performance descriptors to the modified academic achievement levels as described in the student’s IEP, 504, or documented individual plan created by a designated school team. Modified letter-grade marks will be reflected on a student transcript and will not count as credit towards a standard diploma. The decision to modify academic standards in a course for an individual student must be a team determination.

\*\*\* Modified means a course that has been systematically changed or altered for a student only after reasonable alternative instructional strategies (e.g., accommodations, remediation) are exhausted as described by OAR 581-022-1134.

## Grade Weighting

A high school course with grade weighting shall be defined as:

1. A course for which a student may receive Oregon University System University Transfer credit.
2. A course receiving an “advanced placement” (AP) designation by the College Board or other national entity with authority to certify advanced placement courses.

For purposes of calculating Grade Point Averages (GPA), the following grade points are awarded upon successful completion of a course:

Letter-Grade Mark	Unweighted Course	Weighted Course
A	4	5
B	3	4
C	2	3
D	1	2
F	0	0

# Newberg School District 29J

Code: **IICA-AR**

Adopted: 4/12/93

Readopted: 2/26/07

Orig. Code(s): A-7330

## Activities and Field Trips

### Field Trip

1. Definition: A classroom-oriented learning experience outside the school campus, which is no longer than one day in length.
2. Approval: Approval for a field trip is delegated to the principal.
3. Forms:
  - a. Transportation request form;
  - b. Parent information letter;
  - c. Written parental permission must be obtained for each trip. The signed form showing parental approval and acknowledgment of student conduct guidelines shall be maintained on file for a period of one year.
4. Costs: Transportation expenses, tolls, fees, and admission are legitimate district expenses for field trips. Subject to approval of principal, students may be requested to share in the cost of the field trip.
5. General: Transportation in private cars is discouraged.

### Activities

1. Definition: Nonclassroom-oriented experiences.
2. Approval: Approval for activity trips is delegated to the principal if held within the states of Oregon and Washington. Student travel beyond Oregon and Washington requires Board approval.
3. Forms:
  - a. Transportation request forms;
  - b. Parent permission forms.
4. Costs: Expenses for activity trips are legitimate expenditures of club treasuries or ASB funds when approved by the associated student body governing body.
5. General: Small groups may be transported by private cars with adult drivers subject to principal approval. Drivers shall be informed that in case of accident, their own insurance carrier is primarily liable.



# Newberg School District 29J

Code: **IIBGA-AR**

Adopted: 10/20/03

Revised/Readopted: 2/26/07; 9/08/08; 11/30/09;  
8/09/11; 11/13/12; 5/12/15;  
5/10/16

## **Responsible Use of District Technology**

The district supports the use of computers, the Internet and electronic communications to improve teaching and learning through interpersonal communication, access to information, research, collaboration and digital creation. The district will make every reasonable effort to ensure that this educational resource is used appropriately and responsibly, while acknowledging that the Internet is a fluid environment that is constantly changing. Administrators and staff have a professional responsibility to help students to develop the intellectual skills needed to be a good digital citizen who can safely and appropriately utilize computers, Internet and electronic communication devices.

“Computer,” for the purpose of this administrative regulation, shall include but may not be limited to: desktop computers, laptops, tablets and other Internet-enabled devices that operate in an equivalent manner to a computer and/or have Internet capability (including iPads, Chromebooks, tablets, smartphones, etc.).

“District users” include staff, students and guests to the district who are using the district’s technology or electronic communication network.

### **Conditions of Use**

1. District users shall take responsibility for their own use of district computers and computer systems. District users shall use district computers and computer systems in a responsible, ethical and legal manner. District users are responsible for exercising good judgment when utilizing district resources.
2. Violations of Board policy IIBGA - Electronic Communications System or this administrative regulation may result in the loss of the privilege to use these tools, as well as disciplinary action appropriate to the type of district user, which for employees may be up to and including dismissal and/or legal action. The district reserves the right to deny or limit access to technology and/or Internet to anyone or close accounts at any time and without notice.
3. District computers and computer systems are owned by the district and are intended primarily for educational purposes and district business. District users shall have no expectation of privacy when using district computers, the Internet or electronic communications. The district reserves the right to monitor, inspect and store, at any time and without prior notice, all usage of district computers and computer systems, including all Internet and electronic communications access and transmission/receipt of materials and information. Electronic messages sent or received by the Board, the district’s staff or students, including electronic mail on district-owned equipment, as well as other documents generated at any time through use of the district’s system may be considered a public record subject to disclosure or inspection under Oregon Revised Statute 192 and Oregon Administrative Rule Division 300. This applies even if composed and sent during non-work/school hours or from a nondistrict site, and the district may disclose the information to law enforcement or other third parties, as appropriate. When conducting business on behalf of the district or when acting

in the course and scope of employment, staff members are strongly encouraged to use district-provided electronic communications accounts and not personal accounts.

4. The district makes no warranties of any kind, whether expressed or implied, related to the use of district computers and computer systems, including access to the Internet and electronic communications services. Providing access to these services does not imply endorsement by the district of the content, nor does the district make any guarantee as to the accuracy or quality of information received. The district shall not be responsible for any damages, losses or costs a district user suffers in using the Internet and electronic communications. This includes loss of data and service interruptions. Users shall maintain personal responsibility for all non-approved financial obligations incurred while using district technology.
5. The district will:
  - a. Designate staff as necessary to ensure coordination and maintenance of the district's electronic communications system, which includes all district computers, email and Internet access.
  - b. Cooperate fully with local, state and/or federal officials in any investigation relating to misuse of the district's network or electronic communication system.
  - c. Provide technology protection measures that protect against Internet access by both adults and minors to visual depictions that are obscene, pornographic or deemed harmful to minors. An administrator, supervisor or other individual authorized by the superintendent may disable the technology protection measures to enable access for bona fide research or other lawful purpose, as deemed appropriate.
  - d. Determine which users shall be provided access to the district's email system.

