

**COOS BAY PUBLIC SCHOOLS**  
**BOARD OF DIRECTORS**  
MILNER CREST EDUCATION CENTER  
1255 HEMLOCK AVE., COOS BAY, OR 97420  
January 13, 2014

**REGULAR BOARD MEETING AGENDA**

**5:45 PM**     **EXECUTIVE SESSION:** Based on ORS 192.610(2)(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

**6:00 PM**     **REGULAR OPEN SESSION:** Pledge of Allegiance and Welcome

**1.     APPROVE AGENDA**

**2.     CONSENT AGENDA**

A. \*Approve Minutes of December 9, 2013, Regular School Board Meeting

**3.     SPECIAL REPORT**

A. \*\*Rob Wall of Wall & Wall PC CPA's Annual Audit Report

**4.     PUBLIC INPUT**

Speakers may offer objective criticism of school operations and programs, but the board will not hear personal complaints concerning school personnel nor against any person connected with the school system. The chairman will direct the visitor to the appropriate means for board consideration and disposition of legitimate complaints involving individuals. (Board Policy BDDH)

**5.     BUILDING AND STAFF PRESENTATIONS**

- A. MHS Student Update: Jenny Shaffer
- B. HLC Student Update: Chano Johnsen
- C. School Presentation: Harding Learning Center
- D. CBEA Business: Lynda Sanders
- E. OSEA Business: Teri Jones
- F. Out of State Travel Request – Doug Fendall

**6.     DISTRICT STAFF PRESENTATIONS**

- A. Superintendent Dawn Granger
  - 1. Proclaim January as School Board Recognition Month
  - 2. Division 22 Standards Report
  - 3. Curriculum Review Update
  - 4. ODE Civil Rights Career & Technical Education On-site Review
- B. Business Manager Rod Danielson
  - 1. \*\*Financial Update
  - 2. \*\*Enrollment/Projections
- C. Special Programs Director Lisa DeSalvio
  - 1. Child Count
  - 2. SPR&I

**7. BOARD ITEMS**

- A. Board Activity Report
- B. Committee Reports

**8. ACTION ITEMS TO CONSIDER**

- A. \*\*Adopt Superintendent's Evaluation Form
- B. \*2<sup>nd</sup> Reading and Adoption
  - 1. KF – School Volunteers
  - 2. KH – Public Gifts to the District
  - 3. KI/KJ – Public Solicitation/Advertising in the Schools
  - 4. LBD – Home Schooled Students
  - 5. LGA-AR(2) – Direct Appeals to the State Superintendent of Public Instruction About Alleged Violations of Standards

**9. ADJOURN MEETING**

**CALENDAR**

<b>Date</b>	<b>Event</b>
1/14	Family Night – Mathematical Practices, 6:00 PM @ Milner Crest Education Center
1/20	Martin Luther King, Jr. Holiday – no school
1/25	Coos Bay Schools Facilities Workshop, 9:00 AM @ MHS Library
1/27	Special School Board Meeting, 6:00 PM @ Milner Crest Education Center
2/3	Superintendent's Advisory Team, 12:00 PM @ Milner Crest Education Center
2/10	Regular School Board Meeting, 6:00 PM @ Milner Crest Education Center

**Visit the District's Webpage at [www.cbd9.net](http://www.cbd9.net)**

COOS BAY PUBLIC SCHOOLS  
COOS BAY, OREGON

December 9, 2013

## **REGULAR SCHOOL BOARD MEETING**

The Board of Directors of Coos Bay Public Schools met on December 9, 2013, in the Community Room at Milner Crest Education Center, 1255 Hemlock Ave., Coos Bay, Oregon, for a Regular School Board Meeting.

Chair James Martin called the meeting to order at 6:14 PM and invited the Board and guests to recite the Pledge of Allegiance to begin the meeting.

Board Members Present:	James Martin, Chair	Rocky Place
	Adrian DeLeon	Jill Christiana
	Charlene Moore	Sam Aley
	Mary Fields	

Others present included Superintendent Dawn Granger, Rod Danielson, Candace McGowne, David Dorsey, Peggy Ahlgrim, Travis Howard, Dale Inskeep, Julie Entz, Lynda Sanders, Diana Spillman, Ann Marineau, Beth Bennison, Janice Schock, Teresa Thurman, Teri Harris Jones, Catherine Hampton, Heather Whitty, Mary Margaret Stockert, Allison Bassett, Jessica Bee, Becky Crane, Jason Goodson, Holly Yovino, Lillian Erb, Chelsea Davis from *The World*, and Gordon Young from *Channel 14*.

