

Gresham-Barlow



School District

## BOARD OF EDUCATION

Regular Board Meeting / Work Session

### **AGENDA**

April 27, 2017

BOARD OF EDUCATION  
April 27, 2017

Board Meeting / Work Session – 6 p.m.

**Partnership Room  
Center for Advanced Learning (CAL)  
1484 NW Civic Drive, Gresham, OR**

I. CALL TO ORDER

II. ROLL CALL

_____	Carla Piluso, Chair	_____	Kathy Ruthruff, Director
_____	Kris Howatt, Vice-Chair	_____	Kent Zook, Director
_____	Sharon Garner, Director		
_____	John Hartsock, Director	_____	Jim Schlachter, Superintendent
_____	Matt O’Connell, Director	_____	Mike Schofield, Chief Financial Officer

III. ACTION ITEMS

1. Superintendent Contract Form / Salary ..... Howatt
2. Policy Updates ..... Ketelsen
3. Charter School Renewals ..... Hiu
  - Metro East Web Academy (MEWA)
  - Gresham Arthur Academy (GAA)
  - Lewis & Clark Montessori Charter School (LCMCS)
4. Board Leadership Selection Process for 2017-18 ..... Board

IV. ANNOUNCEMENTS

- May 4:            Audit Involvement Team - 5 p.m.  
                         Superintendent’s Office  
                         Public Safety and Schools Building
- May 4:            Board Work Session - 6 p.m.  
                         Council Chambers Conference Room  
                         Public Safety and Schools Building
- May 4:            Regular Board Meeting - 7 p.m.  
                         Council Chambers  
                         Public Safety and Schools Building

V. ADJOURN

**GRESHAM-BARLOW SCHOOL DISTRICT**  
**1331 NW Eastman Parkway**  
**Gresham, OR 97030-3825**

TO: Board of Directors  
FROM: Jim Schlachter  
DATE: April 27, 2017  
RE: No. 1 - Superintendent Contract Form / Salary

EXPLANATION: The board has conducted interviews of potential superintendent candidates as recommended by the Superintendent Search Committee. The board has ranked those candidates and desires to have legal counsel negotiate a contract with the board's first choice. To facilitate that negotiation, the board is required to review and approve the form of contract and salary range.

The Superintendent Search Committee is an advisory committee appointed by the Gresham-Barlow School District Board of Directors to develop a plan for the recruitment of a new superintendent and coordinate the process.

PRESENTER: Kris Howatt

SUPPLEMENTARY MATERIALS: A recommended contract form and salary range will be provided at the board meeting.

RECOMMENDATION: The Superintendent Search Committee recommends that the board approves the form of contract and salary range, as presented, and directs legal counsel to negotiate a superintendent contract with the first choice candidate.

REQUESTED ACTION: Move to approve the form of contract and salary range as presented, and direct legal counsel to negotiate an employment contract with the superintendent finalist.

JH:lc

**GRESHAM-BARLOW SCHOOL DISTRICT**  
**1331 NW Eastman Parkway**  
**Gresham, OR 97030-3825**

TO: Board of Directors

FROM: Jim Schlachter  
Teresa Ketelsen

DATE: April 27, 2017

RE: No. 2 – Policy Update

EXPLANATION: At the work session this evening, board members will be asked to provide input regarding recommended revisions from the Oregon School Board Association, district administration, and the Policy Review Committee for the following policies:

<b>Policy</b>	<b>Title</b>
BHD	Board Member Compensation and Expense Reimbursement
EFAA	District Nutrition and Food Services
EFAA-AR	Reimbursable Meals and Milk Programs
GCL/GDL	Staff Development and Professional Growth
ING	Animals in the Schools
JECBD	Homeless Students

This policy will be brought to the May 4, 2017 Board Business Meeting for second reading and adoption.

PRESENTER: Teresa Ketelsen

SUPPLEMENTARY MATERIALS: Revised policies (5) and AR (1) as listed above

RECOMMENDATION: The administration recommends that the board review policy revisions as presented for first reading.

REQUESTED ACTION: No formal action is required at the time. Adoption will be requested at a subsequent meeting.

TK:lc

Gresham-Barlow School District  
Board Policies  
First Reading  
April 27, 2017

<b>Policy</b>	<b>Title</b>
BHD	Board Member Compensation and Expense Reimbursement
EFAA	District Nutrition and Food Services
EFAA-AR	Reimbursable Meals and Milk Programs
GCL/GDL	Staff Development and Professional Growth
ING	Animals in the Schools
JECBD	Homeless Students

# Gresham-Barlow SD 10

Code: **BHD**  
Adopted: 5/01/97  
Readopted: 2/04/99; 5/02/02; 6/06/13  
Orig. Code(s): BHD

## Board Member Compensation and Expense Reimbursement

No Board member will receive any compensation for services. **Board members shall be** other than reimbursement for approved expenses actually incurred on district business. Such expenses may include the cost of attendance at meetings, conferences or visitations when such attendance has been approved by the Board chair.

Reimbursement includes, but is not limited to, transportation, meals, lodging and miscellaneous expenses. Expenses for entertainment, **alcohol**, or spouses are not reimbursable.

Board members may be reimbursed, when paid admission is required of the general public, for attending district athletic events and other activities as part of their responsibilities of being informed about district operations. The district will establish accounting procedures consistent with this policy.

