

Nondistrict Educational Facilities

The School Board will give consideration to having nondistrict educational programs located in facilities adjacent to district schools under the following conditions:

1. Anticipated expansion by the district for its own purpose will be a factor.
2. An agreement between the agency and school district will be approved by the board of directors after consultation with the district's legal counsel and administration.
3. Sufficient documentation is available to guarantee that the program will remain as agreed upon for a period of not less than five years.
4. The age of the students and the educational program to be carried out in the facility are congruent with that in the school.
5. Personnel providing the educational program are properly licensed under local, state or federal guidelines.
6. Agency personnel will be required to follow all applicable district personnel policies.
7. The student to adult ratio is adequate to provide a quality educational program and proper supervision.
8. The facility is a permanent structure with design and materials comparable to the existing school building. Final plans and completed facility will be approved by the district.
9. All costs of construction, operation and maintenance will be met by the agency constructing the facility.
10. All district criteria for security and maintenance will be met.
11. Support areas including parking, student transportation requirements, food service and playground must blend with the district program.
12. Upon completion of the facility the ownership will revert to the district and a lease agreement from the agency will be signed.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 332.155](#)

[OAR 437-001-0760](#)

[OAR 437-002-0020 to -0081](#)

[OAR 437-002-0161](#)

[OAR 437-002-0180 to -0182](#)

[OAR 437-002-0360](#)

[OAR 437-002-0368](#)

[OAR 437-002-0377](#)

[OAR 437-002-0390](#)

[OAR 437-002-0391](#)

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2006); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2006).

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.

Cross Reference(s):

ACA - Americans with Disabilities Act

EB - Safety Program