### **Prohibited Uses**

Use of electronic devices should be consistent with the district's educational objectives, mission and curriculum. Because technology and methods of using technology are constantly evolving, every unacceptable use of district computers and computer systems cannot be specifically described. Therefore, examples of unacceptable uses include, but are not limited to, the following:

1. No user shall access, create, transmit, retransmit or forward material or information that:
  - a. Promotes violence or advocates destruction of property including, but not limited to, access to information concerning the manufacturing or purchasing of destructive devices or weapons, except when approved by an administrator for appropriate educational research or use.
  - b. Contains pornographic, obscene or other sexually oriented materials, either as pictures or writings or material that is harmful to minors.
  - c. Harasses, bullies, intimidates, threatens, demeans or promotes violence or hatred against another person or group of persons with regard to race, color, sex, sexual orientation, gender identity, religion, national origin, age, marital status or disability.
  - d. Plagiarizes the work of another.
  - e. Uses inappropriate or profane language or depictions.
  - f. Is knowingly false.
  - g. Violates any federal or state law, including but not limited to copyright or material that contains personal information, including information protected by confidentiality laws.
  - h. Impersonates another person.

- i. Is prohibited by Oregon Revised Statute (ORS) 260.435 - Restrictions on Political Campaigning for Public Employees.
2. The following activities are also prohibited:
  - a. Using information systems or resources for personal financial gain.
  - b. Attempting to gain unauthorized access to any other computer, network or security account including attempts to log in as a system administrator.
  - c. Any malicious attempt to harm or destroy district data, data of another user or other district computing facilities.
  - d. Using or attempting to use proxy servers, or otherwise evade, disable or steal passwords or other security provisions of the systems on the network or intercepting or altering network packets.
  - e. Downloading, installing, storing or using malicious software, viruses and keystroke monitoring software.
  - f. Intentionally interfering with or disrupting another user's work as well as the proper function of information processing and network services or equipment.
  - g. Using a computer for unlawful purposes.
  - h. Significantly altering technology equipment (hardware or software) without permission from the Technology Department.
  - i. Taking technology equipment off site without permission.
  - j. Allowing unauthorized use of district technology equipment or systems.
  - k. Accessing another user's account without permission of a supervisor.
  - l. Sharing personal login and password information or account access without authorization from a supervisor.

### **Staff Responsible Use**

All staff members are expected to follow technology protection measures outlined in Board policy and as defined by the Children's Internet Protection Act (CIPA). Licensed staff and all staff members who work with students are required to comply with guidelines identified in Oregon Administrative Regulation 584 Division 20 "Standards for Competent and Ethical Performance of Oregon Educators." Violation of Oregon law or Division 20 Standards shall be reported to law enforcement officials, the Government Ethics Counsel and/ or Teachers Standards and Practices Commission as applicable and appropriate.

### **Confidentiality**

Staff shall only access, receive, transmit or retransmit material regarding students, parents or district staff that is protected by confidentiality laws in accordance with law and Board policy. Staff shall handle all staff, student and district records and confidential information in accordance with Board policy and state and federal law.

### **Software, Apps, Sites and Services Usage**

It is recommended that staff carefully evaluate apps, software and other technology for compliance with board policy and best practices before using with students and check with their supervisors prior to utilizing these technologies. Staff members are prohibited from using or possessing any software that has been downloaded or is otherwise in the user's possession without appropriate registration and payment of

any fees owed to the software owner. Free applications (“apps”), open source software or “cloud based” technologies may be utilized when applicable and appropriate.

### **Social, Collaborative, Interactive and Responsive Technologies**

The district supports the use of technologies such as blogs, wikis, podcasts and online photo management software for educational purposes and communicating with the community. These technologies are considered an extension of the classroom and are approved for use to convey information about district services, promote and raise awareness of the district and communicate with staff, students and community members. It is expected that use of district electronic communication resources to participate in activities including, but not limited to, online groups, blog discussions and social networking, etc., is and shall be used primarily for educational purposes.

The district also acknowledges that staff may choose to utilize these social media technologies that are social, collaborative, interactive and responsive on their own time as well as during work time for educational purposes. Personal social networking sites should not be used to encourage or conduct inappropriate personal, nonprofessional relationships with students currently in the Newberg School District. When utilizing personal social networking sites, all district staff members are encouraged to consider whether what is posted will impair the staff member’s professional effectiveness or reputation. It is in the best interest of staff and the district that electronic communications to students, staff and parents remain expressly professional.

Staff members are responsible for content shared by students when supervising students engaged in educational activities or sponsoring a student organization.

### **Administration Responsibilities**

Principals, administrators and department leaders must ensure that all staff and all students under their supervision are familiar with technology use policies and guidelines. Principals and department leaders are responsible for ensuring that technology in their building or area of administration are used responsibly and that staff and students follow district procedures for technology use.

### **Student Responsibilities**

Responsible use of the district’s technology resources is to be ethical, respectful, academically honest and supportive of the district’s mission. Each user has the responsibility to respect every other person in our community and on the Internet. Digital storage and electronic devices used for school purposes will be treated as extensions of the physical school space. Administrators or their designees, may review files and communications (including electronic mail) to ensure that students are using the system in accordance with school district policy. Students should not expect that files stored on district servers, within Google Drive or on hard disks will be private.

