

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT 8R, HERMISTON**

**There will be a Regular Meeting of the
Board of Education of the Umatilla County School District 8R
at Hermiston School District Offices
Boardroom
305 S.W. 11th Street.
Hermiston, Oregon 97838
Monday, November 13, 2023, 6:30 PM**

Briana Cortaberria
Executive Assistant to the
Superintendent and Board of Education

AGENDA

- 1. CALL TO ORDER REGULAR MEETING (6:30 p.m.)** *Chair Hansell*
- 2. INTRODUCTORY ITEMS (6:30 p.m.)** *Chair Hansell*
 1. Pledge of Allegiance
 2. Adoption of Agenda 3
 3. Approval of Minutes 4
- 3. PRESENTATIONS AND RECOGNITIONS (6:35 p.m.)**
 1. Student Investment Account Annual Report *Dr. Mooney* 14
 2. Integrated Plan Agreement *Dr. Mooney*
- 4. PUBLIC COMMENTS (6:55 p.m.)** *Chair Hansell* 15

Welcome. This is the time we reserve in our meeting for public comment.
According to Board Policy KL, any complaint regarding a specific employee of the Hermiston School District must be routed through the superintendent's office.
The Hermiston School District Board of Education accepts public comments virtually and in person. Members of the public wishing to address the board virtually submitted written statements or requests by 4:00 p.m. prior to this meeting.
Those wishing to address the board in person should stand and be recognized, then move forward to the microphone at the center table. Prior to making your comments, state your first and last name and school or topic. Please limit your comments to a maximum of three (3) minutes and address them to me.
Is there anyone here tonight who would like to address the board?
- 5. COMMUNICATIONS AND ANNOUNCEMENTS (7:05 p.m.)**
 1. Oregon School Employees Association *Ms. Chapman*
 2. Hermiston Association of Teachers *Ms. McCann*
- 6. REPORTS (7:20 p.m.)**
 1. Board of Education *Chair Hansell*

Board of Education Goals

 1. Academic Achievement. Demonstrate continuous improvement in all measured areas for each student.
 2. Stewardship. Maintain sound fiscal stewardship of community resources consistent with board policy.

* Timing of agenda is not meant to be time specific. Instead, the time identified is for pacing purposes only. The Board of Education may modify the agenda and the order in which items are taken for consideration.

** Consent agenda items are considered for action as an entire group. Details for these items are available for public inspection at the District Office.

*** Members of the public are invited to address the Board of Education during Public Comments.

3. Community. Engage our diverse community in creating opportunities to advance student achievement.	
2. Business Office <i>Ms. Saul</i>	
1. Financial Reports	16
3. Superintendent's Office <i>Dr. Mooney</i>	
1. Enrollment Report	19
2. Lighthouse System Recognition	
Hermiston School District Selected as National 'Lighthouse' School System to Help Transform Education	
7. CONSENT ITEMS** (7:50 p.m.)	
1. Human Resources Department	
1. Personnel Resignations	27
2. Personnel Appointments	28
3. Extra Responsibility & Extra Duty Contracts	29
2. Business Office	
1. Acceptance of Gifts	30
3. Superintendent's Office	
1. Policy Review - First Reading	32
8. ACTION ITEMS (7:55 p.m.)	
1. OSBA Board Position #2	69
2. OSBA LPC Position #2	78
3. OSBA Resolution #1	82
4. OSBA Resolution #2	91
5. Integrated Guidance Grant Agreement	117
9. CALENDAR AND FUTURE ITEMS (8:20 p.m.)	
1. Future Agenda Item Discussion <i>Chair Hansell</i>	
2. Calendar Review <i>Ms. Cortaberria</i>	118
10. EXECUTIVE SESSION (8:30 p.m.)	124
1. ORS 332.061(1)	
11. ADJOURN (8:50 p.m.)	

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** Consent agenda items are considered for action as an entire group. Details for these items are available for public inspection at the District Office.

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**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

November 13, 2023

SUPERINTENDENT'S RECOMMENDATION

2.0 INTRODUCTORY ITEMS

2.2 TOPIC: Adoption of the Agenda

It is recommended.

RECOMMENDATION:

. that the Board of Education adopts the agenda as presented.

REGULAR MEETING
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
October 9, 2023

1 CALL TO ORDER

Chair Hansell called the meeting to order at 6:30 p.m.

Hermiston School Board members present: Ms. Karen Sherman, Ms. Bonnie Luisi, Ms. Sally Hansell, Ms. Liliana Gomez, Ms. Teri Vander Stelt, and Mr. James Hurst

Also in attendance were: Superintendent of Schools Dr. Tricia Mooney, Director of Business Services Katie Saul, and Executive Assistant to the Superintendent and Board Briana Cortaberria

Absent member(s): Mr. Dain Gardner

2 INTRODUCTORY ITEMS

2.1 Pledge of Allegiance

Chair Hansell led everyone in the Pledge of Allegiance.

2.2 Adoption of Agenda

Chair Hansell requested that the board remove agenda item 5.3 Student Board Representative from the regular meeting and add it to the special meeting agenda.

Ms. Vander Stelt moved that the agenda be adopted as amended. The motion was seconded by Ms. Sherman and passed 6-0.

2.3 Approval of Minutes

Ms. Luisi moved that the board approves the edited minutes of the regular meeting held on June 12, 2023, the regular meeting on September 11, 2023, and the special meeting held September 25, 2023. The motion was seconded by Ms. Gomez and passed 6-0.

3 PRESENTATIONS AND RECOGNITIONS

3.1 Summer Program Review

Summer Program Coordinators Anne Sokoloski and Mindy Barron recapped the district's summer program, sharing program structure and partners, classroom and field trip photos.

The board members praised the program and offered kudos to the coordinators.

Dr. Mooney explained the financial picture from the start, three years ago, to current. The district now supports the program with Student Investment Account dollars.

4 PUBLIC COMMENTS

No comments were provided in advance, and no members of the public requested to address the board virtually or in-person.

5 COMMUNICATIONS AND ANNOUNCEMENTS

5.1 Oregon School Employees Association

OSEA President Chapman was unable to attend the meeting.

5.2 Hermiston Association of Teachers

HAT President Jessica McCann provided a union update, commenting on librarian efforts and an author visit, staff efforts to support students' mental health, in-service time, and HAT community events.

5.3 Student Board Representative

Item removed from agenda to be placed on special meeting agenda.

6 REPORTS

6.1 Board of Education

The Board members shared of events and activities in which they participated or attended since the last Board meeting, speaking of the high school blood drive, Families Make a Difference nights and the sharing of standards based grading, and the high school college night.

6.2 Business Office

6.2.1 Financial Reports

Ms. Saul provided the revenue, expenditure, and ending fund balance reports for August 2023, all of which are green and yield a 12.70% ending fund balance.

6.3 Superintendent

6.3.1 Enrollment Report

Dr. Mooney shared the enrollment reports as of September 29, stating that the 10-day drop took place in September and that we are in line with enrollment this time last year. A member inquired about the total number of school-age students in Hermiston. Dr. Mooney will compile this information.

Dr. Mooney shared a regular attenders report, which is the percent of students that attended 90% of their enrolled days, through September.

It was asked how HSD compares to other districts. Dr. Mooney explained that not all schools report this data.

6.3.2 Division 22 Standards

Dr. Mooney provided the district's annual assurances of compliance with public school standards for the 2022-23 school year, through a presentation which gives the rule categories, explains what the assurances are, and outlines the timeline.

She explained that the report is for the 2022-23 school year and shared Standard waivers and new Standards.

Dr. Mooney stated that HSD was in compliance with all Division 22 Standards for the 2022-2023 school year; thus the district does not need to file any action plans.

7 STUDY ITEMS

7.1 Science Curriculum Adoption Process

Education Directors Mr. Scott Depew and Dr. Jerad Farley explained the process of adopting the district’s science curriculum, explaining why the district adopts, the process, and timeline overview.

The directors shared the adoption team makeup and structure, and they spoke of how the adopted curriculum will complement standards based grading.

Mr. Depew explained secondary efforts related to rigorous curriculum design, which backwards plans instruction to meet the rigorous standards, using the adopted curriculum.

7.2 State Assessment Results

Director Farley shared elementary state assessment results, which identify growth in elementary ELPA and elementary science proficiency. He continued by providing math and language arts results year over year – apples to oranges (grades year over year) and apples to apples (student cohorts year over year). Growth was identified in language arts for apples to apples students. He wrapped up with elementary next steps.

Director Depew reported secondary results, stating that there is a lot of work to do. He explained the secondary assessment process and spoke to the complexity of the assessment. Depew reviewed a combination of factors that may influence state assessment scores.

8 CONSENT ITEMS

Mr. Hurst moved and Ms. Vander Stelt seconded that the Board of Education approves consent items 8.1.1 thru 8.2.2.

The motion passed 6-0.

8.1 Human Resources Department

8.1.1 Personnel Resignations

Approves the resignation of the following employees:

Alberta Alatorre	Custodian	Hermiston School District
Terra Davis	Educational Assistant	Loma Vista Elementary
Jose Diaz	Custodian	Hermiston School District
Lily Gilstrap	Grade 4 Teacher	Loma Vista Elementary
Josie Giordano	Educational Assistant	Armand Larive Middle
Antonio Yzaguirre	EL Teacher	West Park Elementary

8.1.2 Personnel Appointments

Approves the appointment of the following employees:

Crystal Blood	Media Assistant	Desert View Elementary
Giovanni Cisneros	Education Assistant	Hermiston High
Gabriella Rodarte	Education Assistant	Rocky Heights Elementary
Laurel Woodward	English Language Teacher	Rocky Heights Elementary
Antonio Yzaguirre	English Language Teacher	West Park Elementary

8.1.3 Extra Responsibility & Extra Duty Contracts

Approves the extra responsibility and extra duty contracts as attached.

Daniel Allen	Middle School Drama	Sandstone & Armand Larive Middle
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Kennidy Baker	CTE Pathway – Agriculture	Hermiston High
Troy Benson	Girls Golf Coach	Hermiston High
Sara Best	Outdoor School Stipend	Rocky Heights Elementary
Karly Carlson	Outdoor School Stipend	Loma Vista Elementary
Osten Cerrillo-Keelin	Outdoor School Stipend	Rocky Heights Elementary
Rylee Christianson	Fast Pitch Softball Coach	Hermiston High
Heather Combs	Outdoor School Stipend	Rocky Heights Elementary
Justine Cook	Outdoor School Stipend	Highland Hills Elementary
Stacy Cooley	Middle School Drama	Sandstone & Armand Larive Middle
Nick Ekblad	Outdoor School Stipend	Rocky Heights Elementary
Bonnie Hamann	Outdoor School Stipend	Highland Hills Elementary
Joshua Linn	Outdoor School Stipend	Rocky Heights Elementary
Kathleen Mayberry	Academic & Athletic Advisor - Fall	Hermiston High
Kathleen Mayberry	Academic & Athletic Advisor - Winter	Hermiston High
Kathleen Mayberry	Academic & Athletic Advisor – Spring	Hermiston High
Janey McCormack	Outdoor School Stipend	Desert View Elementary
Sydney Miller	Outdoor School Stipend	Desert View Elementary
Connie Nicodemus	Outdoor School Stipend	Desert View Elementary
Ibbet Radant	Outdoor School Stipend	Loma Vista Elementary
Joshua Linn	Outdoor School Stipend	Rocky Heights Elementary
Cailyn Roberts	Outdoor School Stipend	Loma Vista Elementary
Amanda Rodriguez	Outdoor School Stipend	Loma Vista Elementary
Cherilyn Spencer	Outdoor School Stipend	Loma Vista Elementary
Elsa Torres	Girls Soccer Coach	Sandstone Middle

8.2 Business Office

8.2.1 Acceptance of Gifts

Accepts the following gifts:

SCHOOL/PROG	GIFT	VALUE	DONOR
Highland Hills Elementary School	Cash	\$350.00	American Heart Association
Highland Hills Elementary School	Supplies		Anonymous
Desert View Elementary School	Cash	\$2,590.67	Desert View Parent Club

8.2.2 ITB 2024-1 Boiler Replacement Project

Authorizes the superintendent, or her designee, to enter into a contract with Copper Mechanical for the base bid amount of \$563,500, for the replacements of boilers at Sandstone Middle School and Hermiston High School, utilizing ESSER III funds, pursuant to Invitation to Bid 2024-1.

9 CALENDAR/FUTURE ITEMS

9.1 Future Agenda Item Discussion

A report from Dr. Mooney on staff turnover was requested.

9.2 Calendar Review

Upcoming calendars were reviewed.

10 ADJOURN

Ms. Gomez moved and Ms. Luisi seconded to adjourn the meeting. The motion passed 6-0.

Chair Hansell adjourned the regular meeting at 9:18 p.m.

Date

Chairman

Superintendent/Clerk

Secretary

DRAFT

**SPECIAL MEETING
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
October 23, 2023**

1 CALL TO ORDER

Chair Hansell called the meeting to order at 6:30 p.m.

Hermiston School Board members present: Ms. Karen Sherman, Ms. Bonnie Luisi, Mr. Dain Gardner, Ms. Sally Hansell, and Ms. Teri Vander Stelt

Also in attendance were: Superintendent of Schools Dr. Tricia Mooney, Assistant Superintendent Jake Bacon and Executive Assistant to the Superintendent and Board Briana Cortaberria

Absent members: Ms. Liliana Gomez, Mr. James Hurst

2 INTRODUCTORY ITEMS

2.1 Pledge of Allegiance

Chair Hansell led everyone in the Pledge of Allegiance.

2.2 Adoption of Agenda

Mr. Gardner moved that the agenda be adopted as presented. The motion was seconded by Ms. Luisi and passed 5-0.

3 PRESENTATIONS AND RECOGNITIONS

3.1 Student Board Representative

Miss Doherty provided a Hermiston High School student leadership update commenting on homecoming activities, student pregame tailgates and athletic support, a Trunk or Treat event for elementary students, a fall season sport update, high school play performance, and FFA students going to the national convention.

3.2 School Update

Armand Larive Middle School Principal Stacie Roberts and members of her leadership team presented on how ALMS's staff "RAMP it up."

She proceeded to review ALMS OSAS data and example assessment questions. Members of the ALMS staff presented building reading and math statistics and information. They also shared how the teachers are raising the level of rigor and explained vertical alignment.

Assistant Principal Casey Arstein spoke about ALMS attendance and athletics.

The teachers explained how the school is building a community with and getting to know its students.

4 PUBLIC COMMENTS

No comments were provided in advance, and no members of the public requested to address the board virtually. In-person comments were heard regarding the American Legion high school orator scholarship.

5 REPORTS

5.1 Board of Education

The Board members shared of events and activities in which they participated or attended since the last Board meeting, highlighting high school student experiences, upcoming Hermiston Education Foundation events, board committee meetings, the district's livestream capabilities, Girls in Tech Day, the Portland Opera To Go performance, and student athletics.

5.2 Superintendent's Office

Dr. Mooney commented on Girls in Tech Day and explained hard copy documents provided to the board, including information on Oregon's newest diploma requirements and graduation requirements.

6 STUDY ITEMS

6.1 Student Athlete Leadership Team

District Athletic & Activities Director Larry Usher, along with Hermiston High School ASB Leadership Advisor McKenzie Davis and High School Success Coach Jay Ego, provided a fall sports update and shared of the Fundamentals of Sports class. Usher continued with a presentation on the HHS Student Athlete Leadership Team, which is a program to build leadership abilities in student athletes. He spoke of topics discussed with the students and class content.

7 CONSENT ITEMS

Ms. Vander Stelt moved and Ms. Sherman seconded that the Board of Education approves consent items 7.1.1 thru 7.1.3. The motion passed 5-0.

7.1 Human Resources Department

7.1.1 Personnel Resignations

Approves the resignation of the following employees:

Dora Aguilar	District Nurse	District Office
Brittany Harrison	Educational Assistant	Sunset Elementary
Laura Jaimes	Special Education Teacher	Sunset Elementary
Summer Nokes	Kindergarten Teacher	West Park Elementary
Alissa Ramirez	District Nurse	District Office

7.1.2 Personnel Appointments

Approves the appointment of the following employees:

Melissa Camara	Grade 4 Teacher - Temporary	Loma Vista Elementary
Emily Gundersen	Educational Assistant	Loma Vista Elementary
Sherri Peck	Educational Assistant	Sandstone Middle

7.1.3 Extra Responsibility & Extra Duty Contracts

Approves the extra responsibility and extra duty contracts as attached.

Maria "Patty" Arenas	Outdoor School	Sunset Elementary
Brian Frazier	Outdoor School	West Park Elementary

Susan Frink	Outdoor School	Sunset Elementary
Allen Jones	Athletic Coordinator – Winter	Hermiston High School
Aubree Padilla	Fast Pitch Softball Assistant Coach	Hermiston High School
Seanne Perkins	Outdoor School	Loma Vista Elementary
Aaron Rouska	Outdoor School	Sunset Elementary
Kirby Warner	Outdoor School	Loma Vista Elementary
Shawna Yeager	Outdoor School	Sunset Elementary

8 CALENDAR/FUTURE ITEMS

8.1 Future Agenda Item Discussion

No items were brought forward for discussion.

8.2 Calendar Review

Upcoming calendars were reviewed.

Chair Hansell recessed the regular meeting at 8:22 p.m.

Chair Hansell stated the respective ORS under which the Board would meet in Executive Session:

- ORS 332.061(1): To conduct a hearing to expel minor students or to examine confidential medical records
- ORS 192.660(2)(i): To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

9 EXECUTIVE SESSION

Chair Hansell moved the board into executive session at 8:28 p.m.

The five present board members were joined by Dr. Mooney, Mr. Bacon, Ms. Cortaberria.

9.1 ORS 332.061(1)

Mr. Bacon departed the meeting.

9.2 ORS 192.660(2)(i)

Chair Hansell closed the executive session at 9:10 p.m. and reconvened the special meeting at 9:10 p.m.

10 ADJOURN

With no further agenda items, the board adjourned.

Chair Hansell adjourned the regular meeting at 9:11 p.m.

Date

Chairman

Superintendent/Clerk

Secretary

DRAFT

**SPECIAL MEETING – LISTENING & LEARNING SESSION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
October 30, 2023**

1 CALL TO ORDER

Chair Hansell called the meeting to order at 6:00 p.m.
Hermiston School Board members present: Ms. Karen Sherman, Mr. James Hurst, Ms. Bonnie Luisi, Mr. Dain Gardner, Ms. Sally Hansell, Ms. Teri Vander Stelt, and Ms. Liliana Gomez
Also in attendance: Superintendent of Schools Dr. Tricia Mooney

2 PUBLIC COMMENTS

The board heard public comments related to school staff to parent communications and relations, building security and entry, student behavior, staff training efforts, student social-emotional learning, mental health sessions, and connecting with foreign language families.

3 ADJOURN

Chair Hansell adjourned the special meeting at 7:44 p.m.

Date

Chairman

Superintendent/Clerk

Secretary



Longitudinal Performance Growth Targets

<i>All Student%/Focal Group Student %</i>	2023-24	2024-25	2025-26	2026-27	2027-28
Four-year Graduation: % earning a regular or modified diploma w/in 4 years of entering high school.	82.93/79.65	84.18/81.65	85.45/83.7	86.74-85.8	88.05/87.95
Five-year Completion: % earning a regular, modified, extended or adult hs diploma, or a GED w/in 5 years of entering high school.	88.31/85.08	89.64/87.21	90.99/89.39	92.36/91.63	93.75/93.75
Ninth Grade On-Track: % earning at least ¼ of their graduation credits by the end of summer following their 9th grade year.	83.99/81.15	85.23/82.78	86.49/84.44	87.77/86.13	89.08/87.86
Third Grade Reading: % proficient on statewide English Language Assessments.	33.6/32.08	34.25/33.08	34.9/34.08	35.55/35.08	36.2/36.08
Regular Attenders: % attending more than 90% of their enrolled school days.	56.1/45	57.23/46.4	58.38/47.84	59.55/49.33	60.75/50.86



**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

PUBLIC COMMENT GUIDELINES

Welcome. This is the time we reserve in our meeting for public comment.

According to Board Policy KL, any complaint regarding a specific employee of the Hermiston School District must be routed through the superintendent's office.

The Hermiston School District Board of Education accepts public comments virtually and in person. Members of the public wishing to address the board virtually submitted written statements or requests by 4:00 p.m. prior to this meeting.

Those wishing to address the board in person should stand and be recognized, then move forward to the microphone at the center table. Prior to making your comments, state your first and last name and school or topic. Please limit your comments to a maximum of three (3) minutes and address them to me.

Is there anyone here tonight who would like to address the board?

GENERAL FUND REVENUE DATA ENTRY REPORT

MONTH	TAXES	INTST/FEES	INTER	STATE SSF	STATE OTH	FEDERAL	OTHER	TOTAL PROJ.	TOTAL ACT.	VARIANCE
JUL PRO	\$ -	\$ 104,725	\$ 195,346	\$ 9,371,230	\$ -	\$ -	\$ -	\$ 9,671,301		\$ (174,434) -1.80%
JUL ACT	\$ -	\$ 125,638	\$ -	\$ 9,371,230	\$ -	\$ -	\$ -	\$ -	\$ 9,496,868	\$ (174,434) YTD
AUG PRO	\$ 27,742	\$ 106,348	\$ 97,673	\$ 4,684,491	\$ 13,000	\$ -	\$ -	\$ 4,929,254		\$ 234,259 4.75%
AUG ACT	\$ 20,181	\$ 167,509	\$ 293,020	\$ 4,682,804	\$ -	\$ -	\$ -		\$ 5,163,514	\$ 59,826 YTD
SEP PRO	\$ 37,452	\$ 114,363	\$ 102,961	\$ 4,684,491	\$ -	\$ -	\$ -	\$ 4,939,267		\$ 147,661 2.99%
SEP ACT	\$ 18,011	\$ 279,503	\$ 106,611	\$ 4,682,804	\$ -	\$ -	\$ -		\$ 5,086,928	\$ 207,487 YTD
OCT PRO	\$ 75,113	\$ 81,890	\$ 97,673	\$ 4,684,491	\$ -	\$ -	\$ -	\$ 4,939,167		0.00%
OCT ACT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	YTD
NOV PRO	\$ 9,272,775	\$ 116,853	\$ 104,725	\$ 4,684,491	\$ -	\$ -	\$ -	\$ 14,178,844		0.00%
NOV ACT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	YTD
DEC PRO	\$ 1,095,696	\$ 85,524	\$ 1,828,242	\$ 4,684,491	\$ -	\$ -	\$ -	\$ 7,693,953		0.00%
DEC ACT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	YTD
JAN PRO	\$ 144,645	\$ 84,472	\$ 302,673	\$ 4,684,491	\$ 366,484	\$ 12,000	\$ -	\$ 5,594,765		0.00%
JAN ACT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	YTD
FEB PRO	\$ 170,676	\$ 109,014	\$ 97,673	\$ 4,684,491	\$ -	\$ -	\$ -	\$ 5,061,854		0.00%
FEB ACT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	YTD
MAR PRO	\$ 173,112	\$ 96,499	\$ 103,138	\$ 4,684,491	\$ -	\$ -	\$ -	\$ 5,057,240		0.00%
MAR ACT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	YTD
APR PRO	\$ 55,282	\$ 106,946	\$ 97,673	\$ 4,684,491	\$ -	\$ -	\$ -	\$ 4,944,392		0.00%
APR ACT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	YTD
MAY PRO	\$ 129,312	\$ 129,053	\$ 23,450	\$ 4,684,491	\$ 35,000	\$ -	\$ -	\$ 5,001,306		0.00%
MAY ACT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	YTD
JUN PRO	\$ 241,940	\$ 174,313	\$ 7,195	\$ -	\$ 366,484	\$ -	\$ 1,500,000	\$ 2,289,932		0.00%
JUN ACT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	YTD
Projected	\$ 11,423,745	\$ 1,310,000	\$ 3,058,426	\$ 56,216,140	\$ 780,968	\$ 12,000	\$ 1,500,000	\$ 74,301,279		
Budget Book	\$ 11,423,745	\$ 1,310,000	\$ 2,964,607	\$ 55,000,135	\$ 723,588	\$ 12,000	\$ 2,705,000	\$ 74,139,075		
Variance	\$ -	\$ -	\$ 93,819	\$ 1,216,005	\$ 57,380	\$ -	\$ (1,205,000)	\$ 162,204		
TOT ACT	\$ 38,192	\$ 572,650	\$ 399,630	\$ 18,736,838	\$ -	\$ -	\$ -	\$ 19,747,310	FORECAST ACT	\$ 74,508,766
% collected	0.33%	43.71%	13.07%	33.33%	0.00%	0.00%	0.00%	26.58%		

