

Oregon Conference Handbook Updated Excerpts Requirements and Recommendations

- ❖ Your handbook is a living document that should be primarily published online with the following statement:

“This document is subject to revision, change, or elimination as needed throughout the year without notice.”

- ❖ **How you implement your school policies and process must match what is written in your school handbook.** An annual update is required, but frequent checking with necessary updates during the year is to be expected.

SB197 Extends applicability of education policies related to teen dating violence, domestic violence and sexual harassment to private schools. SB197 authorizes a person to bring action for injunction compelling private schools to comply with certain laws related to sexual conduct or related to abuse of children. Due to this new law, the Oregon Conference has created a conference-wide policy to address our process and policies for SB 197. The following is required to be published as part of your school handbook:

Required

Oregon Conference Sexual Harassment Policy

The Oregon Conference of Seventh-day Adventist Office of Education (The Oregon Conference) prohibits unlawful discrimination and harassment of any kind. This policy defines these terms and provides a complaint procedure for all persons described in subsection (5)(b) of Senate Bill 197 (SB197) who believe they have been victims of prohibited conduct.

This policy includes sexual harassment of students by students or staff members; sexual harassment of staff members by students or other staff members; and sexual harassment of persons described in subsection (5)(b) of SB197 by students or staff members. It may also encompass any conduct that a reasonable person in the individual's circumstances would consider unwelcome, hostile, intimidating, threatening, humiliating, abusive, offensive, or violent behavior that is not necessarily illegal, but is still prohibited by this policy.

Discrimination and Harassment

It is the Oregon Conference policy to provide a learning environment free from discrimination or harassment on the basis of race, color, religion, sex, national origin, marital status, age, or physical or mental disability, or any other characteristic protected by federal or state law. Beyond the legal requirements, it is the expectation for all members of our school community that we follow Biblical counsel and Jesus' example to respect and affirm every person as made in the image of God and loved deeply by Him.

It is our policy that all students, staff members, volunteers, and visitors to the school are entitled to a respectful and productive learning environment free from behavior, action, or language that constitutes harassment or discrimination. The “school” includes when any individual is on school premises, at a school-sponsored off-site event, traveling on behalf of the school, or conducting school business, regardless of location.

Sexual Harassment

Sexual harassment is a form of harassment and includes, but is not limited to 1) unwelcome sexual advances, requests for sexual favors, or other conduct of a sexual nature, explicit or implicit; 2) unwelcome verbal or physical conduct that is sufficiently severe or pervasive to have the purpose or effect of unreasonably interfering with performance or creating a hostile, intimidating or offensive environment.

Sexual Abuse or Assault

Sexual Abuse or Assault is 1) conduct of a sexual nature directed toward a person younger than the age of consent or a person who is unable to give consent; 2) unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, psychological or emotional manipulation, threat, or intimidation.

Prohibited Conduct

This policy prohibits conduct based on an individual's protected status. The following examples, while not comprehensive, represent prohibited behavior:

- Physical harassment, including but not limited to unwelcome physical contact such as touching, impeding or blocking movement, or any physical interference;
- Verbal harassment, including but not limited to disparaging or disrespectful comments, jokes, slurs, innuendoes, teasing, and other sexual talk such as jokes, personal inquiries, persistent unwanted courting and derogatory insults;
- Nonverbal harassment, including but not limited to suggestive or insulting sounds, obscene gestures, leering or whistling;
- Visual harassment, including but not limited to displays of explicit or offensive calendars, circulation of derogatory content, posters, pictures, drawings or cartoons that reflect disparagingly upon a class of persons or a particular person;
- Sexual harassment, as described above, including but not limited to unwelcome sexual advances or requests for favors in exchange for conduct of a sexual nature;
- Sharing, requesting, or having possession of inappropriate photos of a sexual nature. (Sexting is the sending of nude or sexually explicit images by cell phone, smartphone, or other electronic devices. Teenagers in Oregon who share nude or sexual images of minors may be prosecuted under the state's child pornography laws.)

Disciplinary Action

The Oregon Conference will not tolerate discriminatory conduct, harassment, or sexual assault. Any individual found to have engaged in such conduct may face disciplinary action, up to and including expulsion.

Protection Against Retaliation

The Oregon Conference prohibits retaliation against any individual for filing a complaint regarding conduct in violation of this policy. The Oregon Conference will not tolerate retaliation against any student or staff member for raising a good faith concern, for providing information

related to a concern, or for otherwise cooperating in an investigation of a reported violation of this policy.

Reporting Procedure

1. Any student or staff member aware of or experiencing discrimination, harassment, or sexual assault at school or participating in school-related activities should report that information immediately and may make the report verbally or in writing to an immediate supervisor or school administration.
2. The school administrator/principal shall contact his/her superintendent to report any information or incident he/she becomes aware of regarding discrimination, harassment, or sexual assault.
3. If the report is of sexual abuse or assault and involves a student, the staff member shall also immediately fulfill his or her duties as a mandatory reporter by contacting either local law enforcement or the Child Abuse Hotline for their state.
4. The Oregon Conference will work in cooperation with the principal to coordinate efforts to ensure the student/staff is protected and to promote a nonhostile learning environment by:
 - a. providing resources for support measures to the student/staff
 - b. taking any action necessary to remove future impact on the student/staff
 - c. investigating and document all complaints
 - d. communicating with involved students/staff and parents. The individual who initiated the complaint and, if applicable, the student's parents shall be notified:
 - i. when an investigation is initiated
 - ii. of the protected rights of the student reporting
 - iii. when an investigation is concluded and whether a violation of this policy was found to have occurred
 - e. documenting action(s) taken.
5. Local law enforcement may be involved if required by the facts of the incident.

