

Regular Meeting
Wednesday, July 1, 2026 4:30 PM Pacific

District Office Board Room
11 N. Royal Ave
Eagle Point, Oregon 97524

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Agenda Adoption**
5. **Annual Election of Board Officers**

Eagle Point School District 9

Code: **BCB**
Adopted: 11/15/84
Revised/Readopted: 11/14/01; 12/12/07; 8/09/17
Orig. Code(s): 1151; 1152; 1153

Board of Education Officers

Board Chairman

The Board Chairman will be elected at the annual July organizational business meeting. The Chairman will be elected from within the Board of Education and serve for a term of one year. The Chairman may service a maximum of four consecutive terms in the same office. If for any reason the office of Chairman shall become a vacant, the sitting Vice Chairman will assume the office of Chairman and serve the remainder of the term. If there is no sitting Vice Chairman, the Board will elect one of its members to serve as Chairman. Duties of the Board Chairman shall include:

1. Being the main point of communication between the Superintendent and Board of Education. The Board Chairman will confer with the Superintendent on matters of Board operations, policies and related items.
2. Set the agendas for all meetings of the Board of Education. The Superintendent, Board Vice Chairman and selected designees will assist the Board Chairman in the setting of meeting agendas and review of district operations.
3. Call emergency and special meetings of the Board when needed.
4. Presides over all Board meetings and ensure the effective running of all meetings.
5. Sign all documents requiring the signature of the Board Chairman on behalf of an official Board of Education action.
6. Serve as the official representative of the Board of Education and the school district at official functions and when needed.
7. Create committees and appoint members to those committees with Board approval.
8. Have the right to make motions, discuss and vote at all Board meetings.

Board Vice Chairman

The Board Vice Chairman will be elected at the annual July organizational business meeting. The Vice Chairman will be elected from within the Board of Education and serve a term of one year. The Vice Chairman may serve a maximum of four consecutive terms in the same office. The Vice Chairman will assume the office of Board Chairman if that position becomes vacant and serve the remainder of the term.

The Vice Chairman will also perform any other duties as delegated by the Board of Education and/or the Board Chairman.

Chief Executive Officer

The Superintendent of Jackson County School District 9 shall serve as the chief executive officer for the Board of Education and the school district. In addition to the job description laid out for the Superintendent in District Policy CBA, and will hire, supervise and evaluate the Board Secretary.

Board Secretary

The Board Secretary shall compile, administer and keep all record for the Board of Education. In addition, the Board Secretary will also carry out all jobs assigned by the Superintendent or delegated by the Board chairman. Duties for the Board Secretary will include, but not limited to:

1. Record the disposition of all matters on which the Board considered action;
2. Prepare, distribute and maintain digitally recorded minute of all meetings as per Board Policy BDDG Minutes of Board Meetings;
3. Maintain the official record of District Policies.

END OF POLICY

Legal Reference(s):

[ORS 255.335](#)

[ORS 332.040](#)

[ORS 332.045](#)

[ORS 332.057](#)

[OAR 166-400-0010\(9\)](#)

Cross Reference(s):

BC/BCA - Board of Directors Organization/and Organizational Meeting

Voting Procedures

You'll need someone to be acting chair at the organizational meeting. It can be last year's chair, the superintendent, or anyone else the board members will allow to run the meeting until a chair is elected.

Voting cannot proceed until all nominations have been made. After nominations are made, the acting chair leads board members through the list of nominees one by one, calling for votes. Each board member gets one vote. It requires a majority of the board voting for one candidate to elect the chair. A majority is at least four members of a seven member board, or three members of a five member board.

Here is how election of a new board chair would work with a seven-person board consisting of Bev, Brian, Ryan, Joe, Ted, John, and Arieta:

1. In this example, John, last year's chair, is acting chair at the organizational meeting. John says, "Nominations are now open."
2. Joe responds, "I nominate Brian." Then, Arieta nominates Ryan, and Brian nominates Bev. The acting chair and the board secretary record each nomination.
3. John asks if there are further nominations. If he encounters silence, he says, "Seeing no further nominations, I declare nominations closed."
4. John explains that each board member can cast one vote for board chair. He then works through the nominations in the order they were made, calling for votes: "All those in favor of Brian" (to which Ted and John vote yes); "All those in favor of Ryan," (to which Arieta and Brian vote yes); and "All those in favor of Bev," (to which Bev, Ryan and Joe vote yes).
5. In this example, John says, "No candidate received a majority of the board's votes. The action failed; we will begin again." Four votes out of seven constitute a quorum for this seven-member board.
6. John opens nominations again. Brian nominates Bev, and John nominates Ryan. John calls for further nominations, and, getting none, declares nominations closed.
7. John explains again that each board member can vote for one person. When prompted "All those in favor of Bev," Ted, Joe, Ryan, Bev and Brian vote yes. The chair says, "All those in favor of Ryan." Arieta and John vote yes.
8. Now a majority of votes has been cast for one member. John announces "Bev is elected chair by a majority vote of 5 in favor."

Notice that, as in the example above, when the election does not result in a majority of the board voting for any one nominee, the complete process starts again, beginning with the acting chair opening nominations.

The same people may be re-nominated or a new slate may be created. Board members are free to use their one vote apiece as they wish whenever the nomination and voting process starts anew.

Once a chair has been elected, the gavel is passed to the new chair, and he or she leads the board through the process as many times as necessary for a quorum of the board to elect a vice chair.

6. Acknowledgments

Eagle Point School District 9
Board of Education Master Calendar for 2026-2027

Month	Meeting/Event
July	• Election of Chair/Vice Chair • Public Meeting Schedule for the year
August	• Organization Chart - BC/BCA (if changes) • Review Board Operating Agreements/BBF(signatures required) • Annual ELL Outcomes (HB3499) • Executive Summary - Exit Survey Response • Restraint and Seclusion Report - JGAB • Policy GBDA - room updates (if any) • Policy EBB Integrated Pest Management - Adopt Plan and Policy (every five years beginning July 2026-2027)
September	• OSBA Nominations (if any) • Alternative Ed. Policy IGBHA - URCEO • SIA Annual Report • Constitution Day
October	• PLC Workshop - Virtual • Superintendent report on Priority #1 • Annual report on compliance of Division 22 • Discipline Data
November	• Superintendent report on Priority #2 • District Report Card • Leave Report
December	• Superintendent report on Priority #3 • Develop Targeted Feedback Survey • OSBA Elections
January	• PLC Workshop - Virtual • Rogue Community Health Report Card • Sodexo Nutrition Services Report • Superintendent interim progress report for evaluation • Superintendent Contract Review • Announce Budget Committee Openings • Adopt Budget Calendar • Adopt Audit Committee Report <i>** School Board Appreciation Month **</i>
February	• Budget Committee Interviews/Appointments • Establish interdistrict transfer procedure/review policy JECB • Superintendent Evaluation (Executive Session Needed) • Adopt next year's school calendar • SOESD Local Service Plan • SOESD Budget Cmte • Renewal/Non-Renewal of staff (before March 15)
March	• Supt. Contract extension/non extension • PLC Workshop - Virtual (moved from April) • SEI Filing Period - March 15 - April 15 <i>** Classified Appreciation Week - March 3-7**</i>
April	• Policy EFA (Tri-annually) • SEI Filing Period - March 15 - April 15

Eagle Point School District 9
Board of Education Master Calendar for 2026-2027

	• Public Meeting Training
May	• CLCA Update <i>** Teacher Appreciation Week - May 5-9**</i>
June	• Insurance Plan Adoption • Budget Adoption • Annual Designation - GCBBA • Sodexo meal price increase/contract • Curriculum adoption (if any) • Set the July board meeting date • Attendance Data

7. Reports and Public Forum

7.A. Public Forum

7.B. Professional Learning Communities - End of Year Update

8. Board Action Items

8.A. Consent Agenda

Eagle Point School District 9
Every Student, Every Class, Every Day!