NOTE:

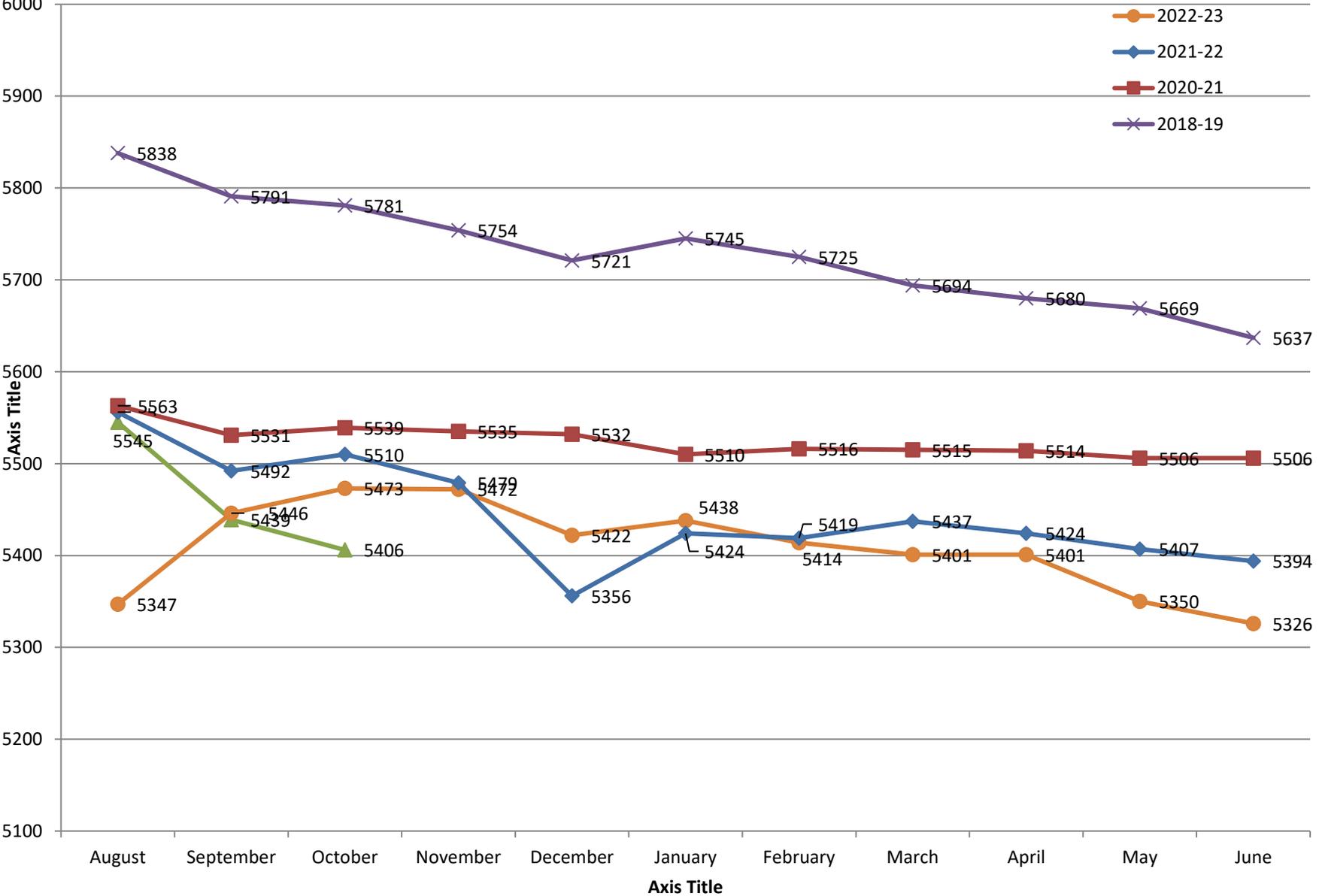
LEGEND	Above or within 2.00% of projection	Between 2.01% & 5.00% below	Below 5.01% of projection
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GENERAL FUND EXPENDITURE DATA ENTRY REPORT								
MONTH	PROJ. P/R	ACTUAL P/R	PROJ. A/P	ACTUAL A/P	TOTAL		VARIANCE	
JULY PROJECTED	1,039,674		\$ 1,381,486		\$ 2,421,160	MONTHLY	\$ 6,252	0.26%
JULY ACTUAL		\$ 1,049,625		\$ 1,377,787	\$ 2,427,412	YTD	\$ 6,252	0.26%
AUGUST PROJECTED	1,232,246		\$ 1,108,290		\$ 2,340,536	MONTHLY	\$ (65,117)	-2.78%
AUGUST ACTUAL		\$ 1,209,218		\$ 1,066,202	\$ 2,275,419	YTD	\$ (58,865)	-1.24%
SEPTEMBER PROJECTED	5,169,094		\$ 872,712		\$ 6,041,806	MONTHLY	\$ 283,008	4.68%
SEPTEMBER ACTUAL		\$ 5,005,895		\$ 1,318,919	\$ 6,324,814	YTD	\$ 224,143	2.07%
OCTOBER PROJECTED	5,331,775		\$ 927,300		\$ 6,259,075	MONTHLY	\$ (6,259,075)	-100.00%
OCTOBER ACTUAL		\$ -		\$ -	\$ -	YTD	\$ (6,034,932)	-35.37%
NOVEMBER PROJECTED	5,426,384		\$ 931,734		\$ 6,358,118	MONTHLY	\$ (6,358,118)	-100.00%
NOVEMBER ACTUAL		\$ -		\$ -	\$ -	YTD	\$ (12,393,050)	-52.91%
DECEMBER PROJECTED	5,285,563		\$ 930,681		\$ 6,216,244	MONTHLY	\$ (6,216,244)	-100.00%
DECEMBER ACTUAL		\$ -		\$ -	\$ -	YTD	\$ (18,609,294)	-62.79%
JANUARY PROJECTED	5,208,211		\$ 1,021,174		\$ 6,229,385	MONTHLY	\$ (6,229,385)	-100.00%
JANUARY ACTUAL		\$ -		\$ -	\$ -	YTD	\$ (24,838,679)	-69.25%
FEBRUARY PROJECTED	5,444,624		\$ 948,855		\$ 6,393,479	MONTHLY	\$ (6,393,479)	-100.00%
FEBRUARY ACTUAL		\$ -		\$ -	\$ -	YTD	\$ (31,232,158)	-73.91%
MARCH PROJECTED	5,347,369		\$ 1,086,524		\$ 6,433,893	MONTHLY	\$ (6,433,893)	-100.00%
MARCH ACTUAL		\$ -		\$ -	\$ -	YTD	\$ (37,666,051)	-77.35%
APRIL PROJECTED	5,323,648		\$ 1,049,012		\$ 6,372,660	MONTHLY	\$ (6,372,660)	-100.00%
APRIL ACTUAL		\$ -		\$ -	\$ -	YTD	\$ (44,038,711)	-79.97%
MAY PROJECTED	9,005,295		\$ 1,430,436		\$ 10,435,731	MONTHLY	\$ (10,435,731)	-100.00%
MAY ACTUAL	-	\$ -		\$ -	\$ -	YTD	\$ (54,474,442)	-83.16%
JUNE PROJECTED	9,579,097		\$ 2,326,631		\$ 11,905,728	MONTHLY	\$ (11,905,728)	-100.00%
JUNE ACTUAL		\$ -		\$ -	\$ -	YTD	\$ (66,380,170)	-85.75%
PROJECTED	\$ 63,392,980		\$ 14,014,835		\$ 77,407,815			
BUDGET BOOK	\$ 63,459,168		\$ 14,156,399		\$ 77,615,567			
VARIANCE	\$ 66,188		\$ 141,564		\$ 207,752	(proj. difference in budgeted expenditures)		
TOTAL ACTUAL		\$ 7,264,737.5		\$ 3,762,907	\$ 11,027,645	FORECAST ACT	\$	77,631,958
% spent to date		11.46%		26.85%	14.25%			
Note:								
LEGEND MONTHLY	Below or within 2.00%		Between 2.01% & 5.00% above			Above 5.01% of projection		
LEGEND YTD	Below or within 2.00%		Between 2.01% & 5.00% above			Above 5.01% of projection		

GENERAL FUND MONTHLY ENDING FUND BALANCE REPORT

DATE	Revenue	Expenditure	Ending Fund Balance	Variance		EFB Monthly Projection for Year End
1-Jul-23 PROJECTED			\$ 14,000,000			
ACTUAL			\$ 14,210,000			
31-Jul-23 PROJECTED	\$ 9,671,301	\$ 2,421,160	\$ 21,250,141			
ACTUAL	\$ 9,496,868	\$ 2,427,412	\$ 21,279,456	\$ 29,315	0.14%	12.39%
31-Aug-23 PROJECTED	\$ 4,929,254	\$ 2,340,536	\$ 23,838,860			
ACTUAL	\$ 5,163,514	\$ 2,275,419	\$ 24,167,551	\$ 328,691	1.38%	12.70%
30-Sep-23 PROJECTED	\$ 4,939,267	\$ 6,041,806	\$ 22,736,321			
ACTUAL	\$ 5,086,928	\$ 6,324,814	\$ 22,929,665	\$ 193,344	0.85%	12.53%
31-Oct-23 PROJECTED	\$ 4,939,167	\$ 6,259,075	\$ 21,416,414			
ACTUAL	\$ -	\$ -	\$ 22,929,665		0.00%	
30-Nov-23 PROJECTED	\$ 14,178,844	\$ 6,358,118	\$ 29,237,140			
ACTUAL	\$ -	\$ -	\$ 22,929,665		0.00%	
31-Dec-23 PROJECTED	\$ 7,693,953	\$ 6,216,244	\$ 30,714,849			
ACTUAL	\$ -	\$ -	\$ 22,929,665		0.00%	
31-Jan-24 PROJECTED	\$ 5,594,765	\$ 6,229,385	\$ 30,080,230			
ACTUAL	\$ -	\$ -	\$ 22,929,665		0.00%	
28-Feb-24 PROJECTED	\$ 5,061,854	\$ 6,393,479	\$ 28,748,605			
ACTUAL	\$ -	\$ -	\$ 22,929,665		0.00%	
31-Mar-24 PROJECTED	\$ 5,057,240	\$ 6,433,893	\$ 27,371,952			
ACTUAL	\$ -	\$ -	\$ 22,929,665		0.00%	
30-Apr-24 PROJECTED	\$ 4,944,392	\$ 6,372,660	\$ 25,943,685			
ACTUAL	\$ -	\$ -	\$ 22,929,665		0.00%	
31-May-24 PROJECTED	\$ 5,001,306	\$ 10,435,731	\$ 20,509,260			
ACTUAL	\$ -	\$ -	\$ 22,929,665		0.00%	
30-Jun-24 PROJECTED	\$ 2,289,932	\$ 11,905,728	\$ 10,893,464			
ACTUAL	\$ -	\$ -	\$ 22,929,665		0.00%	
INITIAL FORECASTED EFB	\$ 74,301,279	\$ 77,407,815	\$ 10,893,464			12.34%
ACTUALS TO DATE	\$ 19,747,310	\$ 11,027,645				
ANTICIPATED ACTUALS*	\$74,508,766	\$77,631,958	\$ 11,086,808			12.53%
Monthly Comp.	Above or within : \$ 74,508,766	Between 2.01% & 5.00% below projection	Below 5.01% of projection			
	*Calculated using actuals through the current month and projected revenue and expenditures for future months					
NOTE:	Estimated; amount may change, depending on 2022-2023 fiscal year end adjustments					
ENDING FUND BALANCE LEGEND	8.00% to 9.00% and above	Between 7.99% to 7.50%	7.49% and below			18

HSD Enrollment Trends 2018-19 to Present



10/31/2023												
HERMISTON SCHOOL DISTRICT 8R - ELEMENTARY ENROLLMENT BY TEACHER												
Desert View	360	Highland Hills	315	Loma Vista	404	Rocky Heights	451	Sunset	424	West Park	434	
Kinder				Carlson, K (Life S)	1	Hinton, Kelsey(Able)				Diaz, Savannah (SC)	3	Total
Ramirez, Nichole	17	Adams, Emily	14	Perkins, S (Life S)	2	Jones, Wendy	22	Bruce, Madison	18	Gorham, Mary	14	352
Smith, Debra	19	Koenig, Marian	17	Bartley, Renae	14	Hayden, Mya	21	Demarest, Emilie	19	Kellison, Amber	17	
Spears, Elsy	17	Schwirse, Dezi	16	Gormley, Caitrin	16	Victorio, Daisy	22	Trotter, Natalie	19	Nokes, Summer	15	
				Padberg, Janna	17					Radillo, Elizabeth	14	
				Rawlings, Nickole	18							
Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Avg,
Total	53		47		68		65		56		63	17.6
1st grade				Carlson, K (Life S)	1	Hinton, Kelsey(Able)	1			Diaz, Savannah (SC)	4	Total
Bennett, Jeannine	19	Cox, Jen	16	Perkins, S (Life S)	3	Badillo-Juarez, Ana	18	Hantke, Sonia	21	Schaefer, Stacy	16	372
Farley, Kelsey	19	Liebe, Martha	15	Milligan, Amber	18	Dunkel, Michelle	20	Meyers, Hayden	22	Searles, Eileen	18	
Lillie, Shelly	18	Watson, Bailey	15	Powell, Annette	18	Godby, Katia	18	Mosher, Aimee	22	Wattenburger, Marci	18	
				Spencer, Cherilyn	20	Griffin, Kristine	17			Zuniga, Mariana	15	
Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Avg,
Total	56		46		60		74		65		71	18.6
2nd grade				Carlson, K (Life S)	1	Hinton, Kelsey (Able)	1			Diaz, Savannah (SC)	5	Total
Lowery, Jennifer	17	Cooley, Samantha	16	Perkins, S (Life S)	2	James, Megan	19	Colbray, Delta	18	Morris, Melissa (SC)	3	390
McCann, Jessica	16	Johnson, Osieauna	17	Greenup, Nina	18	Phillips, Bobbi	19	Smith, Monica	17	Johnston, Dawn	19	
Rettkowski, Tiffany	16	Wilson, Madison	18	Meade, Alesia	19	Putnam, Brittanee	18	Torres, Martha	15	Neddo, Tess	20	
Wells, Sarah	18			Newton, Jammie	20	West, Courtney	20	Zumaya, Gabriela	17	Springstead, Amy	21	
Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Avg,
Total	67		51		60		77		67		68	18.6
3rd grade				Carlson, K (Life S)	3	Hinton, Kelsey (Able)	3			Morris, Melissa (SC)	2	Total
Artz, Cristal	21	Juul, Mackenzie	19	Perkins, S (Life S)	1	Basso, Caroline	23	Johnson, Natasha	23	Morgan, Michelle	24	405
Cope, Lyndsey	22	Ranger, Kelsey	18	Mulkey, Kaitlin	21	Cotterell, Emily	23	Maddox, Noelle	23	Purswell, Kim	25	
Frazier, Kara	22	Verwold, Taylor	18	Walchli, Courtney	20	Rodriguez, Adriane	22	St. Hilaire, Ashley	21	Smith, Brittany	26	
				White, Linda	21							
								Arenas, Patti (NC)	4			
Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Avg,
Total	65		55		66		71		71		77	22.5
4th grade				Carlson, K (Life S)	1	Ekblad (Team)	1			Morris, Melissa (SC)	1	Total
Kramer, Hailey	16	Cooke, Angie	20	Perkins, S (Life S)		Hinton, Kelsey (Able)	0	Davis, Makendie	19	Hardin, Deniel	25	427
Lomas, Sara	15	Plum, Deanna	19	Gilstrap, Lily	25	Lindeman, Alissa	23	Richardson, Kelby	18	Madrigal, Jaime	24	
Wellsandt, Darci	17	Sieble, Carolina	20	Hamilton, Natalie	25	Thompson, Hannah	22	Rouska, Aaron	18	Peterson, Allison	25	
				Stuart, Eleanor	25	Weis, Haley	21	Scofe, Bailey	19			
						Winn, Courtney	22	Arenas, Patti (NC)	6			
Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Avg,
Total	48		59		76		89		80		75	21.4
5th grade				Carlson, K (Life S)	2	Ekblad (Team)	2			Morris, Melissa (SC)	3	Total
McCormack, Janey	24	Cook, Justine	18	Perkins, S (Life S)	2	Best, Sara	26	Brown, Jessica	26	Childs, Michelle	19	442
Miller, Sidney	23	Greenough, Kelly	20	Culligan, Tracy	24	Combs, Heather	23	Finn, Jessica	26	Deagan, Amanda	19	
Nicodemus, Connie	24	Hamann, Bonnie	19	Roberts, Cailyn	24	Linn, Josh	24	Mignin, Kaitkyn	27	Dopps, Kathy	20	
				Rodriguez, Amanda	22					Nyzc, David	19	
								Arenas, Patti (NC)	6			
Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Avg,
Total	71		57		74		75		85		80	23.3

10/31/2023

CUMULATIVE SCHOOL ENROLLMENT -- HERMISTON SCHOOL DISTRICT 8R

	Part Time	Kg	1st grade	2nd grade	3rd grade	4th grade	5th grade	6th grade	7th grade	8th grade	9th grade	10th grade	11th grade	12th grade	Total
DESERT VIEW		53	56	67	65	48	71								360
HIGHLAND HILLS		47	46	51	55	59	57								315
Loma Vista		68	60	60	66	76	74								404
ROCKY HEIGHTS		65	74	77	71	89	75								451
SUNSET		56	65	67	71	80	85								424
WEST PARK		63	71	68	77	75	80								434
Elementary Total		352	372	390	405	427	442								2388
															0
ALMS								241	244	255					740
SMS								213	191	188					592
															0
HHS											432	447	404	403	1686
COMBINED TOTAL		352	372	390	405	427	442	454	435	443	432	447	404	403	5406

	Increase/ Decrease
Last month's total enrollment:	5439 -33
Same month one year ago:	5473 -67



Regular Attenders:

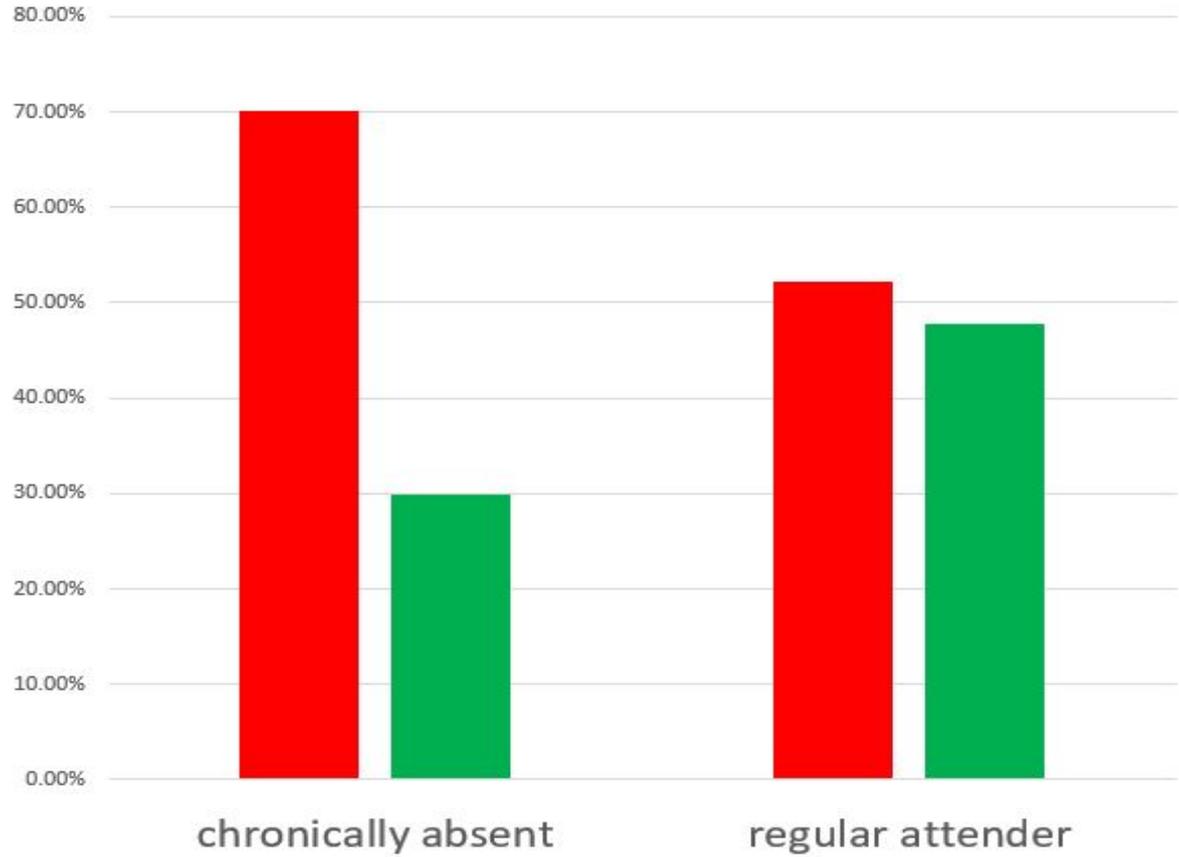
Students who attend 90% or more of their enrolled school days

	Elementary Schools	Middle Schools	High School
Regular Attenders	71%	70%	63%
Average Attendance	92%	92%	88%