### **1. APPROVE AGENDA**

James Martin requested that two items be added to the agenda: Out of State Travel Request for Music students to travel to Seattle, WA and an Out of State Travel update from Catherine Hampton on the Journalism trip. Rocky Place made the motion, Charlene Moore seconded, to approve the Agenda with the changes. The motion passed unanimously.

### **2. CONSENT AGENDA**

A. Approve Minutes of November 12, 2013, Regular School Board Meeting

B. Policy Deletions

1. KG-AR(1) – Facility Usage Rules & Procedures – Recode current AR to policy.

2. KG-AR(2) – Contract for Use of School Facilities

James Martin asked that 2.A. be removed from the Consent Agenda for corrections. Charlene Moore made the motion, Mary Fields seconded, to approve the Consent Agenda items 2.B.

James Martin asked that the minutes of the November 12, 2013 meeting be corrected as follows: 5.F. – Lynda Sanders was recognized for her service to Oregon Science Teachers Association, not Oregon School Employee Association and she received the Duane Marshall Special Service to Science Education Award. Charlene Moore made the motion, Adrian DeLeon seconded, to approve the minutes with the changes. The motion passed unanimously.

### **3. PUBLIC INPUT:**

Retention Policy: Lynda Sanders pointed out the proposed changes were not to the current policy but a proposed policy that had been set aside. She handed out the current policy with

proposed edits. She gave her perspective as an 8<sup>th</sup> grade teacher. She feels that the proposed policy doesn't have enough teeth and believes that a line needs drawn in the sand. Lynda believes that the changes proposed to the current policy discourage other students from failing if they see another student retained and encourages most to do better. She has concerns for the building blocks of learning and if a student is promoted when they haven't learned the first block, they won't understand the future blocks. She also recommends that a process be developed for K-6<sup>th</sup> grade and a different one for 7<sup>th</sup> & 8<sup>th</sup> grade since the K-6<sup>th</sup> grade are self-contained classrooms and the 7<sup>th</sup> & 8<sup>th</sup> grades have period classes.

#### **4. BUILDING AND STAFF PRESENTATIONS**

- A. HLC Update: There was no update.
  - B. MHS Update: Jenny Shaffer updated the Board on MHS activities which included can food drive, movie night, food baskets, and rescheduling sporting events due to the weather
  - C. Out of State Travel Request – MHS student Quintin Kirk was chosen for All Northwest Choir and Allison Basset requested permission for them to travel to out of state to Seattle WA for the competition. Sam Aley made the motion, Rocky Place seconded to grant permission for the travel. The motion passed unanimously.
  - D. Out of State Travel Update: Catherine Hampton and Heather Whitty updated the Board on the recent MHS Journalism trip. The first issue of this school year took 5<sup>th</sup> place for Best of Show and three students won individual awards which include Natalia Taylor for feature writing, Joseph Nielson for opinion writing and Alyssa Lovell for news writing. MHS Journalism also received the highest award, the Pacemaker.
  - E. Highlighted Schools – Millicoma and Sunset Schools: Principals Travis Howard and Dale Inskeep shared their presentation.
    - a. Dale Inskeep from Sunset School handed out information about his last Professional Learning Community (PLC) meeting. Most of the time is spent with the grade level teams and intervention support teams as they evaluate data. They are aligning instruction to the math and language arts core standards.
    - b. Travis Howard from Millicoma School introduced his teachers and asked them to share what is the PLC process, what they do in their PLC meetings, interventions and the growth they've seen. Holly Yovino, Diana Spillman, Julie Entz and Theresa Thurman shared that they focused on building capacity (getting better, every week), regularly sharing progress across the grade levels and collaborating to design the best common formative assessments and create and evaluate the best way to teach the standards. If a student doesn't do well on an assessment, there is grouping for targeted instruction. If they still don't do well, regrouping is considered as well as other interventions including re-teaching.
- Board members were invited by both schools to come visit, especially on the PLC Friday's.
- F. CBEA Business: After licensed staff were introduced, Lynda Sanders reported that OEA will be providing training on the licensed evaluation process this Thursday and invited the members of the Evaluation Committee to attend.
  - G. OSEA Business: Teri Jones reported that the common thread of questions and concerns from OSEA staff are, "Where are our hours, where are the positions going, where will I be next week, next year, and where is our place in the district." She hopes that the district will provide full time hours in the jobs the classified staff love.