MONTHLY PERSONNEL REPORT – JULY/AUGUST 2026

RECENT NEW HIRES AND PROMOTIONS

Name	FTE	Assignment	Location	Start Date
Sherry Becker	1.0	Special Services Coordinator	District	8/5/2026
Monica Meza-Solorio	1.0	Teacher - ELD	EPMS	8/27/2026
Freddy Maldonado	1.0	Teacher - Alt Ed/Science	URCEO	8/27/2026
Heidi Kady-Barr	1.0	Teacher - Elementary	ERE	8/27/2026
Elizabeth Heppner	1.0	Teacher - Elementary	HES	8/27/2026

RECENT RESIGNATIONS, RETIREMENTS, DISMISSALS, LAY-OFFS

Name	FTE	Assignment	Location	End Date
Kailey Revers	1.0	Teacher - STEAM	SCS	6/16/2026

TRANSFERS AND CHANGE OF ASSIGNMENTS

[illegible]

8.B. **Unfinished Business**

8.C. **New Business**

Eagle Point School District 9
2026-27 Resolution No. 1
Consolidate Student Needs Special Revenue Funds

WHEREAS;

1. The Eagle Point School District 9 (District) receives annual private donations that are restricted by the donor for the benefit of student needs and are allocated among District schools; and
2. The District has historically accounted for these restricted donations through multiple Special Revenue Funds; and
3. The District finds that consolidating these accounts into a single Special Revenue Fund while separately tracking each school's allocation through designated area codes and other accounting dimensions will improve financial administration, simplify budgeting and reporting, and preserve available fund numbers for future District use; and
4. The District's financial management system provides the ability to separately account for each school's allocation and expenditures while maintaining compliance with donor restrictions, Oregon Department of Education (ODE) reporting requirements, Program Budgeting and Accounting Manual (PBAM) guidelines, Generally Accepted Accounting Principles (GAAP), Governmental Accounting Standards Board (GASB) standards, and annual audit requirements.

NOW THEREFORE BE IT RESOLVED that the Board of Directors of Eagle Point School District 9, Eagle Point, Oregon, hereby:

1. Effective July 1, 2026, all Student Needs accounts funded by restricted private donations shall be consolidated into a single Special Revenue Fund designated as Fund 261.
2. Individual school allocations and expenditures shall continue to be separately identified and tracked through the account dimension of operational unit (location) within the District's financial management system.
3. The consolidation is an accounting and administrative change only and does not alter:
 - The donor-imposed restrictions on the use of the funds;
 - Each school's designated allocation of fund; or
 - The Board's budgetary authority over appropriations.
4. The Deputy Clerk is authorized to transfer fund balances, revenues, expenditures, and related accounting records as necessary to implement this consolidation and maintain complete accountability for each school's Student Needs allocation.

5. The Clerk and Deputy Clerk are authorized to take any additional administrative actions necessary to carry out the intent of this Resolution.

ADOPTED by roll call vote of the Board of Directors at their regular meeting held July 1, 2026.

Board Chair, Emily McIntire

Attest:

Superintendent-District Clerk, James Helmen

8.C.1. 2026-2027 Board of Directors Public Meeting Schedule



EAGLE POINT SCHOOL DISTRICT 9 BOARD OF DIRECTORS
Public Meeting Schedule
2026-2027

Regular Meetings of the Eagle Point School District 9 Board of Directors are typically held on the 4th Wednesday of every month. Meetings are held in the boardroom at the District Office, 11 N. Royal, Eagle Point, Oregon, beginning at 5:30 p.m.

Work Sessions, which are held in order to provide Board members with opportunities for planning and thoughtful discussion, will typically be held at 8:30 a.m. on the 2nd Friday of every month.

Meeting Information

Work Session 8:30 a.m. Staff Development Room
Regular Meeting 5:30 p.m. Board Room (*except as noted*)

Meeting Dates

Regular Meeting 4:30 p.m. Wednesday, July 1, 2026

Work Session 8:30 a.m. Friday, August 7, 2026

Regular Meeting 5:30 p.m. Wednesday, August 26, 2026

Work Session 8:30 a.m. Friday, September 11, 2026

Regular Meeting 5:30 p.m. Wednesday, September 23, 2026

Work Session 8:30 a.m. Friday, October 9, 2026

Regular Meeting 5:30 p.m. Wednesday, October 21, 2026

Work Session 5:00 p.m. & Regular Meeting 6:30 p.m. Wednesday, November 18, 2026

Work Session 5:00 p.m. & Regular Meeting 6:30 p.m. Wednesday, December 16, 2026

Work Session 8:30 a.m. Friday, January 8, 2027

Regular Meeting 5:30 p.m. Wednesday, January 27, 2027

Work Session 8:30 a.m. Friday, February 12, 2027

Regular Meeting 5:30 p.m. Wednesday, February 24, 2027

Work Session 5:00 p.m. & Regular Meeting 6:30 p.m. - Wednesday, March 17, 2027

Work Session 8:30 a.m. Friday, April 9, 2027

Regular Meeting 5:30 p.m. Wednesday, April 21, 2027

Work Session 8:30 a.m. Friday, May 7, 2027

Regular Meeting 5:30 p.m. Wednesday, May 26, 2027

Work Session 5:00 p.m. & Regular Meeting 6:30 p.m. Wednesday, June 16, 2027

All Board Meetings are open to the public – PLEASE JOIN US!

8.C.2. 2026-27 Resolution No. 1 - Consolidation of Student Needs Funds

Eagle Point School District 9 Board of Directors Information Sheet

Date: July 1, 2026 Presented By: G. Swearingen

Subject: 2026-27 Resolution No. 1
Consolidation of Student Needs Funds Attachment(s) No

Information

BACKGROUND

The District receives annual private donations, typically from the same foundation (D9), that are restricted by the donor to support student needs. Historically, separate Special Revenue Funds were established for some schools to account for these restricted donations.

Over time, not every school has maintained a separate Student Needs fund, and many of the existing funds are no longer active. Currently, only three schools have remaining fund balances, while the remaining Student Needs funds have no activity or balance.

PURPOSE

The proposed consolidation is an administrative accounting change intended to improve the efficiency and organization of the District's financial records. Maintaining multiple Special Revenue Funds for Student Needs donations is no longer necessary because the District's financial management system can separately track each school's revenues, expenditures, and available balances using area codes within a single Special Revenue Fund.

Consolidating these accounts will streamline budgeting, financial reporting, year-end closing, and audit procedures while preserving compliance with donor restrictions, Oregon Department of Education reporting requirements, the Program Budgeting and Accounting Manual (PBAM), Generally Accepted Accounting Principles (GAAP), and Governmental Accounting Standards Board (GASB) standards.