Attendance and ELA Proficiency



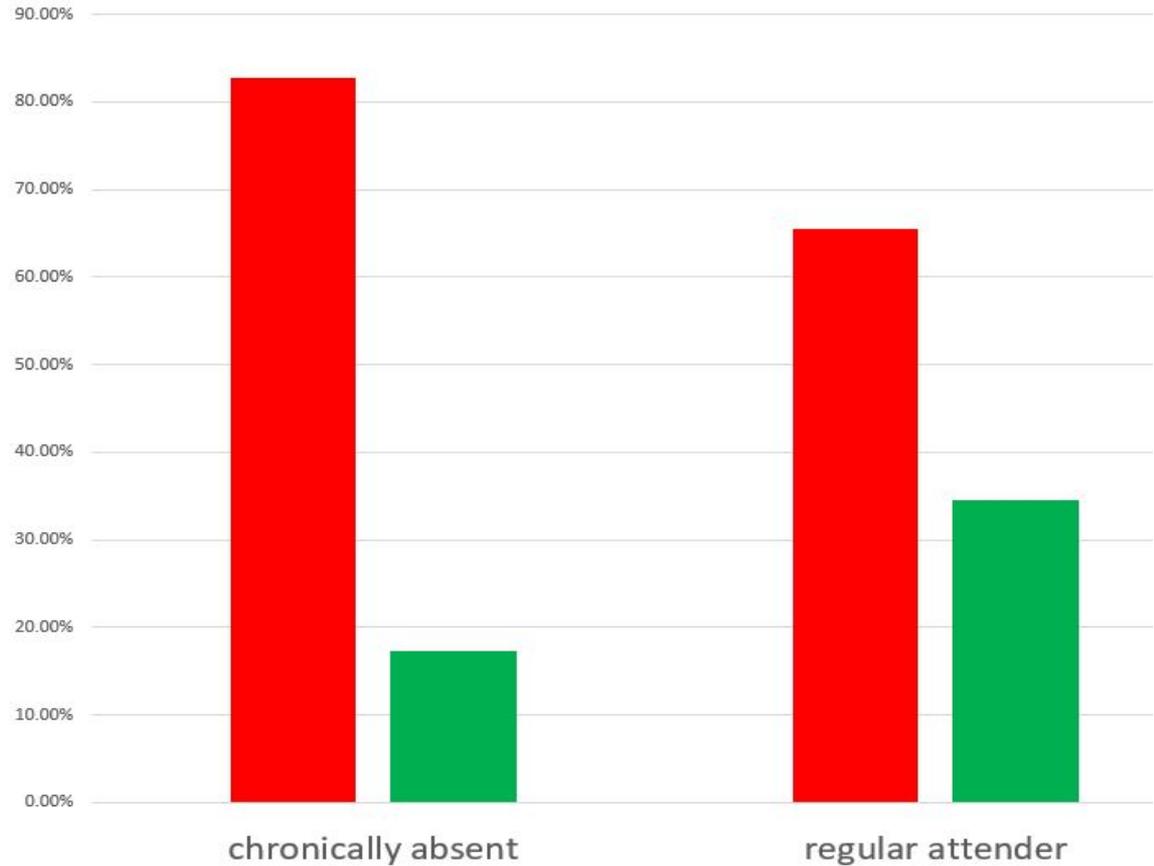
■ Does not Meet
■ Meets





Attendance and Math Proficiency

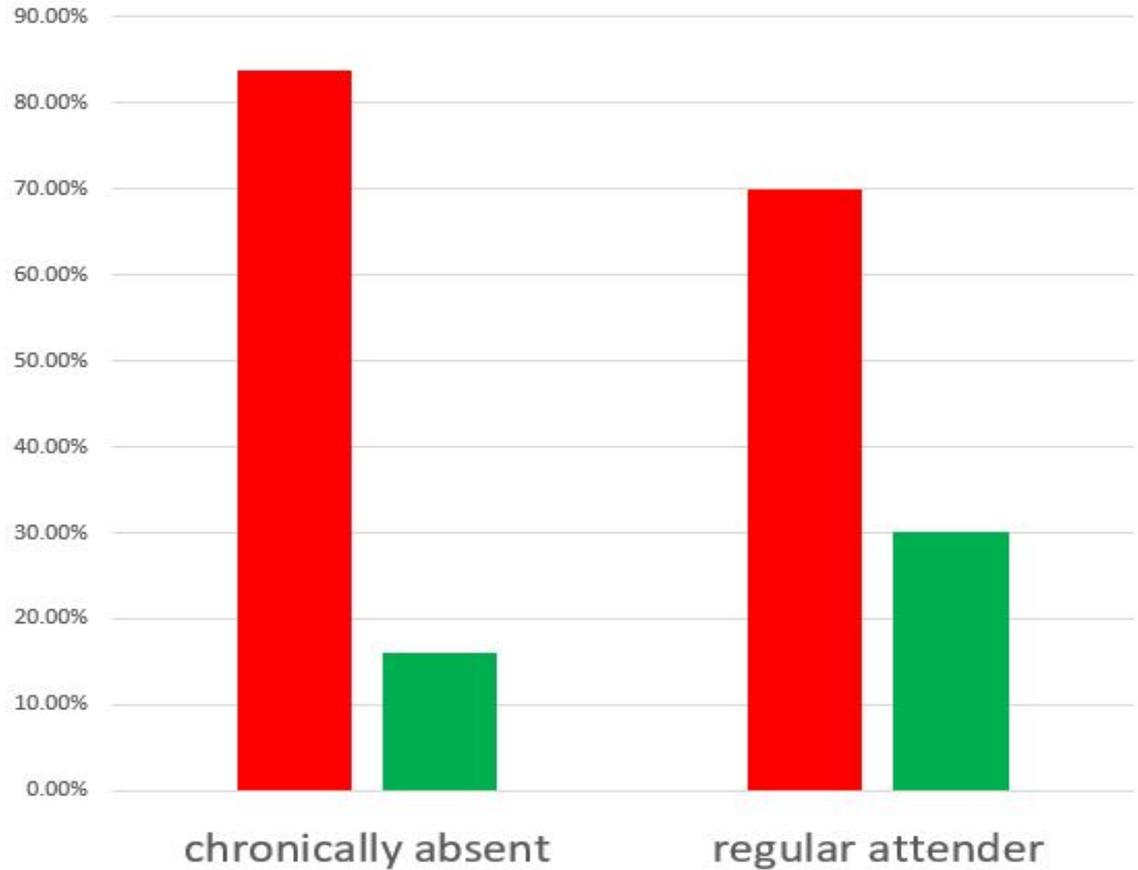
■ Does not Meet
■ Meets





Attendance and Science Proficiency

■ Does not Meet
■ Meets





Hermiston School-aged Youth

All youth of “school age” within Hermiston

HSD Enrollment	HSD Transfers Out	Private School Enrollment	Online School Enrollment	Home School Enrollment
5406*	221	134	83	162

*113 are student transfers into Hermiston from neighboring school districts



**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

November 13, 2023

ASSISTANT SUPERINTENDENT'S RECOMMENDATION

7.1 CONSENT: Human Resources Department

7.1.1 TOPIC: Personnel Resignation

It is recommended.

RECOMMENDATION:

. that the Board of Education approves the resignation of the following employees:

Catherine Browning	Educational Assistant	Sunset Elementary
Andrea Dunlap	Social Worker	District Office
Stephanie Povey	District Nurse	District Office
Melisa Sardella	Educational Assistant	Rocky Heights Elementary

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

November 13, 2023

ASSISTANT SUPERINTENDENT'S RECOMMENDATION

7.1 CONSENT: Human Resources Department

7.1.2 TOPIC: Personnel Appointment

It is recommended.

RECOMMENDATION:

. that the Board of Education approves the appointment of the following employees:

Jamie Bartman	Educational Assistant	West Park Elementary
Krystal Dunagan	Educational Assistant	Loma Vista Elementary
Aiden Favorite	Educational Assistant	Sunset Elementary
Sonia Gutierrez	Custodian	Armand Larive Middle
Hannah Henderson	Educational Assistant	Hermiston High
Austin Naillon	Assistant Boys Basketball Coach	Hermiston High
Cory Reasor	Educational Assistant	Sandstone Middle
Andrew Weedin	Special Education Teacher	Sunset Elementary

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

November 13, 2023

ASSISTANT SUPERINTENDENT'S RECOMMENDATION

7.1 CONSENT: Human Resources Department

7.1.3 TOPIC: Extra Responsibility & Extra Duty Contracts

It is recommended.

RECOMMENDATION:

. that the Board of Education approves the extra responsibility and extra duty contracts as attached.

Dylan Caldwell	Boys Basketball Coach	Sandstone Middle
Carson Clem	Boys Basketball Coach	Armand Larive Middle
Angie Cooke	Enrichment Coach	Highland Hills Elementary
Tammy Fisher	Boys Swimming Coach	Hermiston High
Ericka Hearne	Credit Recovery Scorer	Hermiston High
Natasha Johnson	Enrichment Coach	Sunset Elementary
Mackenzie Juul	Enrichment Coach	Highland Hills Elementary
Adhal Martinez	Boys Basketball Coach	Armand Larive Middle
Teresa Neddo	Enrichment Coach	West Park Elementary
Brittanee Putman	Enrichment Coach	Rocky Heights Elementary
Jonathon Ramirez	Boys Basketball Coach	Sandstone Middle
Cailyn Roberts	Enrichment Coach	Loma Vista Elementary
Debra Smith	Enrichment Coach	Desert View Elementary
Bailey Srofe	Enrichment Coach	Sunset Elementary
Courtney Winn	Enrichment Coach	Rocky Heights Elementary
Jacob Zumwalt	Boys Swimming Coach	Hermiston High

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

November 13, 2023

DIRECTOR OF BUSINESS SERVICES' RECOMMENDATION

7.2 CONSENT ITEMS: Business Office

7.2.1 TOPIC: Acceptance of Gifts

It is recommended.

RECOMMENDATION:

. that the Board of Education accepts the following gifts:

SCHOOL/PROG	GIFT	VALUE	DONOR
Hermiston High School Key Club	Cash	\$3,705.55	Hermiston Kiwanis Foundation



Hermiston School District 8R

305 SW 11TH Street, Hermiston, Oregon 97838-2103

Phone: (541) 667-6000 Fax: (541) 667-6050

www.hermiston.k12.or.us

APPLICATION FOR ACCEPTANCE OF GIFT

Unit to be presented with Gift/Donation: Hermiston High School Key Club

Name of Donor: Hermiston Kiwanis Foundation

Donor Address: PO Box 375, Hermiston, OR 97838

Donor Telephone Number: _____

Description of gift(s)/donation(s) including Serial #, purchase date, original purchase price and current cash value: CK #1361 \$3,705.55

Purpose of gift/donation: Transportation Exp

Signature of Donor: NA

Date: 10/05/2023

Authority to accept a gift, donation, emolument, favor, or gratuity to the School District is vested in the Board of Education. All such gifts shall become property of the School District.

Gifts will be considered for acceptance, with full District responsibility for maintenance, if they are of a type appearing on approved standard equipment lists or are closely related in instructional value.

Recommendation of Unit Administrator Karen Isaac Date: 10/05/2023

Recommendation of Business Manager Karen Isaac Date: 10/05/2023

Recommendation of Superintendent J. Money Date: _____

Action of the Board of Education: Accepted _____ Not Accepted _____

Secretary to the Board of Education _____ Date: _____

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

November 13, 2023

SUPERINTENDENT’S RECOMMENDATION

7.3 CONSENT ITEMS: Superintendent’s Office

7.3.1 TOPIC: Policy Review – First Reading

It is recommended.

RECOMMENDATION:

. that the Board of Education adopts the list of policies under review, as included:

BD/BDA	Board Meetings
BDC	Executive Sessions
EFA	Local Wellness
GCBDA/GDBDA	Family Medical Leave
GCBDA/GDBDA-AR(1)	Family Leave
IGAI	Human Sexuality, AIDS/HIV, Sexually Transmitted Diseases, Health Education**
LBE	Public Charter Schools**
LBEA	Resident Student Denial for Virtual Public Charter School Attendance**

Hermiston School District 8R

Code: BD/BDA
Adopted: 9/12/16
Revised/Readopted: 7/10/17; 1/24/22
Orig. Code: BD/BDA

Board Meetings

The Board has the authority to act only when a quorum is present at a duly called regular, special or emergency meeting. “Meeting” means the convening¹ of a quorum of the Board as the district’s governing body to make a decision² or to deliberate³ toward a decision on any matter. This includes meeting for the purpose of gathering information to serve as the basis for a subsequent decision or recommendation by the Board, i.e. a work session. “Meeting” does not include any on-site inspection of any project or program the attendance of members of the Board at any national, regional or state association to which the Board or its members belong.

The affirmative vote of the majority of members of the Board is required to transact any business.

All regular, special and emergency meetings of the Board will be open to the public except as provided by law. Access to and the ability to attend all meetings (excluding executive sessions) by telephone, video or other electronic or virtual means will be made available when reasonably possible. All meetings will be conducted in compliance with state and federal statutes. For information on how to give or submit public comment, refer to Board policy BDDH - Public Comment at Board Meetings⁴.

All Board meetings, including Board retreats and work sessions, will be held within district boundaries, except as allowed by law⁵. The Board may attend training sessions outside the district boundaries but cannot deliberate or discuss district business. No meeting will be held at any place where discrimination

¹ “Convening” means: (a) Gathering in a physical location; (b) Using electronic, video or telephonic technology to be able to communicate contemporaneously among participants; (c) Using serial electronic written communications among participants; or (d) Using an intermediary to communicate among participants.

² “Decision” means any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of a governing body is required, at any meeting at which a quorum is present.

³ “Deliberation” means discussion or communication that is part of a decision-making process.

⁴ When telephone or other electronic means of communication is used during a meeting open to the public, the Board shall make at least one place available to the public where, or at least one electronic means by which, the public can listen during the meeting. At all meetings of the Board open to the public, the public will be provided an opportunity, to the extent reasonably possible, to access and attend the meeting by telephone, video or other electronic or virtual means. If in-person oral testimony (or public comment) is allowed, the public will be provided, to the extent reasonably possible, an opportunity to submit oral testimony during the meeting, at the designated portion of the agenda, by telephone, video or other electronic or other means. If in-person written testimony is allowed, the public will be provided, to the extent reasonably possible, an opportunity to submit written testimony including by email or other electronic means, so that the Board is able to consider the submitted testimony in a timely manner.

⁵ ORS 192.630(4). Meetings of the governing body of a public body shall be held within the geographic boundaries over which the public body has jurisdiction, or at the administrative headquarters of the public body or at the other nearest practical location. Training sessions may be held outside the jurisdiction if no deliberations toward a decision are involved.

on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, age or national origin is practiced.

The Board will give public notice reasonably calculated to give actual notice to interested persons, including the news media which have requested notice, of the time and place for all Board meetings and of the principal subjects to be considered. The Board may consider additional subjects at a meeting, even if they are not included in the notice.

If requested to do so at least 48 hours before a meeting held in public, the Board shall make a good faith effort to provide an interpreter for hearing-impaired persons. If the meeting is being held upon less than 48 hours' notice and a request for an interpreter is made, the Board shall make a reasonable effort to have an interpreter present. Other appropriate auxiliary aids and services will be provided upon request and appropriate advance notice.

If requested to do so at least 48 business hours before a meeting held in public, the Board will make a reasonable effort to provide translation services.

All meetings held in public shall comply with the Oregon Indoor Clean Air Act.

The possession of dangerous or deadly weapons and firearms, as defined in law and Board policy, is prohibited on district property.

1. Regular, Special and Emergency Meetings

Generally, a regular Board meeting will be held each month. The regular meeting schedule will be established at the annual organizational meeting and may be changed by the Board with proper notice. The purpose of each regular monthly meeting will be to conduct the regular Board business.

No later than the next regular meeting following July 1, the Board will hold the annual organizational meeting to elect Board officers for the coming year and to establish the year's schedule of Board meetings. In Board election years (odd numbered years), the first meeting will be held no later than July 31.

Special meetings can be convened by the Board chair, upon request of three Board members, or by common consent of the Board at any time to discuss any topic. A special meeting may be scheduled if less than a quorum is present at a meeting, additional business still needs to be conducted at the ending time of a meeting, conducting business prior to the next regular meeting would be advantageous to the district or other reasons. At least 24 hours' notice must be provided to all Board members, the news media, which have requested notice, and the general public for any special meeting.

Emergency meetings can be called by the Board in the case of an actual emergency upon appropriate notice under the circumstances. The minutes of the emergency meeting must describe the emergency. Only topics necessitated by the emergency may be discussed or acted upon at the emergency meeting.

2. Communications Outside of Board Meetings

Communications, to, by and among a quorum of Board members outside of a legally called Board meeting, in their capacity as Board members, shall not be used for the purpose of discussing district business. This includes electronic, video or telephonic communications, serial electronic communications among participants and using an intermediary to communicate among participants. Such communications among Board members shall be limited to messages not involving deliberation, debate, decision-making or gathering of information on which to deliberate.

Communications outside of a Board meeting may contain:

- a. Communications to, between or among members of a governing body that are:
 - (1) Purely factual or educational in nature and that convey no deliberation or decision on any matter that might reasonably come before the Board (including agendas and information concerning agenda items);
 - (2) Not related to any matter that, at any time, could reasonably be foreseen to come before the Board for deliberation and decision; or
 - (3) Nonsubstantive in nature, such as communication relating to scheduling, leaves of absence and other similar matters; or
- b. Individual responses to questions posed by community members, subject to other limitations in Board policy.

3. Private or Social Meetings

Private or social meetings of a quorum of the Board for the purpose of making a decision or to deliberate toward a decision on any matter are prohibited by public meetings law.

4. Work Sessions

The Board may use regular or special meetings for the purpose of conducting work sessions to provide its members with opportunities for planning and thoughtful discussion. Work sessions will be conducted in accordance with state law on public meetings, including notice and minutes. The Board may make official decisions during a work session.

5. Executive Sessions

Executive sessions may be held during regular, special or emergency meetings for a reason permitted by law.

Complaints regarding public meetings laws can be filed with the Board in accordance with Board Policy KL – Public Complaints. The Board will respond and provide a copy of the complaint and response to the Oregon Government Ethics Commission within 21 days in accordance with state law.⁶

Mandatory Training

⁶ See House Bill 2805 (2023) Section 5(2) for requirements of the response.

Every member of the Board shall attend or view a training on public meetings law prepared or approved by the Oregon Government Ethics Commission (OGEC) at least once during the Board member's term of office and shall verify attendance in accordance with OGEC procedures.

END OF POLICY

Legal Reference(s):

[ORS Chapter 192](#)

[ORS 255.335](#)
[ORS 332.040 - 332.061](#)

[ORS 433.835 - 433.875](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2020); 28 C.F.R. Part 35 (2020).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).

OR. ATTY. GEN. Public Records and Meetings Manual.

[House Bill 2805](#) (2023).

Hermiston School District 8R

Code: **BDC**
Adopted: 9/12/16
Revised/Readopted: 7/10/17; 2/10/20
Orig. Code: BDC

Executive Sessions

The Board may meet in executive session to discuss subjects allowed by statute but may not take final action except for the expulsion of a student and matters pertaining to or examination of the confidential records of the student.

An executive session may be included as an agenda item of an existing meeting [in accordance with Board policy BDDC - Board Meeting Agenda] or held as its own meeting. Proper notice is required.

If open session is held prior to the executive session, the presiding officer will announce the executive session by identifying the authorization under Oregon Revised Statute (ORS) 192.660 or ORS 332.061 for holding such session and by noting the subject of the executive session.

The Board may hold an executive session:

1. To consider the employment of a public officer, employee, staff member or individual agent.¹ (ORS 192.660(2)(a))
2. To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer², employee, staff member or individual agent who does not request an open hearing. (ORS 192.660(2)(b))
3. To conduct deliberations with persons designated by the governing body to carry on labor negotiations. (ORS 192.660(2)(d))
4. To conduct deliberations with persons designated by the governing body to negotiate real property transactions. (ORS 192.660(2)(e))
5. To consider information or records that are exempt by law from public inspection. (ORS 192.660(2)(f))

¹ This provision does not apply to the filling of a vacancy in elective office or on any public committee, commission or other advisory group; or for the consideration of general employment policies. Prior to holding an executive session under ORS 192.660(2)(a), the Board must ensure

- a. The vacancy has been advertised;
- b. Regular hiring procedures have been adopted;
- c. If hiring an officer, the public has had the opportunity to comment on the employment of the officer; and
- d. If hiring a chief executive officer, the Board has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

² To determine whether the individual involved is considered a public officer, consult with legal counsel.

6. 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. (ORS 192.660(2)(h))
7. To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing. (ORS 192.660(2)(i))
8. To consider matters relating to school safety or a plan that responds to safety threats made toward a school. (ORS 192.660(2)(k))
9. To consider matters relating to the safety of the governing body and of public body staff and volunteers and the security of public body facilities and meeting spaces. (ORS 192.660(2)(o))
10. To consider matters relating to cyber security infrastructure and responses to cyber security threats. (ORS 192.660(2)(p))
11. To review the expulsion of a minor student from a public elementary or secondary school. (ORS 332.061(1)(a))
12. To review matters pertaining to or examination of the confidential records of a student. (ORS 332.061(1)(b))

Members of the press may attend executive sessions except those matters pertaining to:

1. Deliberations with persons designated by the Board to carry on labor negotiations;
2. Hearings on the expulsion of a minor student or examination of the confidential records of a student'; and
3. Current litigation or litigation likely to be filed if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.

If an executive session is held pursuant to ORS 332.061, the following shall not be made public: the name of the minor student; the issue, including the student's confidential records; the discussion; and each Board member's vote on the issue.

Minutes shall be kept for all executive sessions.

Content discussed in executive sessions is confidential except as provided by law. Board members and the media are instructed not to disclose information obtained in executive session except when specifically authorized to do so or as required by law.

END OF POLICY

Legal Reference(s):

[ORS 192.660](#)

[ORS 332.045](#)

[ORS 332.061](#)

OR. ATTY. GEN. Public Records and Meetings Manual.

Hermiston School District 8R

Code: EFA
Adopted: 7/10/17
Revised/Readopted: 11/14/22

Local Wellness

The district is committed to the optimal development of every student and believes that a positive, safe and health-promoting learning environment is necessary for students to have the opportunity to achieve personal, academic, developmental and social success.

To help ensure students possess the knowledge and skills necessary to make healthy choices for a lifetime, the superintendent shall prepare and implement a comprehensive district nutrition program consistent with state and federal requirements for districts sponsoring the National School Lunch Program (NSLP) and/or the School Breakfast Program (SBP). The program shall reflect the Board's commitment to providing adequate time for instruction that fosters healthy eating through nutrition education and promotion, serving healthy and appealing foods at district schools, developing food-use guidelines for staff and establishing liaisons with nutrition service providers, as appropriate.

POLICY IMPLEMENTATION, MONITORING, ACCOUNTABILITY AND COMMUNITY ENGAGEMENT

Implementation

The district shall manage and coordinate the implementation of this local wellness policy.

Implementation will consist of, but not be limited to, the following:

1. Delineating roles, responsibilities, actions and timelines specific to each school;
2. Generating and disseminating information about who will be responsible to make what change, by how much, where and when;
3. Establishing standards for all foods and beverages provided (but not sold) to students during the school day on participating school campuses;
4. Establishing standards and nutrition guidelines for all foods and beverages sold to students during the school day on participating school campuses that meet state and federal nutrition standards for NSLP and SBP, competitive foods, permit marketing of same that meets the competitive food nutrition standards, and promotes student health and reduces child obesity; and
5. Establishing specific goals for nutrition promotion and education, physical activity, physical education and other school-based activities that promote student wellness.

The Board designates the superintendent and principals as the people who will be responsible for ensuring each school meets the goals outlined and complies with this policy.

Record Keeping

The district will retain the following records to document compliance with the local wellness policy requirements at the district's administrative offices:

1. The written local wellness policy;
2. Documentation to demonstrate the policy has been made available to the public;
3. Documentation of efforts to review and update the local wellness policy, including an indication of who participates in the update and the methods the district uses to make stakeholders aware of their ability to participate;
4. Documentation to demonstrate compliance with the annual public notification requirements;
5. Documentation of the district's most recent assessment on the implementation of the local wellness policy;
6. Documentation to demonstrate the most recent assessment on the implementation of the local wellness policy has been made available to the public.

Notification of Policy

The district will inform the public about the content and implementation of the local wellness policy, and post the policy and any updates to the policy on the district website annually. Included will be, if available, the most recent assessment of the implementation, and a description of the progress being made in attaining the goals of the policy. The district will publicize the name and contact information of the district or school official(s) leading and coordinating the policy and information on how the public can get involved with the local wellness policy. This information will be published on the district's website and in district communications.

Triennial Progress Assessments

At least once every three years, the district will evaluate the implementation of this policy and its progress with a triennial assessment and produce a progress report that will include:

1. The extent to which schools under the jurisdiction of the district are in compliance with the policy;
2. The extent to which the district's policy compares to model local school wellness policy; and
3. A description of the progress made in attaining the goals of the district's policy.

The district will publish the triennial progress report on the district website when available. The district will update or modify the policy based on results of the triennial assessment.

Community Involvement, Outreach and Communications (Review of, and Updating Policy)

The district will actively communicate ways in which the community can participate in the development, implementation and periodic review and update of the local wellness policy. The district will communicate information about opportunities in community news, on the district's website, on school websites, and/or

in district or school communications. The district will ensure that communications are culturally and linguistically appropriate to the community.

Parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the Board, school administrators, and the general public will be solicited to participate in the periodic review and update of the local school wellness policy.

NUTRITION PROMOTION AND NUTRITION EDUCATION

Nutrition promotion and nutrition education positively influence lifelong eating behaviors by using evidence-based strategies and techniques and nutrition messages and by creating food environments that support healthy nutrition choices.

To promote nutrition education in the schools, the principal is responsible for ensuring the following goals are implemented:

1. Students and staff will receive consistent nutrition messages throughout the school environment;
2. Nutrition education is provided throughout the student's school years as part of the district's age-appropriate, comprehensive nutrition program (which includes the benefits of healthy eating, essential nutrients, nutritional deficiencies, principles of healthy weight management, the use and misuse of dietary supplements, safe food preparation, and handling and storage related to food and eating), and is aligned and coordinated with the Oregon Health Education Standards and school health education programs;
3. Nutrition education will include culturally relevant, participatory activities that include social learning strategies and activities that are aligned and coordinated with the Oregon Health Education Standards and school health education programs;
4. Teachers will receive curriculum-specific training;
5. Parents and families are encouraged through school communications to send healthy snacks/meals and reusable water bottles with their student to school;
6. Families and community organizations are involved, to the extent practicable, in nutrition education.

Nutrition promotion, including marketing and advertising nutritious foods and beverages to students, will be implemented consistently through a comprehensive and multi-channel approach, (e.g., in the classroom, cafeteria and at home) by staff, teachers, parents, students and the community.

To ensure adequate nutrition promotion, the following goals will be implemented:

1. Information about available meal programs is distributed prior to or at the beginning of the school year and at other times throughout the school year;
2. Information about availability and location of a Summer Food Service Program (SFSP) is distributed;
3. Nutrition promotion materials are sent home with students, published on the district website, and distributed at parent-teacher conferences;

4. Families are invited to attend exhibitions of student nutrition projects or health fairs.

School Meals

All schools within the district participate in U.S. Department of Agriculture (USDA) child nutrition programs, administered through the Oregon Department of Education (ODE), including the National School Lunch Program (NSLP), the School Breakfast Program (SBP) and the Summer Food Service Program (SFSP).