~~The Board will annually review the budget for Board expenses and establish expenditure guidelines.~~

END OF POLICY

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### Legal Reference(s):

[ORS 244.020\(15\)](#)  
[ORS 244.040\(1\)\(a\)](#)

[ORS 244.040\(2\)\(c\)](#)  
[ORS 332.018\(3\)](#)

OR. GOV'T STANDARDS AND PRACTICES COMM'N, ADVISORY OPINION 93A-1007 (Nov. 18, 1993).  
OR. GOV'T STANDARDS AND PRACTICES COMM'N, ADVISORY OPINION 97A-1004 (Apr. 21, 1997).  
OR. GOV'T STANDARDS AND PRACTICES COMM'N, STAFF OPINION 02S-015 (May 20, 2002).  
OR. GOV'T STANDARDS AND PRACTICES COMM'N, STAFF OPINION 03S-015 (Sept. 11, 2003).

### Cross Reference(s):

BBAA - Individual Board Member's Authority and Responsibilities

# Gresham-Barlow SD 10

Code: **EFAA**  
Adopted: 5/02/02  
Readopted: 11/03/11; 5/01/14; 10/01/15

## District Nutrition and Food Services

The district may enter into an agreement with the Oregon Department of Education (ODE) to operate the National School Lunch Program (NSLP) and the Commodity Food Distribution Program (CFDP) by signing a permanent Sponsor-ODE Agreement entitling the district to receive reimbursement for all meals that meet program requirements and to earn USDA Food entitlement based on the number of lunches served.

The permanent agreement shall be signed by the superintendent or other school official with authority to obligate the district to legally binding contracts, subject to annual ODE renewal and will include, at the district's option, an agreement to operate the School Breakfast Program (SBP), Summer Food Service Program (SFSP), the Child and Adult Care Food Program (CACFP) and the Special Milk Program (SMP). The district recognizes that meals and snacks served by the district will not be eligible for reimbursement until the annual program update is received and approved by ODE.

The permanent Sponsor-ODE Agreement shall include assurances by the district that it will follow all NSLP regulations regarding Child Nutrition Program regulations for which the district is approved to operate:

1. Free and reduced price process (updated annually);
2. Financial management of the nonprofit school food service;
3. Civil rights and confidentiality procedures;
4. Meal pattern and nutrition content of meals served;
5. Use and control of commodity foods;
6. Accuracy of reimbursement claims;
7. Food safety and sanitation inspections;
8. Nutrition standards for foods and beverages sold to students.

The superintendent will develop an administrative regulations as necessary to implement this policy and meet the requirements of state and federal law. The administrative regulation(s) will be reviewed and adopted by the Board as required by law.

END OF POLICY

**Legal Reference(s):**

[ORS 327.520 to -327.535](#)  
[ORS 336.423](#)

[OAR 581-022-1530\(2\)](#)  
[OAR 581-051-0100](#)  
[OAR 581-051-0305](#)

[OAR 581-051-0310](#)  
[OAR 581-051-0400](#)

Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance, 7 C.F.R. Part 15b (2001).

U.S.D.A., ELIGIBILITY GUIDANCE FOR SCHOOL MEALS MANUAL.

U.S.D.A., FNS INSTRUCTION 765-7 REV. 2: HANDLING LOST, STOLEN AND MISUSED MEAL TICKETS.

Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C.§§ 1758, 1760.

National School Lunch Program 7 C.F.R. Part 210

U.S.D.A. Instruction 113-1 Civil Rights

Donation of Foods for Use in the United States, Its Territories and Possessions and Areas Under its Jurisdiction, 7 C.F.R. Part 250

Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, 2 C.F.R. 200.

**Cross Reference(s):**

EFA - Local Wellness Program



## **Reimbursable School Meals and Milk Programs**

(National School Lunch Program, School Breakfast Program, Special Milk Program and other meal programs)

The district's nutrition and food services will be operated in accordance with the following requirements:

### **Meal Pricing Procedures**

1. Reimbursable meals and afterschool snacks will be priced as a unit.
2. Reimbursable meals and afterschool snacks will be served free or at a reduced price to all children who are determined by the district to be eligible for free or reduced price meals.
3. Annually, the district will establish prices for reimbursable student meals and afterschool snacks. The price charged to students who do not qualify for free or reduced price meals will be established annually by the district in compliance with state and federal laws.<sup>†</sup>
4. The price charged to students who qualify for reduced price meals will be established annually by the district in compliance with state and federal laws.<sup>†</sup>
5. The district will implement claiming alternative Provision at the schools as established annually.

### **Application Procedures**

1. Households receiving Supplemental Nutrition Assistance Programs (SNAP) or Temporary Assistance to Needy Families (TANF) benefits, as identified by Oregon Department of Education (ODE), will be automatically eligible for free meals and afterschool snacks, for the students listed on the official document. Districts must access this document at least three times per year.
2. Students receiving support through the migrant education program, Runaway and Homeless Youth Act, McKinney-Vento Homeless Assistance Act, federal Head Start and state-funded prekindergarten programs, with income eligibility criteria identical or more stringent than federal Head Start, or are in state or court placement foster care, will be automatically eligible for free meals and afterschool snacks, for the students listed on the official documents.
3. Households that submit a confidential application will be notified of their student's eligibility for free or reduced price meals. Households that are denied free or reduced price benefits will be notified in writing using the ODE template letter distributed to the district annually.
4. On a case-by-case basis, when a student is known to be eligible for free or reduced price meal benefits and the household fails to submit a confidential application, the superintendent or designee

<sup>†</sup> The new requirement under Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. 1751 §§ 205 establishes new criteria for equity in school lunch pricing.

may complete an application for the student documenting how he/she knows the household income qualifies the student for free or reduced price meal benefits. Parents of a student approved for free or reduced price benefits, when application is made for the student by a school official, will be notified of the decision and given the opportunity to decline benefits.