# Newberg School District 29J

Code: **IIBGA**

Adopted: 3/17/03

Revised/Readopted: 2/26/07, 11/30/09; 8/9/11;  
5/12/15

## Electronic Communications System

The Board recognizes that the district has implemented an electronic communications system network, which includes wired and wireless internet access. The Board believes that the network shall allow unique opportunities for students, staff and guests to facilitate resource sharing, innovation and communication.

By creating this network, the Board intends to provide a means for educational and professional development activities but does not intend to create a first amendment forum for free expression purposes. The network's primary purpose shall be for the advancement and promotion of learning and teaching.

The district makes no warranties of any kind, either express or implied, that the functions or the services provided by or through the district network shall be error-free or without defect. The district shall not be responsible for any damage users may suffer, including but not limited to, loss of data or interruptions of service. The district shall not be responsible for financial obligations arising through the unauthorized use of the network.

The district shall follow the provisions of the Children's Internet Protection Act which include:

1. Technology protection measures, installed and in continuous operation, that protect against internet access by both adults and minors to visual depictions that are obscene, child pornography or, with respect to the use of the computers by minors, harmful to minors;
2. Educating minors about appropriate online behavior, including cyberbullying awareness and response, and how to interact with other individuals on social networking sites and in chat rooms.
3. Monitoring the on-line activities of minors;
4. Denying access by minors to inappropriate matter on the internet and world wide web;
5. Ensuring the safety and security of minors when using electronic mail, chat rooms and other forms of direct electronic communications;
6. Prohibiting unauthorized access, including so-called "hacking" and other unlawful activities by minors online;
7. Prohibiting unauthorized disclosure, use and dissemination of personal information regarding minors;
8. Installing measures designed to restrict minors' access to materials harmful to minors.

The Board directs the superintendent to establish administrative regulations for the use of the district's network and devices that encourage access by students, staff and guests while establishing reasonable controls for the lawful, efficient and appropriate use and management of the system. The regulations shall ensure compliance with privacy rights under applicable federal and state laws and regulations, including but not limited to the Family Educational Rights and Privacy Act, (FERPA), Individuals with Disabilities Education Act (IDEA) , Age Discrimination in Employment Act of 1967 (ADEA), the Americans with Disabilities Act (ADA), the Genetic Information Nondiscrimination Act of 2008 (GINA) and the Health Insurance Portability Accountability Act of 1996 (HIPPA).

The Board directs the superintendent to establish administrative regulations for the use of the district's network that encourage access by students, staff and guests while establishing reasonable controls for the lawful, efficient and appropriate use and management of the system.

Failure to abide by district policy and administrative regulations governing use of the district's system may result in the suspension and/or revocation of system access. Additionally, student violations shall result in discipline up to and including expulsion. Staff violations shall also result in discipline up to and including dismissal. Violations of law shall be reported to law enforcement officials.

## END OF POLICY

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### Legal Reference(s):

<a href="#"><u>ORS 30.765</u></a>	<a href="#"><u>ORS 167.080</u></a>	<a href="#"><u>ORS 339.250</u></a>
<a href="#"><u>ORS 133.739</u></a>	<a href="#"><u>ORS 167.087</u></a>	<a href="#"><u>ORS 339.270</u></a>
<a href="#"><u>ORS 163.435</u></a>	<a href="#"><u>ORS 167.090</u></a>	
<a href="#"><u>ORS 164.345</u></a>	<a href="#"><u>ORS 167.095</u></a>	<a href="#"><u>OAR 581-021-0050</u></a>
<a href="#"><u>ORS 164.365</u></a>	<a href="#"><u>ORS Chapter 192</u></a>	<a href="#"><u>OAR 581-021-0055</u></a>
<a href="#"><u>ORS 167.060</u></a>	<a href="#"><u>ORS 332.107</u></a>	<a href="#"><u>OAR 584-020-0040</u></a>
<a href="#"><u>ORS 167.065</u></a>	<a href="#"><u>ORS 336.222</u></a>	<a href="#"><u>OAR 584-020-0041</u></a>
<a href="#"><u>ORS 167.070</u></a>		

Children's Internet Protection Act, 47 U.S.C. Sections 254 (h) and (l) (2008); 47 CFR Section 54.520 (2001).  
Copyrights, Title 17, as amended, United States Code; 19 CFR Part 133 (2000).  
*Oregon Attorney General's Public Records and Meetings Manual*, pp. 24-26, Appendix H, Department of Justice (2001).  
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. Sections 7101-7117.  
Drug-Free Workplace Act of 1988, 41 U.S.C. Sections 701-707; 34 CFR Part 85, Subpart F.  
Controlled Substances Act, 21 U.S.C. Section 812, schedules I through V, 21 CFR 1308.11-1308.15 (2000).  
Drug-Free Schools and Communities Act Amendments of 1989, P.L. 101-226, 103 Stat. 1928.  
Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).  
Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 CFR Part 99 (2000).  
Oregon Government Standards and Practices Commission, Advisory Opinion No. 98A-1003 (July 9, 1998).  
No Child Left Behind Act of 2001, P.L. 107-110, Title II, Section 2441.  
Americans with Disabilities Act Amendments Act of 2008.

### Cross Reference(s):

GBNAA/JFCFA - Cyberbullying

## **Instructional Resources/Instructional Materials**

The Board believes that proper care and judgment shall be exercised in selecting basic instructional materials. While the Board retains the authority to approve district instructional materials adoptions, it authorizes the superintendent to develop and implement administrative procedures governing how selections are determined. Such procedures shall provide for administrator, staff, parent and community involvement and employ suitable selection criteria to ensure that the recommended instructional materials shall meet the needs of the program, students, teachers and community.

The district shall review instructional materials in accordance with the State Board of Education adoption cycle. Each instructional program and basic instructional materials shall be reviewed on a seven-year cycle and recommendations for appropriate instructional materials shall be made.