The district's available meal program(s) will operate to meet meal pattern requirements and dietary specifications in accordance with the Healthy, Hunger-Free Kids Act and applicable federal laws and regulations.

The principal(s) will support nutrition and food services operation as addressed in Board policy EFAA – District Nutrition and Food Services and its accompanying administrative regulation EFAA-AR – Reimbursable Meals and Milk Programs.

Water

Free, safe, unflavored, drinking water will be available to all students throughout the school day and throughout every school campus. The district will make drinking water available where school meals are served during mealtimes.

Competitive Foods and Beverages

The district controls the sale of all competitive foods. All foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day will meet or exceed Smart Snacks Standards¹. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, school stores, snack or food carts and fund raising.

Celebrations and Rewards/Incentives

All foods and beverages offered on the school campus are encouraged to meet the nutrition standards set by the USDA and the Oregon Smart Snacks Standards. This includes, but is not limited to, celebrations, parties, and classroom snacks brought by parents.

Fund Raising

Foods and beverages that meet or exceed the nutrition standards set by the USDA and the Oregon Smart Snacks Standards may be sold through fund raisers on the school campus during the school day.

¹ Oregon Department of Education, [Oregon Smart Snacks Standards](#)

Food and Beverage Marketing in Schools

Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the nutrition standards for competitive foods set by the USDA.

PHYSICAL ACTIVITY AND PHYSICAL EDUCATION

A quality physical education program is an essential component for all students to learn about and participate in physical activity. The district will develop and assess student performance standards and program minute requirements in order to meet ODE's physical education content standards and state law.

Physical activity should be included in the school's daily education program for grades K through 12 and include regular, instructional physical education, as well as co-curricular activities and recess.

In order to ensure students are afforded the opportunity to engage in physical education and physical activity in the school setting, the following goals are established:

1. Physical education will be a course of study that focuses on students' physical literacy and development of motor skills;
2. Staff encourages and provides support for parental involvement in their children's physical education;
3. Physical education courses will be the environment where students learn, practice and are assessed on developmentally appropriate knowledge, skills and confidence to become physically literate;
4. Instruction, provided by adequately prepared teachers, will meet the state adopted academic content standards for physical education (Oregon Revised Statute (ORS) 329.045). Teachers of physical education shall regularly participate in professional development activities annually;
5. Physical activity will be integrated across curricula and throughout the school day. Movement will be made a part of all classes or courses as part of a well-rounded education;
6. Physical activity during the school day (including, but not limited to, recess, classroom physical activity breaks or physical education) will not be used as a punishment or a reward;
7. At least 50 percent of the weekly physical education class time in grades K through 8 shall be devoted to actual physical activity.

Other Activities that Promote Student Wellness

The district will integrate wellness activities throughout the entire school environment (districtwide). The district will coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicated and work toward the same set of goals promoting student well-being, optimal development and strong educational outcomes.

The district will provide the following activities and encourage the following practices which promote local wellness:

1. Safe Routes to Schools Program;
2. Nonfood-related fund raisers;
3. Physical activity energizers during transitions from one subject to another;
4. Intramural sports;
5. Use of alternates to food as rewards in the classroom;
6. Integration of social, emotional and mental health supports into school programs (e.g., promote a positive school climate where respect is encouraged and students can seek help from trusted adults).

DEFINITIONS

1. “Competitive food” means all food and beverages other than meals reimbursed under programs authorized by the Richard B. Russell National School Lunch Act and the Child Nutrition Act available for sale to students on the school campus during the school day.
2. “Food and beverage marketing”² is defined as advertising and other promotion in schools. Food and beverage marketing often includes an oral, written or graphic statement made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product.
3. “Oregon Smart Snacks Standards”³ means the State’s minimum nutrition standards for competitive foods and beverages (ORS 336.423).

² This term includes, but is not limited to, the following: brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container; displays, such as on vending machine exteriors; corporate brand, logo, name or trademark on school equipment, such as marquees, message boards, scoreboards or backboards (Note: Immediate replacement of these items is not required; however, districts will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is financially possible over time so that items are in compliance.); corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, student assignment books or school supplies displayed, distributed, offered or sold by the district; advertisements in school publications or school mailings; free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

³ Oregon Department of Education, [Oregon Smart Snacks Standards](#)

4. “School day” means, for the purpose of competitive food standards implementation, the period from the midnight before, to 30 minutes after the end of the official school day, i.e., at the conclusion of afternoon student activities, such as athletic, music or drama practices, clubs, academic support and enrichment activities.
5. “School campus” means, for the purpose of competitive food standards implementation, all areas of property under the jurisdiction of the school that are accessible to students during the school day.

END OF POLICY

Legal Reference(s):

[ORS 327.531](#)
[ORS 327.537](#)
[ORS 329.496](#)
[ORS 332.107](#)

[ORS 336.423](#)

[OAR 581-051-0100](#)
[OAR 581-051-0305](#)

[OAR 581-051-0306](#)
[OAR 581-051-0310](#)
[OAR 581-051-0400](#)

Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. §1758b (2018).
National School Lunch Program, 7 C.F.R. Part 210 (2022).
School Breakfast Program, 7 C.F.R. Part 220 (2022).
[House Bill 3199](#) (2023).

Cross Reference(s):

EFAA - District Nutrition and Food Services

Hermiston School District 8R

Code: GCBDA/GDBDA
Adopted: 9/12/16
Revised/Readopted: 7/10/17
Orig. Code: GCBDA/GDBDA

Family Medical Leave

When applicable, the district will comply with the provisions of the Family and Medical Leave Act (FMLA), the Oregon Family Leave Act (OFLA), the Oregon Military Family Leave Act (OMFLA), Paid Family Medical Leave Insurance (PFMLI) and other applicable provisions of state and federal law, Board policies and collective bargaining agreements regarding family medical leave.

In order for an employee to be eligible for the benefits under FMLA, the employee must have been employed by the district for at least 12 months, have worked at least 1,250 hours during the past 12-month period and worked at a worksite that employs 50 district employees within 75 miles of the worksite.

Generally, in order for an employee to be eligible for the benefits under OFLA, the employee must work an average of 25 hours or more per week during the 180 calendar days immediately prior to the first day of the start of the requested leave. For parental leave purposes, an employee becomes eligible upon completing at least 180 calendar days immediately preceding the date on which the parental leave begins: there is no minimum average number of hours worked per week. Special requirements apply during public health emergencies.

OMFLA applies to employees who work an average of at least 20 hours per week; there is no minimum number of days worked when determining an employee's eligibility for OMFLA.

PMFLI is generally available to district employees who have earned \$1,000 in subject wages or taxable income during the alternate or base years¹, contributed to the PMFLI fund in the alternate or base years and are otherwise eligible.²

Federal and state leave entitlements generally run concurrently.

The superintendent or designee will develop administrative regulations as necessary for the implementation of the provisions of both federal and state law.

END OF POLICY

Legal Reference(s):

[ORS 332.507](#)
[ORS 657B.010](#)
[ORS 659A.090](#)

[ORS 659A.093](#)
[ORS 659A.096](#)
[ORS 659A.099](#)

[ORS 659A.150 - 659A.186](#)
[OAR 839-009-0200 - 0320](#)

¹ The wages are not required to have been earned for work in the district.

² See OAR 471-070-1010 for additional information.

Americans with Disabilities Act, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2017); 28 C.F.R. Part 35 (2017).
Family and Medical Leave Act, 29 U.S.C. §§ 2601-2654; 5 U.S.C. §§ 6381-6387 (2012); Family and Medical Leave Act, 29
C.F.R. Part 825 (2017).
Americans with Disabilities Act, 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).
Escriba v. Foster Poultry Farms, Inc. 743 F.3d 1236 (9th Cir. 2014).
Senate Bill 999 (2023).

Hermiston School District 8R

Code: GCBDA/GDBDA-AR(1)

Revised/Reviewed: 7/10/17; 1/11/21; 4/11/22

Family Leave

Employee Eligibility

FMLA benefits are available to employees who have been employed by the district for at least 12 months, have worked at least 1,250 hours during the past 12-month period and work at a worksite that employs 50 district employees within 75 miles of the worksite.

An employee who has previously qualified for and has taken some portion of FMLA leave may request additional FMLA leave within the same leave year. In such instances, the employee may not need to requalify as an eligible employee.

Generally, in order for an employee to be eligible for the benefits under OFLA, the employee must work an average of 25 hours or more per week during the 180 calendar days immediately prior to the first day of the start of the requested leave.¹ For parental leave purposes, an employee becomes eligible upon completing at least 180 days immediately preceding the date on which the parental leave begins: there is no minimum average number of hours worked per week.

An employee is eligible to take leave for purposes of OFLA during a period of time covered by a public health emergency except:

1. An employee who has worked for the district for fewer than 30 days immediately before the date on which the family leave would commence; or
2. An employee who has worked for the district for an average of fewer than 25 hours per week in the 30 days immediately before the date on which the family leave would commence.

An employee of the district is eligible to take leave for purposes of OFLA if the employee:

1. Separates from employment with the district, irrespective of any reason:
 - a. Is eligible to take leave OFLA at the time the employee separates; and
 - b. Is reemployed by the district within 180 days of separation from employment; or
2. Is eligible to take OFLA leave:
 - a. At the beginning of a temporary cessation of scheduled hours of 180 days or less; and
 - b. Returns to work at the end of the temporary cessation of scheduled hours of 180 days or less.

¹ The requirements of OFLA do not apply to any employer offering eligible employees a nondiscriminatory cafeteria plan, as defined by section 125 of the Internal Revenue Code of 1986, which provides as one of its options employee leave at least as generous as the leave required by OFLA.

Any OFLA leave taken by the employee within any one-year period continues to count against the length of time of OFLA leave the employee is entitled. The amount of time that an employee is deemed to have worked for the district prior to a break in service due to a separation from employment or a temporary cessation of scheduled hours shall be restored to the employee when the employee is reemployed by the district within 180 days of separation from employment or when the employee returns to work at the end of the temporary cessation of scheduled hours of 180 days or less.

An employee who has previously qualified for and has taken some portion of OFLA leave, may request additional OFLA leave within the same leave year. In such instances, the employee must requalify as an eligible employee for each additional leave requested unless one of the following exceptions apply:

1. An employee taking, in any order, some or all of 12 weeks of OFLA pregnancy disability leave and some or all of 12 weeks of OFLA leave for any other purpose, need not requalify leave in the same leave year;
2. An employee who has taken 12 weeks of parental leave need not requalify to take an additional 12 weeks in the same leave year for sick child leave;
3. An employee granted leave for a serious health condition for the employee or a family member need not requalify if additional leave is taken in this leave year for the same reason;
4. An employee unable to work because of a disabling compensable injury² need not requalify in order to use OFLA leave following a period the employee is off work due to the compensable injury; and
5. An employee who has taken serious health condition leave to care for a family member who dies during the employee's serious health condition need not requalify to take leave for the death of that family member.

OMFLA applies to employees who work an average of at least 20 hours per week. There is no minimum number of days worked when determining employee eligibility for OMFLA.

In determining if an employee has been employed for the preceding 180 calendar days, the district must consider days, paid or unpaid, an employee is maintained on payroll. Full-time public school teachers who have been maintained on payroll by the district for 180 consecutive calendar days are thereafter deemed to have been employed for an average of at least 25 hours per week during the 180 days immediately preceding the start date of the OFLA leave.

In determining average workweek, the employer must count the actual hours worked using the Fair Labor Standards Act (FLSA) guidelines.

Qualifying Reason

Eligible employees may access FMLA leave for the following reasons:

² As defined in ORS 656.005.

1. Serious health condition of the employee or the employee's covered family member. Serious health condition means an illness, injury, impairment or physical or mental condition that involves inpatient care³ or continuing treatment by a health care provider⁴.
2. Parental leave⁵ (separate from eligible leave as a result of a child's serious health condition):
 - a. Bonding with and the care for the employee's newborn (within 12 months following birth);
 - b. Bonding with and the care for a newly adopted child or newly placed child in foster care under the age of 18 (within 12 months of placement);
 - c. Care for a newly adopted child or newly placed child in foster care over 18 years of age who is incapable of self-care because of a physical or mental impairment (within 12 months of placement);
 - d. Time to effectuate the legal process required for placement of a child in foster care or the adoption of a child.
3. Military Caregiver Leave: leave for the care for spouse, child or next-of-kin who is a covered servicemember with a serious injury or illness;
4. Qualifying Exigency Leave: leave arising out of the foreign deployment of the employee's spouse, child or parent.

Eligible employees may access OFLA for the following reasons:

1. Serious health condition of the employee or the employee's covered family member. Serious health condition means:
 - a. An illness, injury, impairment or physical or mental condition that requires inpatient care in a hospital, hospice or residential medical care facility;
 - b. An illness, disease or condition that in the medical judgement of the treating health care provider poses an imminent danger of death, is terminal in prognosis with a reasonable possibility of death in the near future, or requires constant care;
 - c. Any period of disability due to pregnancy, or period of absence for prenatal care; or
 - d. Any period of absence for the donation of a body part, organ or tissue, including preoperative or diagnostic services, surgery, post-operative treatment and recovery.⁶
2. Parental leave (separate from eligible leave as a result of the child's serious health condition):
 - a. Bonding with and the care for the employee's newborn (within 12 months following birth);
 - b. Bonding with and the care for a newly adopted child or newly placed child in foster care under the age of 18 (within 12 months of placement);

³ Inpatient care means an overnight stay in a hospital, hospice, or residential medical facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care. 29 CFR 825.114.

⁴ Continuing treatment includes incapacity and treatment, pregnancy or prenatal care, chronic conditions, permanent or long-term conditions, conditions requiring multiple treatments, and absences attributable to incapacity. See 29 CFR 815.115.

⁵ Parental leave must be taken in one continuous block of time within 12 months of the triggering event.

⁶ This definition is from ORS 659A.150(7). A more detailed definition is available in OAR 839-009-0210(22).

- c. Care for a newly adopted child or newly placed child in foster care over 18 years of age who is incapable of self-care because of a physical or mental impairment (within 12 months of placement);
 - d. Time to effectuate the legal process required for placement of a child in foster care or the adoption of a child.
3. Sick Child Leave: leave for non-serious health conditions of the employee’s child. For OFLA, sick child leave includes absence to care for an employee’s child whose school or child care provider has been closed⁷ in conjunction with a statewide public health emergency declared by a public health official.⁸
 4. Bereavement Leave: leave related to the death of a covered family member.⁹
 5. Eligible employees may access OMFLA for the purpose of spending time with a spouse or domestic partner who is in the military and has been notified of an impending call or order to active duty, or who has been deployed during a period of military conflict.
 6. The eligibility of an employee who takes multiple leaves for different qualified reasons during the same leave year may be reconfirmed at the start of each qualified leave requested.

Definitions

1. Family member:
 - a. For the purposes of FMLA, “family member” means:
 - (1) Spouse¹⁰;
 - (2) Parent;
 - (3) Child; or
 - (4) Persons who are “in loco parentis”.
 - b. For the purposes of OFLA, “family member” means:
 - (1) Spouse or domestic partner;
 - (2) Child or the child’s spouse or domestic partner;
 - (3) Parent or the parent’s spouse or domestic partner;

⁷ “Closure” for the purpose of sick child leave during a statewide public health emergency declared by a public health official means a closure that is ongoing, intermittent, or recurring and restricts physical access to the child’s school or child care provider. OAR 839-009-0210(4).

⁸ The district may request verification of the need for sick child leave due to a closure during a statewide emergency. Verification may include:

1. The name of the child being cared for;
2. The name of the school or child care provider that has closed or become unavailable;
3. A statement from the employee that no other family member of the child is willing and able to care for the child; and

With the care of a child older than 14, a statement that special circumstances exist requiring the employee to provide care to the child during daylight hours.

⁹ Bereavement leave under OFLA must be completed within 60 days of when the employee received notice of the death.

¹⁰ “Spouse” means individuals in a marriage, including “common law” marriage and same-sex marriage.

- (4) Sibling or stepsibling, or the sibling’s or stepsibling’s spouse or domestic partner;
- (5) Grandparent or the grandparent’s spouse or domestic partner;
- (6) Grandchild or the grandchild’s spouse or domestic partner; or
- (7) Any individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship.¹¹

2. Child:

- a. For the purposes of FMLA, “child” means a biological or adopted child, a child in foster care, a stepchild, a legal ward or a child of a person standing “in loco parentis”, who is either under the age of 18, or who is 18 years of age or older and who is incapable of self-care because of a physical or mental disability.
- b. For the purposes of Military Caregiver Leave and Qualifying Exigency Leave under FMLA, “child” means the employee’s child on covered active duty regardless of that child’s age.
- c. For the purposes of OFLA, “child” means a biological or adopted child, a child in foster care or stepchild of the employee, the child of the employee’s domestic partner, or a child with whom the employee is or was in a relationship of “in loco parentis”.
- d. For the purposes of parental and sick child leave under OFLA, the child must be under the age of 18 or an adult dependent child substantially limited by a physical or mental impairment.

3. In loco parentis:

- a. For the purposes of FMLA, “in loco parentis” means persons with day-to-day responsibility to care for or financially support a child, or, in the case of an employee, who had such responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.
- b. For the purposes of OFLA, “in loco parentis” means person in the place of the parent, having financial or day-to-day responsibility for the care of a child. A legal or biological relationship is not required.

4. Next of kin:

For the purposes of FMLA , “next of kin” means the nearest blood relative other than the servicemember’s spouse, parent or child in the following order of priority (unless otherwise designated in writing by the servicemember):

- a. Blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions;
- b. Siblings;

¹¹ “Affinity” means a relationship for which there is a significant personal bond that, when examined under the totality of the circumstances, is like a family relationship. This bond may be demonstrated by, but is not limited to the following factors, with no single factor being determinative:

- a. Shared personal financial responsibility, including shared leases, common ownership of real or personal property, joint liability for bills or beneficiary designations;
- b. Emergency contact designation of the employee by the other individual in the relationship or the emergency contact designation of the other individual in the relationship by the employee;
- c. The expectation to provide care because of the relationship or the prior provision of care;
- d. Cohabitation and its duration and purpose;
- e. Geographic proximity; and
- f. Any other factor that demonstrates the existence of a family-like relationship.

- c. Grandparents;
- d. Siblings of parents and their spouses; and
- e. First cousins.

5. Covered servicemembers:

For the purposes of FMLA, “covered servicemember” means a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness; or a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

6. Covered veteran:

For the purposes of FMLA, “covered veteran” means an individual who was:

- a. A member of the Armed Forces (including a member of the National Guard or Reserves);
- b. Discharged or released under conditions other than dishonorable; and
- c. Discharged within the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.

7. Public health emergency:

For OFLA a public health emergency means;

- a. A public health emergency declared under ORS 433.441.
- b. An emergency declared under ORS 401.165 if related to a public health emergency as defined in ORS 433.442.

Leave Period

For the purposes of calculating an employee’s leave period, the district will use a period of 52 consecutive weeks beginning on the Sunday immediately preceding the date on which family leave commences. The same method for calculating the one-year period for FMLA and OFLA leave entitlement shall be used for all employees. However, in all instances, the leave period for the purposes of OMFLA and Military Caregiver Leave under FMLA shall be dependent on the start of any such leave regardless of the district’s designated leave period described above.

Leave Duration

For the purposes of FMLA, an eligible employee is generally entitled to a total of 12 weeks of qualified leave during the district’s designated leave period¹². Spouses who work for the district may be limited to a combined 12 weeks of FMLA leave during the district’s designated leave period when the purpose of the leave is for the birth of a child or to care for a child after birth, placement of an adopted child or child in

¹² An eligible employee taking Military Caregiver Leave under FMLA is entitled to up to 26 weeks of leave in the 12-month period beginning with the first day of such leave and regardless of any FMLA leave taken previously during the district’s leave period. However, once the 12-month period begins for the purposes of Military Caregiver Leave under FMLA, any subsequent FMLA qualified leave, regardless of reason for such leave, will count toward the employee’s 26-week entitlement under Military Caregiver Leave under FMLA.

foster care, the care for an adopted child or child in foster care after placement, or to care for the employee's parent's serious medical condition. Except in specific and unique instances, all qualified leave under FMLA counts toward an employee's leave entitlement within the designated leave period.

For the purposes of OFLA, an eligible employee is generally entitled to a total of 12 weeks of qualified leave during the designated leave period. However, an employee may be entitled to an additional, full 12 weeks of parental leave during the designated leave period following the birth of a child regardless of how much OFLA qualified leave the employee has taken prior to the birth of such child during the designated leave period. Likewise, an employee who uses the full 12 weeks of parental leave during the designated leave period, will be entitled to an additional 12 weeks of sick child leave under OFLA.¹³ Unlike FMLA, OFLA does not combine the leave entitlement for spouses working for the district. However, under OFLA, family members who work for the district may be restricted from taking concurrent OFLA qualified leave.¹⁴

For the purposes of OMFLA, an eligible employee is entitled to 14 days of leave per call or order to active duty or notification of a leave from deployment. When an employee also meets the eligibility requirements of OFLA, the duration of the OMFLA leave counts toward that employee's leave entitlement during the designated leave period.

Except as otherwise noted above, qualified leave under FMLA and OFLA for an eligible employee will run concurrently during the designated leave period.

For the purpose of tracking the number of leave hours an eligible employee is entitled and/or has used during each week of the employee's leave, leave entitlement is calculated by multiplying the number of hours the eligible employee normally works per week by 12¹⁵.

If an employee's schedule varies from week-to-week, a weekly average of the hours worked over the 12 months worked prior to the beginning of the leave period shall be used for calculating the employee's normal workweek¹⁶. If an employee takes intermittent or reduced work schedule leave, only the actual number of hours of leave taken may be counted toward the 12 weeks of leave to which the employee is entitled.

Intermittent Leave

With the exception of parental leave which must be taken in one continuous block of time, an eligible employee is permitted under FMLA and OFLA to take intermittent leave for any qualifying reason.

¹³ Sick child leave under OFLA need not be provided if another family member, including a noncustodial biological parent, is willing and able to care for the child.

¹⁴ Exceptions to the ability to require family members from taking OFLA qualified leave at different times are when 1) employee is caring for the other employee who has a serious medical condition; 2) one employee is caring for a child with a serious medical condition when the other employee is suffering a serious medical condition; 3) each family member is suffering a serious medical condition; 4) each family member wants to take Bereavement Leave under OFLA; and 5) the employer allows the family members to take concurrent leave.

¹⁵ For example, an employee normally employed to work 30 hours per week is entitled to 12 times 30 hours, or a total of 360 hours of leave.

¹⁶ For example, an employee working an average of 25 hours per week is entitled to 12 times 25 hours, or a total of 300 hours of leave.

Intermittent leave is taken in multiple blocks of time (i.e., hours, days, weeks, etc.) rather than in one continuous block of time and/or requiring an altered or reduced work schedule. For OFLA this includes but is not limited to sick child leave taken requiring an altered or reduced work schedule because the intermittent or recurring closure of a child's school or child care provider due to a statewide public health emergency declared by a public health official.

When an exempt employee is eligible for both OFLA and FMLA leave, and the employee takes intermittent leave in blocks of less than one day, if done in accordance with 29 C.F.R. § 825.206, the district may reduce the employee's salary for the part-day absence without the loss of the employee's exempt status in accordance with OAR 839-020-0004(30)(a).

When an exempt employee is eligible for OFLA but not FMLA leave, and the employee takes intermittent leave in blocks of less than one day, the district will jeopardize the employee's exempt status if the district reduces the employee's salary for the party-day absence.

An employee's FMLA and/or OFLA intermittent leave time is determined by calculating the difference between the employee's normal work schedule and the number of hours the employee actually works during the leave period. The result of such calculation is credited against the eligible employee's leave entitlement.

Holidays or days in which the district is not in operation, are not counted against the eligible employee's intermittent OFLA leave period unless the employee was scheduled and expected to work on any such day.

Alternate Work Assignment

The district may transfer an employee recovering from a serious health condition to an alternate position which accommodates the serious health condition provided:

1. The employee accepts the position voluntarily and without coercion;
2. The transfer is temporary, lasts no longer than necessary and has equivalent pay and benefits;
3. The transfer is compliant with any applicable collective bargaining agreement;
4. The transfer is compliant with state and federal law, including but not limited to the applicable protections provided for in FMLA and/or OFLA; and
5. The transfer is not used to discourage the employee from taking FMLA and/or OFLA leave for a serious health condition or to create a hardship for the employee.