5. Students who do not qualify for free or reduced price meals are eligible to participate in the National School Lunch Program (NSLP) and School Breakfast Program (SBP) and will be charged “paid” prices set by the district. “Paid” category students will be treated equally to students receiving free or reduced price benefits in every aspect of the district’s NSLP, and SBP, Child and Adult Care Food Program (CACFP) and Summer Food Service Program (SFSP).
6. The district has established a fair hearing process under which a household can appeal a decision with respect to the household’s application for benefits or any subsequent reduction or termination of benefits.
7. In the event of major employers contemplating large layoffs in the attendance area of the district, the district will provide confidential applications and eligibility criteria for free and reduced price meals to the employer for distribution to affected employees.

### **Financial Management of the Nonprofit School Food Service**

1. The district will maintain a nonprofit school nutrition and food service operation.
2. Revenues earned by the school nutrition and food services will be used only for the operation or improvement of NSLP, and SBP, CACFP and SFSP.
3. Lunch and breakfast meals served to teachers, administrators, custodians and other adults not directly involved with the operation of the district’s nutrition and food services will be priced to cover all direct and indirect cost of preparing and serving the meal.<sup>2</sup>
4. District nutrition and food services revenues will not be used to purchase land or buildings.
5. The district will limit its nutrition and food services net cash resources to an amount that does not exceed three months average expenditures.
6. The district will maintain effective control and accountability for, and adequately safeguard, all nutrition and food services’ cash, real and personal property, equipment and other assets, and ensure they are used solely for nutrition and food services purposes.
7. The district will meet the requirements for allowable NSLP, and SBP, CACFP and SFSP costs as described in 2 C.F.R. 200.

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<sup>2</sup> For meals with portion sizes equivalent to student meals, the adult meal price will be no less than the amount of reimbursement for a free-eligible meal, plus the value of commodity foods used in the meal preparation.

8. In purchasing nutrition and food services goods or services, the district will not accept proposals or bids from any party that has developed or drafted specifications, requirements, statements of work, invitations for bids, requests for proposals, contract terms and conditions or other documents for proposals used to conduct the procurement.
9. All procurement transactions for nutrition and food services goods and services will be conducted according to state, federal and district procurement standards using the applicable cost thresholds.
10. In the operation of its nutrition and food services program, the district will purchase food products ~~that~~ where at least 50 percent of the ingredients are produced or processed in the United States, whenever possible.

### **Civil Rights and Confidentiality Procedures**

1. The district will not discriminate against any student because of his/her eligibility for free or reduced price meals.
2. The district will not discriminate against any student or any nutrition and food services employee because of race, color, national origin, marital status, sex, sexual orientation, parental status, religion, age or disability.
3. The district will assure that all students and nutrition and food services employees are not subject to different treatment, disparate impact or a hostile environment.
4. Established district procedures will be followed for receiving and processing civil rights complaints related to applications for NSLP, ~~and~~ SBP, CACFP and SFSP benefits and services, and employment practices with regard to the operation of its NSLP, ~~and~~ SBP, CACFP and SFSP. The district will forward any civil rights complaint regarding the district's nutrition and food services to ODE's director of Child Nutrition Programs within three days of receiving the complaint.
5. The district will make written or oral translations of all nutrition and food services materials available to all households who do not read or speak English.
6. The district will maintain strict confidentiality of all information ~~on the~~ obtained through a confidential application for free and reduced price meals or direct certification, including students' eligibility for free or reduced price meals and all household information. The district's NSLP, ~~and~~ SBP, CACFP and SFSP operators are not required to release any information from a student's confidential application for free or reduced price meals. No information may be released from a student's ~~confidential application for free or reduced price meals~~ eligibility information without first obtaining written permission from the student's parent or legal guardian/adult household member signing the application, except as follows:
  - a. An individual student's name and eligibility status may be released without written consent only to persons who operate or administer federal education programs; persons who operate or administer state education or state health programs at the state level; persons evaluating state, education assessment; or persons who operate or administer any other NSLP, SBP, Special Milk Program, Summer Food Service Program (SFSP), Child and Adult Care Food Program (CACFP) or the Food Stamp Program SNAP;

- b. Any other confidential information contained in the confidential application for free and reduced price meals or free milk (e.g., family income, address, etc.) may be released without written consent only to persons who operate or administer the NSLP, SBP, Special Milk Program, CACFP, SFSP and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC); the Comptroller General of the United States for audit purposes; and federal, state or local law enforcement officials investigating alleged violation of any of the programs listed above.