#### **5. DISTRICT STAFF PRESENTATIONS**

- A. Superintendent Dawn Granger:

1. Budget Process Overview: The process will be posted on the website with the flowchart at [www.cbd9.net](http://www.cbd9.net) under Departments - Business Office - Budget. The hope is to have a process where all have opportunities to learn about the district's fiscal responsibility and to provide input on what choices would most benefit the students.
  2. Curriculum Review: The sexual health education curriculum is available for review through December 20<sup>th</sup> and those interested will be invited to join the committee and meet the 2<sup>nd</sup> week in January to review suggestions and take input regarding the curriculum. Another meeting will most likely take place with committee members and educators to determine updates/changes to the curriculum. Any approved changes would be incorporated into instruction beginning the 2014-15 school year.
  3. Office of Civil Rights Visit: The Office of Civil Rights visited the district for a random monitoring visit. The district has not received the final report but have begun attending to some of the minor repairs and adjustments that were brought to our attention.
  4. Emergency Planning Update: We were able to contact the Bay Area Hospital person in charge of their emergency planning group and are hoping to connect with them as we move forward on our planning.
- B. Business Manager Rod Danielson:
1. Financial Update: Rod Danielson presented the financial report as of November 30, 2013.  
He shared projected enrollment numbers which is a decline in approximately 64 students. He also reported that the audit report should be ready in January.

## 6. **BOARD ITEMS**

- A. Board Activity Report: Activities included Policy Committee meeting, Tech Night, Art Night, OSBA Convention, book groups, SHAK @ Madison, Lighthouse Project training, meeting with Superintendent Granger, Heritage Hall ground breaking ceremony, Meet the Pirate Night, CB Loan Committee, Seussification of Romeo & Juliet, school visits and Senator Wyden's Town Hall Meeting.
- B. Investigation Update: James Martin reported that Peggy Stock of OSBA completed her report and shared a summary of the conclusions:
  1. All of the employees interviewed presented themselves as intelligent, well-spoken and caring professionals.
  2. The teachers interviewed do not believe or feel they have been directly threatened by the administration.
  3. All but one individual teacher at Madison does not fear direct retaliation from the administration and does not feel ignored when they share ideas or concerns.
  4. The teachers have fear that their staff will be divided and transferred to other buildings.

The investigator concluded that the administrators and instructional coach did not say anything inappropriate or warranting discipline. The statements referenced by teachers that they took to mean they could lose their jobs were interpreted differently by the teachers than by the speaker.

James Martin stated that it would be great if all decisions to move the district forward had 100% consensus. Professional educators don't always agree and need to debate. That was why the investigation was called when the claims were made. Superintendent Granger and the administrators have to walk the line of working to build consensus and learning from the debate, and ultimately making a decision at the district level and communicating it to the buildings and move along together as a district. Since Dawn has been here, the number

one priority has been student achievement and the quality of instruction. It would not be fair to her to ask her to meet that goal but not upset anyone in the process.

Recommendations of the report are as follows:

1. The district may want to explore if any services are available from their Employee Assistance program to help repair some of the discomfort staff members are experiencing.
2. The superintendent may want to consider developing some form of systematic approach for teachers to share feedback on the intervention programs in order to address comments, concerns, and challenges in a procedural and timely manner.
3. Reviewing district policies around staff communications and the complaint procedure with staff.

James Martin encourages public input but reminded everyone that it is not the forum for complaints of specific people in the district. There is a complaint procedure and it is outlined in Policy KL. Rocky Place clarified that the Board has established a goal which is molded around intervention. The Board doesn't dictate which tools the superintendent uses to reach the goal but will be reviewing data to see where the schools are at and if the tools that have been implemented work. He encourages the staff to put 100% into the interventions.