This change will not alter the purpose of the donated funds, the donor's restrictions, or each school's allocation. It is solely an accounting reorganization that improves administrative efficiency and preserves Special Revenue Fund numbers for future District needs.

Fiscal Year 2025-26 Transactions						
Fund	Beginning Balance	Revenue	Expenditure	Transfer	Ending Fund Balance	Description
253	(299.10)	2,040.50	-	-	1,741.40	Student Needs - WMMS
255	197.32	2,425.03	-	-	2,622.35	Student Needs - EPMS
260	38.71	1,717.20	-	-	1,755.91	Student Needs - ERE
261	43,606.06	7,608.68	(1,044.99)	-	50,169.75	Student Needs
[901]	43,606.06	-	(1,044.99)	-	42,561.07	EPHS
[903]	-	2,346.06	-	-	2,346.06	HES
[909]	-	326.16	-	-	326.16	LCLC
[910]	-	1,332.68	-	-	1,332.68	URCEO
[915]	-	3,603.78	-	-	3,603.78	TRE
263	(104.93)	989.35	-	-	884.42	Student Needs - SCS
					57,173.83	

Proposed Consolidation Fiscal Year 2026-27						
Fund	Beginning Balance	Revenue	Expenditure	Transfer	Fund Balance	Description
261	50,169.75	-	-	7,004.08	57,173.83	Student Needs
[901]	42,561.07	-	-	-	42,561.07	EPHS
[902]	-	-	-	2,622.35	2,622.35	EPMS
[903]	2,346.06	-	-	-	2,346.06	HES
[906]	-	-	-	884.42	884.42	SCS
[909]	326.16	-	-	-	326.16	LCLC
[910]	1,332.68	-	-	-	1,332.68	URCEO
[912]	-	-	-	1,741.40	1,741.40	WMMS
[913]	-	-	-	1,755.91	1,741.40	ERE
[915]	3,603.78	-	-	-	3,603.78	TRE

RECOMMENDATION:

Staff recommends that the Board of Directors adopt Resolution No. 2026-XX authorizing the consolidation of the District's Student Needs Special Revenue Funds into a single Special Revenue Fund effective July 1, 2026. This administrative accounting change will simplify financial management, improve reporting efficiency, and preserve Special Revenue Fund numbers for future District use.

BOARD ACTION REQUIRED

Suggested Motion:

“I move to approve 2026–27 Resolution No. 1 to consolidate the Student Needs Special Revenue Funds as presented.”

Eagle Point School District 9
2026-27 Resolution No. 1
Consolidate Student Needs Special Revenue Funds

WHEREAS;

1. The Eagle Point School District 9 (District) receives annual private donations that are restricted by the donor for the benefit of student needs and are allocated among District schools; and
2. The District has historically accounted for these restricted donations through multiple Special Revenue Funds; and
3. The District finds that consolidating these accounts into a single Special Revenue Fund while separately tracking each school's allocation through designated area codes and other accounting dimensions will improve financial administration, simplify budgeting and reporting, and preserve available fund numbers for future District use; and
4. The District's financial management system provides the ability to separately account for each school's allocation and expenditures while maintaining compliance with donor restrictions, Oregon Department of Education (ODE) reporting requirements, Program Budgeting and Accounting Manual (PBAM) guidelines, Generally Accepted Accounting Principles (GAAP), Governmental Accounting Standards Board (GASB) standards, and annual audit requirements.

NOW THEREFORE BE IT RESOLVED that the Board of Directors of Eagle Point School District 9, Eagle Point, Oregon, hereby:

1. Effective July 1, 2026, all Student Needs accounts funded by restricted private donations shall be consolidated into a single Special Revenue Fund designated as Fund 261.
2. Individual school allocations and expenditures shall continue to be separately identified and tracked through the account dimension of operational unit (location) within the District's financial management system.
3. The consolidation is an accounting and administrative change only and does not alter:
 - The donor-imposed restrictions on the use of the funds;
 - Each school's designated allocation of fund; or
 - The Board's budgetary authority over appropriations.
4. The Deputy Clerk is authorized to transfer fund balances, revenues, expenditures, and related accounting records as necessary to implement this consolidation and maintain complete accountability for each school's Student Needs allocation.

5. The Clerk and Deputy Clerk are authorized to take any additional administrative actions necessary to carry out the intent of this Resolution.

ADOPTED by roll call vote of the Board of Directors at their regular meeting held July 1, 2026.

Board Chair, _____

Attest:

Superintendent-District Clerk, James Helmen

8.C.3. **Policy Review**

- OSBA Required Policy updates
 - CBG Evaluation of Superintendent
 - GBA Equal Employment Opportunity
 - GBN/JBA Sexual Harassment
- OSBA Highly Recommended for updating:
 - BD Board Meetings, Notices, Communications
 - BDC Executive Sessions
 - BDDC Board Meeting Agenda
 - BDDG Recordings and Minutes of Board Meetings
 - CBA Qualifications and Duties of the Superintendent
 - DBEA Budget Committee
 - EBBA Student Health Services
 - GBA-AR Veteran and State Servicemember Preference
 - GCBDA/GDBDA-AR Family and Medical Leave Version 1 FMLA/OFLA
 - GCBDD/GDBDD Sick Time

Eagle Point School District 9
Board of Directors

Date:	<u>7/1/26</u>	Presented By:	<u>Loris Fenner</u>
Subject:	<u>CBG Evaluation of the Superintendent</u>	Attachment(s)	<u>CBG</u>

Information

BACKGROUND INFORMATION:

Policy CBG requires updating due to OAR 581-022-2405 which requires districts to “adopt and implement personnel policies which address...evaluation procedures.”

RECOMMENDATION:

It is recommended that this policy be updated to include guidance on topics that may not be discussed during a superintendent’s evaluation. The new guidance is specific to include the highlighted section in the paragraph below.

“The Board’s discussion and conferences with and about the superintendent and their performance will be conducted in an executive session, unless the superintendent requests a session open to the public. Such an executive session will not include a general evaluation of any district goal, objective or operation or of any directive to personnel concerning district goals, objectives, operations or programs. Results of the evaluation will be written and placed in the superintendent’s personnel file.

BOARD ACTION REQUIRED

Suggested Motion: “ I move the Board to approve the revisions and updates to policy CBG Evaluation of the Superintendent.”

Eagle Point School District 9

OSBA Model Sample Policy

Code: CBG
Adopted: ~~11/15/84~~
Revised/Readopted: ~~11/14/01; 10/11/17~~
Orig. Code: ~~1405-1406~~

Evaluation of the Superintendent

{Required policy. OAR 581-022-2405 requires districts to “adopt and implement personnel policies which address...evaluation procedures.” Review the superintendent contract before adopting to ensure there is no conflicting language; modify policy as needed.}

The Board will formally evaluate the ~~superintendent’s~~ job performance at least once each year. The evaluation will be based on the ~~administrative~~superintendent’s job description, any applicable standards of performance, Board policy and progress in attaining any goals for the year established by the superintendent and/or the Board.

Additional criteria for the evaluation, if any, will be developed at a public board meeting prior to conducting the evaluation. The superintendent will be notified of the additional criteria prior to the evaluation.