## **Nutrition and Menu Planning**

1. Meals and afterschool snacks served for reimbursement will meet the recommendations of the most current *Dietary Guidelines for Americans*.
2. Meals and afterschool snacks served for reimbursement will meet at least the minimum NSLP, and SBP, CACFP and SFSP requirements for food items and quantities.
3. Meals served for reimbursement will:
  - a. Meet all calorie range requirements by grade level;
  - b. Meet the maximum standards set for saturated fat;
  - c. Meet the maximum standards set for sodium by grade level; and
  - d. Meet the requirement for zero grams of trans fats.
4. The district will use the offer versus serve option when serving NSLP lunches to senior high school students. High school students must take at least three of five different food items including one-half cup of fruit or vegetable offered in program lunches.
5. The district will use the offer versus serve option when serving program breakfasts to senior high school students. High school students must take at least three of four items including one-half cup of fruit or vegetable offered in program breakfasts.
5. The district will use the offer versus serve option when serving program lunches to students below senior high school grades. Students below high school grades will be required to take three of the five food items including one-half cup of fruit offered in program lunches.
6. The district will use the offer versus serve option when serving program breakfasts to students below senior high school grades. Students below high school grades will be required to take three of the four food items including one-half cup of fruit offered in program breakfasts.
7. A copy of the Board minutes adopting the offer versus serve policy for students below high school grades for program lunches and/or for all students in the district for program breakfasts, as applicable, will be made available upon request.<sup>3</sup>

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<sup>3</sup>Modify the language of this item to be reflective of the options the district has selected for offer versus serve.

### **Use and Control of Commodity Foods**

1. The district will accept and use commodity foods in as large a quantity as may be efficiently utilized in the ~~reimbursable lunch and breakfast program~~ NSLP, SBP, CACFP and SFSP.
2. The district will maintain necessary safeguards to prevent theft or spoilage of commodity foods.
3. The value of commodity foods used for any food production other than NSLP, SBP, SFSP or afterschool snacks shall be replaced in the food service inventory.

### **Accuracy of Reimbursement Claims**

1. The district will claim reimbursement only for reimbursable meals and afterschool snacks served to eligible children.
2. All meals and afterschool snacks claimed for reimbursement will be counted at each dining site at a “point of service” where it can be accurately determined that the meal and afterschool snack meets NSLP, ~~and SBP~~, CACFP and SFSP requirements for reimbursement.
3. The person responsible for determining reimbursability of meals and afterschool snacks will be trained to recognize a reimbursable meal.
4. The district official signing the claim for reimbursement will review and analyze monthly meal and afterschool snack counts to ensure accuracy of the claim, before submitting the claim to ODE.
5. Annually, by November 15, the district will verify a random sample of applications according to NSLP verification requirements. Instructions for completing the verification process will be sent by ODE to the district in October each year.

### **Food Safety and Sanitation Inspections**

1. The district will maintain necessary facilities for storing, preparing and serving food and milk.
2. Semiannually, the district will schedule food safety inspections with the county Environmental Health Department ~~or Oregon Department of Human Resources~~ for each school or dining site under its jurisdiction.
3. The district will maintain health standards in compliance with all applicable state food safety regulations at each school or dining site under its jurisdiction.

### **General USDA NSLP/SBP Requirements**

1. The district will ensure that no student is denied a meal as a disciplinary action.
2. Breakfast will be served in the morning hours, at or near the beginning of the student’s school day.
3. Lunch will be served between the hours of 10 a.m. and 2 p.m.

4. The district will provide substitute foods for students ~~who are determined by a licensed physician to be legally disabled and whose disability restricts their diet~~ with a disability<sup>4</sup> that restricts their diet when supported by a written statement from a state-licensed health care professional, who is authorized to write medical prescriptions. Substitutions will be provided only when a medical statement from the licensed ~~physician~~ health care professional is on file at the school. The medical statement must state the nature of the child's ~~disability and how the disability affects the child's nutrition needs, and it must provide a medical prescription for substitute foods or texture modification~~ impairment so its effect of the student's diet is understood and what must be done to accommodate the impairment. The district will not charge more than the price of the school meal, as determined by the child's eligibility status, for ~~substitute meals or foods~~ meals with the accommodation.
5. The district will control the sale competitive foods.
6. The district will ensure that potable water will be available to students, free of charge for consumption in the place where meals are served during meal service.<sup>5</sup>
7. The district will notify all households of its meal charge requirements early in the school year. The district's meal charging requirements will follow Board policy EFAB - School Food Service Meal Charge Policy.
8. The sale of foods in competition with the district's lunch (NSLP) or breakfast (SBP) programs will be allowed in dining sites during lunch and breakfast periods with Board approval only when all income from the food sales accrues to the benefit of the district's nutrition and food services or accrues to a school or student organization approved by the Board. A copy of the Board minutes approving and defining competitive food sales will be made available upon request.
9. Students will be charged for second servings for meals or portions of meals served.

## Record Keeping

The following document will be maintained by the district for three years after the current school year or longer, in the event of an unresolved audit(s), until the audits has been completed:

1. All currently approved and denied confidential applications for free and reduced price meals, ~~and all current direct certification documents, eligibility verification documents and school membership or enrollment lists;~~
2. Financial records that account for all revenues and expenditures of the district's nonprofit nutrition and food services programs, including procurement documents;
3. Records (i.e., recipes, ingredient lists and nutrition fact labels or product specifications) that document the compliance with nutrition standards for all ~~program and~~ competitive foods available for sale to students at a school campus;

<sup>4</sup>To comply with Section 504 as it relates to a student's severe food allergy, such as milk, gluten, nut or soy, and including but not limited to diabetes, colitis, etc.

<sup>5</sup>New requirement under Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. 1751 §§ 203.

4. Documents of participation data (i.e., meal counts) from each school in the district to support claims for reimbursement;
5. Production and menu records;
6. Records to document compliance with Paid Lunch Equity; ~~and~~
7. Records to document compliance with Revenue from Nonprogram Foods; ~~and~~
8. Internal program monitoring documents for NSLP, SBP, afterschool snacks, CACFP and SFSP.