Recommended instructional materials shall be free of racial, national origin, religious, disability, age, marital status or sexual bias with allowances for instructional materials and the context in which they are used; contain appropriate readability levels; support the district's adopted curriculum content; provide ease of teacher use; be attractive and durable and be purchased at a reasonable cost.

All basic instructional materials recommended for adoption need to be approved for use by the Board. Prior to Board approval, parents and interested district patrons shall have the opportunity to review the recommended instructional materials and be encouraged to provide opinions about them and their use in the classrooms.

The district must ensure the timely provision of instructional materials in accessible formats to children who need instructional materials in accessible formats, including those who are not blind or print disabled, as decided by a principal or principal designee.

The district will establish a process and timeline for regularly determining and considering whether the textbooks and other instructional materials are available through online resources that enable students with print disabilities to receive textbooks and instructional materials free of charge.

The district must ensure the timely provision of instructional materials in accessible formats to children who need instructional materials in accessible formats, including those who are not blind or print disabled, as decided by a principal or principal designee.

The district will establish a process and timeline for regularly determining and considering whether the textbooks and other instructional materials are available through online resources that enable students with print disabilities to receive textbooks and instructional materials free of charge.

The district must ensure the timely provision of instructional materials in accessible formats to children who need them. The principal or principal designee shall make the appropriate determination.

The district will establish a process and timeline for regularly determining and considering whether the textbooks and other instructional materials are available through online resources that enable students with print disabilities to receive textbooks and instructional materials free of charge.

If the district uses a curriculum which integrates or includes technology, the district shall provide access to students by one of the following:

1. Allowing students to download programs, applications or materials onto their own personal electronic devices (PEDs) free of charge; or
2. Purchasing programs, applications or materials for students to download to their own PEDs; or
3. Providing a school-owned device that includes or provides access to the programs, applications or materials used in the curriculum.

A process for responding to a student's request to use a PED, including an appeal process if the request is denied, will be provided.

All supplemental materials and library/media resources shall be selected cooperatively by teachers, principals, librarians and sometimes with the assistance of parents. Recommended supplemental materials and library/media resources shall also be free of racial, national origin, religious, disability, age, marital status or sexual bias with allowances for instructional materials and the context in which they are used; contain appropriate readability levels; support the district's adopted curriculum content; provide for ease of teacher use; be attractive and durable and be purchased at a reasonable cost.

The superintendent shall establish a process for responding to challenge to objectionable materials.

END OF POLICY

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**Legal Reference(s):**

<a href="#">ORS 336.035</a>	<a href="#">ORS 337.260</a>	<a href="#">OAR 581-021-0045</a>
<a href="#">ORS 336.840</a>	<a href="#">ORS 337.511</a>	<a href="#">OAR 581-021-0046</a>
<a href="#">ORS 337.120</a>	<a href="#">ORS 339.155</a>	<a href="#">OAR 581-022-1140</a>
<a href="#">ORS 337.141</a>		<a href="#">OAR 581-022-1520</a>
<a href="#">ORS 337.150</a>	<a href="#">OAR 581-011-0050 to -0117</a>	<a href="#">OAR 581-022-1640</a>

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

**Cross Reference(s):**

INB - Studying Controversial Issues  
KH - Public Gifts to District or Individual Schools



## **Hazing/Harassment/Intimidation/Menacing/Bullying Cyberbullying - Staff and Third Party**

The following definitions and procedures shall be used for reporting, investigating and resolving complaints of hazing, harassment, intimidation, menacing, or bullying and acts of cyberbullying.

### **Definitions**

1. “Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at interdistrict and intradistrict athletic competitions or other school events.
2. “District” includes district facilities, district premises and nondistrict property if the employee or third party is at any district-sponsored, district-approved or district-related activity or function, such as field trips or athletic events where the employee or third party is engaged in district business.
3. “Harassment, intimidation or bullying” means any act that substantially interferes with an employee or third party’s work benefits, work opportunities or performance, that takes place on or immediately adjacent to district grounds, at any district-sponsored activity, on district-provided transportation or at any official district bus stop, that may be based on, but not limited to, the protected class status of a person, having the effect of:
  - a. Physically harming a person or damaging a person’s property;
  - b. Knowingly placing a person in reasonable fear of physical harm or damage to their property;
  - c. Creating a hostile work environment including interfering with the psychological well being of the employee or third party.
4. “Menacing” includes, but is not limited to, any act intended to place a district employee or third party in fear of imminent physical injury.
5. “Hazing” includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a staff member or third party for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored activity or grade level attainment, e.g., forced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a staff member or third party; requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article, assignment of pranks to be performed or other such activities intended to degrade or humiliate.

6. “Protected class” means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, national origin, marital status, familial status, source of income or disability.
7. “Cyberbullying” is the use of any electronic communication device to convey a message in any form (text, image, audio or video) that defames, intimidates, harasses or is otherwise intended to harm, insult or humiliate another in a deliberate, repeated or hostile and unwanted manner under a person’s true or false identity. In addition, any communication of this form which substantially disrupts or prevents a safe and positive working and educational environment may also be considered cyberbullying. Staff and third parties will refrain from using personal communication devices or district property to harass or stalk another.
8. “Retaliation” means hazing, harassment, intimidation, menacing or bullying and acts of cyberbullying toward a person in response to actual or apparent reporting or participating in the investigation of hazing, harassment, intimidation, menacing or bullying and acts of cyberbullying or retaliation.

### **Retaliation/False Charges**

Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of Board policy, independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and shall result in disciplinary action or other appropriate sanctions.