The Board’s discussion and conferences with and about the superintendent and their performance will be conducted ~~in~~ an executive session, unless the superintendent requests a session open to the public.¹ Such an executive session will not include a general evaluation of any district goal, objective or operation ~~or of any directive to personnel concerning district goals, objectives, operations or programs.~~ Results of the evaluation will be written and placed in the superintendent’s personnel file.

At the Board’s discretion, it may notify the superintendent in writing of specific areas to be remedied, and the superintendent may be given an opportunity to correct the problem(s). Where the Board provided written notice pursuant to the prior sentence, if the Board determines the superintendent’s performance remains unsatisfactory, the Board may dismiss or non-renew the superintendent pursuant to Board policy, the superintendent’s employment contract and state law and rules. In those situations where the superintendent’s employment contract includes an evaluation, dismissal or non-renewal provision, it shall take precedent over this policy.

¹ Notice must be provided to the superintendent in accordance with OAR 199-0040-0030. The superintendent must receive written notice of the meeting no less than one business day or 24 hours, whichever is greater, in advance of the meeting. The notice must include:

- a. Identification of the Board;
- b. The time, date and location of the meeting;
- c. The purpose for which the Board proposes to convene the executive session, including the citation to the applicable section of ORS 192.660 and the fact that the Board will be reviewing and evaluating the performance of the superintendent; and
- a.d. Information on how the superintendent may make a request for an open hearing.

END OF POLICY

Legal Reference(s):

~~ORS 192.660(2), (8)~~
~~ORS 192.660~~
~~ORS 332.107~~
~~ORS 332.505~~
~~ORS 342.513~~
~~ORS 342.815~~
~~OAR 581-022-1720~~

OAR 199-040-0027

OAR 199-040-0030

OAR 581-022-2405

Hanson v. Culver Sch. Dist. (FDAB 1975).

~~Cross Reference(s):~~

~~BDC—Executive Sessions~~

~~CB—Superintendent~~

~~CBA—Qualifications and Duties of the Superintendent~~

Eagle Point School District 9
Board of Directors

Date:	<u>July 1, 2026</u>	Presented By:	<u>Jen Durham</u>
	<u>Revisions to Board Policy GBA:</u>		<u>Recommend-</u>
Subject:	<u>Equal Employment Opportunity</u>	Attachment(s)	<u>ed Policy GBA</u>

Information

BACKGROUND INFORMATION:

OSBA has recommended revisions to Policy GBA – Equal Employment Opportunity to align the district's policy with current state and federal nondiscrimination laws and employment practices.

The proposed revisions update protected classifications, including gender identity and other legally protected categories; clarify veteran, disabled veteran, state servicemember, and former state servicemember hiring preference requirements; update references to Title IX and ADA compliance responsibilities; and revise legal references to reflect current statutes, regulations, and guidance.

The revisions do not change the district's commitment to providing equal employment opportunity and maintaining a workplace free from unlawful discrimination. Rather, the updates ensure district policy remains aligned with current legal requirements and employment practices.

RECOMMENDATION:

Administration recommends adoption of the revised GBA – Equal Employment Opportunity policy as presented. The revisions update the policy to reflect current federal and state nondiscrimination requirements, veteran preference provisions, and compliance obligations while maintaining the district's existing commitment to equal employment opportunity.

BOARD ACTION REQUIRED

Suggested Resolution:

Move to adopt revised Policy GBA – Equal Employment Opportunity as recommended by administration.

Eagle Point School District 9

Code: GBA
Adopted:

Equal Employment Opportunity

{OAR 581-022-2405 requires districts to have personnel policies which address affirmative action and equal employment opportunity.}

Equal employment opportunity and treatment shall be practiced by the district regardless of race¹, color, religion, sex, sexual orientation², gender identity, national origin, marital status, pregnancy, childbirth or a related medical condition³, age, veterans' status⁴, service in a uniformed service, familial status, genetic information, an individual's juvenile record that has been expunged, and disability⁵ if the employee, with or without reasonable accommodation, is able to perform the essential functions of the position.

The district administers preference in hiring or promotion decisions in accordance with Oregon law for applicants claiming preference as a veteran, disabled veteran, state servicemember or former state servicemember.

The superintendent will appoint an employee to serve as the officer in charge of compliance with the Americans with Disabilities Act ~~of 1990~~, and the Americans with Disabilities Act Amendments Act ~~of 2008~~ (ADA), and Section 504 of the Rehabilitation Act. The superintendent will also designate a Title IX coordinator to comply with the requirements of Title IX of the Education Amendments ~~of 1972~~. The Title IX coordinator will investigate complaints communicated to the district alleging noncompliance with Title IX. The name, address and telephone number of the Title IX coordinator will be ~~provided~~communicated to all students, parents of students and employees through handbooks and will be published on the district website.

The superintendent will develop other specific ~~recruiting, interviewing~~recruitment, interview and evaluation procedures ~~as are~~ necessary to implement this policy. These procedures will seek to provide an equal employment opportunity and eliminate the effects of past and present discrimination[, intended or unintended, on the basis of race, religion, national origin, age, sex, marital status or physical or mental disabilities].

¹ Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001.

² "Sexual orientation" means an individual's actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual's gender identity, appearance, expression or behavior differs from that traditionally associated within the individual's sex at birth.

³ This unlawful employment practice [Certain protections related to pregnancy, childbirth or a related medical condition as described in House Bill 2341 (2019) (added to ORS 659A) applies apply to employers who employ six or more persons. (ORS 659A.106 and ORS 659A.148).] {Remove if district has six or more employees.}

⁴ The district grants a preference in hiring and promotion to veterans and disabled veterans. A veteran is eligible to use the preference any time when applying for a position at any time after discharge or release from service in the Armed Forces of the United States.

⁵ This unlawful employment practice [Certain protections related to disability as described in ORS 659A.112 applies apply only to employers who employ six or more persons (ORS 659A.106).] {Remove if ESD has six or more employees.}

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)

[05](#)

[ORS 326.051](#)

[ORS 332.505](#)

[ORS 342.934](#)

[ORS 408.225](#) - [408.237](#)

[ORS 408.230](#)

[ORS 408.235](#)

[ORS 652](#)[ORS 652.210 - 652.220](#)

[ORS 659.850](#)

[ORS 659.870](#)

[ORS 659.850](#)

[ORS 659A.003](#)

[ORS 659A.006](#)

[ORS 659A.009](#)

[ORS 659A.029](#)

[ORS 659A.030](#)

[ORS 659A.040](#)

[ORS 659A.082](#)

[ORS 659A.109](#)

[ORS 659A.082](#)

[ORS 659A.109](#)

[ORS 659A.112](#)

[ORS 659A.233](#)[147](#)

[ORS 659A.236](#)

[ORS 659A.309](#)

[ORS 659A.321](#)

[ORS 659A.409](#)

[ORS 659A.820](#)

[OAR 581-021-0045](#)

[ORS 659A.820](#)

[OAR 581-021-0045](#)

[OAR 581-022-2405](#)

[OAR 839-003-0000006-0435](#) - [0480](#)

[OAR 839-006-0435](#)

[OAR 839-006-0440](#)

[OAR 839-006-0450](#)

[OAR 839-006-0455](#)