## Staff Development and Professional Growth

Recognizing that student learning and employee performance is enhanced when staff members become a community of learners, the district will provide on a continuing basis, a comprehensive staff development program. The primary goal of the staff development program is improved student learning by improving professional skills of educators. A meaningful and effective staff development program, ~~therefore,~~ should ~~then both raise and reflect the aspirations of staff,~~ support district priorities and goals and provide a collaborative learning environment which leads to the professional growth of all employees. The district staff development program assists employees:

1. To extend vision of how ~~he/she~~ **staff** can better meet the needs of a diverse student population;
2. To improve initiative and capability to assist with changes expected in school services by ~~his/her~~ **the** school, the district, state and federal government;
3. To motivate ~~to contribute fully~~ to achieving or exceeding job performance expectations;
4. To encourage a rich sharing of ideas and collaboration leading to the use of more effective practices and improved student performance;
5. To promote a safer and more productive learning environment for students, staff and community;
6. To support continuing professional development (~~CPD~~) requirements as defined by Teacher Standards and Practices Commission (TSPC) for license renewal.

All staff in the district are expected to continually engage in staff development through professional study, reading and discussions. The district's staff development program supplements these activities by encouraging participation in workshops, collegiate coursework, conferences, collegial sharing, visitations and participation on school leadership teams and/or improvement committees providing opportunities for staff to meet ~~CPD~~ **Professional Development Unit (PDU)** requirements. Staff who participate in professional growth opportunities are encouraged to share and reflect on their learning with their colleagues. Staff development programs, whether provided directly by the district or through district contracts with third parties, will provide appropriate reasonable accommodations to ensure such programs are available to employees with disabilities.



Completion of CPD PDU requirements, as set forth in OAR Chapter 584, Division 090 255 by the TSPC for license renewal, are the sole responsibility of the employee. ~~The selection of the employee's CPD advisor shall be subject to approval by the individual's supervisor.~~

END OF POLICY

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**Legal Reference(s):**

[ORS 329.095](#)

[ORS 329.125](#)

[ORS 329.704](#)

[OAR 581-022-0606](#)

[OAR 581-022-1720](#)

[OAR 584-018-0105](#)

[OAR 584-018-0205](#)

[OAR 584-090-0100 to-0120](#)

Clackamas IED Assn. v. Clackamas IED, No. C-141-77, 3 PUB. EMPL. COLL. BARG. REP. 1848 (ERB 1978).

Eugene Educ. Ass'n v. Eugene Sch. Dist. 4J, No. C-93-79, 5 PUB. EMPL. COLL. BARG. REP. 3004 (ERB 1980).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

Americans with Disabilities Act Amendments Act of 2008.

# Gresham-Barlow SD 10

Code: **ING**  
Adopted: 6/03/10  
Readopted: 11/06/14

## Animals in the School

~~The Board recognizes the benefit and importance of animals in the education environment. At the same time, the health, safety and well-being of all persons involved with animals, and the safety, adequate care and appropriate environment for animals are important. Only service animals<sup>1</sup> serving persons with a disability and animals approved by the superintendent or designee that are part of an approved district curriculum or cocurricular activity are allowed in district facilities.~~

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

The Board directs the superintendent to establish administrative rules on the management of animals in or on district property.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)  
[ORS 659A.400](#)

[OAR 581-053-0010](#)  
[OAR 581-053-0230\(9\)\(j\)](#)  
[OAR 581-053-0330\(1\)\(q\)](#)

[OAR 581-053-0430\(16\)](#)  
[OAR 581-053-0531\(15\)](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2006); 28 CFR §§ 35.104, 35.136 (2006).  
Americans with Disabilities Act Amendments Act of 2008.

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<sup>1</sup>The American with Disabilities Act definition of “service animal” means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. Companion and comfort animals are not considered service animals. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual’s disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort or companionship do not constitute work or tasks for the purposes of this definition. The law and its regulations also make an allowance for miniature horses.

# Gresham-Barlow SD 10

Code: **JECBD**  
Adopted: 9/06/12  
Readopted: 12/04/14

## Homeless Students

Homeless students in the district will have access to the education and other services needed to ensure that an opportunity is available to meet the same academic achievement standards to which all students are held.

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

The district will ensure that homeless students are not stigmatized nor segregated on the basis of their status as homeless. A homeless student will be admitted, in accordance with the student's best interest, to the district school in the attendance area in which the student is actually living or to the student's school of origin as requested by the parent and in accordance with the student's best interest or enroll the student in a district school in the attendance area in which the homeless student is actually living, unless contrary to the request of the parent or unaccompanied student. Transportation will<sup>1</sup> be provided to and from the student's school of origin at the request of the parent, or in the case of an unaccompanied student, the district's liaison for homeless students in accordance with law.

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

END OF POLICY

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### Legal Reference(s):

[ORS 109.056](#)  
[ORS 327.006](#)

[ORS 339.115\(7\)](#)  
[ORS 339.133](#)

[ORS 433.267](#)

McKinney-Vento Homeless Assistance Act, Subtitle VII-B, reauthorized by Title IX-A of the Every Student Succeeds Act, 42 U.S.C. §§ 11431-11435 (2015).

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).