The district may transfer an eligible employee who is on intermittent OFLA leave to another position with the same or different duties to accommodate the leave, provided:

1. The employee accepts the transfer position voluntarily and without coercion;
2. The transfer is temporary, lasts no longer than necessary to accommodate the leave and has equivalent pay and benefits;

3. The transfer is compliant with any applicable collective bargaining agreements;
4. The transfer is compliant with state and federal law, including but not limited to the applicable protections provided for in FMLA and/or OFLA;
5. The transfer to an alternate position is used only when there is no other reasonable option available that would allow the employee to use intermittent leave or reduced work schedule; and
6. The transfer is not used to discourage the employee from taking intermittent or reduced work schedule leave, or to create a hardship for the employee.

If an eligible employee is transferred to an alternative position to accommodate the employee's serious health condition, and as a result the employee works fewer hours than the employee was working in the original position, the employee's OFLA leave time is determined by calculating the difference between the employee's normal work schedule and the number of hours the employee actually works during the leave period.

When an employee is transferred to alternate position as described above but such transfer does not result in a reduced schedule, time worked in any such alternate position shall not be considered for the purpose of OFLA leave. An employee working in an alternate position retains the right to return to the employee's original position unless all OFLA leave taken in that leave year plus the period of time worked in the alternate position exceeds 12 weeks.

Special Rules for School Employees

For the purposes of FMLA, "instructional employee" means those whose principal function is to teach and instruct students in a class, a small group or an individual setting. Athletic coaches, driving instructors and special education assistants, such as interpreters for the hearing impaired, are included in this definition. This definition does not apply to teacher assistants or aides who do not have as their principal job actual teaching or instructing, counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers or bus drivers.

For the purposes of OFLA, "school employee" means employees employed principally as instructors in public kindergartens, elementary schools, secondary schools or education service districts.

FMLA and/or OFLA leave that is taken for a period that ends with the school year and begins with the next semester is considered consecutive rather than intermittent. In any such situation, the eligible school employee will receive any benefits during the break period that employees would normally receive if they had been working at the end of the school year.

1. Foreseeable Intermittent Leave Exceeding 20 Percent of Working Days

When the qualified leave is foreseeable, will encompass more than 20 percent of the eligible school employee's regular work schedule during the leave period, and the purpose of such leave is to care for a family member with a serious medical condition, for a servicemember with a serious medical condition or because of the employee's own serious medical condition, the district may require the eligible school employee to:

- a. Take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or

- b. Temporarily transfer the eligible school employee to an alternate position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave than the employee's original position.

2. Limitation on Leave Near the End of the School Year

When an eligible school employee requests leave near the end of the school year, the district may require the following:

- a. When the qualified leave begins more than five weeks before the end of the school year:
 - (1) For the purposes of FMLA leave, the eligible school employee may be required to continue taking leave until the end of the school year provided:
 - (a) The leave will last at least three weeks; and
 - (b) The employee would return to work during the three-week period before the end of the term.
 - (2) For the purposes of OFLA leave, if the reason for the leave is because of the eligible school employee's own serious health condition, the eligible school employee may be required to remain on leave until the end of the school year, provided:
 - (a) The leave will last at least three weeks; and
 - (b) The employee's return to work would occur within three weeks of the end of the school year.
- b. For the purposes of FMLA and/or OFLA leave, when the qualified leave begins within five weeks of the end of the school year and the purpose of such leave is parental leave, for the serious health condition of a family member or for the serious health condition of a servicemember, the eligible school employee may be required to remain on leave until the end of the school year provided:
 - (1) The leave will last more than two weeks; and
 - (2) The employee would return to work during the two-week period before the end of the school year.
- c. For the purposes of FMLA and/or OFLA leave, when the qualified leave begins within three weeks of the end of the school year and the purpose of such leave is parental leave, for the serious health condition of a family member or for the serious health condition of a servicemember, the eligible school employee may be required to remain on leave until the end of the school year provided the length of the leave will last more than five working days.

If the district requires an eligible school employee to remain on leave until the end of the school year as described above, additional leave required by the employer until the end of the school year shall not count against the eligible school employee's leave entitlement.

Paid/Unpaid Leave

FMLA and OFLA do not require the district to pay an eligible employee who is on a qualified leave. Paid Family Medical Leave Insurance (PMFLI) leave taken via Paid Leave Oregon or an equivalent plan will

run concurrently with OFLA and FMLA when taken for the same purpose. Subject to any related provisions in any applicable collective bargaining agreement an employee may elect to use any available accrued paid leave including personal and sick leave, or available accrued vacation leave during the leave period. This includes when an employee is being paid through PMFLI. The district will notify the eligible employee that the requested leave has been designated as FMLA and/or OFLA leave and ask the employee about the use of available accrued paid leave.

The district will notify the eligible employee that the requested leave has been designated as FMLA and/or OFLA leave and ask the employee about the use of available accrued paid leave.

Eligible employees who request OMFLA leave shall not be required to use any available accrued paid time off during the OMFLA leave period.

Benefits and Insurance

When an eligible employee returns to work following a FMLA or OFLA qualified leave, the employee must be reinstated to the same position the employee held when the leave commenced, or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

During an OFLA qualified leave an eligible employee does not accrue seniority or other benefits that would have accrued while the employee was working, unless the terms of a collective bargaining agreement, other agreement or other district policy provide otherwise.¹⁷ The eligible employee is also subject to layoff to the same extent similarly situated employees not taking OFLA leave are subject unless the terms of an applicable collective bargaining agreement, other agreement or the district's policies provide otherwise.

For the purposes of FMLA and OFLA, the district will continue to pay the employer portion of the eligible employee's group health insurance contribution (if applicable) during the qualified leave period. The eligible employee is required to pay the employee portion of any such group health insurance contribution as a condition of continued coverage.

For the purposes of FMLA qualified leave, the district's obligation to maintain the employee's group health insurance coverage will cease if the employee's contribution is remitted more than 30 calendar days late. The district will provide written notice that the premium payment is more than 30 calendar days late. Such notice will be provided within 15 calendar days before coverage is to cease.

For the purposes of OMFLA, the eligible employee is entitled to a continuation of benefits.

Fitness-for-Duty Certification

Prior to the reinstatement of an employee following a leave which was the result of the employee's own serious health condition, the district may require the employee to obtain and present a Fitness-for-Duty Certification. If the district is going to require a fitness-for-duty certification upon return to work, the district must notify the employee of such requirement when the leave is designated as FMLA and/or OFLA leave. Failure to provide the certification may result in a delay or denial of reinstatement.

¹⁷ See also ORS 342.934(4)(d) in reduction force situations.

For the purposes of FMLA qualified leave, any costs associated with obtaining the fitness-for-duty certification shall be borne by the employee.

For the purposes of OFLA qualified leave, any out-of-pocket costs associated with obtaining the fitness-for-duty certification shall be borne by the district.

If the leave is qualified under both FMLA and OFLA, any out-of-pocket costs associated with obtaining the fitness-for-duty certification shall be borne by the district.

Application

Under federal and state law, an eligible employee requesting FMLA and/or OFLA leave shall provide at least 30 days' notice prior to the leave date if the leave is foreseeable. The notice shall be written and include the anticipated start date, duration and reasons for the requested leave. When appropriate, the eligible employee must make a reasonable effort to schedule treatment, including intermittent leave and reduced leave, so as not to unduly disrupt the operation of the district.

The district may request additional information to determine that the requested leave qualifies as FMLA and/or OFLA leave. The district may designate the employee as provisionally on FMLA and/or OFLA leave until sufficient information is received to properly make a determination. An eligible employee able to give advance notice of the need to take FMLA and/or OFLA leave must follow the district's known, reasonable and customary procedures for requesting any kind of leave.

For the purposes of FMLA, if advance notice is not possible, an employee eligible for FMLA leave must provide notice as soon as practicable. "As soon as practicable," for the purpose of FMLA leave, means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case. In most situations, as soon as practicable will be within one business day of an employee becoming aware of the need. Failure of an employee to provide the required notice for FMLA leave may result in the district delaying the employee's leave up to 30 days after the notice is ultimately given.

For the purposes of OFLA, an eligible employee is required to provide oral or written notice within 24 hours of commencement of the leave in unanticipated or emergency leave situations. The employee may designate a family member or friend to notify the district during that period of time. Failure of an employee to provide the required notice for leave covered by OFLA may result in the district deducting up to three weeks from the employee's unused OFLA leave in that one-year leave period. The employee may be subject to disciplinary action for not following the district's notice procedures.

When an employee fails to give advance notice for both the FMLA and OFLA above, the district must choose the remedy that is most advantageous to the employee.¹⁸

In all cases, proper documentation must be submitted no later than three working days following the employee's return to work.

Medical Certification

¹⁸ See OAR 839-009-0250(4)(c).

The district may require an eligible employee to provide medical documentation, when appropriate¹⁹, to support the stated reason for such leave. The district will provide written notification to an employee of this requirement within five working days of the employee's request for leave. If the employee provides less than 30 days' notice, the employee is required to submit such medical certification no later than 15 calendar days after receipt of the district's notification that medical certification is required.

Any additional certifications, including second and third opinions, will be in accordance with applicable law.

Posted Notice

The district will post the Bureau of Labor and Industries Family Leave notice in each building or worksite that is accessible to and regularly frequented by employees.²⁰ The district will also post a notice explaining the provisions of FMLA and providing information concerning the procedures for filing complaints.²¹

Record Keeping

The district will maintain all records as required by federal and state laws including dates leave is taken by employees, identified separately from other leave; hours/days of leave; copies of general and specific notices to employees, including Board policy(ies) and regulations; premium payments of employee health benefits while on leave and records of any disputes with employees regarding granting of leave.

Medical documentation will be maintained separately from personnel files as confidential medical records.

Federal vs. State Law

Both federal and state law contain provisions regarding leave for family illness. Federal regulations state an employer must comply with both laws; that the federal law does not supersede any provision of state law that provides greater family leave rights than those established pursuant to federal law; and that OFLA and FMLA leave entitlements run concurrently. State law requires that FMLA and OFLA leave entitlements run concurrently when possible.

¹⁹ Medical documentation is not allowed in every situation. Review current laws and guidance for more information.

²⁰ https://www.oregon.gov/boli/employers/Documents/BOLI_Printable_FamilyMedLv.pdf; electronic posting is not sufficient to satisfy this requirement, but may be used to supplement the physical posting.

²¹ <https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/fmlaen.pdf>; electronic posting is sufficient as long as it is posted prominently where it can be readily seen by employees and applicants for employees. The poster and the text must be large enough to be easily read and contain fully legible text.

Hermiston School District 8R

Code: IGAI
Adopted: 10/07/08
Revised/Readopted: 7/10/17; 11/14/22
Orig. Code: IGAI

Human Sexuality, AIDS/HIV, Sexually Transmitted Diseases, Health Education**

The district shall provide an age appropriate, comprehensive plan of instruction focusing on human sexuality, HIV/AIDS and sexually transmitted infections and disease prevention in elementary and secondary schools as an integral part of health education and other subjects.

Course material and instruction for all human sexuality education courses that discuss human sexuality shall enhance a student's understanding of sexuality as a normal and healthy aspect of human development. A part of the comprehensive plan of instruction shall provide age-appropriate child sexual abuse prevention instruction for students in kindergarten through grade 12. The district must provide a minimum of four instructional sessions annually; one instructional session is equal to one standard class period. In addition, the HIV/AIDS and sexually transmitted infections and disease prevention education and the human sexuality education comprehensive plan shall provide adequate instruction at least annually, for all students in grades 6 through 8 and at least twice during grades 9 through 12.

Parents, teachers, school administrators, local health departments staff, other community representatives and persons from the medical community who are knowledgeable of the latest scientific information and effective education strategies shall develop the plan of instruction and align it with the Oregon Health Education Standards and Benchmarks.

The Board shall approve the plan of instruction and require that it be reviewed and updated biennially in accordance with new scientific information and effective educational strategies.

Parents of minor students shall be notified in advance of any human sexuality or AIDS/HIV instruction. Any parent may request that their child be excused from that portion of the instructional program under the procedures set forth in Oregon Revised Statute (ORS) 336.035(2).

The comprehensive plan of instruction shall include the following information that:

1. Promotes abstinence for school-age youth and mutually monogamous relationships with an uninfected partner for adults;
2. Allays those fears concerning HIV that are scientifically groundless;
3. Is balanced and medically accurate;
4. Provides balanced, accurate information and skills-based instruction on risks and benefits of contraceptives, condoms and other disease reduction measures;

5. Discusses responsible sexual behaviors and hygienic practices which may reduce or eliminate unintended pregnancy, exposure to HIV, hepatitis B/C and other sexually transmitted infections and diseases;
6. Stresses the risks of behaviors such as the sharing of needles or syringes for injecting illegal drugs and controlled substances;
7. Discusses the characteristics of the emotional, physical and psychological aspects of a healthy relationship;
8. Discusses the benefits of delaying pregnancy beyond the adolescent years as a means to better ensure a healthy future for parents and their children. The student shall be provided with statistics based on the latest medical information regarding both the health benefits and the possible side effects of all forms of contraceptives including the success and failure rates for prevention of pregnancy, sexually transmitted infections and diseases;
9. Stresses that HIV/STDs and hepatitis B/C can be possible hazards of sexual contact;
10. Provides students with information about Oregon laws that address young people's rights and responsibilities relating to childbearing and parenting;
11. Advises students of consequences of having sexual relations with persons younger than 18 years of age to whom they are not married;
12. Encourages family communication and involvement and helps students learn to make responsible, respectful and healthy decisions;
13. Teaches that no form of sexual expression or behavior is acceptable when it physically or emotionally harms oneself or others and that it is wrong to take advantage of or exploit another person;
14. Teaches that consent is an essential component of healthy sexual behavior. Course material shall promote positive attitudes and behaviors related to healthy relationships and sexuality, and encourage active student bystander behavior;
15. Teaches students how to identify and respond to attitudes and behaviors which contribute to sexual violence;
16. Validates the importance of one's honesty, respect for each person's dignity and well-being, and responsibility for one's actions;
17. Uses inclusive materials and strategies that recognizes different sexual orientations, gender identities and gender expression;
18. Includes information about relevant community resources, how to access these resources, and the laws that protect the rights of minors to anonymously access these resources; and
19. Is culturally inclusive.

The comprehensive plan of instruction shall emphasize skills-based instruction that:

1. Assists students to develop and practice effective communication skills, development of self-esteem and ability to resist peer pressure;
2. Provides students with the opportunity to learn about and personalize peer, media, technology and community influences that both positively and negatively impact their attitudes and decisions related to healthy sexuality, relationships and sexual behaviors, including decisions to abstain from sexual intercourse;
3. Enhances students' ability to access valid health information and resources related to their sexual health;
4. Teaches how to develop and communicate sexual and reproductive boundaries;
5. Is research based, evidence based or best practice; and
6. Aligns with the Oregon Health Education Content Standards and Benchmarks.

All sexuality education programs emphasize that abstinence from sexual intercourse, when practiced consistently and correctly, is the only 100 percent effective method against unintended pregnancy, sexually transmitted HIV and hepatitis B/C infection and other sexually transmitted infections and diseases.

Abstinence is to be stressed, but not to the exclusion of contraceptives and condoms for preventing unintended pregnancy, HIV infection, hepatitis B/C infection and other sexually transmitted infections and diseases. Such courses are to acknowledge the value of abstinence while not devaluing or ignoring those students who have had or are having sexual relationships. Further, sexuality education materials, including instructional strategies, and activities must not, in any way use shame or fear-based tactics.

Materials and information shall be presented in a manner sensitive to the fact that there are students who have experienced, perpetrated or witnessed sexual abuse and relationship violence.

END OF POLICY

Legal Reference(s):

[ORS 336.035](#)
[ORS 336.059](#)
[ORS 336.107](#)
[ORS 336.455 - 336.474](#)

[ORS 339.370 - 339.400](#)
[OAR 581-021-0009](#)
[OAR 581-021-0593](#)

[OAR 581-022-2030](#)
[OAR 581-022-2050](#)
[OAR 581-022-2220](#)

Cross Reference(s):

IGBHD - Program Exemptions

Hermiston School District 8R

Code: LBE
Adopted: 1/02/01
Revised/Readopted: 8/09/05; 12/10/12; 1/13/15;
7/24/17; 6/10/19; 1/11/21
Orig. Code: LBE

Public Charter Schools**

Public charter schools may be established as a new public school or a virtual public school, from one or more existing public schools in the district or a portion of the school, or from an existing alternative education program. A public charter school may not convert an existing tuition-based private school into a charter school, affiliate itself with a nonpublic sectarian school or religious institution, or encompass all the schools in the district unless the district is composed of only one school.

Public charter schools shall demonstrate a commitment to the mission and diversity of public education while adhering to the following goals:

1. Increase student learning and achievement;
2. Increase choices of learning opportunities for students;
3. Better meet individual student academic needs and interests;
4. Build stronger working relationships among educators, parents and other community members;
5. Encourage the use of different and innovative learning methods;
6. Provide opportunities in small learning environments for flexibility and innovation;
7. Create new professional opportunities for teachers;
8. Establish additional forms of accountability for schools; and
9. Create innovative measurement tools.

An applicant must submit a complete public charter school proposal that meets the requirements of Oregon law, and includes other information required by the district in the application process. The public charter school will be located and operated within the sponsoring district except where authorized by law.

The public charter school employer will be determined with each proposal. If the district is the employer, the terms of the current collective bargaining agreement will be examined to determine which parts of the agreement apply. If the district is not the sponsor of the public charter school, the district shall not be the employer and will not collectively bargain with public charter school employees.

The district will determine if it has any vacant or unused buildings and make a list of such buildings; buildings may be made available for public charter school use, subject to Board approval and Board policy.

Public charter school students may, upon request, be allowed to participate in district programs such as physical education, instrumental and vocal music offerings or other selected options if space and materials are available. Students must adhere to state law, Board policies, regulations and rules concerning student conduct and discipline.

The district will not provide instructional materials, lesson plans or curriculum guides for use in a public charter school.

Public charter school students in grades K-8 may participate in their resident district's activities that are offered before or after regular school hours. Public charter school students in grades 9-12 may participate in their resident district's available activities that are sanctioned by the Washington Interscholastic Activities Association (WIAA) when the requirements found in Oregon law are met.

The superintendent will develop administrative regulations to include, but not limited to, the proposal process, review and appeal procedures, and program evaluation, renewal, and termination.

END OF POLICY

Legal Reference(s):

[ORS 327.077](#)

[ORS 327.109](#)

[ORS 332.107](#)

[ORS 338](#)

[ORS 339.141](#)

[ORS 339.147](#)

[ORS 339.450](#)

[ORS 339.460](#)

[OAR 581-026-0005 - 0710](#)

Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2018).

[Senate Bill 767](#) (2023).

Hermiston School District 8R

Code: LBEA
Adopted: 5/11/15
Revised/Readopted: 7/24/17; 1/11/21

Resident Student Denial for Virtual Public Charter School Attendance**

The district is not required to approve a transfer of a resident student, when more than three percent of the students residing in the district are attending a virtual public charter school not sponsored by the district. The district will semiannually, by October 1 and April 1, calculate the percentage of students residing in the district, who are attending a virtual public charter school not sponsored by the district.

A parent must give notice to the district of intent to enroll their student in a virtual public charter school not sponsored by the district, before enrolling their student in such a school and notice of actual enrollment.

If the district is not approving the enrollment, the district must respond with a decision to not give approval within 10 calendar days of receipt of the notice of intent from the parent. Such decision must include:

1. The percentage of students in the district that attend virtual public charter schools that are not sponsored by the district, based on recent calculations;
2. The right to appeal the decision to the State Board of Education;
3. A list of two or more other online options available to the student; and
4. A copy of OAR 581-026-0305 and OAR 581-026-0310.

The district is only required to use data that is reasonably available to the district, including but not limited to the following for such calculation:

1. The number of students residing in the district enrolled in the schools within the district;
2. The number of students residing in the district enrolled in public charter schools located in the district;
3. The number of students residing in the district enrolled in virtual public charter schools;
4. The number of home-schooled students who reside in the district and who have registered with the educational service district; and
5. The number of students who reside in the district enrolled in private schools located within the school district.

A parent may appeal a decision of a district to not approve a student enrollment to a virtual public charter school to the State Board of Education under OAR 581-026-0310.

If the student was enrolled in a virtual public charter school while living in another district and has maintained continuous enrollment in such school since moving into, and residing in this district, approval is not required.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)
[ORS 338.125](#)

[OAR 581-026-0305](#)
[OAR 581-026-0310](#)

[House Bill 3024](#) (2023).

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

November 13, 2022

SUPERINTENDENT'S RECOMMENDATION

8.0 ACTION ITEMS

8.1 TOPIC: OSBA Board of Directors – Position 2

It is recommended.

RECOMMENDATION:

. that the Board of Education support *[Insert name]* for the OSBA Board of Director Position 2.

OSBA Board of Directors CANDIDATE QUESTIONNAIRE

Name: _____

Date: _____

Address: _____

City/Zip: _____

Business phone: _____

Residence phone: _____

Cell phone: _____

E-mail: _____

District/ESD/CC: _____

Term expires: _____ Years on board: _____

Region: _____

Position #: _____



I certify that if elected I will faithfully serve as a member of the OSBA Board of Directors. My nomination form has been submitted to OSBA (or is attached to this document) as evidence.

A handwritten signature in black ink, appearing to be "Emily [unclear]".

Name

Date

Be brief; please limit your responses to 50 words per question.

1. Describe in your own words the mission and goals of OSBA.

2. What do you want to accomplish by serving on the OSBA board of directors?

3. What leadership skills do you believe you bring to the board of directors? Give an example of a situation in which you demonstrated these skills.

OSBA Board of Directors

CANDIDATE PERSONAL/PROFESSIONAL RESUME

Work or service performed for OSBA or local district (include committee name and if you were chair):

Other education board positions held/dates:

Occupation (Include at least the past five years):

Employers:

Dates:

Schools attended (Include official name of school, where and when):

High school:

College:

Degrees earned:

Education honors and/or awards:

Other applicable training or education:

Activities, other state and local community services:

Hobbies/special interests:

Business/professional/civic group memberships; offices held and dates:

Additional comments:

NOMINATION FORM OSBA BOARD OF DIRECTORS REGIONAL MEMBER

Date: September 20th, 2023

TO: Sami Al-Abdrabbuh, OSBA President-Elect
Oregon School Boards Association
1201 Court St NE, #400
Salem, OR 97301
Fax: 503-588-2813
E-mail: OSBAelections@osba.org

**Nominations are due by 5 pm,
September 29, 2023**

Return this form and all candidate information forms to the OSBA office by email at OSBAelections@osba.org, or mail to Oregon School Boards Association, 1201 Court St. NE, #400, Salem, OR 97301

Dear Sami Al-Abdrabbuh:

With this letter, our board nominates the candidate named below to a position on the OSBA Board of Directors for the Gorge Region, Position # 2.

BOARD CANDIDATE INFORMATION

Name: Emily Smith
District/ESD/Community College: Helix School District
Address: PO Box 444
City: Helix Oregon ZIP: OR 97835
E-mail: emily.smith@helixsd.org Phone: 503-887-1599

This nomination was approved by official action of our board of directors at a duly called meeting on September 20th, 2023
(date)


(Board Chair signature)

Board Chair name: Larry Parker / Emily Smith Vice Chair
District: Helix School District
Address: 106 Main Street/PO Box 398
City, State, Zip: Helix, Oregon 97835

OSBA Board of Directors CANDIDATE QUESTIONNAIRE

Name: Dayna Wynn-Elledge

Date: September 28th, 2023

Address: 1409 Gordon Court

City/Zip: The Dalles, OR 97058

Business phone: N/A

Residence phone: N/A

Cell phone: 425.318.2868

E-mail: dayna.wynn@nwasco.k12.or.us

District/ESD/CC: North Wasco County SD 21

Term expires: 6/30/2027 Years on board: 0

Region: Gorge

Position #: 02



I certify that if elected I will faithfully serve as a member of the OSBA Board of Directors. My nomination form has been submitted to OSBA (or is attached to this document) as evidence.

Dayna Wynn-Elledge
Name

9.29.2023
Date

Be brief; please limit your responses to 50 words per question.

1. Describe in your own words the mission and goals of OSBA.

Leading the way as a voice for Oregon public education.

2. What do you want to accomplish by serving on the OSBA board of directors?

- ~ Maintain accountability
- ~ Promote Public School Education
- ~ Establish Vision & goals

3. What leadership skills do you believe you bring to the board of directors? Give an example of a situation in which you demonstrated these skills.

- ~ Business / accounting background over 25 years as a manager.
- ~ Human Resources background working with individual teams to promote a positive environment and to obtain and provide goals that enrich the organization and the individual.