[OAR 839-006-0460](#)

[OAR 839-006-0465](#)

[House Bill 2341 \(2019\)](#)

[Senate Bill 479 \(2019\)](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (~~2012~~2024).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, et. seq. (~~2012~~2024).
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 (~~2018~~2024); 29 C.F.R Part 1626 (~~2019~~2025).
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (~~2012~~2024).
Equal Pay Act of 1963, 29 U.S.C. § 206(d) (~~2018~~2024).
Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 794 (~~2012~~2024); 34 C.F.R. Part 104 (~~2019~~2025).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, ~~1701, 1703-1705, 1720~~ (~~2018~~ (2024));
Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (~~2019~~2020).
Americans with Disabilities Act ~~of 1990~~/Americans with Disabilities Act Amendments Act, 42 U.S.C. §§ 12101-12213 (~~2012~~2024); 29 C.F.R. Part 1630 (~~2019~~2025); 28 C.F.R. Part 35 (~~2019~~2025).
~~Wygant v. Jackson Bd. of Educ.~~, 476 U.S. 267 (1989).
~~Americans with Disabilities Act Amendments Act of 2008~~, 42 U.S.C. §§ 12101-12133 (~~2012~~).
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (~~2018~~2024).
Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (~~2012~~2024).
~~Chevron USA Inc. v. Echazabal~~, 536 U.S. 736 (~~2002~~).
Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. §§ 4301-4303 (~~2018~~).

Cross Reference(s):

~~AC – Nondiscrimination~~

~~ACA – Americans with Disabilities Act~~, 4311 (2024).

Eagle Point School District 9
Board of Directors

Date:	<u>July 1, 2026</u>	Presented By:	<u>Jen Durham</u>
	<u>Revisions to Board Policy: JBA/GBN</u>		<u>Policy</u>
Subject:	<u>Sexual Harrassment</u>	Attachment(s)	<u>JBA/GBN</u>

Information

BACKGROUND INFORMATION:

OSBA has identified Policy JBA/GBN – Sexual Harassment as a required policy update to ensure alignment with current Oregon law and federal Title IX requirements. The proposed revisions clarify reporting, investigation, notification, and response procedures for allegations of sexual harassment involving students, staff, and third parties.

The revisions incorporate updates to statutory and regulatory language, align district procedures with current Oregon Department of Education requirements, and clarify the district's obligations regarding complaint processing, supportive measures, notice requirements, and protection against retaliation. The policy continues to prohibit sexual harassment and affirms the district's commitment to maintaining learning and work environments free from harassment.

RECOMMENDATION:

Administration recommends adoption of the revised JBA/GBN Sexual Harassment policy as presented by OSBA. The proposed revisions are required for legal compliance and provide updated guidance regarding complaint procedures, Title IX requirements, reporting responsibilities, and notification obligations. The revisions do not represent a substantive change in the district's commitment to preventing and responding to sexual harassment but ensure district policy remains aligned with current state and federal law.

BOARD ACTION REQUIRED

Suggested Resolution:

Move to adopt revised Policy JBA/GBN – Sexual Harassment as presented.

Eagle Point School District 9

OSBA Model Sample Policy

Code: JBA/GBN
Adopted: 4/94
Revised/Readopted: ~~11/14/01; 10/08/14; 12/12/18;~~
8/12/20; 9/24/24
Orig. Code: ~~3400; 4400~~

Sexual Harassment

{Required policy. The requirement for this policy comes from ORS 342.700 et. al., OAR 581-021-0038 and federal Title IX laws.}

The district is committed to eliminating sexual harassment. Sexual harassment will not be tolerated in the district. All students, staff members and other persons are entitled to learn and work in an environment that is free of harassment. All staff members, students and third parties are subject to this policy. Any person may report sexual harassment.

The district processes complaints {1} or reports of sexual harassment under Oregon Revised Statute (ORS) 342.700 et. al. and federal Title IX laws found in Title 34 C.F.R. Part 106. Individual complaints may require both of these procedures, and may involve additional complaint procedures.

General Procedures

When information, a report or complaint regarding sexual harassment is received by the district, the district will review such information, report or complaint to determine which law applies and will follow the appropriate procedures. When the alleged conduct could meet both of the definitions in ORS Chapter 342 and Title IX, both complaint procedures should be processed simultaneously (see JBA/GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure and JBA/GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure). The district may also need to use other complaint procedures when the alleged conduct could meet the definitions for other complaint procedures {2}.

OREGON DEFINITION AND PROCEDURES

Oregon Definition

Sexual harassment of students, staff members or third parties³ shall include:

¹ {Some districts choose not to use the terms “complaint” and “complainant” because they feel the stigma associated with the terms discourage victims from reporting conduct. The terms used in this policy are consistent with those included in the law. If the district chooses to change these terms, new terms must be consistent and clear. Note, “complainant” is defined under federal law.}

² {Common complaint procedures that may also be involved include: Nondiscrimination and Civil Rights (Board policy AC), Workplace Harassment (Board policy GBEA), Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence and Domestic Violence – Student (Board policy JFCF), and Reporting Requirements for Suspected Sexual Conduct with Students (Board policy JHFF/GBNAA).}

³ “Third party” means a person who is not a student or a school or district staff member and who is: 1) on or immediately adjacent to school grounds or district property; 2) at a school-sponsored activity or program; or 3) off school grounds or district property if a student or a school or district staff member acts toward the person in a manner that creates a hostile environment for the person while on school or district property, or at a school- or district-sponsored activity.

1. A demand or request for sexual favors in exchange for benefits;
2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:
 - a. Interferes with a student's educational activity or program;
 - b. Interferes with a school or district staff member's ability to perform their job; or
 - c. Creates an intimidating, offensive, or hostile environment.
3. Assault when sexual contact occurs without consent⁴.^{5}

Sexual harassment does not include conduct that is necessary because of a job duty of a school or district staff member or because of a service required to be provided by a contractor, agent, or volunteer, if the conduct is not the product of sexual intent or a person finding another person, or another person's actions, offensive because of that other person's sexual orientation or gender identity.

Examples of sexual harassment may include, but not be limited to, physical touching or graffiti of a sexual nature; displaying or distributing of sexually explicit drawings; pictures and written materials; sexual gestures or obscene jokes; touching oneself sexually or talking about one's sexual behaviors in front of others; or spreading rumors about or rating other students or others as to appearance, sexual activity or performance.

Oregon Procedures

Reports and complaints of sexual harassment should be made to the following individual⁵:

Name	Position	Phone	Email
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Ryan Swearingen	Director of Human Resources	541-830-6558	swearingenr@eaglepnt.k12.or.us
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Jennifer Patterson Durham, Director of Human Resources at 541-830-6558 or pattersondurhamj@eaglepnt.k12.or.us
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This individual is responsible for accepting and managing complaints of sexual harassment. Persons wishing to report should contact them using the above information. This person is also designated as the Title IX coordinator.^{6} See JBA/GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure.

Response

Any staff member who becomes aware of behavior that may violate this policy shall immediately report to a district official. The district official (with coordination involving the reporting staff member when appropriate) will take any action necessary to ensure the:

⁴ "Without consent" means an act performed: (a) without the knowing, voluntary and clear agreement by all parties to participate in the specific act; or (b) when a person who is a party to the act is incapacitated by drugs or alcohol; unconscious; or pressured through physical force, coercion or explicit or implied threats to participate in the act.