### **Complaint Procedures**

The superintendent/designee has responsibility for investigations concerning hazing, harassment, intimidation, menacing or bullying and acts of cyberbullying. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

Any employee or third party who has knowledge of conduct in violation of this policy shall immediately report his/her concerns to the superintendent/designee.

ll complaints shall be investigated in compliance with district contractual agreements and in accordance with the following procedures:

- Step 1      Any hazing, harassment, intimidation, menacing, bullying or acts of cyberbullying information (complaints, rumors, etc.) shall be presented to the superintendent/designee. Complaints against the principal shall be filed with the superintendent/designee. Information may be presented anonymously. Complaints against the superintendent shall be filed with the Board chair. All such information shall be reduced to writing and shall include the specific nature of the offense and corresponding dates.
- Step 2      The superintendent/designee receiving the complaint shall promptly investigate. Parents shall be promptly notified of the nature of any complaint involving their student. The superintendent/designee shall arrange such meetings as may be necessary with concerned parties. The parties shall have an opportunity to respond to the complaint. Findings related to the complaint shall be submitted to the superintendent/designee. The superintendent/designee conducting the investigation shall notify the complainant and parents, as appropriate, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.
- Step 3      If the complainant is not satisfied with the decision at Step 2, he/she may submit a written appeal to the superintendent/designee. Such appeal must be filed within ten (10) working days after the receipt of the Step 2 decision.
- Step 4      If the complainant is not satisfied with the decision at Step 3, a written appeal may be filed with the Board. Such appeal must be filed within ten (10) working days after receipt of the Step 3 decision.

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

Documentation related to the incident may be maintained as part of the employee's personnel file. Appropriate notification as to the placement of such documentation in education records and personnel files shall be made. Additionally, a copy of all hazing, harassment, intimidation, menacing or bullying and acts of cyberbullying complaints and documentation will be maintained as a confidential file.

# Newberg School District 29J

Code: **GBN/JBA-AR**

Adopted: 12/11/06

Readopted: 9/24/07

Orig. Code(s): AR-3050

## **Sexual Harassment (Complaint Procedure)**

Building principals, the compliance officer and the superintendent have responsibility for investigations concerning sexual harassment. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

- Step I Any sexual harassment information (complaints, rumors, etc.) shall be presented to the building principal, compliance officer or superintendent. All such information shall be reduced to writing and shall include the specific nature of the sexual harassment and corresponding dates.
- Step II The district official receiving the information or complaint shall promptly initiate an investigation. He/She shall arrange such meetings as may be necessary to discuss the issue with all concerned parties within 10 working days after receipt of the information or complaint. All findings of the investigation, including the response of the alleged harasser, shall be reduced to writing. The district official(s) conducting the investigation shall notify the complainant in writing when the investigation is concluded. The parties shall have an opportunity to submit evidence and a list of witnesses.

A copy of the notification letter, together with any other documentation related to the sexual harassment incident, including disciplinary action taken or recommended, shall be forwarded to the superintendent.

- Step III If a complainant is not satisfied with the decision at Step II, he/she may submit a written appeal to the superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step II decision. The superintendent or designee shall arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant within 10 working days.
- Step IV If a complainant is not satisfied with the decision at Step III, he/she may submit a written appeal to the Board. Such appeal must be filed within 10 working days after receipt of the Step III decision. The Board shall, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the appeal. The Board shall provide a written decision to the complainant within 10 working days following completion of the hearing.

Direct complaints related to employment may be filed with the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries. Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA

98174-1099. Additional information regarding filing of a complaint may be obtained through the building principal, compliance officer or superintendent.

All documentation related to sexual harassment complaints may become part of the student's education record or employee's personnel file, as appropriate. Additionally, a copy of all sexual harassment complaints and documentation shall be maintained as a confidential file and stored in the district office.

The superintendent shall report the name of any person holding a teaching license or registered with Teacher Standards and Practices Commission (TSPC) or participating in a practicum under OAR Chapter 584, Division 17, when, after appropriate investigation, there is reasonable cause to believe the person may have committed an act of sexual harassment. Reports shall be made to TSPC within 30 calendar days of such a finding. Reports of sexual contact with a student shall be given to a representative from law enforcement or Oregon Department of Human Services as possible child abuse. In the event the superintendent is the subject of the investigation, reports, when required, shall be made by the Board chair or designee.

## SEXUAL HARASSMENT COMPLAINT FORM

Name of complainant: \_\_\_\_\_

Position of complainant: \_\_\_\_\_

Date of complaint: \_\_\_\_\_

Name of alleged harasser: \_\_\_\_\_

Date and place of incident or incidents: \_\_\_\_\_

Description of misconduct: \_\_\_\_\_

Name of witnesses (if any): \_\_\_\_\_

Evidence of sexual harassment, i.e., letters, photos, etc. (attach evidence if possible): \_\_\_\_\_

Any other information: \_\_\_\_\_

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## WITNESS DISCLOSURE FORM

Name of Witness: \_\_\_\_\_

Position of Witness: \_\_\_\_\_

Date of Testimony/Interview: \_\_\_\_\_

Description of Instance Witnessed: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Any Other Information: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# Newberg School District 29J

Code: **GBN/JBA**  
Adopted: 12/11/06  
Orig. Code(s): 3050

## **Sexual Harassment**

The Board is committed to the elimination of sexual harassment in district schools and activities. Sexual harassment is strictly prohibited and shall not be tolerated. This includes sexual harassment of students or staff by other students, staff, Board members or third parties. "Third parties" include, but are not limited to, school volunteers, parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at interdistrict and intradistrict athletic competitions or other school events. "District" includes district facilities, district premises and non-district property if the student or employee is at any district-sponsored, district-approved or district-related activity or function, such as field trips or athletic events where students are under the control of the district or where the employee is engaged in district business.