OSBA Board of Directors

4. What do you see as the two most challenging issues faced by OSBA?
 - 1) Working with the State Revenue to provide adequate funds to run school districts successfully.
 - 2) Having enough people to understand that change is a good thing.

5. What do you see as the two most challenging issues faced by your region?
 - 1) Funds to run a successful school district.
 - 2) Bills being passed after a budget has been approved.
 - 3) Bill being passed without listening to the school districts and now is affecting the children & teachers (SB 819).

6. What is your plan for communicating with boards in your region?

Make myself available for:

 - 1) In person meetings
 - 2) Online meetings
 - 3) And, utilize my own District to host meetings.

Please continue to the next section.

OSBA Board of Directors

CANDIDATE PERSONAL/PROFESSIONAL RESUME

Work or service performed for OSBA or local district (include committee name and if you were chair):

N/A

Other education board positions held/dates:

N/A

Occupation (Include at least the past five years):

Employers:

~ Quest One Aerospace - Development Manager
~ Seattle Cancer Center Alliance - Sr Revenue Cycle
Manger

Dates:

2011-2023
2005-2022

Schools attended (Include official name of school, where and when):

High school: Forest Ridge, Bellevue, WA, 1975

College: Bellevue College, BA Accounting, 2007

Degrees earned:

Education honors and/or awards:

N/A

Other applicable training or education:

CPR / First Aid
Swim Instructor

Activities, other state and local community services:

American Red Cross Trainer / U11-U13 Soccer Coach - Mount Lake Terrace, WA
Park & Recreation Board - Mount Lake Terrace, WA
Brier Terrace Soccer Board - Mount Lake Terrace, WA

Hobbies/special interests:

Teach Swimming - WA and Oregon
Painting
Reading

Business/professional/civic group memberships; offices held and dates:

N/A

Additional comments:

**NOMINATION FORM
OSBA BOARD OF DIRECTORS
REGIONAL MEMBER**

Date: September 28th, 2023

TO: Sami Al-Abdrabbuh, OSBA President-Elect
Oregon School Boards Association
1201 Court St NE, #400
Salem, OR 97301
Fax: 503-588-2813
E-mail: OSBAelections@osba.org

**Nominations are due by 5 pm,
September 29, 2023**

Return this form and all candidate information forms to the OSBA office by email at OSBAelections@osba.org, or mail to Oregon School Boards Association, 1201 Court St. NE, #400, Salem, OR 97301

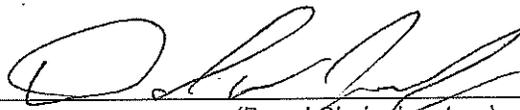
Dear Sami Al-Abdrabbuh:

With this letter, our board nominates the candidate named below to a position on the OSBA Board of Directors for the Dayna Wynn-Elledge Region, Position # 02.

BOARD CANDIDATE INFORMATION

Name: Dayna Wynn-Elledge
District/ESD/Community College: North Wasco County School District 21
Address: 1409 Gordon Court
City: The Dalles Oregon ZIP: 97058
E-mail: dayna.wynn@nwasco.k12.or.us Phone: 425.318.2868

This nomination was approved by official action of our board of directors at a duly called meeting on September 28th, 2023.
(date)



(Board Chair signature)

Board Chair name: David Jones
District: North Wasco County School District
Address: 3632 West 10th Street
City, State, Zip: The Dalles, Oregon 97058

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

November 13, 2023

SUPERINTENDENT'S RECOMMENDATION

8.0 ACTION ITEMS

8.2 TOPIC: OSBA Legislative Policy Committee – Position 2

It is recommended.

RECOMMENDATION:

. that the Board of Education support Judy Richardson for the OSBA Legislative Policy Committee – Position 2.

OSBA Legislative Policy Committee CANDIDATE QUESTIONNAIRE

Name: Judy Richardson

Date: September 26, 2023

Address: 3515 Crest Ct

City/Zip: The Dalles 97058

Business phone: 541-965-2556

Residence phone: 541-965-2556

Cell phone: 541-965-2556

E-mail: judy.richardson@nwasco.k12.or.us

District/ESD/CC: North Wasco District 21

Term expires: 6/30/2025 Years on board: 2

Region: Gorge



Position #: 2

I certify that if elected I will faithfully serve as a member of the OSBA Legislative Policy Committee. My nomination form has been submitted to OSBA (or is attached to this document) as evidence.

Judy Richardson
Name

Sept 27, 2023
Date

Be brief; please limit your responses to 50 words per question.

1. What do you want to accomplish by serving on the Legislative Policy Committee (LPC)?
I hope to serve as a liaison and support legislative advocacy among our board members in the Gorge, to learn about and become a resource for legislative priorities particularly as they relate to specific needs of rural regions.
2. What leadership skills do you bring to the LPC? Give an example of a situation in which you demonstrated these skills.
I currently engage and cultivate stakeholders across health systems to align strategies achieving broad health and economic goals. True engagement takes work and time, but mostly it takes humility to listen, understand and learn about the differences between groups and agendas, seeing opportunities for synergy and alignment.
3. What do you see as the two most challenging legislative issues faced by OSBA?
 1. Ongoing resource constraints: human and economic to support sustainable school progress.
 2. Ensuring academic and social skills recovery after the pandemic.
4. What do you see as the two most challenging legislative issues faced by your region?
Meeting challenges of unfunded mandates, such as SB 819
Engaging and building trust across all regions and groups
5. What is your plan for communicating with boards in your region about legislative issues?
I will continue communication through weekly email during the legislative session and work to attend school board and ESD meetings when important issues are facing our representatives to gather input and provide updates.

Email to OSBAelections@osba.org, or mail to: Oregon School Boards Association, 1201 Court St NE, #400, Salem, OR 97301
Deadline: September 29, 2023, 5 p.m.

Materials submitted by the candidate on this form may be subject to a public information request under ORS Chapter 192.

OSBA Legislative Policy Committee

CANDIDATE PERSONAL/PROFESSIONAL RESUME

Work or service performed for OSBA or local district (include committee name and if you were chair):

Currently: LPC Region representative, Gorge
Serving on the Student Success Stewarding Body

Other education board positions held/dates:

Occupation (Include at least the past five years):

Employers:

Oregon Health and Science University

Dates:

July 2017- current

Schools attended (Include official name of school, where and when):

High school: The Dalles High School

College: Univ. Puget Sound, Dartmouth Medical School, OHSU Division of Management

Degrees earned: BS, MD, MBA

Education honors and/or awards:

Graduated with Honors, Albert Schweitzer Fellowship, American Academy of Family Physicians Fellow, Radebaugh Community Service Award, Amaton Award for Community Contributions

Other applicable training or education:

I currently teach business administration to graduate medical students. I am trained in graphic facilitation and graphic recording for meeting and group work. These courses include Health Policy, Health Care Economics and Health Care Systems Change.

Activities, other state and local community services:

Previous Girl Scouts of America Troop leader (The Dalles), Volunteer Assistant Cross Country Coach (TDMS)

Hobbies/special interests:

running, knitting, pottery, conversational Spanish

Business/professional/civic group memberships; offices held and dates:

OAFP, AAFP, MGMA

Additional comments:

NOMINATION FORM
OSBA LEGISLATIVE POLICY COMMITTEE (LPC)
REGIONAL MEMBER

Date September 28th, 2023

TO: Sami Al-Abdrabbuh, OSBA President-Elect
Oregon School Boards Association 1201 Court
St NE, #400
Salem, OR 97301
Fax: 503-588-2813
E-mail: OSBAelections@osba.org

**Nominations are due by 5 pm,
September 29, 2023.**

Return this form and all candidate information forms to the OSBA office by email at OSBAelections@osba.org, or mail to Oregon School Boards Association, 1201 Court St. NE, #400, Salem, OR 97301

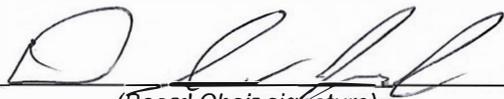
Dear Sami Al-Abdrabbuh:

With this letter, our board nominates the candidate named below to a position on the OSBA Legislative Policy Committee for the Gorge Region, Position # 2.

LPC CANDIDATE INFORMATION

Name: Judy Richardson
District/ESD/Community College: North Wasco County School District 21
Address: 3515 Crest Court
City: The Dalles Oregon ZIP: 97058
E-mail: judy.richardson@nwasco.k12.or.us Phone: 541.965.2556

This nomination was approved by official action of our board of directors at a duly called meeting on
September 28th, 2023
(date)



(Board Chair signature)

Board Chair name: David Jones
District: North Wasco County School District 21
Address: 3632 West 10th Street
City, State, Zip: The Dalles, Oregon 97058

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

November 13, 2023

SUPERINTENDENT'S RECOMMENDATION

8.0 ACTION ITEMS

8.3 TOPIC: OSBA Resolution #1

It is recommended.

RECOMMENDATION:

. that the Board of Education approve OSBA Resolution #1 to amend Oregon School Boards Association's Bylaws relating to composition of the board of directors.



**Resolution to Amend Oregon School Boards Association’s
Bylaws Relating to Composition of the Board of Directors**

WHEREAS, the Oregon School Boards Association (OSBA) was formed in 1946 as a volunteer association of locally elected public school boards and transitioned to a nonprofit corporation under Oregon Revised Statute Chapter 65 as of July 1, 2018; and

WHEREAS, the Oregon Rural School Board Advisory Committee has been active and publicly supported by OSBA’s Board of Directors since April 22, 2022; and has developed a mission statement and goals; and has established bylaws; and

WHEREAS, the Advisory Committee is ready to elect officers and their Rural Leadership Assembly; and

WHEREAS, the Advisory Committee has articulated its mission as follows: “To build collaborative relationships and promote quality education for all students with emphasis on the unique needs of school boards and students in rural communities.”

WHEREAS, OSBA’s Board of Directors recognizes the importance of the Advisory Committee's value and mission; and

WHEREAS, the Advisory Committee has respectfully requested that the Board of Directors submit a resolution to the membership creating the Oregon Rural School Board Members Caucus and designate a seat on the OSBA Board of Directors and Legislative Policy Committee.

THEREFORE, BE IT RESOLVED by the OSBA Board of Directors that the proposed bylaws amendment designating a Caucus representative as a voting member of the OSBA Board of Directors and Legislative Policy Committee be submitted to the membership for consideration during the 2023 OSBA election; and

BE IT FURTHER RESOLVED that the bylaws with the proposed amendments and a copy of this resolution be forwarded to all association member boards in accordance with OSBA’s adopted elections calendar.

Submitted by: OSBA Board of Directors

BYLAWS

OREGON RURAL SCHOOL BOARD MEMBERS CAUCUS

OF THE

OREGON SCHOOL BOARDS ASSOCIATION

DRAFT

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ARTICLE 1

CHARTER

The Oregon School Boards Association (the "OSBA") exists solely to perform essential governmental functions and all of its income must accrue to the State of Oregon or its political subdivisions as required under IRC Section 115. OSBA's mission is to improve student success and education equity through advocacy, leadership and service to Oregon public school boards.

OSBA is aware and acknowledges that diversity is a core value of OSBA. OSBA desires to identify areas of concern and causation, convene a caucus of stakeholders, and create a plan to better promote and support the success of rural students.

To this end, The OSBA Board of Directors has formally recognized the Oregon Rural School Board Members Caucus (the "Caucus") to serve as a resource and provide guidance and leadership for these initiatives to the OSBA Board of Directors

The activities of the Caucus shall align with OSBA bylaws as well as complement, not duplicate, OSBA's efforts on behalf of all local governing boards.

ARTICLE 2

NAME, MISSION AND GOALS:

2.1 Name: This organization shall be known as the Oregon Rural School Board Members Caucus of the Oregon School Boards Association (OSBA).

2.2 Mission: To build collaborative relationships and promote quality education for all students with emphasis on the unique needs of school boards and students in rural communities.

2.3 Goals:

2.2.1 To elevate the voice of rural school districts and recognize their unique needs.

2.2.2 To build and maintain collaborative relationships between OSBA and rural school boards.

2.2.3 To develop, promote, and advance legislation supporting rural schools and understand the impact of statewide legislation to each rural community and district.

2.2.4 To build collaborative relationships and promote quality education for all students with emphasis on the unique needs of school boards and students in rural communities.

2.2.5 To support school boards in rural communities by prioritizing professional development of rural board members and bringing training and other resources to rural areas.

ARTICLE 3

MEMBERSHIP

3.1 Qualification. All members must support the purposes and goals of the Caucus as set forth in Article 2.

3.2 Members. The Caucus members may include any elected or appointed member of any public board of education in Oregon who are active members in good standing with the Oregon School Boards Association *and serve a school district with a population density of less than 200 people per square mile and/or total school district population less than 20,000 people.* All board members of Oregon Education Service Districts are eligible to participate in the Rural Caucus. If a school board member or district does not meet the aforementioned qualification but feels they are indeed a rural district, an appeal process will be available as outlined in policy. Caucus members may participate in all discussions, vote, and serve as an officer of the Caucus. Members must attend the meeting in person (or virtually) *to vote. Voting by proxy shall not be permitted.*

3.3 Attendees. The Caucus may, in its discretion, invite to participate in any meeting or event any other individuals who support the purpose and goals of the Caucus as set forth in Article 2.

3.4 Membership List. The Membership list shall be maintained by the Secretary/Treasurer.

ARTICLE 4

BUDGET

4.1 Budget. The Caucus shall submit an annual budget request as outlined under the OSBA budget process, including approval by the OSBA Board of Directors. The request shall set forth the areas of concern, recommended actions, and annual goals.

ARTICLE 5

MEETINGS

5.1 Annual Meetings. An annual meeting of the Caucus shall be in conjunction with the OSBA Annual Convention at which time the Caucus shall elect officers and shall conduct other business as may properly be brought before the meeting of the Caucus.

5.2 Regular and Special Meetings.

5.2.1 Regular Meetings. The Caucus shall meet as often as required to achieve the goals outlined in its annual Work Plan. These meetings shall be scheduled for the year at the Annual Meeting.

5.2.2 Special Meetings. Special meetings of the members for any purpose may be called, either in writing or by e-mail, by the President or by a majority of the Executive Committee. Such a request shall state the purpose or purposes of the proposed meeting.

5.2.3 Place of Meetings. Regular and special meetings of the Caucus shall be held at any location (or virtually) within Oregon as designated by the President or the Executive Committee.

5.3 Notice.

5.3.1 Notice and agenda of every annual meeting, regular or special meeting of members, stating the time and place thereof, shall be posted to the OSBA website, no less than 14 days prior to such meeting.

5.4 **Quorum.** Except as otherwise provided by law, the presence at any meeting of a majority of the Executive Committee shall constitute a quorum.

5.5 **Organization.** The President may determine *in their sole* discretion whether any meeting of the Caucus shall be held in accordance with Robert's Rules of Order.

5.6 **Records.** The President shall see that all correspondence, minutes, agendas, and Charter be sent to and kept on file with OSBA. Minutes from each meeting shall be posted to the OSBA website.

5.7 **OSBA Staff Liaison.** The Executive Director of OSBA shall designate a staff member to serve as a liaison representative to the Caucus. The designee shall not have voting rights.

ARTICLE 6

Rural Leadership Assembly

6.1 **Composition.** The Rural Leadership Assembly of the Caucus shall consist of 9 members, and shall include *one representative from each OSBA district with 10 or more districts defined as rural (Regions 1, 2, 4, 6, 9, and 14), plus 3 at-Large* members. The executive committee (President, Vice-President, Secretary/Treasurer) shall be elected from the body of the Rural Leadership Assembly by the members of the Rural School Board Members Caucus.

6.2 **Terms.** **The Rural Leadership Assembly members shall each serve two-year terms. The President, Vice-President & Secretary/Treasurer shall each serve a one-year term. The President, Vice-President, Secretary Treasurer, Regional Members, and Members-at-Large may serve any number of consecutive terms.** Each officer shall hold office until the term has expired or until a successor has been duly elected and qualified for the position, or until the officer can no longer hold the position because they no longer qualify to be a member of the Caucus as defined in Article 3 above, or because of removal or death.

6.3 Nomination and Election

6.3.1 **Nomination.** Rural Leadership Assembly members may be nominated by either (a) the nominating committee, or (b) a caucus member at the annual meeting.

6.3.2 **Election.** The members shall elect the Leadership Council by majority vote at the annual meeting. Positions 1, 4, 9, and at large #1 shall be elected in even numbered years, and positions 2, 6, 14, at large #2 and at large #3 shall be elected in odd numbered years.

6.4 Designations

6.4.1 **President.** The President shall preside at all meetings of the Caucus and the Executive Committee. The President shall appoint all standing and special committees and shall be an ex officio member of all committees, except the nominating committee, with voting power. The President shall sign all official reports of the Caucus.

6.4.2 Vice President. The Vice President shall have such duties as from time-to-time may be assigned by the Executive Committee, and in the absence of the President, the Vice-President shall have and perform all the powers and duties of the President.

6.4.3 Secretary/Treasurer. The Secretary/Treasurer shall keep the minutes and records and shall see that all notices are duly given in accordance with the provisions of law and this Charter, and such other duties as from time-to-time may be assigned by the Executive Committee. The Secretary/Treasurer shall maintain a roster of the current membership. The Secretary/Treasurer shall have the responsibility for receiving and disbursing all funds related to the Caucus in coordination with the OSBA liaison. The Secretary/Treasurer shall report regularly to the Executive Committee, shall prepare a written yearly financial report to be distributed to the members at each annual meeting, and shall perform other duties assigned by the Executive Committee.

6.5 Resignation. A Leadership Assembly member may resign by filing a written resignation with the President or Secretary/Treasurer of the Caucus or the President of OSBA.

6.6 Vacancies. Any vacancy in any office may be appointed for the unexpired portion of the term by a majority of the Leadership Assembly at the next regular or special meeting.

6.7 Removal. Any member of the Leadership Assembly who misses more than two meetings out of any four consecutive meetings, *unless they are* excused by the Executive Committee for a valid reason, may *have their* position vacated by action of the Leadership Assembly.

ARTICLE 7

EXECUTIVE COMMITTEE

7.1 Composition. There shall be an Executive Committee made up of the President, Vice-President, and Secretary/Treasurer.

7.2 Responsibilities. *The Executive Committee* shall have the following responsibilities and powers:

- (a) To respond to any inquiry or question from OSBA.
- (b) To act on behalf of the Caucus when deemed necessary by the President.
- (c) To review plans and programs to be presented to the Caucus at its meetings.
- (d) *To give direction to the OSBA liaison on legislative action to come before the state legislature on which there is no formal Caucus policy or resolution.*
- (e) Members of the Executive committee will be elected from the Rural Leadership Assembly.

7.3 Ratification. Any actions by the President shall be reported to the Executive Committee as soon as the action has taken place. All actions of the Executive Committee shall be subject to ratification by the Caucus at the next meeting of the members.

7.4 Administration. The Executive Committee shall keep regular minutes of its proceedings and all actions by the Executive Committee shall be reported promptly to the membership. Such actions shall be subject to review by the membership, provided that no rights of third parties shall be affected by such review.

ARTICLE 8

COMMITTEES

The President may establish committees of 2 or more members to serve at the discretion of the President. These committees would consist of such persons and perform such duties as the President designates from time to time; provided, however, that the committees may not act on behalf of the Caucus but may make recommendations to the Caucus for approval. The Chair of any such committee shall be a member of the Leadership Assembly.

ARTICLE 9

SEAT ON THE OSBA'S BOARD OF DIRECTORS AND LEGISLATIVE POLICY COMMITTEE

9.1 The Caucus shall appoint one officer from the Rural Leadership Assembly to serve as liaison to the OSBA Board of Directors and to be a voting member of the OSBA Board of Directors for a two year term. That liaison shall hold all of the rights and responsibilities of a member of the OSBA Board of Directors.

9.2 The Caucus shall appoint one member from the Rural Leadership Assembly to serve on the Legislative Policy Committee for a term of two years.

ARTICLE 10

GENERAL PROVISIONS

10.1 Amendment of Bylaws

10.1.1 Bylaws may be altered, amended, or replaced by a majority vote of the members of the Caucus who are present and voting at the annual meeting.

10.1.2 Notice of proposed bylaws changes shall be in the annual meeting agenda and sent to all members 15 days prior to the annual meeting.

10.1.3 Omissions from this Charter shall be governed by Robert's Rules of Order, when they do not conflict with the Charter.

The foregoing charter was adopted by the active membership of the OSBA Rural Caucus on (____)month (____) date (____) year.

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

November 13, 2023

SUPERINTENDENT'S RECOMMENDATION

8.0 ACTION ITEMS

8.4 TOPIC: OSBA Resolution #2

It is recommended.

RECOMMENDATION:

. that the Board of Education approve OSBA Resolution #2 to amend the OSBA's 2018 Bylaws.



Resolution to Ammend the OSBA's 2018 Bylaws

WHEREAS, the Oregon School Boards Association (OSBA) was formed in 1946 as a volunteer association of locally elected public school boards; and

WHEREAS, in 2017, through a vote of the Membership, OSBA was incorporated under ORS Chapter 65 to nonprofit status and Bylaws replaced the Constitution.

WHEREAS, in 2018, through a vote of the Membership, the Bylaws were amended to expand the OSBA Board of Directors and the Legislative Policy Committee with representatives from the School Board Members of Color Caucus.

WHEREAS, The Bylaws have not been amended since 2018, the OSBA Board of Directors determined, based on its review of the proposed changes, that it was in the membership's best interest to amend the Bylaws; and

WHEREAS, the following only reflects a high-level overview of the proposed changes, all changes are reflected in the proposed bylaws.

- Clarification of the Membership voting process for both resolutions and bylaw amendments.
- Clarification of an exception to the term limits for the OSBA director serving as immediate past president.
- Clarification of the definition of a quorum for the OSBA Board of Directors.
- Combining the Finance and Budget Committees and outline the terms of the members.
- Adding a Rural School Boards Caucus representative to the Board of Directors and the Legislative Policy Committee (LPC).
- Adding language to reflect the School Board Members of Color Caucus representation on the LPC, which was inadvertently omitted during the 2018 amendment.
- Adding information regarding the PACE Board of Trustees under the Committees and Caucus section of the Bylaws.
- Adding language stating caucuses must comply with OSBA policies/guidelines and adding language to establish the Rural caucus.
- Edits to grammar, punctuation, and language for readability.

WHEREAS, after reviewing the recommended OSBA Bylaws as proposed by staff and legal counsel, the OSBA Board of Directors supports the recommendation to amend the Bylaws:

THEREFORE, BE IT RESOLVED by the OSBA Board of Directors that the proposed Bylaws be submitted to the membership for consideration during the 2023 OSBA election; and

BE IT FURTHER RESOLVED that the proposed Bylaws and a copy of this resolution be forwarded to all member boards of the Association in accordance with the OSBA Board of Directors adopted elections calendar.

Submitted by: OSBA Board of Directors



BYLAWS

As Amended by the Membership: December 2018
Suggested Revisions: September 23, 2023

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SECTION 1 PURPOSE

~~A.~~ The Oregon School Boards Association (the “Association”) exists solely to perform essential governmental functions and all of its income accrues to the State of Oregon or its political subdivisions as required under IRC Section 115. In particular, the Association’s mission and purpose are as follows:

~~B.A.~~ To work for the general advancement and improvement of the education of all public school children of the State of Oregon.

~~C.B.~~ To gather and disseminate information pertinent to the successful operation of public schools.

~~D.C.~~ To work for the most efficient and effective organization of public schools of this state. “Public schools” include local school districts, education service districts, the State Board of Education and community colleges classified as a political subdivision.

~~E.D.~~ To work for adequate and dependable financial support for the public schools of this state.

~~F.E.~~ To study all legislation which affects the public schools of Oregon and to support and work for that which appears to be desirable and to keep members informed thereof. To propose and work for the enactment of proper educational legislation.

~~G.F.~~ To encourage the establishment and maintenance of best practices and high standards in the conduct and operation of the public school educational system.

~~H.G.~~ To study and interpret educational programs and to relate them to the needs of pupils.

~~I.H.~~ To promote public understanding of the role of school boards and school board members in the improvement of education.

~~J.I.~~ To conduct seminars, conferences, and research projects in the various aspects of education for the benefit of members.

~~K.J.~~ To endeavor to implement the policies, beliefs and resolutions of the Association members and board of directors.

~~L.K.~~ To do such other things as the member boards or board of directors may deem appropriate for the accomplishment of these and other purposes which tend to improve public education.

~~M.L.~~ To enter into such cooperative agreement with members for the pooling of resources and the provision of services as may result in the more efficient utilization of district resources and accrue to their financial advantage.