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<sup>1</sup>McKinney-Vento Homeless Assistance Act (see 42 U.S.C. 11432(g)(1)(J)(iii)).

**GRESHAM-BARLOW SCHOOL DISTRICT**  
**1331 NW Eastman Parkway**  
**Gresham, OR 97030-3825**

TO: Board of Directors

FROM: Jim Schlachter  
James Hiu

DATE: April 27, 2017

RE: No. 3 – Charter School Renewals

EXPLANATION: The three public charter schools within the Gresham-Barlow School District boundaries are:

Metro East Web Academy (MEWA)  
Gresham Arthur Academy (GAA)  
Lewis & Clark Montessori Charter School (LCMCS)

All three charters have requested renewal of their contracts with Gresham-Barlow School District. Tonight the Board will have an opportunity to review the contract changes requested by the individual charter organizations in a comparison format. The proposed contracts have been reviewed and edited by the school district legal counsel, and counsel recommendations are reflected on the attached chart.

PRESENTER: James Hiu

SUPPLEMENTARY MATERIALS: Comparison Chart of Contract Considerations – one for each charter school listed above

RECOMMENDATION: This information is provided for information only and will be submitted for action at a subsequent Board Business meeting.

REQUESTED ACTION: Board action to approved the charter school renewals will be requested at a subsequent meeting.

JH:pkh:lc

## Metro East Web Academy (MEWA)

Current Contract	Requested Contract Change	Administration's Recommendation to the Board
5-year contract	Asking for a 10-year contract	6-year renewal; PSU evaluation conducted in even years and the National Assn. of Charter School Authorizers evaluation conducted in odd years.
<u>Age and Grade Range</u> 5.A Currently offer 6 <sup>th</sup> through 12 <sup>th</sup> grade instruction	Want to expand and add kindergarten through 5 <sup>th</sup> grade	In 2017-18 add 4 <sup>th</sup> and 5 <sup>th</sup> grades; and reassess adding K-2 <sup>nd</sup> in 2018-2019
<u>Teaching Staff</u> 5.B.iv ... teachers must have "highly qualified" status in accordance with the No Child Left Behind Act (NCLBA)	No change requested	References to highly qualified (NCLBA) have been deleted and replaced with the requirement to provide a list of all licensed (teaching) staff, and their licensure status with the Teachers Standards and Practices Commission, per Every Student Succeeds Act (ESSA) requirement.
<u>Enrollment</u> 5.F.ii Enrollment cap is 500 ADMw	Want to increase to 1000 ADMw  Cap for GBSD students is 500	Deny 1000 - would be a significant impact to our Special Education department to provide services to non-resident special education students.  Increase total enrollment cap of 500 incrementally - 100 in 2017-18; 100 in 2018-19 and reassess.
<u>Funding</u> 5.F.i Funding is currently 80% for grades 6-8; 95% for grades 9-12.	Want 95% ADMw for K-12 students and elimination of the 4-5% indirect cost charged	Willing to negotiate the indirect costs.
<u>School Year; School Day; Hours of Operation</u> 5.O Academic year instruction shall commence on the date established by the School Board for District students. MEWA may maintain a typical nine-month school year for its regular academic program. MEWA may also operate summer programs and intersession programs if sufficient funds are available. The length of the school day for MEWA shall meet District policies, but has flexibility to vary the workday and school calendar by mutual agreement of the parties.	MEWA will establish its school year, school day and hours of operation in accordance with state law.  MEWA administration maintains they are a flexible learning school and are independent of time and place because of its virtual nature.	Agreed

**CHARTER SCHOOL RENEWAL DATA - 2017**

**Gresham Arthur Academy Public Charter School (GAAPCS)**

<b>Current Contract</b>	<b>Requested Contract Change</b>	<b>Administration's Recommendation to the Board</b>
5-year contract	10-year contract	6-year contract; PSU evaluation every other year on odd years
<u>Funding</u> 12.2.2 80% of ADMw	Increase funding to 90% ADMw	Remain at 80%
<u>Governing Board</u> 13.1.2 The governing board of GAAPCS will be the board of directors of the GAAPCS: <ul style="list-style-type: none"> <li>• Provide a copy of Articles of Incorporation and Bylaws</li> <li>• There shall be a majority of the GAAPCS's directors whose legal residence is within the school district boundaries</li> </ul>	GAAPCS would like to explore alternative methods to provide what additional local oversight is needed, without having a GAAPCS Board. (see attached letter)	GAAPCS needs to maintain a local governing board as stated in the contract
<u>Enrollment</u> ORS 338.025(3) public charter school is to select students through an equitable lottery selection process.	Asking for a waiver from ODE to allow GAA to grant priority enrollment to the children of GAA school staff. This would waive ORS 338.025(3) that requires "the public charter school is to select students through an equitable lottery selection process." The waived students would not exceed 5% of the school's annual student enrollment.	Agreed
<u>Teaching Staff</u> 14.2.3 ... teachers must have "highly qualified" status in accordance with the No Child Left Behind Act (NCLBA)	No change requested	References to highly qualified (NCLBA) have been deleted and replaced with the requirement to provide a list of all licensed (teaching) staff, and their licensure status with the Teachers Standards and Practices Commission, per Every Student Succeeds Act (ESSA) requirement.
Exhibit B 1.2 <u>Oregon Statewide Assessments</u> – of all students in each grade, regardless of time in attendance, the total percentage in that grade who meet or exceed state standards in tested content areas will be at least as high as the total percentage of the District's students in the same grades who meet or exceed state standards	Oregon Statewide Assessments – of all students in each grade, regardless of time in attendance, the <del>total percentage</del> <u>average score</u> in that grade who meet or exceed state standards in tested content areas will be at least as high as the total percentage of the District's students in the same grades who meet or exceed state standards	Maintain the current language of "total percentage," which is consistent with the District