Time Limitations

Nothing in this policy precludes any person from filing a formal grievance to the Bureau of Labor and Industries' Civil Rights Division or the Equal Employment Opportunity Commission. Note that Oregon state law requires that any legal action taken on alleged discriminatory conduct (specifically that prohibited by ORS 659A.030, 659A.082 or 659A.112) commence **no later than five years** after the occurrence of the violation. Other applicable laws may have a shorter time limitation on filing."

Recommended

Non-discriminatory Statement

[Name Of School] admits students of any race to all the rights, privileges, programs and activities generally accorded or made available to students at the school and does not discriminate on the basis of race, color, ethnic background, country of origin, or sex in the administration of education policies, applications for admission, scholarship programs, and extracurricular programs.

Inclusivity Statement

[Name of School] is committed to fostering an environment of diversity, equity, and inclusion. Our diversity makes us stronger. We desire to nurture an inclusive staff and student body. As followers of Christ, our greatest desire is to love like Jesus by recognizing the value of every person. We strive to treat all humanity with unconditional dignity, respect, and love, while celebrating our differences. We pray to live out God's kingdom by doing all within our power to create an environment where every student experiences safety, belonging, inclusion, and love. Therefore, it is unacceptable to tolerate or propagate slurs or jokes that target others. Furthermore, we promote a culture where no one remains silent when others suffer, are victimized, or marginalized. We will not tolerate any form of racism, discrimination, bullying, harassment, hatred, or bigotry.

Personal Property

Administration may search a person and/or their personal property. Searches may be conducted at any time on our property or when the student is under the supervision of a school-sponsored activity. Administration may seize any item which is suspected not be or is not in accordance with school or state policy, or has potential to interfere with the safety of others. Such items may include lockers, backpacks, purses, cars, or any other personal belongings. The administration reserves the right to ask for electronic devices to be unlocked. Any confiscated property may be returned at the discretion of the school administration or turned over to the law enforcement as needed. Administration may perform random searches. Administration will use the right for individual search and seizure to the best of their ability when there is reasonable suspicion to believe there is evidence of a violation of school policy or state law.

Communication with Teachers

We encourage parents to communicate directly with teachers by utilizing teacher contact information as printed in the handbook, Google Classroom, and the REMIND app. To protect teacher/student relationships, we ask that students contact their teachers only through approved applications [examples: REMIND app, Google Classroom, or school email], and not through texting on personal devices. Our school policy requires teachers to also avoid contacting students privately on any social media sites.

Inappropriate Substances

Administration has the right to test for inappropriate substances. Students under the influence of inappropriate substances or found to be in possession of prohibited or illegal items or substances will face school disciplinary action, arrest, and/or prosecution.

Custodial Guardianship

As a school, we do our best to follow legal documentation for custodial requests. We cannot make custody accommodations for your child without appropriate court orders. If there are any custody orders or restrictions regarding your family that impact your student in this school, please inform us and provide copies of legal documentation.

Student Records

Our school operates in compliance with the *Family Educational Rights and Privacy Act* (FERPA). It is our goal to maintain confidentiality regarding student information and records. Student information and records will not be disseminated without parental or legal guardian permission. A parent, legal guardian, or eligible student may inspect and review education records upon request. We will comply with a request for access to records by a parent, legal guardian, court order, or eligible student within a reasonable period of time.

Incident Reporting

Parents and students are encouraged to speak with administration or a trusted staff member when they have a safety concern. If the parent or student wishes to remain anonymous, they may use this link to our anonymous reporting form.

Sexting

Under Oregon's law, it's a crime to possess sexually explicit images of minors, create or share sexually explicit images of minors, or use a minor in a display of sexually explicit conduct. Both adults and minors can be prosecuted under these laws. And because the law doesn't require images to be of *another* minor, taking or sexting sexually explicit selfies count as crimes. Or. Rev. Stat. §§ 163.665 to 163.689 (2020)

Special Thanks to policy submissions by Mechelle Peinado, Elizabeth Fish, and Ric Peinado

Checklist for Student Handbook

- ✓ School Information
 - Vision, Core Values and Guiding Principles
 - Contact Information
 - Hours
 - Calendar
 - Teachers and Staff and how to contact
- ✓ Volunteer Information
- ✓ Non-discriminatory Statement
- ✓ Attendance Policies
- ✓ Communication Procedures
 - Best practices
 - Anonymous Reports
- ✓ Visitors Welcome
- ✓ Health and Safety
 - Inclement Weather
 - Emergency Drills and Closures
 - School Safety Plan
 - Illness Policy
 - Medication Requirements and Procedures
 - Student immunization
 - Health screenings, nurse
 - Communicable Disease Management Plan
 - Injury Protocol
 - Virtual Days
 - Reporting of Suspected Child Abuse
- ✓ Student Life
 - Chapels
 - Behavior Expectations
 - Appearance and Clothing
 - Restorative Discipline Procedures
 - Personal Property
 - Bullying/Harassment/Social Media
 - Sexual Harassment (SB 197) **REQUIRED**
- ✓ Support Services
- ✓ Interscholastic School Policy
- ✓ Finances
- ✓ Academics
 - Learning Expectations
 - Class Offerings
 - Physical Activity
 - Social Emotional Learning
 - Field Trips
 - Outdoor School
 - Class Trips
 - Diploma Requirements
 - Progress and Grade Reports
 - Technology Policy
- ✓ Student Records