SECTION 2 MEMBERS

2.1 Admission. All members must qualify as (1) a “political subdivision” as defined under Treas Reg § 1.103-1(b) and Revenue Ruling 78-276, 1978-2 CB 256 and (2) as one of the following:

2.1.1 Local School District as defined under ORS Chapter 332;

- 2.1.2** Education Service District as defined under ORS Chapter 334;
- 2.1.3** Community College District as defined under ORS Chapter 341;
- 2.1.4** State Board of Education as defined under ORS Chapter 326; and
- 2.1.5** Any other governmental educational organization qualifying as a political subdivision, as approved by resolution of the board of directors.

2.2 Dues. Annual dues shall be set by majority vote of the members and shall be based on resident Average Daily Membership (ADMr) as of December 31 of the preceding year as reported to the Oregon Department of Education. Dues shall be payable on July 1 of each year and shall become delinquent on September 1 of each year. Member status shall automatically terminate for members failing to pay dues by September 1 unless an extension is requested and granted by the board of directors.

2.3 Reserved Powers of the Members. The following corporate actions require the consent and approval of the members:

- 2.3.1** Election and removal of directors;
- 2.3.2** Election and removal of the Legislative Policy Committee (“LPC”) members;
- 2.3.3** Approval of resolutions to effectuate any of the following:
 - (a) Adoption, amendment, or restatement of the articles of incorporation or bylaws;
 - (b) Modification to the region descriptions set forth in Section 2.6.1; and the
 - (c) Dissolution, merger, or the sale, pledge, or transfer of all or substantially all of the Association’s assets.

2.4 Voting Power.

2.4.1 Election of Directors and LPC Members. For the purposes of nominating and electing directors and LPC members, each member shall have one vote.

2.4.2 Resolution. For the purposes of approving a resolution, each member shall have one vote on all resolutions except as follows:

- (a) K-12 Local Districts with an ADMr between 15,600 and 23,400 shall have two votes.
- (b) K-12 Local Districts with an ADMr between 23,400.1 and 31,200 shall have three votes.
- (c) K-12 Local Districts with an ADMr between 31,200.1 and 39,000 shall have four votes.

- (d) K-12 Local Districts with an ADMr ~~between-of~~ 39,000.1 ~~and-above~~ or more shall have five votes.

2.5 Process of Approval of Member Resolutions.

2.5.1 Generally, members shall approve resolutions annually by ballot vote. Members or the board of directors may submit a resolution for member approval. Such resolutions shall be submitted to the board of directors no later than September 30th. The board of directors shall distribute all timely submitted resolutions, together with an official ballot, to the members no later than October 15. Members shall vote by ballot submitted to the board of directors no later than December 15.

2.5.2 The board of directors may call a special meeting of the members under Section 2.9, as necessary.

2.6 Regional Election of Directors and LPC Members

2.6.1 Regional Voting. For the purposes of nominating and electing the board of directors and LPC members, the Association members shall be organized into and represented by region:

- (a) Eastern Region includes all of the members located in the counties of Baker, Grant, Malheur, Union, Wallowa, and Wheeler.
- (b) Gorge Region includes all of the members located in the counties of Gilliam, Morrow, Sherman, Umatilla, and Wasco.
- (c) Central Region includes all of the members located in the counties of Crook, Deschutes, and Jefferson.
- (d) Southeast Region includes all of the members located in the counties of Harney, Klamath, and Lake.
- (e) Southern Region includes all of the members located in the counties of Jackson and Josephine.
- (f) Lane Region includes all of the members located in the county of Lane.
- (g) Clackamas Region includes all of the members located in the county of Clackamas and Hood River.
- (h) Douglas/South Coast Region includes all of the members located in the counties of Coos, Curry, and Douglas.
- (i) Linn, Benton, Lincoln Region includes all of the members located in the counties of Benton, Lincoln, and Linn.
- (j) Marion Region includes all of the members located in the county of Marion.

(k) Yamhill, Polk Region includes all of the members located in the counties of Polk and Yamhill.

(l) North Coast Region includes all of the members located in the counties of Clatsop, Columbia, and Tillamook.

(m) Washington Region includes all of the members located in the county of Washington.

(n) Multnomah Region includes all of the members located in the county of Multnomah.

Members shall be assigned to the region in which their main administrative office is located. If a member's district boundaries span more than one region, the member board must declare which region it intends to vote and shall vote only in that region.

2.6.2 Regional elections shall be taken by majority vote of the members within the region.

2.7 Modification of Regions. A formal review of the regional organizations described in Section 2.6.1 shall be conducted by the board of directors at least every three years commencing with 2017. Any recommended changes to the regional organization shall be submitted to the members in the form of a resolution in accordance with the provisions of Section 2.11.

2.8 Annual Meetings. An annual meeting of members shall be held in November of each year unless a different date or time is fixed by the board of directors and stated in the notice of the meeting. Failure to hold an annual meeting on the stated date shall not affect the validity of any corporate action. At the annual meeting, the president and secretary-treasurer of the board of directors, any other officer or person whom the president may designate, shall report on the state of the Association, the activities and financial condition of the Association.

2.9 Special Meetings. A special meeting of members shall be held upon the call of the president or 25 percent of the board of directors. All members shall be officially notified of a special meeting by written notice, mailed via U.S. mail or electronic mail to all members at least 15 days prior to the date of the meeting. Such notice shall include a description of all agenda items and any matters to be voted upon by the members, the place and time of the meeting, and instructions describing the method by which members can participate by telephone or video. Notice shall also comply with all procedures and include any information as required by ORS Chapter 192.

2.10 Telephonic/Video Meetings. The board of directors may permit any member to participate in an annual or special meeting, or conduct the meetings through, use of any means of communication by which all persons participating may simultaneously hear each other during the meeting. A member participating in the meeting by this means is deemed to be present in person at the meeting.

2.11 Place of Meetings. Meetings of the members shall be held at any place in or out of Oregon designated by the board of directors. If a meeting place is not designated by the board of directors, the meeting shall be held at the Association's principal office.

2.12 Action by Written Ballot. Any action required of the members will be taken by written ballot and or permitted to be taken at a members' meeting may be taken without a meeting if the Association will delivers a written ballot to every member entitled to vote on the matter. ~~A written ballot shall set forth each proposed action and provide an opportunity to vote for or against each proposed action. Approval by written ballot shall be valid only when the number of votes cast by ballot equals or exceeds a quorum of the members, and the number of approvals equals or exceeds the number of votes that would be required to approve the matter at a meeting at which the total number of votes cast is the same as the number of votes cast by ballot. A written ballot shall set forth each proposed action, indicate the number of responses needed to meet the quorum requirements, state the percentage of approvals necessary to approve each matter, and specify a reasonable time by which a ballot must be received by the Association in order to be counted. Once delivered, a written ballot may not be revoked.~~

~~**2.13 Unanimous Written Consent.** Any action required or permitted to be taken at a members' meeting may be taken without a meeting if the action is taken by all members entitled to vote on the matter. The action shall be evidenced by one or more written consents describing the action taken, signed by each member, and included in the minutes or filed with the corporate records reflecting the action taken. Action taken under this section is effective when the last member entitled to vote on the matter signs the consent, unless the consent specifies an earlier or later effective date.~~

~~**2.13 Quorum and Voting.** A quorum of the members shall consist of those votes represented at a meeting of the members. If a quorum is present when a vote is taken, the affirmative vote of a majority of the votes represented and voting when the action is taken is the act of the members except to the extent that the articles of incorporation, these bylaws, or applicable law require the vote of a greater number of members. A quorum of the members shall consist of a majority of members in good standing at the time the ballots are to be returned to the association.~~

~~**2.1.4 Approval:** With the exception of approving amendments to the Association's bylaws, which is outlined in Section 7.1 of these bylaws, approval by written ballot is effective when:~~

~~2.14.1 The number of votes cast by ballot equals or exceeds a quorum of the members;
and~~

~~2.1.4.2 The number of approvals equals or exceeds a majority of the number of returned ballots.~~

SECTION 3 DIRECTORS

3.1 Powers. Except as provided under Section 2.2, all corporate powers shall be exercised by or under the authority of and the affairs of, are managed under the direction of a-the board of directors. The board of directors shall adopt policies defining specific obligations of the board of directors.

3.2 Qualifications. Directors must serve on the board of a member of the Association throughout the duration of their term, with the exception of the director serving as past president.

3.3 Number. The board of directors shall consist of not fewer than three nor more than 24-25 persons. The number of directors may be fixed or changed periodically, within the minimum, and maximum by the members.

3.4 Term. Directors shall take office on January 1 and shall serve for a term of two calendar years or until their successors are elected and qualified. Terms shall be staggered as per the election calendar.

3.4.1 Directors who took office prior to January 1, 2018, and are re-elected may serve for any number of terms as long as they continuously remain members of the board of directors.

3.4.2 Directors taking office on or after January 1, 2018, may serve five consecutive two-year terms and, if eligible, may rerun after a two-year hiatus.

3.4.3 If a director serving as immediate past an officer/president requires additional time beyond the term limits outlined above, the term limits will be held in abeyance to allow the director to complete their term as immediate past president.

3.5 Composition. The board of directors will be comprised of up to 23 regionally elected directors, one designated director as defined in the bylaws of the Oregon School Board Members of Color Caucus, one designated director as defined in the bylaws of the Oregon Rural School Boards Caucus and ex-officio nonvoting members as delineated in Section 3.5.4.

3.5.1 Regional Elected Directors. Each region, as described under Section 2.6.1, shall elect one director except as follows:

- (a) Clackamas Region shall elect two directors;
- (b) Marion Region shall elect two directors;
- (c) Washington Region shall elect three directors; and
- (d) Multnomah Region shall elect three directors.
- (e) Provided, however, that if the president or immediate past president of the board of directors is a representative director from a region that elects only one director, that region shall elect an additional director or directors to serve for the duration of the president and/or the immediate past president's term.

3.5.2 Regional Election. The nomination and election of directors shall be in accordance with the elections calendar annually adopted by the board. Each regional candidate for a director position shall be nominated by a member within the region by means of a nomination form. The board of directors shall distribute notice of position vacancies, candidate information packets, and official nomination forms to all incumbent directors and members in electing regions. To nominate a director candidate, one or more of the members in the region must timely submit to the board of directors a formal resolution or motion of the member and the completed nomination form(s). Nominations in regions where there is more than one open director position shall indicate the numbered position for which the nomination is being submitted. Each member in a region shall have one vote in the regional elections for the board of directors. The director candidate receiving a majority of the votes of the members shall be elected. In cases where there are more than two candidates nominated for any position, and none receives a majority of the votes cast, a second ballot

shall be required between the two candidates receiving the highest number of votes; the one receiving a majority of the votes is elected.

3.5.3 Designated Representative. ~~In accordance with their bylaws, caucuses of OSBA, The Oregon School Board Members of Color Caucus~~ shall appoint an officer a representative of the Caucus to serve as a director of the Association. ~~The appointee, as defined in the Caucus bylaws representative must, shall~~ be an elected or appointed member of any public board of education in Oregon who is an active member in good standing with the Association. All Association bylaws and policies shall apply to the designated representative serving as the Caucus' director of the Association.

3.5.4 Ex-Officio. The following individuals or their designee may serve as ex-officio nonvoting advisors to the board of directors:

- (a) Any director of the National School Boards Association elected from Oregon;
- (b) Any officer of the National School Boards Association, National School Boards Advocacy Committee, or an officer of the NSBA Pacific Region.
- (c) The immediate past president of the Oregon Association of School Executives;
- (d) The immediate past president of the Confederation of School Administrators;
- (e) The board section president of the Oregon Association of Education Service Districts;
- (f) The board section president of the Oregon Community College Association;
- (g) The chair of the State Board of Education; and
- (h) Any other person as the board of directors may appoint.

3.6 Vacancies. In the event that any director position₇ other than the immediate past president is vacant during the term of office, the remaining directors may appoint an interim director from the same region to serve until December 31 of the same year. If the board of directors cannot recruit a candidate from the region₂, they may appoint a person from a contiguous region to serve as director representing the open region. An individual appointed as a director from a contiguous region is not eligible to serve as an officer of the board. The members shall elect, using the procedures in Section 3.5.2, an interim director to serve from January 1 of the next year until the end of the remaining term. If there is a vacancy in an OSBA caucus-designated director position~~the Members of Color Caucus' director position~~, then the ~~Caucus-caucus~~ shall, as set forth in Section 3.5.3, appoint a new Caucus caucus officer-representative to serve the remaining term.

3.7 Resignation. A director may resign at any time by delivering written notice to the president or the secretary. A resignation is effective when notice is effective under ORS 65.034 unless the notice specifies a later effective date. Once delivered, a notice of resignation is irrevocable unless revocation is permitted by the board of directors.

3.8 Removal. A director may be removed for cause by vote of two-thirds majority of the directors. A director may be removed with or without cause by a majority vote of the members who elected the director. The board may provide guidance or adopt and amend policies regarding what types of actions the board considers to be sufficient cause for removal.

3.9 Meetings. An annual meeting of the board of directors shall be held immediately after, and at the same place as, the annual meeting of members. If the time and place of any other directors' meeting is regularly scheduled by the board of directors, the meeting is a regular meeting. All other meetings are special meetings. A special meeting of the board of directors may be called by the president or the president-elect or 20 percent of the board of directors. The board of directors may hold annual, regular or special meetings at any location in ~~or out of~~ the State of Oregon.

3.10 Notice of Meetings. All members shall be officially notified of a special meeting by written notice delivered personally, by telephone or electronic mail to all directors at least 48 hours prior to the date of the meeting. Such notice shall include a description of all agenda items and any matters to be voted upon by the directors, the place and time of the meeting, and instructions describing the method by which directors can participate by telephone or video. Notice shall also comply with all procedures and include any information as required by ORS Chapter 192.

3.11 Waiver of Notice. A director may at any time waive any notice required by these bylaws. A director's attendance at or participation in a meeting waives any required notice to the director of the meeting unless the director, at the beginning of the meeting or promptly upon the director's arrival, objects to holding the meeting or transacting business at the meeting and does not thereafter vote for or assent to any action taken at the meeting. Except as provided in the preceding sentence, any waiver must be in writing, must be signed by the director entitled to the notice, must specify the meeting for which the notice is waived, and must be filed with the minutes or the corporate records.

~~**3.12 Quorum and Voting.** A quorum of the board of directors shall consist of a majority of the number of directors in office immediately before at the time the meeting begins. If a quorum is present when a vote is taken, the affirmative vote of a majority of the directors present when the action is taken is the act of the board of directors except to the extent that the articles of incorporation, these bylaws, or applicable law require the vote of a greater number of directors.~~

~~**3.123.13 Voting:** If a quorum is present when a vote is taken, the affirmative vote of a majority of the directors present when the action is taken is the act of the board of directors except to the extent that the articles of incorporation, these bylaws, or applicable law require the vote of a greater number of directors.;~~

~~**3.133.14 Presumption of Assent.** A director who is present at a meeting of the board of directors when corporate action is taken is deemed to have assented to the action taken unless:~~

- ~~(a) The director objects at the beginning of the meeting, or promptly upon the director's arrival, to holding the meeting or transacting the business at the meeting; and~~
- ~~(b) The director's dissent from the action taken is entered in the minutes of the meeting.~~

3.143.15 Compensation. Directors and members of committees may receive reimbursement of such expenses as may be determined by resolution or policy of the board of directors to be just and reasonable. Directors shall not otherwise be compensated for service in their capacity as directors.

3.153.16 Director Conflict of Interest. The Association shall maintain a Conflict of Interest policy the terms of which comply with ORS 65.361 and ORS Chapter 244. The board of directors shall annually review and notify its members and directors of the current Conflict of Interest policy. Each director shall annually complete and return a Conflict of Interest statement.

SECTION 4 COMMITTEES AND CAUCUSES

4.1 Standing Committees. The board of directors shall maintain the standing committees described below:

4.1.1 Executive Committee. The executive committee shall consist of five officers of the board of directors: the president as chairman, the president-elect, the vice president, the secretary-treasurer and the immediate past president. The executive committee may act, pursuant to delegation of authority to such committee by the board of directors, in place and instead of the board of directors between board meetings on all matters except those specifically reserved to the board under the terms of the bylaws. Actions of the executive committee shall be reported to the board by mail, email or at the next board meeting.

4.1.2 Finance Committee. The finance committee shall be appointed by the president and shall be composed of members from Oregon public school districts, education service districts, and community colleges with boards that meet all criteria to be Association voting members. The members shall include, but are not limited to, the Association secretary/treasurer and vice president, one Association board director from the PACE board, one district business official and one at-large board member. ~~The finance committee shall operate within the guidelines of the corporation's investment policy and the Finance Committee Operating Manual.~~

(a) Finance committee members serve for a term of two (2) years unless they are appointed to replace a member who left the committee before finishing their two-year term, in which case the member will serve the remainder of the two-year term.

(b) The finance committee shall operate within the guidelines of the corporation's investment policy guidelines and the Finance Committee Operating Manual Guidelines.

4.1.24.1.3 Legislative Policy Committee. The board of directors shall maintain a Legislative Policy Committee (LPC).

(a) Purpose. The LPC shall develop legislative policies which are recommended to and approved by the members as a resolution proposed by the board of directors and voted on by the membership in accordance with Section 2.4. The LPC also advises the executive director and staff during legislative sessions.

(b) Composition. The LPC shall be composed of the voting members of the board of directors and the regional representatives elected under the procedures defined in 4.1.3(c) and (d) and one designated voting member as defined in the bylaws of the Oregon School Board Members of Color Caucus and the Oregon Rural School Boards Caucus. All committee members must be elected or appointed directors of a member. The vice president of the ~~board~~board of directors shall chair the LPC.

(c) Nomination. The board of directors shall cause the nomination form to be distributed to all members in eligible regions. A member may nominate a candidate to the LPC and shall do so by formal resolution of the member and timely submission of the nomination form(s) to the office of the Association. Nominations in regions where there is more than one representative position shall indicate the numbered position for which the nomination is being submitted. Nominations will be closed by a date identified in the elections calendar adopted by the board.

(d) Election. Each LPC member shall be elected by majority of member boards of a region. Each region shall elect the number of LPC members as described in Section 3.5, without regard to Section 3.5.1(d). Such elections shall be held using the procedures described in Section 3.5.2.

~~(e)~~ Term. Each committee member shall take office on January 1 in even numbered years and serve for a term of two (2) years.

Vacancies. In the event that there is a vacancy on the LPC, the board of directors may appoint an interim LPC member from the same region to fill the unexpired term of office. If the board of directors cannot recruit an LPC member from the region, they may appoint a person from a contiguous region to serve to represent the open region to fill the unexpired term of office.

4.1.4 PACE Trustees: The board of directors shall appoint the trustees of the OSBA Property and Casualty Coverage for Education Trust ("PACE"). As per the PACE bylaws Restated Trust Agreement, the PACE trustees shall nominate trustee candidate(s) to the OSBA board of directors. The nominees shall be elected by the OSBA Board of Directors. If the list of candidates is not acceptable by the board of directors, the PACE trustees will continue to submit nominated candidate(s) for consideration until accepted by the board of directors.

(a) PACE Trustees taking office on or after January 1, 2023, may serve three consecutive three-year terms and, if eligible, may return after a one-year hiatus.

4.2 Other Board Committees. The board of directors may create one or more committees of the board of directors and appoint directors and representatives of members to serve on such committee. The creation of a committee and the appointment of directors and member representatives to the committee must be approved by a majority of all directors in office when the action is taken. The provisions of these bylaws governing meetings, action without meetings, notice and waiver of notice, and quorum and voting requirements of the board of directors shall apply to committees and their members as well. Committees of the board of directors may, to the extent specified by the board of directors, exercise the authority of the board of directors; provided, however, that no committee of the board of directors may:

- (a) Authorize distributions, provided that this restriction does not apply to payment of value for property received or services performed or payment of benefits in furtherance of the Association's purposes;
- (b) Approve or recommend dissolution, merger, or the sale, pledge, or transfer of all or substantially all of the Association's assets;
- (c) Elect, appoint, or remove directors or fill vacancies on the board or on any of its committees; or
- (d) Adopt, amend, or repeal the articles of incorporation or bylaws.

4.3 Advisory Committees. The board of directors may create one or more other committees. Members of these committees need not be members or directors, but at least one director shall serve on each such committee. These committees shall have no power to act on behalf of, or to exercise the authority of, the board of directors, but may make recommendations to the board of directors.

4.4 Caucuses. Caucuses shall exist to enhance the work of the Association by addressing the unique needs of member districts. Caucuses shall:

4.4.1 Clearly articulate the vision, mission and goals of the Caucus.

4.4.2 Adopt bylaws for operating, programming and governing within the context of the Association bylaws described herein.

4.4.3 Comply with Association policies and guidelines.

4.4.34.4.4 Caucuses shall be added or eliminated to this provision through the amendment process described in these bylaws.

4.4.5 With the adoption of this section, the The Oregon School Board Members of Color Caucus is was established by a vote of the membership in 2018.

4.4.5 With the adoption of this sections, the Oregon Rural School Boards Caucus is established.

4.5 Administration. Each committee and caucus shall prepare minutes of each of its meetings, and such minutes shall be kept on file at the Association's principal office and made available on request to any member of the board of directors. Each committee and caucus shall also report on its activities at the regular meetings of the board of directors. Each committee and caucus shall comply with the public meetings laws requirements under ORS Chapter 192.

SECTION 5 OFFICERS OF THE BOARD OF DIRECTORS

5.1 Appointment. The board of directors shall elect officers by majority vote at least 10 days prior to the November member meeting. In cases where there are more than two candidates nominated for any position, and none receives a majority of the votes, a second ballot shall be

required between the two candidates receiving the highest number of votes. The one receiving a majority of the votes is elected.

5.2 Designation. The officers of the Association shall be a president, president-elect, past president, vice president, a secretary-treasurer, and such other officers as the board of directors may appoint.

5.3 Compensation and Term of Office. Officer terms are one calendar year. No officer except the secretary-treasurer shall serve two consecutive terms in the same office unless the director completed a term for another officer who was unable to complete a term and is then voted into the same position the following year. The secretary-treasurer may serve up to two consecutive one-year terms. Directors and members of committees may receive reimbursement of such expenses as may be determined by resolution of the board of directors to be just and reasonable. Directors shall not otherwise be compensated for service in their capacity as directors.

5.4 Removal and Resignation. Any officer may be removed, either with or without cause, at any time by action of the board of directors. An officer may resign at any time by delivering notice to the board of directors, the president, or the secretary-treasurer. A resignation is effective when the notice is effective under ORS 65.034 unless the notice specifies a later effective date. If a resignation is made effective at a later date and the Association accepts the later effective date, the board of directors may fill the pending vacancy before the effective date if the board of directors provides that the successor does not take office until the effective date. Once delivered, a notice of resignation is irrevocable unless revocation is permitted by the board of directors. No removal or resignation shall prejudice the rights of any party under a contract of employment.

5.5 Officers. The officers of the Association are as follows:

5.5.1 President: The president shall preside at all member meetings of the Association and of the board of directors; shall appoint, committees subject to the approval of the board of directors; shall call all regular and special meetings as provided herein; shall be ex-officio voting member of all committees. The president shall automatically serve as immediate past president for the following term. The president serves for a term of one calendar year.

5.5.2 President-elect: In the absence of the president, the president-elect shall assume the powers and duties of the president, and when a vacancy occurs in the office of president, shall serve in that capacity for the remainder of the term. The president-elect shall automatically serve as president for the following term, even if required to fill an uncompleted term as president. In addition, the president-elect shall assume duties related to the oversight of Association member elections and resolutions processes and such other administrative duties as are assigned by the president. The president-elect serves for a term of one calendar year.

5.5.3 Vice president: In the absence of the president-elect shall assume the powers and duties of the president-elect. The vice president shall also serve as the chair of the LPC. The vice president serves for one calendar year.

5.5.4 Secretary-treasurer: The secretary-treasurer shall be responsible for keeping in a suitable minute book accurate minutes of all board of director meetings; shall carry on official correspondence of the Association; shall arrange for proper banking facilities; and shall receive, account for and disburse funds in a businesslike manner as provided for by the board of directors; shall see that the minutes of the previous meetings are read, and shall give an itemized and detailed report of the financial condition of the Association at each annual meeting and at such other times as may be required by the board of directors. Such duties of the secretary-treasurer as may be specified by the board of directors may be delegated to the executive director or a designated member of the staff. The secretary-treasurer serves for a term of one calendar year.