Gresham Arthur Academy (cont'd) Current Contract	Requested Contract Change	Administration's Recommendation to the Board
<p>Exhibit B - <b>MAP – Measures of Academic Progress</b> – Plans to use MAP as its method of measuring student achievement in grades K, 1 and 2. Administer the test in the spring for all students in K, 1, 2 and in the fall for new students in those grades</p>	<p><del>Measures of Academic Progress (MAP)</del> – Plans to use Easy CBM (see attached), <u>summative nationally normed standardized test</u> as its method of measuring student achievement in grades K, 1 and 2. Administer the test in the spring for all students in K, 1, 2 and in the fall for new students in those grades</p>	<p>Agreed</p>
<p><u>Funds on Deposit</u> A requirement when charter was first approved by GBSD – GAA was to maintain \$5,000 corporate savings on deposit with GBSD.</p>		<p>Eliminate the \$5,000 corporate savings deposit requirement per CFO</p>



James Hiu  
Gresham-Barlow School Board

April 14, 2017

Dear James Hiu and the Gresham-Barlow School Board

We wanted to take this opportunity to thank you for the discussion provided at the March 9th board meeting and for clarifying your position about the Gresham Arthur Academy Board of Directors.

We value your opinion and support on this issue. With that being said, we have developed what we believe are some common goals and responsibilities for the Gresham Arthur Academy Board, as listed below.

The Gresham Arthur Academy Board will:

- Assist in setting the vision and goals for the school.
- Advise and adopt policies that give the school direction to achieve its goals.
- Monitor the fiscal health of the school and advise on fiduciary policies and budgeting.
- Advocate at the local level for Gresham Arthur Academy, Gresham-Barlow School District and its students, families and community.

Furthermore, we are making great progress in our efforts to strategically compose a board of diverse members who:

- Represent the local community, particularly, residents of the Gresham School District.
- Are attentive to our finances and willing to engage in actively monitoring the fiscal health of the school.
- Communicate effectively with other board members and administration and encourage constructive debate.
- Value transparency and uphold legal and ethical standards of conduct.
- Ultimately, focus on what is best for all our students.

One of Arthur Academy's greatest goals is that their students and staff feel successful every day. Unfortunately, this was an area where the Arthur Academy administration did not feel successful. In verbalizing this, we apologize if it came across as insubordinate or unwilling to comply, this was certainly not our intent. We want to make sure that we are always meeting the expectations set forth. We have a deep appreciation for everyone at the Gresham Barlow School District and its board and look forward to many more years working together.

Thank you again for your support.

Stephani Walker  
Executive Director

Kandice Burton  
Principal

Jill Domine  
Business Director





Phone: (503) 986-2200  
Fax: (503) 378-4381

Secretary of State  
Corporation Division  
255 Capitol St. NE, Suite 151  
Salem, OR 97310-1327  
FilingInOregon.com

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CONFIRMATION  
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AUG 20 2007

OREGON  
SECRETARY OF STATE

REGISTRY NUMBER: 457892-94  
For office use only

In accordance with Oregon Revised Statute 192.410-192.490, the information on this application is public record. We must release this information to all parties upon request and it will be posted on our website.

For office use only

Please Type or Print Legibly in Black Ink. Attach Additional Sheet if Necessary.

1) NAME: Gresham Arthur Academy Public Charter School

2) REGISTERED AGENT

Charles Arthur

3) REGISTERED AGENT'S PUBLICLY AVAILABLE ADDRESS (Must be an Oregon Street Address, which is identical to the registered agent's business office. Must include city, state, zip; No PO boxes.)

13717 SE Division Street

Portland, OR 97236

4) ADDRESS FOR MAILING NOTICES

13717 SE Division Street

Portland, OR 97236

5) OPTIONAL PROVISIONS (Attach a separate sheet.)

6) TYPE OF CORPORATION (Select only one)

Public Benefit    Mutual Benefit    Religious

7) WILL THE CORPORATION HAVE MEMBERS?  Yes  No

ORS 65.001(28)

(a) "Member" means any person or persons entitled, pursuant to a domestic or foreign corporation's articles or bylaws, without regard to what a person is called in the articles or bylaws, to vote on more than one occasion for the election of a director or directors.

(b) A person is not a member by virtue of any of the following rights the person has:

(A) As a delegate;

(B) To designate or appoint a director or directors;

(C) As a director; or

(D) As a holder of an evidence of indebtedness issued or to be issued by the corporation.

(c) Notwithstanding the provisions of paragraph (a) of this subsection, a person is not a member if the person's membership rights have been eliminated as provided in ORS 65.164 or 65.167.

8) DISTRIBUTION OF ASSETS UPON DISSOLUTION

See Attached

9) INCORPORATORS (List names and addresses of each incorporator. Attach a separate sheet if necessary.)

NAME, STREET ADDRESS, CITY/STATE/ZIP

Charles Arthur

3112 Main St

Portland, OR 97214

10) EXECUTION/SIGNATURE(S) (All incorporators must sign. Attach a separate sheet if necessary.)

By my signature, I declare as an authorized authority, that this filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment or both.