- C. Lighthouse Project Report: James Martin reported that the focus of the last Lighthouse Project training was increasing community engagement. Board members shared what they took away from the meeting which included needing to expand the definition of community, include the whole community, getting the word out to all stake holders, without community support you can't go anywhere, if they don't know what's going on you won't get their support, how can the board go out to the community to start the two way communication, there are many types of community support that aren't obvious yet have an important impact on the student, and the Board needs to work on ways to engage the community. On January 27<sup>th</sup>, the Board will hold a special meeting to look at the PLC process and the Board & Superintendent goals and on February 24<sup>th</sup> they will look at student data. The public is invited to attend.

D. Committee Reports:

1. Policy Committee: Adrian DeLeon reviewed the policies up for 1<sup>st</sup> reading.  
JEB – Initial Entrance Grade: He asked for Board input on the cut-off date for initial age for beginning kindergarten or 1<sup>st</sup> grade. Pros and cons were shared by Board members and the audience. If changes were made, an assessment for kindergarten readiness would need to be developed. The Board will discuss this again.  
KG-AR-1 – Facilities Use: change for 2<sup>nd</sup> reading, page 2-6, Priority III, eliminate #7 since it is a duplicate.  
IKE & IKE-AR – Promotion and Retention of Students: Adrian DeLeon believes that there is flexibility now with proficiency grading and encouraged input from the rest of the Board. Lynda Sanders' concerns were discussed. Concern was expressed for students being promoted without being proficient in core subjects. Sam Aley shared that there is research that shows that retention doesn't work. What can be done prior to interventions? Historically, the policy hasn't been followed and retentions haven't been tracked in the district. The proposed policy has a more of a thoughtful process and gives the Superintendent more responsibility to ensure all aspect of the policy is being followed. Travis Howard suggested summer school as a positive alternative to retention. Lynda Sanders

stated that retention doesn't necessarily help the students you retain but it has an impact on the other students. She believes that students retained last year are showing success, some more than others.

**E. Policy Review – 1<sup>st</sup> Reading**

1. IKE – Promotion and Retention of Students
2. IKE-AR – Retention for Students Grade 1-8
3. KF – School Volunteers
4. KH – Public Gifts to the District
5. KI/KJ – Public Solicitation/Advertising in the Schools
6. LBD – Home Schooled Students
7. LGA-AR(2) – Direct Appeals to the State Superintendent of Public Instruction About Alleged Violations of Standards

**7. ACTION ITEMS TO CONSIDER**

A. Adopt Budget Committee Calendar: Rod Danielson reviewed the proposed budget calendar. Rocky Place made the motion, Mary Fields seconded, to adopt the Budget Committee Calendar. The motion passed unanimously.

B. 2<sup>nd</sup> Reading and Adoption

1. EEAE-AR: Proof of Vehicle Liability Insurance
2. EFAA-AR: Reimbursable School Meals
3. GBC-AR – Staff Ethics
4. KG – Facility Use

Rocky Place made the motion, Jill Christiana seconded, to adopt policies as presented. Sam Aley wanted the staff to know that the purpose of updating GBC-AR – Staff Ethics is to not be heavy handed but to make sure staff are not inadvertently violating the ethical educator's standards and be disciplined by TSPC. The motion passed unanimously.

**8. ADJOURN MEETING**

James Martin adjourned the meeting at 8:37 PM.

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James Martin  
Board Chair

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Peggy Ahlgrim  
Board Secretary

# Coos Bay School District 9

Code: **KF**  
Adopted: 5/13/96  
Readopted: 6/22/10  
Orig. Code(s): KF

## School Volunteers

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

Recruitment, utilization, coordination and training of volunteers is the responsibility of administration and will be carried out as directed or delegated by the superintendent. Every effort should be made to utilize volunteer resources in a manner that will ensure maximum contribution to the welfare and educational growth of students.

Background checks will be done for all volunteer applicants at the cost of the district. ~~Background checks will be done at the expense of the district on all persons applying to volunteer for the district~~The district will cover the cost for processing the background checks.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)



# Coos Bay School District 9

Code: **KH**  
Adopted: 11/13/89  
Revised/Readopted: 1/12/11  
Orig. Code(s): KH

## Public Gifts to the District

Gifts which may serve to enhance and extend the work of the schools may be received by the district. It will be the district's general policy to direct those who desire to make contributions to consider equipment or services that are not likely to be acquired from public fund expenditures.