Sexual harassment of students and staff shall include, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature when:

1. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits;
2. Submission to or rejection of the conduct or communication is used as the basis for educational decisions affecting a student or employment or assignment of staff;
3. The conduct or communication is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student's educational performance or with an employee's ability to perform his/her job; or creates an intimidating, offensive or hostile educational or working environment. Relevant factors to be considered shall include, but not be limited to, did the individual view the environment as hostile; was it reasonable to view the environment as hostile; the nature of the conduct; how often the conduct occurred and how long it continued; age and sex of the complainant; whether the alleged harasser was in a position of power over the student or staff member subjected to the harassment; number of individuals involved; age of the alleged harasser; where the harassment occurred; and other incidents of sexual harassment at the school involving the same or other students or staff.

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

All complaints about behavior that may violate this policy shall be promptly investigated. Any student or employee who has knowledge of conduct in violation of this policy or feels he/she is a victim of sexual harassment must immediately report his/her concerns to the building principal, compliance officer or superintendent, who has overall responsibility for all investigations. A student may also report concerns to a teacher, counselor or school nurse, who shall promptly notify the appropriate district official. The



student and the student's parents or staff member who initiated the complaint shall be notified of the findings of the investigation and, if appropriate, that remedial action has been taken.

The initiation of a complaint in good faith about behavior that may violate this policy shall not adversely affect the educational assignments or study environment of a student complainant or any terms or conditions of employment or work environment of the staff complainant. There shall be no retaliation by the district against any person who, in good faith, reports, files a complaint or otherwise participates in an investigation or inquiry of sexual harassment.

It is the intent of the Board that appropriate corrective action shall be taken by the district to stop the sexual harassment, prevent its recurrence and address negative consequences. Students in violation of this policy shall be subject to discipline up to and including expulsion and/or counseling or sexual harassment awareness training, as appropriate. The age and maturity of the student(s) involved and other relevant factors shall be considered in determining appropriate action. Employees in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional sexual harassment awareness training, as appropriate. Other individuals whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or Board.

Additionally, the district may report individuals in violation of this policy to law enforcement officials. Licensed staff, staff registered with the Teacher Standards and Practices Commission (TSPC) and those participating in practicum programs, as specified by Oregon Administrative Rules, shall be reported to TSPC.

The superintendent shall ensure appropriate periodic sexual harassment awareness training or information is provided to all supervisors, staff and students and that annually, the name and position of district officials responsible for accepting and managing sexual harassment complaints, business phone numbers, addresses or other necessary contact information is readily available. This policy as well as the complaint procedure shall be made available to all students, parents and staff in student/parent and staff handbooks. The district's policy shall be posted in all district buildings. Such posting shall be by a sign of at least 8 ½" by 11".

The superintendent shall establish a process of reporting incidents of sexual harassment.

END OF POLICY

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**Legal Reference(s):**

[ORS 243.706](#)  
[ORS 342.700](#)  
[ORS 342.704](#)  
[ORS 342.708](#)  
[ORS 342.850](#)

[ORS 342.865](#)  
[ORS 659.850](#)  
[ORS 659A.006](#)  
[ORS 659A.029](#)  
[ORS 659A.030](#)

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

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2006).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2006); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2006).

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

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

# Newberg School District 29J

Code: **GBK/JFCG/KGC**

Adopted: 12/11/06

Revised/Readopted: 7/12/11; 9/22/15; 3/20/18

Orig. Code(s): 3120

## **Prohibited Use, Possession, Distribution or Sale of Tobacco Products and Inhalant Delivery Systems**

To be consistent with Oregon law, the use, distribution or sale of tobacco products or inhalant delivery systems by staff and all others is prohibited on district premises; in any building or facility, on district grounds, including parking lots; in any vehicle owned, leased, rented or chartered by the district, school or public charter school; and at all district- or school-sponsored activities.

For the purpose of this policy, “tobacco products” is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco (also known as smokeless, dip, chew or snuff) in any form. This does not include products that are USFDA-approved for sale as a tobacco cessation products or for any other therapeutic purpose, if marketed and sold solely for the approved purpose.

For the purpose of this policy, “inhalant delivery system” means a device that can be used to deliver substances including but not limited to nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device; or a component of a device or a substance in any form sold for the purpose of being vaporized or aerosolized by a device, whether the component or substance is sold or not sold separately. This does not include products that are USFDA-approved for sale as tobacco cessation products or for any other therapeutic purpose, if marked and sold solely for the approved purpose.

Violation of this policy by the public may result in the individual’s removal from district property. The district reserves the right to restrict access to district property by individuals who are repeat offenders.

Staff violation of this policy will lead to appropriate disciplinary action.

This policy shall be enforced at all times.

END OF POLICY

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**Legal Reference(s):**

[ORS 167.400](#)  
[ORS 332.107](#)  
[ORS 336.222](#)  
[ORS 336.227](#)  
[ORS 339.240](#)  
[ORS 339.250](#)  
[ORS 339.883](#)

[ORS 431.840](#)  
[ORS 433.835 to -433.990](#)  
  
[OAR 581-021-0050 to -0075](#)  
[OAR 581-021-0110](#)  
[OAR 581-022-0413](#)

[OAR 581-053-0015](#)  
[OAR 581-053-0230\(9\)\(s\)](#)  
[OAR 581-053-0330\(1\)\(m\)](#)  
[OAR 581-053-0430\(12\)](#)  
[OAR 581-053-0531\(11\)](#)  
[OAR 581-053-0630](#)

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2006).