Signature

Charles Arthur

Printed Name

Charles Arthur

**FEES**

Required Processing Fee \$50  
Confirmation Copy (Optional) \$5

Processing Fees are nonrefundable.

Please make check payable to "Corporation Division."

**NOTE:**

Fees may be paid with VISA or MasterCard. The card number and expiration date should be submitted on a separate sheet for your protection.

11) CONTACT NAME (To resolve questions with this filing.)

Dennis Tiede

DAYTIME PHONE NUMBER (Include area code.)

503-762-6061

56-70

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: MAY 07 2010

GRESHAM ARTHUR ACADEMY PUBLIC  
CHARTER SCHOOL  
13717 SE DIVISION STREET  
PORTLAND, OR 97236-0000

Employer Identification Number:  
93-1278639  
DLN:  
600061002  
Contact Person:  
JOANNA YAWNEY ID# 95078  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
June 30  
Public Charity Status:  
509(a)(2)  
Form 990 Required:  
Yes  
Effective Date of Exemption:  
August 20, 2007  
Contribution Deductibility:  
Yes  
Addendum Applies:  
Yes

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Letter 947 (DO/CG)

GRESHAM ARTHUR ACADEMY PUBLIC

Sincerely,

A handwritten signature in black ink that reads "Robert Choi". The signature is written in a cursive style with a large, looping initial "R" and a distinct "C" at the end.

Robert Choi  
Director, Exempt Organizations  
Rulings and Agreements

Enclosure: Publication 4221-PC

GRESHAM ARTHUR ACADEMY PUBLIC

INFORMATION FOR CHARTER HOLDING COMPANIES

You are the holder of a charter from an authorized government entity to operate a school. You have contracted with a management company to provide comprehensive services. If you change your operations and no longer contract with a comprehensive management company, you should notify us. You may then be eligible for a school foundation status of 170(b)(1)(A)(ii).

**Lewis & Clark Montessori Charter School (LCMCS)**

<b>Current Contract</b>	<b>Requested Contract Change</b>	<b>Administration's Recommendation to the Board</b>
5-year contract	No change – 5 year contract	5-year contract
<u>Funding</u> 12.2.2 80% ADMw	Increase ADMw gradually over 5 years for MS from 80% to 90%	Maintain rate at 80%
<u>Enrollment</u> 5.2 Enrollment cap is 353	Increase enrollment cap to 375	agreed
<u>Students with Disabilities</u> 7. Standard language of identifying students with disabilities, enrollment, services provided to students with disabilities, administering IEP's, etc.	Staffing Request - An increase in the number of staff hours dedicated by the District to the provision of Special Education Services at LCMCS. The demand has increased over the last five years and current staffing levels are not adequate to meet the need.	Student Support Services will review the services necessary for currently enrolled students and assess staffing need.
<u>Financial</u> 12.6 Provide quarterly financial statements to the District's Chief Financial Officer	No change requested	Provide monthly financial statements to the CFO
<u>Teaching Staff</u> 14.2.3 ... teachers must have "highly qualified" status in accordance with the No Child Left Behind Act (NCLBA)	No change requested	References to highly qualified (NCLBA) have been deleted and replaced with the requirement to provide a list of all licensed (teaching) staff, and their licensure status with the Teachers Standards and Practices Commission, per Every Student Succeeds Act (ESSA) requirement.

**GRESHAM-BARLOW SCHOOL DISTRICT**  
**1331 NW Eastman Parkway**  
**Gresham, OR 97030-3825**

TO: Board of Directors  
FROM: Carla Piluso  
DATE: April 27, 2017  
RE: No. 4 – Board Leadership Selection Process for 2017-18

EXPLANATION: As provided by Policy BCB, Board Officers, the board will elect one of its members to serve as chair and one to serve as vice-chair at its first scheduled meeting after July 1.

To prepare for this process, time has been reserved on this evening's agenda to review the board leadership selection process and begin discussion about electing a chair and vice-chair for the 2017-18 school year.

Discussion should include key issues, key challenges, and leadership needs.

PRESENTER: Carla Piluso, Chair

SUPPLEMENTARY MATERIALS: Policy BCB, Board Officers

RECOMMENDATION: The chair recommends that board members review the board leadership selection process.

REQUESTED ACTION: No formal action is requested at this time.

:lc

# Gresham-Barlow SD 10

Code: **BC/BCA**  
Adopted: 5/02/94  
Readopted: 2/04/99; 5/02/02; 3/07/13  
Orig. Code(s): BC/BCA

## Board Organization/Board Organizational Meeting

No later than the next regular meeting following July 1, the Board will organize itself for the year. The Board's annual organizational meeting will be held at any time during the month of July deemed appropriate by the Board, and in no circumstance earlier than July 1.

The organizational meeting will consist of, but not be limited to, the following actions:

1. Election of a Board chair;
2. Election of a vice chair;
3. Provision for a time and place for regular meetings;
4. Other organizational actions prescribed by law or by Board practice.

The incumbent Board chair will preside until a successor is elected, whereupon the successor will assume the chair. In the event no incumbent chair or vice chair remains on the Board, or neither is able to continue to serve as an officer, the Board will select a temporary chair to conduct the election.

END OF POLICY

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### Legal Reference(s):

[ORS 255.335](#)  
[ORS 332.040 - 332.045](#)  
[ORS 332.057](#)

### Cross Reference(s):

BCB - Board Officers