1. Tangible property contributed to the schools becomes the property of the district and is subject to the same controls and regulations that govern the use of other district-owned property.
2. The district supports and encourages volunteer groups in the community who propose sponsorship of construction or remodeling of district facilities. However, because of financial and legal considerations, certain expectations must be met by the sponsoring groups. These expectations shall be stated in the district administrative regulations. Additionally, the district shall take steps to deal with potential liability issues.
3. Any groups planning to raise money for a gift to a school or the educational system will first consult with the principal and superintendent regarding what kind of gift should be made. The superintendent will develop guidelines for accepting gifts. Such guidelines will include a concern for fairness and equity among schools.
4. All gifts will be subject to the provisions of Board policy.

In receiving gifts, the Board's acceptance reflects fairness and equity among the various school programs and facilities

END OF POLICY

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### Legal Reference(s):

[ORS 294.326](#)  
[ORS 332.075](#)

[ORS 332.107](#)  
[ORS 332.385](#)

### Cross Reference(s):

[GBI](#) - Gifts and Solicitations  
[IIAC](#) - Library Materials Selection and Adoption

**COOS BAY SCHOOL DISTRICT NO. 9**

Code: **KI/KJ**  
Adopted: 11/13/89  
Revised: 12/13/99

**PUBLIC SOLICITATION/ADVERTISING IN THE SCHOOLS**

Students and faculty of the ~~schools-district~~ are to be protected from intrusions on their time by announcements, posters, bulletins, and communications of any kind from individuals and organizations not directly connected with the ~~schools~~~~district~~.

Materials approved for distribution via the schools to ~~pupils-students~~ by nonschool-connected organizations must not contain advertising that is beneficial to any particular group or business. No materials of a religious nature may be distributed.

~~The administration of surveys, questionnaires, and requests for information by nonschool-connected organizations will be disallowed within the discretion of the superintendent.~~

~~The superintendent and principals are urged to interpret this policy strictly. Exceptions may be made when, in their judgment, the best interests of students will be served.~~

The following nonprofit organizations are allowed:

1. Youth athletic organizations. (Boys & Girls Club, SC Youth Football, CB Cal Ripkin, etc.)
2. Local nonprofit organizations
3. Youth education or nonprofit organizations (e.g. Scouts, Camp Fire, etc.)
4. Education programs sponsored by local nonprofit education institutions (e.g. Community College and other Oregon based colleges and universities)

No commercial advertising is permitted in ~~school-district~~ buildings or on school grounds except that which is related to ~~school-district~~ functions and which has the approval of the superintendent.

The solicitation and sale of travel services to students on school property or at activities under the jurisdiction of the district may be permitted only with the prior approval of the superintendent. This includes sale of services to students by any person or group that sells, provides, furnishes, contracts for, arranges or advertises travel services.

Sellers of travel services must meet the following district criteria:

1. Belong to an association of sellers of travel certified by the director of the Department of Consumer and Business Services;
2. Provide proof of errors and omissions insurance;
3. Provide proof of a client trust account or performance bond;
4. Submit references;

5. Include in all information provided to students and parents that drug, alcohol and tobacco use will be prohibited;
6. Include in all information provided to students and parents a statement that the activity is a non-school-sponsored event;
7. Provide other information as requested by the district.

The district will not participate in any fund-raising drive that does not have the approval of the superintendent.

The administration of surveys, questionnaires and requests for information by non-school-connected organizations is disallowed. Exceptions may be approved by the superintendent. In the event an exception is granted for the administration or distribution of a survey created by a third party, the district will provide an opportunity for the student's parents to inspect such survey upon request, before the survey is administered or distributed by a school to a student, as required by the No Child Left Behind Act of 2001 (NCLBA). Any district survey containing any "covered survey items"<sup>1</sup> as defined by NCLBA, may also be inspected by parents.