**Cross Reference(s):**

JFCG/KGC/GBK - Prohibited Use, Possession, Distribution or Sale of Tobacco Products  
and Inhalant Delivery Systems  
KGC/GBK/JFCG - Prohibited Use, Possession, Distribution or Sale of Tobacco Products  
and Inhalant Delivery Systems

# Newberg School District 29J

Code: **GBJ**  
Adopted: 2/14/12

## **Weapons in Schools - District Staff, District Contractors and Contractor Employees**

District staff, district contractors and contractor's employees shall not possess a dangerous or deadly weapon or firearm on district property or at school-sponsored events. This prohibition includes those who may otherwise be permitted by law to carry such weapons.

For purposes of this policy, and as defined by state and federal law, weapon includes:

1. "Dangerous weapon" - any weapon, device, instrument, material or substance, which under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury;
2. "Deadly weapon" - any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;
3. "Firearm" - any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, frame or receiver of any such weapon, any firearm silencer or any other destructive device including any explosive, incendiary or poisonous gas.

Weapons under the control of law enforcement personnel are permitted.

The superintendent shall ensure notice of this policy is provided.

District staff in violation of this policy shall be subject to discipline up to and including dismissal. Individuals contracting with the District shall be subject to appropriate sanctions. A referral to law enforcement may be made.

END OF POLICY

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### **Legal Reference(s):**

[ORS 161.015](#)  
[ORS 166.210 - 166.370](#)  
[ORS 332.107](#)

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2006).  
Doe v. Medford Sch. Dist. 549C, 232 Or. App. 38, 221 P3d 787 (2009).

# Newberg School District 29J

Code: **GBI**

Adopted: 9/13/10

Revised/Readopted: 1/09/18

## Gifts and Solicitations

Individual employees shall refrain from giving gifts<sup>1</sup> to staff members who exercise any direct or indirect administrative or supervisory jurisdiction over them. Collecting money for group gifts is discouraged except in special circumstances such as bereavement, serious illness or for retirement gifts. Staff-initiated “sunshine funds” are exempt from this policy.

Individual employees need to be accountable for maintaining integrity and avoid accepting anything of value offered by another for the purpose of influencing his/her professional judgment.

All employees are prohibited from accepting items of material value from any individual, company or organization. Material value is defined as \$50 or more from a single source in a single year. In lieu of gift giving the Board welcomes, as appropriate, the writing of letters by students, parents and other citizens to staff members expressing gratitude and appreciation.

No organization may solicit funds from staff members within the schools, nor may anyone distribute flyers or other materials related to fund drives through the schools without the superintendent’s approval. Staff members may not be made responsible or assume responsibility for collecting money or distributing any fund-drive literature within the schools without the superintendent’s approval.

The soliciting of staff by sales people, other staff or agents during on-duty hours is prohibited. No staff member may solicit funds in the name of the school or district through the use of, including but not limited to, internet-sourced crowdfunding or other similar types of fund raising, without the approval of the principal. Any solicitation should be reported at once to the principal or supervisor. Advertising is not allowed in the building without the superintendent’s approval.

END OF POLICY

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<sup>1</sup>“Gift” means something of economic value given to a public official or the public official’s relative or household member without valuable consideration of equivalent value, including the full or partial forgiveness of indebtedness, which is not extended to others who are not public officials or the relatives or household members of public officials on the same terms and conditions; and something of economic value given to a public official or the public official’s relative for valuable consideration less than that required from others who are not public officials. See ORS Chapter 244 for gift definition exceptions.

**Legal Reference(s):**

[ORS 244](#).010 to -244.400

[ORS 339](#).880

[OAR 584-020](#)-0000 to -0045

[OAR 199-005](#)-0005 to -199-020-0020

**Cross Reference(s):**

BBF - Board Member Ethics

GBC - Staff Ethics

IGDF - Student Fund-Raising Activities

KH - Public Gifts to District or Individual Schools

KI - Fundraising and Solicitation

KJ - Commercial Advertising/Merchandise Sales

KJA - Materials Distribution

# Newberg School District 29J

Code: **GBEC**  
Adopted: 1/14/91  
Revised/Readopted: 9/24/07; 9/27/16  
Orig. Code(s): 3110

## Drug-Free Workplace

The district shall provide a drug-free workplace.

### 1. Definitions

- a. “Controlled substance”: A controlled substance shall include any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or other drug as classified under the federal Controlled Substances Act, as modified under ORS 475.035.
- b. “Alcohol”: Alcohol shall include any form of alcohol for consumption, including beer, wine, wine coolers or liquor.
- c. “Conviction”: A finding of guilt (including a plea of no contest) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or state criminal drug statutes.
- d. “Criminal drug statute”: A Federal or state criminal statute involving the manufacture, distribution, dispensation, possession or use of any controlled substance or alcohol.
- e. “Drug-free workplace”: A site for the performance of work at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or alcohol.

### 2. Purpose

The purpose of this policy is to promote safety, health and efficiency by prohibiting, in the workplace, the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or alcohol.

### 3. Applicability

This policy applies to all employees, including, but not limited to, those exempt, unclassified, management service, classified and temporary employees who are paid directly or indirectly from funds received under a federal grant or contract.

### 4. Prohibitions

An employee shall not, in the workplace, unlawfully manufacture, distribute, dispense, possess or use a controlled substance or alcohol.

5. No district employee shall knowingly sell, market or distribute steroid or performance enhancing substances to kindergarten through grade 12 students with whom the employee has contact as part of employee’s district duties; or knowingly endorse or suggest the use of such substances.

6. Compliance with Policy<sup>1</sup>

An employee shall, as a condition of employment, abide by the provisions of this policy.