⁵ {The statutory definition (ORS 342.704) for sexual harassment includes separate definitions with slightly different language for students, staff members and third parties. The language used in this policy comes from OAR 581-021-0038(1). If the district would like to include the full statutory definition, it can do so.}

⁶ {This must be communicated elsewhere, but it is a good reason to specify it here as well.}

1. Student is protected and to promote a nonhostile learning environment;
2. Staff member is protected and to promote a nonhostile work environment; or
3. Third party who is subjected to the behavior is protected and to promote a nonhostile environment.

This includes providing resources for support measures to the student, staff member or third party who was subjected to the behavior and taking any actions necessary to remove potential future impact on the student, staff member or third party, but are not retaliatory against the student, staff member or third party being harassed or the person who reported to the district official.

Any student or staff member who feels they are a victim of sexual harassment are encouraged to **immediately** report their concerns to district officials, this includes officials such as the principal, compliance officer or superintendent. Students may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate district official.

Investigation

All reports and complaints about behavior that may violate this policy shall be investigated. The district may use, but is not limited to, the following means for investigating incidents of possible harassment:

1. Interviews with those involved;
2. Interviews with witnesses;
3. Review of video surveillance;
4. Review of written communications, including electronic communications;
5. Review of any physical evidence; and
6. Use of third-party investigator.

The district will use a reasonable person standard when determining whether a hostile environment exists. A hostile environment exists if a reasonable person with similar characteristics and under similar circumstances would consider the conduct to be so severe as to create a hostile environment.

The district may take, but is not limited to, the following procedures and remedial action to address and stop sexual harassment:

1. Discipline of staff and students engaging in sexual harassment;
2. Removal of third parties engaged in sexual harassment;
3. Additional supervision in activities;
4. Additional controls for district electronic systems;
5. Trainings and education for staff and students; and
6. Increased notifications regarding district procedures and resources.

When a student or staff member is harassed by a third party, the district will consider the following:

1. Removing that third party's ability to contract or volunteer with the district, or be present on district property;

2. If the third party works for an entity that contracts with the district, communicating with the third party's employer;
3. If the third party is a student of another district or school, communicate information related to the incident to the other district or school;
4. Limiting attendance at district events; and
5. Providing for additional supervision, including law enforcement if necessary, at district events.

No Retaliation

Retaliation against persons who initiate complaint or otherwise report sexual harassment or who participate in an investigation or other related activities is prohibited. The initiation of a complaint, reporting of behavior, or participation in an investigation, in good faith about behavior that may violate this policy may not adversely affect the:

1. Educational assignments or educational environment of a student or other person initiating the complaint, reporting the behavior, or participating in the investigation; or
2. Any terms or conditions of employment or of work or educational environment of a school or district staff member or other person initiating the complaint, reporting the behavior, or participating in the investigation.

Students who initiate a complaint or otherwise report harassment covered by the policy or who participate in an investigation may not be disciplined for violations of the district's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered because of the report or investigation, unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct.

Notice

When a person⁷ who may have been affected by this policy files a complaint or otherwise reports behavior that may violate the policy, the district shall provide written notification to the following:

1. Each reporting person;
2. If appropriate, any impacted person who is not a reporting person;
3. Each reported person; and
4. Where applicable, a parent or legal guardian of a reporting person, impacted person, or reported person.

The written notification must include⁸:

1. Name and contact information for all **person persons** designated by the district to receive complaints;
2. The rights of the person that the notification is going to;

⁷ Student, staff member, or third party, or if applicable, the student or third party's parent. If the person is a minor, the district should consider when to contact the person's parent.

⁸ Remember confidentiality laws when providing any information.

3. Information about the internal complaint processes available through the school or district that the student, student's parents, staff member, person or person's parent person who filed the complaint may pursue, including the person designated for the school or district for receiving complaints and any timelines;
4. Notice that civil and criminal remedies that are not provided by the school or district may be available to the person through the legal system and that those remedies may be subject to statutes of limitation;
5. Information about services available to the student or staff member through the school or district, including any counseling services, nursing services or peer advising;
6. Information about the privacy rights of the person and legally recognized exceptions to those rights for internal complaint processes and services available through the school or district;
7. Information about, and contact information for, services and resources that are available to the person, including but not limited to:
 - a. For the reporting person, state and community-based resources for persons who have experienced sexual harassment; or
 - b. For the reported persons, information about and contact information for state and community-based mental health services.
8. Notice that students who report about possible prohibited conduct and students who participate in an investigation under this policy may not be disciplined for violations of the district's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered as a result of a prohibited conduct report or investigation unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct; and
9. Prohibition of retaliation.

~~Notification, to the extent allowable under state and federal student confidentiality laws, must be provided when the investigation is initiated and concluded. The notification at the conclusion must include whether a violation of the policy was found to have occurred.~~

The notice must:

1. Be written in plain language that is easy to understand;
2. Use print that is of a color, size and font that allows the notification to be easily read; and
3. Be made available to students, students' parents, staff members and member of the public at each office, at the district office and on the website of the school or district.

Additionally, notice must be provided to the person who initiated the complaint and, if applicable, the person's parents, when an investigation is initiated and when it is concluded. The notification at the conclusion of the investigation must include whether a violation of the policy was found to have occurred, to the extent allowable under state and federal student confidentiality laws.

Oregon Department of Education (ODE) Support

The ODE will provide technical assistance and training upon request.

FEDERAL DEFINITION AND PROCEDURES

Federal Definition

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity⁹;
3. "Sexual assault": an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
4. "Dating violence": violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship;
5. "Domestic violence": felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or
6. "Stalking": engaging in a course of conduct directed at a specific person that would cause a reasonable person fear for the person's own safety or the safety of others, or suffer substantial emotional distress.

This definition only applies to sex discrimination occurring against a person who is a subject of this policy in the United States. A district's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX.

Federal Procedures

The district will adopt and publish grievance procedures that provide for the prompt and equitable resolution of the student and employee complaints alleging any action that would be prohibited by this policy. See [JBA/GBN/JBA-AR\(2\) - Federal Law \(Title IX\) Sexual Harassment Complaint Procedure](#).

Reporting

Any person may report sexual harassment. This report may be made in person, by mail, by telephone, or by electronic mail, or by any other means that results in the Title IX coordinator receiving the person's verbal or written report. The report can be made at any time.

[Jennifer Patterson Durham, Director of Human Resources at 541-830-6558](#) is designated as the Title IX coordinator. The Title IX coordinator will coordinate the district's efforts to comply with its

⁹ "Education program or activity" includes locations, events, or circumstances over which the recipient exercised substantial control over both the respondent and the context in which the sexual harassment occurs." (Title 34 C.F.R. § 106.44(a))

responsibilities related to this **ARpolicy**. The district prominently will display the contact information for the Title IX coordinator on the district website and in each handbook.^{10}

Response

The district will promptly respond to information, allegations or reports of sexual harassment when there is actual knowledge of such harassment, even if a formal complaint has not been filed.¹¹ The district shall treat complainants and respondents equitably by providing supportive measures¹² to the complainant and by following a grievance procedure¹³ prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX coordinator is responsible for coordinating the effective implementation of supportive measures.