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

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

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

## END OF POLICY

### Legal References:

ORS 279C.335

ORS 332.593

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

ORS 332.107

ORS 339.880

ORS 646.185

32 OR. ATTY. GEN. OP. 209 (1965)

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

~~The district will not participate in any fund-raising drive that does not have the approval of the superintendent.~~

~~END OF POLICY~~

~~Legal References:~~

~~———ORS 339.880~~

~~———ORS 646.200—646.209~~

~~———Senate Bill 218~~

~~———Opinions of the Attorney General, Vol. 32, p. 209 (1965)~~

~~———Opinions of the Attorney General, Vol.\_\_\_\_, p.\_\_\_\_ (No. 8204, April 26, 1989)~~

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# Coos Bay School District 9

Code: **LBD**  
Adopted: 11/8/93  
Orig. Code(s): LBD

## ~~Relations with~~ Home-Schooled Students

The district recognizes the rights of parents to educate students at home and acknowledge the education service district's role in registering and monitoring test results for students who are being taught at home. Further, the Board is willing to assist parents in this endeavor if a request is made through the superintendent. The district will furnish basic course descriptions, state standards for elementary and secondary education, and, when available, may furnish basic instructional materials upon deposit of a loss/damage fee.

~~The district will not provide textbooks, materials, lesson plans or curriculum guides to students being instructed at home.~~

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

The Board does not grant high school credit for home school class nor grant diplomas to home-schooled students who reside within the district.

The Board will grant high school credit only to those ~~correspondence or online~~ courses administered by an accredited Division of Continuing Education **through an accredited program.**

Parents who elect home-schooling options are encouraged to pursue GED or community college diploma alternatives.

Home-schooled students may participate in interscholastic activities under the provisions of Board policy IBDJA ~~contained in this handbook.~~

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)  
[ORS 339.460](#)

[OAR 581-021-0029](#)  
[OAR 581-021-0033](#)



**COOS BAY SCHOOL DISTRICT NO. 9**

Code: **LGA-AR(2)**  
Adopted: 8/12/96  
Revised:

**DIRECT APPEALS TO THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION  
ABOUT ALLEGED VIOLATION OF STANDARDS**

After exhausting local procedures, as described in the policy and procedure "Public Appeals and Complaints About Alleged Violation of Standards" or 45 or more days after filing a written complaint alleging violation of standards with the district (whichever occurs first), any complainant who resides in the district or any parent of students attending school in the district may make a direct appeal to the State Superintendent of Public Instruction.

1. The appeal shall be in writing and shall contain:
  - a. The name and address of the person bringing the appeal and the district in which that person resides;
  - b. The name and address of the district which is alleged to have violated standards; and
  - c. A brief statement indicating how the district is alleged to have violated standards.
  
2. Upon receipt of the appeal, the state superintendent shall give notice of the appeal by sending a copy of the appeal, via certified mail, to the district. Within 30 days of receipt of notice, the district shall file a written report with the state superintendent that shall include:
  - a. A statement of facts;
  - b. A statement of action, if any, taken in response to the complaint; if none was taken, the reason(s) why no action was taken;
  - c. A stipulation, if one was reached, of the settlement of the complaint; and
  - d. A list of any complaints filed with another agency by the party concerning the subject of the appeal.

The state superintendent may for good cause extend the time for the filing of a report by the district.



DIRECT APPEALS TO THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION  
ABOUT ALLEGED VIOLATION OF STANDARDS - LGA-AR(2)

3. Upon receipt of the report, the state superintendent shall review the appeal and report and determine whether a violation of standards has been properly alleged, and that the requirements contained in Sections (1) and (2) of this rule have been satisfied. After this determination, the state superintendent may dismiss the appeal or may notify all parties that the appeal has been accepted.
4. If the appeal is accepted, the state superintendent shall take such action as is deemed appropriate, including, but not limited to:
  - a. Appointing a conciliator to meet with the parties to work toward a settlement. If no settlement is reached within 45 days, the state superintendent may schedule a contested case hearing as provided in ORS 183.410 to 183.470 or allow additional time for conciliation;
  - b. Scheduling a visit to the district to determine whether the district is in compliance with standards; or
  - c. Appointing a fact-finder to conduct an investigation and file a written report that shall indicate whether the fact-finder believes the allegations in the appeal are supported by fact.
5. At any time during an appeal, the parties may agree to settle the issue. The party bringing the appeal may at any time file a written request that the appeal be withdrawn. When such a request is received, the state superintendent shall terminate all further action regarding the appeal.
6. After a final review, the state superintendent may find the district deficient under ORS 327.103.

(continued)