7. Sanctions and Remedies

- a. The district, upon determining that an employee has engaged in the unlawful manufacture, distribution, dispensation or possession of a controlled substance or alcohol or upon having reasonable suspicion, under section 8 of this policy, of employee unlawful use of a controlled substance or alcohol in the workplace, shall, pending any criminal drug statute conviction for a violation occurring in the workplace, take action with regard to the employee determined to be appropriate which may include transfer, granting of leave with or without pay or suspension with or without pay.
- b. Within 30 days of an employee's criminal drug statute conviction for a violation occurring in the workplace, the district shall:
  - (1) Take action with regard to the employee determined to be appropriate which may include discipline up to and including termination; and/or
  - (2) Require satisfactory participation by the employee in a drug abuse assistance or rehabilitation program approved for such purpose by a federal, state or local health, law enforcement or other appropriate agency.

8. Basis for Reasonable Suspicion of Employee Use of Controlled Substance/Alcohol

Reasonable suspicion of employee use of an unlawful controlled substance or alcohol shall be based upon any of the following:

- a. Observed abnormal behavior or impairment in mental or physical performance (for example, slurred speech or difficulty walking);
- b. Direct observation of use in the workplace;
- c. The opinion of a medical professional;
- d. Reliable information concerning use in the workplace, the reliability of any such information shall be determined by employer;
- e. A work-related accident in conjunction with a basis for reasonable suspicion as listed above.

**When an administrator observes impairment or abnormal behavior in the mental or physical performance of an employee or has directly observed the employee's use in the workplace, the district will transport the employee to a medical lab where a blood test can be taken to verify the unlawful use of a controlled substance or alcohol.**

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<sup>1</sup>Districts directly receiving grants or contracts of \$100,000 or more from the federal government are required to meet this obligation.



9. Employee Assistance Program

An employee having a drug or alcohol problem is encouraged to seek assistance, on a confidential basis, under the Employee Assistance Program if such program is provided by the employer.

10. Leave for Participation in Abuse Assistance or Rehabilitation Program

The district shall, upon employee request, grant leave with or without pay to permit an employee to participate in a drug abuse assistance or rehabilitation program.

11. Establishment of Drug-Free Awareness Program

The district shall establish a drug-free awareness program to inform employees of the:

- a. Dangers of drug abuse in the workplace;
- b. Existence of and content of this policy for maintaining a drug-free workplace;
- c. Availability of drug-counseling, rehabilitation and employee assistance programs; and
- d. Penalties that may be imposed for drug abuse violations occurring in the workplace.

12. Notification by Employee of Conviction<sup>1</sup>

An employee shall, as a condition of employment, notify the district of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

13. Notification by District of Employee Conviction

The district shall notify the appropriate federal granting or contracting agency of an employee's criminal drug statute conviction for a violation occurring in the workplace no later than 10 days after receiving notice of such conviction.

14. Provision of Copy of Policy to Employees

The district shall provide to each employee a copy of this policy.

END OF POLICY

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**Legal Reference(s):**

[ORS 243.650](#)  
[ORS 336.222](#)  
[ORS 342.721](#)  
[ORS 342.723](#)

[ORS 342.726](#)  
[ORS Chapter 475](#)  
[ORS 657.176](#)

[OAR 581-022-0413](#)  
[OAR 581-022-0416](#)  
[OAR 584-020-0040\(5\)\(e\)](#)

Drug-Free Workplace Act of 1988, 41 U.S.C. §§ 8101-8106 (2016); General Principles Relating to Suspension and Debarment Actions, 34 C.F.R. §§ 84.100-84.670 (2016).

Controlled Substances Act, 21 U.S.C. § 812; Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11-1308.15 (2016).

Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2016).

# Newberg School District 29J

Code: **EBBB**

Adopted: 10/09/06

Revised/Readopted: 6/10/14; 10/10/17

## Injury/Illness Reports

All injuries/illnesses sustained by the employee while in the actual performance of his or her duty, occurring on district premises, in district vehicles, at a district-sponsored activity or involving staff members who may be elsewhere on district business shall be reported immediately to a supervisor. A written report shall be submitted within 24 hours to the district's safety officer. Reports shall cover property damage as well as personal injury.

In the event of a work-related<sup>1</sup> illness or injury to an employee resulting in overnight hospitalization for medical treatment<sup>2</sup> other than first aid, the district safety officer shall report the incident to the Oregon Occupational Safety and Health Division (OR-OSHA). A report shall be made within 24 hours after notification to the superintendent of an illness or injury. Fatalities or catastrophes<sup>3</sup> shall be reported immediately.

ALL injuries/illnesses sustained by the employee while in the actual performance of his or her duty shall be promptly investigated. As a result of the investigation any corrective measures needed shall be acted upon.

Monthly records shall be maintained. An analysis of the data and trends shall be made at least annually.

The superintendent shall receive reports on serious injuries/illnesses, including accidents involving district property or employees, students or visiting publics, and periodic statistical reports on the number and types of injuries/illnesses occurring in the district, as well as on the measures being taken to prevent such injuries/illnesses in the future.

END OF POLICY

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<sup>1</sup>An injury or illness is work related if an event or exposure in the work environment caused or contributed to the condition or significantly aggravated a preexisting condition.

<sup>2</sup>Medical treatment includes managing or caring for a patient for the purpose of combatting disease or disorder. The following are not considered medical treatment: visits to a doctor or health care professional solely for observation or counseling; diagnostic procedures including administering prescription medications used solely for diagnostic purposes; and any procedure that can be labeled first aid.

<sup>3</sup>A "catastrophe" is an accident in which two or more employees are fatally injured, or three or more employees are admitted to a hospital or an equivalent medical facility.

**Legal Reference(s):**

[ORS 339.309](#)

[OAR 437-001-0015](#)

[OAR 437-001-0700](#)

[OAR 437-001-0760](#)

[OAR 581-022-2225](#)

**Cross Reference(s):**

GBE - Staff Health and Safety