The Title IX coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes, with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.¹⁴

If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place.¹⁵ The district must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. A non-student employee may also be placed on non-disciplinary administrative leave pending the grievance process.

Notice

The district shall provide notice to all applicants for admission and employment, students, parents or legal guardians, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district of the following:

1. The name or title, office address, electronic mail address, and telephone number of the Title IX coordinator(s);
2. That the district does not discriminate on the basis of sex in the education program or activity that it operates, as required by Title IX. This includes admissions and employment; and

¹⁰ {Note the difference in requirements for Title IX and Oregon law. It makes sense to align these requirements.}

¹¹ (Title 34 C.F.R. § 106.44(a)) Response cannot be deliberately indifferent. A recipient is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

¹² (Title 34 C.F.R. § 106.44(a)) Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment.¹² The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures. (Title 34 C.F.R. § 99.30(a))

¹³ This grievance procedure must meet the requirements of Title 34 C.F.R. § 106.45 (included in accompanying administrative regulation, see **JBA/GBN/JBA-AR(2)** - Federal Law (Title IX) Sexual Harassment Complaint Procedure).

¹⁴ The Title IX coordinator may also discuss that the Title IX coordinator has the ability to file a formal complaint.

¹⁵ The district may still have obligations under Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the American with Disabilities Act (ADA). (Title 34 C.F.R. § 106.44(c))

3. The grievance procedure and process, how to file a formal complaint of sex discrimination or sexual harassment, and how the district will respond.

Inquiries about the application to Title IX and its requirements may be referred to the Title IX coordinator or the Assistant Secretary¹⁶, or both.

No Retaliation

Neither the district or any person may retaliate¹⁷ against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. The district must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act (FERPA), as required by law, or to carry out the proceedings herein. Complaints of retaliation may be filed using these procedures.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation.

Publication

This policy shall be made available to students, parents of students and staff members. This policy and contact information for the Title IX coordinator shall be prominently published in **each school** student handbook and on the **district** website. This policy shall also be made available at each school office and at the district office. The district shall post this policy on a sign in all grade 6 through 12 schools, on a sign that is at least 8.5 inches by 11 inches in size. A copy of the policy will be made available to any person upon request.

END OF POLICY

Legal Reference(s):

[ORS 243.706](#)
[ORS 332.107](#)
[ORS 342.700](#)
[ORS 342.704](#)
[ORS 342.708](#)
[ORS 342.850](#)
[ORS 342.865](#)
[ORS 659.850](#)
[ORS 659A.006](#)
[ORS 659A.029](#)
[ORS 659A.030](#)

[OAR 581-021-0038](#)
[OAR 584-020-0040](#)
[OAR 584-020-0041](#)

¹⁶ Of the United States Department of Education.

¹⁷ Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Bartsch v. Elkton School District, FDA-13-011 (March 27, 2014).

Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).

Gebser v. Lago Vista Indep. Sch. Dist., 524 U.S. 274 (1998).

Cross-Reference(s):

~~GBN/JBA—Sexual Harassment~~

~~GBNA—Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying—Staff~~

~~GBNAA/JHFF—Suspected Sexual Conduct with Students and Reporting Requirements~~

~~GBNAB/JHFE—Suspected Abuse of a Child Reporting Requirements~~

~~JFCF—Harassment, Intimidation, Bullying, Cyberbullying, Teen Dating Violence, and Domestic Violence—Student~~

~~JHFE/GBNAB—Suspected Abuse of a Child Reporting Requirements~~

~~JHFF/GBNAA—Suspected Sexual Conduct with Students and Reporting Requirements~~

Eagle Point School District 9

Open Board Model Sample Policy

Code: BD/BD A
Adopted: 11/15/84
Readopted: 11/14/01; 12/17/09
Orig. Code: 1300; 1301; 1330; 1331; 1338

Board Meetings/Regular Board Meetings, Notices and Communications

Definitions

“Communication” means the expression or transmission of information from one person to another through verbal, non-verbal, written, or electronic means. Non-verbal means include gestures, such as thumbs-up and thumbs-down, as well as sign language.

“Convening” means gathering in a physical location, using electronic, video or telephonic technology to be able to communicate contemporaneously among participants, using serial electronic written communication among participants, or using an intermediary to communicate among participants.

“Decision” means any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of the Board¹ is required, at any meeting at which a quorum is present.

“Decision-making process” means the process the Board engages in to make a decision, such as: (a) identifying or selecting the nature of the decision to be made; (b) gathering information related to the decision to be made; (c) identifying and assessing alternatives; (d) weighing information; and (e) making a decision.

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

“Executive session” means any meeting or part of a meeting of the Board that is closed to certain persons for deliberation on certain matters.

“Intermediary” means a person who is used to facilitate communications among members of the Board about a matter subject to deliberation or decision by the Board, by sharing information received from a member of the Board with other members of the Board. The term “intermediary” can include a member of the Board.

“Meeting” means the convening of the Board as the district’s governing body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. A meeting does not include any on-site inspection of any project or program or the attendance of members of the Board at any national, regional or state association to which the Board or the members belong.

¹ This policy is written to apply to the Board. Other bodies, including Board committees, may be subject to public meeting laws. This policy may help other bodies understand what is required, but is intended as direction for the Board.

“Public Meetings Law” means Oregon Revised Statutes (ORS) 192.610 – 192.705 and Oregon Administrative Rules (OAR) 199-040 and 199-050.

“Quorum” means the minimum number of members of the Board required to legally transact business. For the Board, a quorum is [three^{2}] Board members.

“Work session” or “workshop” means meetings held for the purpose of either presenting information to the Board to prepare for a regular or special meeting, or to allow the Board to engage in preliminary discussions or deliberations.

Board Authority in Meetings

The Board has the authority to act only when a quorum is present at a ~~duly~~properly noticed regular, special or emergency meeting. The affirmative vote of [three^{3}] members of the Board is required to transact any business.

Types of Meetings

The Public Meetings Law applies to all regular, special, emergency, executive session and work session meetings of the Board.

1. Regular Meetings

The regular meeting schedule will be established at the annual organizational meeting each year and may be changed by the Board with public notice. The purpose of each regular meeting will be to conduct the regular Board business.

2. Special Meetings

A special meeting may be scheduled when less than a quorum is present at a regular meeting and therefore no business may be conducted, 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. Special meetings may be convened by the Board chair, upon request of three Board members, or by common consent of the Board.

3. Emergency Meetings

Emergency meetings may be ~~called regular or special meeting.~~ Communications in the case of an actual emergency upon appropriate notice under the circumstances. Only topics necessitated by the emergency may be discussed or acted upon at the emergency meeting.

4. Work Sessions

² {ORS 332.055 establishes the quorum as a majority. If the Board has five members, three constitute a quorum. If the Board has seven members, four constitute a quorum. If the Board has nine members, five constitute a quorum.}

³ {ORS 332.055 provides “the affirmative vote of the majority of members of the board is required to transact any business.” If the Board has five members, three votes are required. If the Board has seven members, four votes. If the Board has nine members, five votes.}

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 Public Meetings Law. 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. (See Board policy BDC – Executive Sessions).