5.5.5 Immediate past president: The immediate past president shall advise and counsel with other officers. The immediate past president chairs the officer succession planning process. The past president serves for one calendar year.

5.5.6 Assistants: The board of directors may appoint or authorize the appointment of an assistant to the secretary-treasurer. Such assistant may exercise the powers of the secretary-treasurer, as the case may be, and shall perform such duties as are prescribed by the board of directors.

SECTION 6 NONDISCRIMINATION

The Association shall not discriminate in providing services, hiring employees, or otherwise, upon the basis of gender, race, creed, marital status, sexual orientation, religion, color, age, disability, or national origin.

SECTION 7 GENERAL PROVISIONS

7.1 Amendment of Bylaws.

7.1.1 Amendments to the bylaws may be initiated by the board of directors or submitted by a member to the board of directors. ~~Amendments must be approved by a vote of two-thirds majority of the members at any regular or special meeting. The board of directors shall provide written notice to the members containing a statement that the members will be asked to approve the amendment and a copy of the proposed amended bylaws. Such notice shall be provided by US mail or email at least 15 days prior to the member meeting at which the vote will take place.~~

7.1.2 The board of directors shall provide written notice to the members containing a statement that the members will be asked to approve the amendment and a copy of the proposed amended bylaws.

7.1.3 Action by Written Ballot: The Association will deliver a written ballot to every member entitled to vote on the matter. The ballot shall set forth each proposed action and provide an opportunity to vote for or against each proposed action and specify a reasonable time by which a ballot must be received by the Association in order to be counted. Once delivered, a ballot may not be revoked.

7.1.4 Approval: Approval by written ballot shall be valid only when the number of votes cast by ballot equals or exceeds a quorum of the members, and the number of approvals equals or exceeds two-thirds majority of the number of the returned ballots.

7.1.5 Quorum: A quorum of the members shall consist of a majority of members in good standing at the time the ballots are to be returned to the Association.

7.1.27.1.6 Whenever an amendment or new bylaw is adopted, it shall be copied in the minute book with the original bylaws in the appropriate place. If any bylaw is repealed, the fact of repeal and the date on which the repeal occurred shall be stated in such book and place.

7.2 Inspection of Books and Records. All books, records, and accounts of the Association shall be open to inspection by the directors in the manner and to the extent required by law.

7.3 Checks, Drafts, Etc. All checks, drafts, and other orders for payment of money, notes, or other evidences of indebtedness issued in the name of or payable to the Association shall be signed or endorsed by such person or persons and in such manner as shall be determined by resolution of the board of directors.

7.4 Deposits. All funds of the Association not otherwise employed shall be deposited to the credit of the Association in those banks, trust companies or other depositories as the board of directors or officers of the Association designated by the board of directors select, or be invested as authorized by the board of directors.

7.5 Loans or Guarantees. The Association shall not borrow money and no evidence of indebtedness shall be issued in its name unless authorized by the board of directors. This authority may be general or confined to specific instances. Except as explicitly permitted by ORS 65.364, the Association shall not make a loan, guarantee an obligation or modify a pre-existing loan or guarantee to or for the benefit of a director or officer of the Association.

7.6 Execution of Documents. The board of directors may, except as otherwise provided in these bylaws, authorize any officer or agent to enter into any contract or execute any instrument in the name of and on behalf of the Association. Such authority may be general or confined to specific instances. Unless so authorized by the board of directors, no officer, agent, or employee shall have any power or authority to bind the Association by any contract or engagement, or to pledge its credit, or to render it liable for any purpose or for any amount.

7.7 Insurance. The Association may purchase and maintain insurance on behalf of an individual against liability asserted against or incurred by the individual who is or was a director, officer, employee, or agent of the Association, or who, while a director, officer, employee, or agent of the Association, is or was serving at the request of the Association as a director, officer, partner, trustee, employee, or agent of another foreign or domestic business or nonprofit corporation, partnership, joint venture, trust, employee benefit plan, or other enterprise; provided, however, that the Association may not purchase or maintain such insurance to indemnify any director, officer, or agent of the Association in connection with any proceeding charging improper personal benefit to the director, officer, or agent in which the director, officer, or agent was adjudged liable on the basis that personal benefit was improperly received by the director, officer, or agent.

7.8 Fiscal Year. The fiscal year of the Association shall begin on the first day of July 1 and end on the last day of June in each year.

7.9 Severability. A determination that any provision of these bylaws is for any reason inapplicable, invalid, illegal or otherwise ineffective shall not affect or invalidate any other provision of these bylaws.

* * * * *

The foregoing bylaws were approved by the membership of the Oregon School Boards Association on December 14, 2018. The original bylaws were duly adopted by the Board of Directors of OSBA on September 15, 2017, and approved by the membership on December 15, 2017.

DRAFT

Crosswalk for OSBA Proposed Bylaw changes
 New language is underlined; deleted language is ~~struck through~~; and moved language is **highlighted**.

Section	Proposed Language	What changed
2.12	<p>Action by Written Ballot. Any action required <u>of the members will be taken by written ballot and</u> or permitted to be taken at a members' meeting may be taken without a meeting if the Association will deliver a written ballot to every member entitled to vote on the matter. A written ballot shall set forth each proposed action and provide an opportunity to vote for or against each proposed action. Approval by written ballot shall be valid only when the number of votes cast by ballot equals or exceeds a quorum of the members, and the number of approvals equals or exceeds the number of votes that would be required to approve the matter at a meeting at which the total number of votes cast is the same as the number of votes cast by ballot. A written ballot shall set forth each proposed action, indicate the number of responses needed to meet the quorum requirements, state the percentage of approvals necessary to approve each matter, and specify a reasonable time by which a ballot must be received by the Association in order to be counted. Once delivered, a written ballot may not be revoked.</p>	<p>This is a major edit that clarifies the process for membership voting. The current language assumed voting by the membership might take place in a face-to-face meeting, which will never occur as we consider our members to be school boards, esd board and community college boards and not individuals board members. This change clarifies the process of action of the membership by written ballot.</p>
2.13	<p>Unanimous Written Consent. Any action required or permitted to be taken at a members' meeting may be taken without a meeting if the action is taken by all members entitled to vote on the matter. The action shall be evidenced by one or more written consents describing the action taken, signed by each member, and included in the minutes or filed with the corporate records reflecting the action taken. Action taken under this section is effective when the last member entitled to vote on the matter signs the consent, unless the consent specifies an earlier or later effective date.</p>	<p>Language removed as the organization only allows membership voting via a written ballot. (See above).</p>
2.1.4 <u>2.1.3</u>	<p>Quorum and Voting. A quorum of the members shall consist of those votes represented at a meeting of the members. If a quorum is present when a vote is taken, the affirmative vote of a majority of the votes represented and voting when the action is taken is the act of the members except to the extent that the articles of incorporation, these bylaws, or applicable law require the vote of a greater number of members. <u>A quorum of the members shall consist of a majority of members in good standing at the time the ballots are to be returned to the association.</u></p>	<p>Edited to clarify the definition of a quorum.</p>
2.1.4	<p>Approval: <u>With the exception of approving amendments to the Association's bylaws, which is outlined in Section 7.1 of these bylaws, approval by written ballot is effective when:</u></p> <p><u>2.14.1 The number of votes cast by ballot equals or exceeds a quorum of the members; and</u></p>	<p>Edited to clarify what is needed for approval when the membership is voting by ballot.</p>

Crosswalk for OSBA Proposed Bylaw changes
 New language is underlined; deleted language is ~~struck through~~; and moved language is **highlighted**.

Section	Proposed Language	What changed
	<u>2.1.4.2</u> The number of approvals equals or exceeds a majority of the number of returned ballots.	
3.2	Qualifications. Directors must serve on the board of a member of the Association <u>throughout the duration of their term, with the exception of the director serving as past president.</u>	Edit to specify an exception for the past president position only.
3.3	Number. The board of directors shall consist of not fewer than three nor more than 24 <u>25</u> persons. The number of directors may be fixed or changed periodically, within the minimum, and maximum by the members.	Edit to account for Rural Caucus appointee to the Board of Directors.
3.4.3	If a director serving as an officer immediate past president requires additional time beyond the term limits outlined above, the term limits will be held in abeyance to allow the director to complete their term as <u>immediate</u> past president.	New language added to specify an exception for the past president position only.
3.5	Composition. The board of directors will be comprised of up to 23 regionally elected directors, one designated director as defined in the bylaws of the Oregon School Board Members of Color Caucus, <u>one designated director as defined in the bylaws of the Oregon Rural School Boards Caucus</u> and ex-officio nonvoting members as delineated in Section 3.5.4.	Edit to correct grammar and new language added to add the Rural Caucus appointee to the Board of Directors.
3.5.3	Designated Representatives. <u>In accordance with their bylaws, caucuses of OSBA,</u> The Oregon School Board Members of Color Caucus shall appoint an officer <u>a representative</u> of the Caucus to serve as a director of the Association. The appointee, as defined in the Caucus bylaws <u>representative must,</u> shall be an elected or appointed member of any public board of education in Oregon who is an active member in good standing with the Association. All Association bylaws and policies shall apply to the designated representative serving as the Caucus' director of the Association.	Edit to account for Rural Caucus appointee to the Board of Directors and any future Caucus.
3.6	Vacancies. In the event that any director position, other than the immediate past president is vacant during the term of office, the remaining directors may appoint an interim director from the same region to serve until December 31 of the same year. If the board of directors cannot recruit a candidate from the region, they may appoint a person from a contiguous region to serve as director representing the open region. An individual appointed as a director from a contiguous region is not eligible to serve as an officer of the board. The members shall elect, using the procedures in Section 3.5.2, an interim director to serve from January 1 of the next year until the end of the remaining term. If there is a vacancy in <u>an OSBA caucus-designated director position,</u> Members of Color Caucus' director position,	Edit to account for Rural Caucus appointee to the Board of Directors and any future Caucus.

Crosswalk for OSBA Proposed Bylaw changes
 New language is underlined; deleted language is ~~struck through~~; and moved language is **highlighted**.

	then the C caucus shall, as set forth in Section 3.5.3, appoint a new C caucus officer-representative to serve the remaining term.	
Section	Proposed Language	What changed
3.12	Quorum and Voting. A quorum of the board of directors shall consist of a majority of the number of directors in office <u>at the time</u> the meeting begins. If a quorum is present when a vote is taken, the affirmative vote of a majority of the directors present when the action is taken is the act of the board of directors except to the extent that the articles of incorporation, these bylaws, or applicable law require the vote of a greater number of directors.	Edited to clarify the definition of a quorum for the OSBA Board of Directors. Highlighted text was moved to section 3.13.
3.13	Voting. If a quorum is present when a vote is taken, the affirmative vote of a majority of the directors present when the action is taken is the act of the board of directors except to the extent that the articles of incorporation, these bylaws, or applicable law require the vote of a greater number of directors.	Language moved from section 3.12 but there is no change to current language.
2.1.2	Finance Committee. The finance committee shall be appointed by the president and shall be composed of members from Oregon public school districts, education service districts, and community colleges with boards that meet all criteria to be Association voting members. The members shall include, but are not limited to, the Association secretary/treasurer and vice president, one Association board director from the PACE board, one district business official and one at-large board member. The finance committee shall operate within the guidelines of the corporation’s investment policy and the Finance Committee Operating Manual. (a) <u>Finance committee members serve for a term of two (2) years unless they are appointed to replace a member who left the committee before finishing their two-year term, in which case the member will serve the remainder of the two-year term.</u> (b) The finance committee shall operate within the guidelines of the corporation’s investment policy guideline(s) and the Finance Committee Operating Manual guideline.	Highlighted struck out language moved to (b). New language added related to the terms finance committee members. Language moved from 2.1.2 and edited language to reflect the committee’s use of guidelines and not policies.
4.1.3 (b)	<u>Composition.</u> The LPC shall be composed of the voting members of the board of directors and the regional representatives elected under the procedures defined in 4.1.3(c) and (d) <u>and one designated voting member as defined in the bylaws of the Oregon School Board Members of Color Caucus and the</u>	Added language to add the School Board Members of Color caucus, which was inadvertently omitted during the previous amendment. Added language to include the Rural School Boards Caucus.

Crosswalk for OSBA Proposed Bylaw changes
 New language is underlined; deleted language is ~~struck through~~; and moved language is **highlighted**.

	<u>Oregon Rural School Boards Caucus</u> . All committee members must be elected or appointed directors of a member. The vice president of the board <u>of directors</u> shall chair the LPC.	
Section	Proposed Language	What changed
4.14	<p><u>PACE Trustees: The board of directors shall appoint the trustees of the OSBA Property and Casualty Coverage for Education Trust ("PACE"). As per the PACE Restated Trust Agreement, the PACE trustees shall nominate trustee candidate(s) to the OSBA board of directors. If the list of candidates is not acceptable by the board of directors, the PACE trustees will continue to submit nominated candidate(s) for consideration until accepted by the board of directors.</u></p> <p><u>(a) PACE trustees taking office on or after January 1, 2023, may serve three consecutive three-year terms and, if eligible, may return after a one-year hiatus.</u></p>	This is new language to add PACE Trustees under the Committees and Caucus section and to outline the process for appointment as well as the terms of the members.
4.4	Caucuses	New language stating caucuses must comply with OSBA policies/guidelines.
4.4.3	<u>Comply with Association policies and guidelines.</u>	
4.4.5	<u>The Oregon School Board Members of Color Caucus is was established by a vote of the membership in 2018.</u>	Edited language outlining when the OSBMCC was established.
4.4.6	<u>With the adoption of this sections, the Oregon Rural School Boards Caucus is established.</u>	New language to establish the Rural caucus.
Section 7.1	Amendment to bylaws	
7.1.1	<p>Amendments to the bylaws may be initiated by the board of directors or submitted by a member to the board of directors. Amendments must be approved by a vote of two thirds majority of the members at any regular or special meeting. The board of directors shall provide written notice to the members containing a statement that the members will be asked to approve the amendment and a copy of the proposed amended bylaws. Such notice shall be provided by US mail or email at least 15 days prior to the member meeting at which the vote will take place.</p>	This section was edited for clarity and readability. No substantial change to content. The highlighted language was moved to the next paragraph but there was no change to the language.

Crosswalk for OSBA Proposed Bylaw changes
 New language is underlined; deleted language is ~~struck through~~; and moved language is **highlighted**.

7.1.2	The board of directors shall provide written notice to the members containing a statement that the members will be asked to approve the amendment and a copy of the proposed amended bylaws.	This language was moved from the section above with no changes.
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Section	Proposed Language	What changed
7.1.3	<u>Action by Written Ballot:</u> The Association will deliver a written ballot to every member entitled to vote on the matter. The ballot shall set forth each proposed action and provide an opportunity to vote for or against each proposed action and specify a reasonable time by which a ballot must be received by the Association in order to be counted. Once delivered, a ballot may not be revoked.	This is new language to outline the process of voting on bylaw changes.
7.1.4	<u>Approval:</u> Approval by written ballot shall be valid only when the number of votes cast by ballot equals or exceeds a quorum of the members, and the number of approvals equals or exceeds two-thirds majority of the number of the returned ballots.	Language added to clarify approval of the membership on bylaw changes.
7.1.5	<u>Quorum:</u> A quorum of the members shall consist of a majority of members in good standing at the time the ballots are to be returned to the Association.	Language added to clarify the definition of a quorum for action on bylaw changes.

Minor Edits

Section	Proposed Language
1	Purpose: No change to language – formatting change only
2.4.2	Voting Power/Resolution: (d) K-12 Local Districts with an ADMr between of 39,000.1 and above or more shall have five votes.
3.1	Powers. Except as provided under Section 2.2, all corporate powers shall be exercised by or under the authority of and the affairs of, are managed under the direction of a <u>the</u> board of directors. The board of directors shall adopt policies defining specific obligations of the board of directors.
3.5.2	Regional Election. The nomination and election of directors shall be in accordance with the elections calendar <u>annually</u> adopted by the board.
3.9	Meetings. An annual meeting of the board of directors shall be held immediately after, and at the same place as, the annual meeting of members. If the time and place of any other directors’ meeting is regularly scheduled by the board of directors, the meeting is a regular meeting. All other meetings are special meetings. A special meeting of the

Crosswalk for OSBA Proposed Bylaw changes
New language is underlined; deleted language is ~~struck through~~; and moved language is highlighted.

	board of directors may be called by the president or the president-elect or 20 percent of the board of directors. The board of directors may hold annual, regular or special meetings <u>at any location in or out of</u> the State of Oregon.
4.1.3	Legislative Policy Committee. The board of directors shall maintain a Legislative Policy Committee (<u>LPC</u>).

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

November 13, 2023

SUPERINTENDENT'S RECOMMENDATION

8.0 ACTION ITEMS

8.5 TOPIC: OSBA Resolution #2

It is recommended.

RECOMMENDATION:

. that the Board of Education approve the Integrated Guidance Grant Agreement as presented.

Board Members

Mon Nov 13, 2023

6:30pm - 8:30pm Board Regular Meeting

Where: DO Boardroom
Calendar: Board Members
Created by: Briana Cortaberria

Tue Nov 14, 2023

8am - 8:30am KOHU Odds & Ends Show

Where: KOHU
Calendar: Board Members
Created by: Briana Cortaberria
Who: Tricia Mooney, kohunews@gmail.com

6:30pm - 7:30pm Mental Health Seminar

Calendar: Board Members
Created by: Briana Cortaberria

Wed Nov 15, 2023

3:45pm - 4:45pm Ed Council Meeting

Where: DO Boardroom
Calendar: Board Members
Created by: Briana Cortaberria

Thu Nov 16, 2023

7am - 8am Board Meeting Debrief

Where: DO
Calendar: Board Members
Created by: Briana Cortaberria

7am - 8am HAT/HSD Morning Meeting

Where: DO Boardroom
Calendar: Board Members
Created by: Briana Cortaberria

Fri Nov 17, 2023

7pm - 9pm HEF's DWTHS Performance

Where: HHS Auditorium
Calendar: Board Members
Created by: Briana Cortaberria

Mon Nov 27, 2023

6:30pm - 8:30pm Board Special Meeting

Where: DO Boardroom
Calendar: Board Members
Created by: Briana Cortaberria

Mon Dec 4, 2023

9am - 10am Board Finance Committee

Where: DO
Calendar: Board Members
Created by: Briana Cortaberria

Thu Dec 7, 2023

7am - 8am Board Agenda Review

Where: DO
Calendar: Board Members
Created by: Briana Cortaberria

Board Members

Mon Dec 11, 2023

6:30pm - 8:30pm Board Regular Meeting

Where: DO Boardroom
Calendar: Board Members
Created by: Briana Cortaberria

Tue Dec 12, 2023

8am - 8:30am KOHU Odds & Ends Show

Where: KOHU
Calendar: Board Members
Created by: Briana Cortaberria
Who: Tricia Mooney, kohunews@gmail.com, Dain Gardner

Wed Dec 13, 2023

4pm - 5pm Hermiston Education Board Meeting

Calendar: Board Members
Created by: Briana Cortaberria

Thu Dec 14, 2023

7am - 8am Board Meeting Debrief

Where: DO
Calendar: Board Members
Created by: Briana Cortaberria

Thu Dec 21, 2023

7am - 8am HAT/HSD Morning Meeting

Where: DO Boardroom
Calendar: Board Members
Created by: Briana Cortaberria

Thu Jan 4, 2024

7am - 8am Board Agenda Review

Where: DO
Calendar: Board Members
Created by: Briana Cortaberria

Fri Jan 5, 2024

9am - 10am Board Finance Committee

Where: DO
Calendar: Board Members
Created by: Briana Cortaberria

Mon Jan 8, 2024

6:30pm - 8:30pm Board Regular Meeting

Where: DO Boardroom
Calendar: Board Members
Created by: Briana Cortaberria

Tue Jan 9, 2024

8am - 8:30am KOHU Odds & Ends Show

Where: KOHU
Calendar: Board Members
Created by: Briana Cortaberria
Who: Tricia Mooney, kohunews@gmail.com, Dain Gardner

Wed Jan 10, 2024

4pm - 5pm Hermiston Education Board Meeting

Calendar: Board Members
Created by: Briana Cortaberria

Board Members

Thu Jan 11, 2024

7am - 8am Board Meeting Debrief

Where: DO

Calendar: Board Members

Created by: Briana Cortaberria

Thu Jan 18, 2024

7am - 8am HAT/HSD Morning Meeting

Where: DO Boardroom

Calendar: Board Members

Created by: Briana Cortaberria

Mon Jan 22, 2024

6:30pm - 8:30pm Board Special Meeting

Where: DO Boardroom

Calendar: Board Members

Created by: Briana Cortaberria

Mon Jan 29, 2024

6pm - 7pm Listening & Learning Session

Where: DO Boardroom

Calendar: Board Members

Created by: Briana Cortaberria

Fri Feb 2, 2024

9am - 10am Board Finance Committee

Where: DO

Calendar: Board Members

Created by: Briana Cortaberria

Sun	Mon	Tue	Wed	Thu	Fri	Sat
5	6	7	8	9	10	11
		7am - Board Agenda Review @ DO	4pm - Hermiston Education Board	OSBA Annual Convention @ Portland Marriott Downtown Waterfront, 1401 SW Naito Pkwy, Portland, OR 97201, USA		Veteran's Day Holiday - No School 6pm - McCormick & Schmick's
12	13	14	15	16	17	18
OSBA Annual Convention @ Portland	6:30pm - Board Regular Meeting @ DO	8am - KOHU Odds & Ends Show @ 6:30pm - Mental Health Seminar	3:45pm - Ed Council Meeting @ DO	7am - Board Meeting Debrief @ DO 7am - HAT/HSD Morning Meeting @	7pm - HEF's DWTHS Performance @	
19	20	21	22	23	24	25
26	27	28	29	30	1	2
	6:30pm - Board Special Meeting @ DO					

Sun	Mon	Tue	Wed	Thu	Fri	Sat
26	27	28	29	30	1	2
	6:30pm - Board Special Meeting @ DO					
3	4	5	6	7	8	9
	9am - Board Finance Committee @ DO			7am - Board Agenda Review @ DO		
10	11	12	13	14	15	16
	6:30pm - Board Regular Meeting @ DO	8am - KOHU Odds & Ends Show @	4pm - Hermiston Education Board	7am - Board Meeting Debrief @ DO		
17	18	19	20	21	22	23
				7am - HAT/HSD Morning Meeting @		
24	25	26	27	28	29	30
31	1	2	3	4	5	6
				7am - Board Agenda Review @ DO	9am - Board Finance Committee @ DO	

Sun	Mon	Tue	Wed	Thu	Fri	Sat
31	1	2	3	4 7am - Board Agenda Review @ DO	5 9am - Board Finance Committee @ DO	6
7	8 6:30pm - Board Regular Meeting @ DO	9 8am - KOHU Odds & Ends Show @	10 4pm - Hermiston Education Board	11 7am - Board Meeting Debrief @ DO	12	13
14	15	16	17	18 7am - HAT/HSD Morning Meeting @	19	20
21	22 6:30pm - Board Special Meeting @ DO	23	24	25	26	27
28	29 6pm - Listening & Learning Session @	30	31	1	2 9am - Board Finance Committee @ DO	3

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

November 13, 2023

10.0 EXECUTIVE SESSION

The board of education will now meet in executive session pursuant to the following Oregon Revised Statute(s):

	Statutory Citation	Subject	Media Permitted?
	ORS 192.660(2)(a)	To consider the employment of a public officer, employee, staff member or individual agent.	Yes
	ORS 192.660(2)(b)	To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.	Yes
	ORS 192.660(2)(d)	To conduct deliberations with persons designated by the governing body to carry on labor negotiations.	No
	ORS 192.660(2)(e)	To conduct deliberations with persons designated by the governing body to negotiate real property transactions.	Yes
	ORS 192.660(2)(f)	To consider information or records that are exempt by law from public inspection.	Yes
	ORS 192.660(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.	No
	ORS 192.660(2)(i)	To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.	Yes
	ORS 192.660(2)(k)	To consider matters relating to school safety or a plan that responds to safety threats made toward a school.	Yes
X	ORS 332.061(1)	To conduct a hearing to expel minor students or to examine confidential medical records	No

The Hermiston School District Board of Education will now meet in executive session pursuant to ORS **(per above)**. Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on or otherwise disclose any of the deliberations or anything said about these subjects during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session, except for a student expulsion. At the end of the executive session, the board will return to open session and welcome the audience back into the room.

Attorney General's Public Records and Meetings Manual, p. K-9.

Board Policy BDC-AR: Executive Sessions – News Media
<http://policy.osba.org/hermiston/AB/BDC%20R%20G1.PDF>