Communications Outside of a Board Meeting (Serial Meetings Prohibited)

Private meetings where a quorum of the Board engages in discussions or communications that are part of the Board’s decision-making process on matters within the authority of the Board violate Public Meetings Law, except as part of an executive session.

A quorum of Board members shall not, outside of a meeting conducted in compliance with Public Meetings Laws, use a series of communications of any kind, directly or through intermediates, for the purpose of deliberating or deciding on any matter that is within the jurisdiction of the Board. This prohibition applies to using any one or combination of the following methods of communication:

1. In-person;
2. Telephone calls;
3. Videos, videoconferencing, or electronic video applications;
4. Written communication, including electronic written communications, such as email, texts, and other electronic applications;
5. Use of one or more intermediaries to convey information among members; and
6. Any other means of conveying information.

Communications outside of a Board meeting may contain communications between and among a quorum of members convening on electronically linked personal computers or by telephone conference call are subject to the Public Meetings Law or among members of the Board, including a quorum, that are:

1. Regular Meetings

1. Purely factual or educational in nature and that convey no deliberation or decision on any matter that might reasonably come before the Board;
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.

E-mails sent to other Board members are encouraged to have the following notice:

Important: Please do not reply or forward this communication if this communication could constitute a decision or deliberation toward a decision between and among members of the district board. Board electronic communications on district business are subject to Public Meetings and Public Records Laws.

A quorum of Board members may attend social meetings or gatherings so long as no discussions or deliberations are had.

Meeting Location, Public Accommodations and Logistical Requirements

All regular and special meetings of the Board will be open to the public except as provided by law.

All meetings will be conducted in compliance with state and federal statutes. All Board meetings, including Board retreats and work sessions, will be held within the district boundaries, except as allowed by law⁴. The Board may conduct training sessions outside the district boundaries but may not deliberate or discuss district business. No meeting will be held at any place where discrimination on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, age or national origin is practiced. Meeting locations shall be accessible to persons with disabilities.

Any Board meeting may be held in person through the use of electronic or telephonic means, or in some combination of in-person, electronic or telephonic means.

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. For Board meetings (excluding executive session) held by telephone or other electronic means of communication, the district shall make available a place or an electronic means by which the public can listen to or view the meetings in real time. The place provided may be a place where no Board member is present.

For executive sessions where the media are statutorily authorized to be present, if any person, including any Board member, is attending the executive session by telephone, video, or other electronic means, the district shall provide members of the media the same attendance option. The district may establish reasonable security measures to ensure the media's attendance by telephone, video, or other electronic means is conducted through a secure connection or method.

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 who are deaf or hard of hearing. The request should include the name of the requester, sign language preference and any other relevant information requested. 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 may be provided upon request and appropriate advance notice. Communications

⁴ 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.

[If requested to do so at least 72 hours before a meeting held in public, the Board will make a reasonable effort to provide translation services. {⁵}]

P ~~Recordings or minutes will be kept for all meetings in accordance with all qualified individuals with disabilities shall bestate law and Board policy BDDG – Recordings or Minutes of Board Meetings.~~

P ~~All meetings shall comply with applicable provisions of the Oregon Indoor Clean Air Act.~~

R ~~[The possession of a firearm, deadly weapon or any other instrument used as effectivea dangerous weapon is prohibited at Board meetings, except as communications with others authorized by law. {⁶}]~~

O ~~The first regular meeting after July 1 of each year will be an organizational meeting to elect Board officers for the coming year and to establish the year’s schedule of Board meetings.~~

O ~~One regular Board meeting will be held each month. The meeting schedule will be established at the organizational meeting in July but may be changed by the Board with proper notice. The purpose of each monthly meeting will be to conduct the regular Board business. The Board chairman will conduct the meeting, or in his/her absence, the vice chairman will conduct the meeting. If both are absent, the person with the longest period of service on the Board will conduct the meeting.~~

2. Electronic Communication

P ~~E-mail to, by, and among Board members, in their capacity as Board members, shall not include deliberation, debate, or decision making. E-mail may contain:~~

- O** ~~a. Agenda item suggestions;~~
- ~~b. Reminders regarding meeting times, dates, and places;~~
- ~~c. Board meeting agendas or information concerning agenda items;~~
- ~~d. One-way information from Board members or superintendent to each Board member (e.g., an article on student achievement or to share a report on district progress on goals);~~
- ~~e. Individual responses to questions posed by community members, subject to other limitations in Board policy.~~

3. Private or Social Meetings

S ~~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 the Public Meetings Law.~~

4. Adjourned Meetings

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⁵ {Districts are encouraged to evaluate translation needs and resources prior to adding this language. A district may decide that translating the agenda, minutes or other documents, or public comment is sufficient.}

⁶ {ORS 166.670(1)(a) prohibits the possession of firearms or “any other instrument used as a dangerous weapon” on school grounds and in facilities occupied by the district, unless an exception applies. ORS 166.370(3)(g) provides an exception for persons “licensed under ORS 166.291 and 166.292 to carry a concealed handgun.” ORS 166.377 allows districts to adopt a policy stating that this defense (the exception in ORS 166.670(3)(g)) does not apply “on the grounds of the schools controlled by the board.” Some districts have adopted policy KGBB to do so.}

A Board meeting may be adjourned to another time if a quorum is not present or if additional business needs to be conducted at the regular time of adjournment. The time, date and place of the adjourned meeting will be specified and appropriate notice given.

Public Notice Requirements

The district posts public notice^{7} of its meetings on the district's website or on a publicly accessible website hosted by a third-party that is linked to the district's website.

The public notice shall identify the following:

1. The time, date, location of the meeting, and, to the extent reasonably possible, will include the electronic link or telephone access information to allow members of the public to attend the meeting by telephone or electronic means;
2. The agenda or list of the principal subjects anticipated to be considered at the meeting and will be specific enough to permit the public to recognize matters in which they are interested. The Board may amend the agenda or may add or remove items from the list of principal subjects prior to or during a meeting. See Board policy BDDC – Board Meeting Agenda for additional meeting agenda information; and
3. The name, telephone number, and email address of a person at the district office to contact to request an interpreter or other communication aids or a statement that the district will provide a sign language interpreter or other communication aids at the meeting.

The district will provide notice to interested persons and news representatives who have requested notice through means reasonably calculated to provide actual notice to interested persons known to the Board.

For all regular meetings, the meeting notice shall be provided with as much advance notice as reasonably possible, but no less than 48 hours' advance notice.

For all special meetings held in public, the meeting notice shall be provided with no less than 24 hours' advance notice.

For an emergency meeting, public notice shall be provided with as much advance notice as reasonably possible given the emergency circumstances. The district shall attempt to contact the media and other interested persons to inform them of the emergency meeting by telephone, email, social media, or other method reasonably calculated to provide actual notice. If reasonably possible under the emergency circumstances, the emergency meeting notice shall be conspicuously displayed on the district's website or on a publicly accessible website hosted by a third-party hosted and linked to the district's website.

If a meeting will include an executive session, the notice shall comply with the Oregon Indoor Clean Air Act and the smoking provisions contained in the Public Meetings Law above notice requirements and the

⁷ {The public notice must be displayed conspicuously on the district's website. If the district does not maintain a publicly accessible website, the district shall satisfy the public notice requirements through other means such as posting on the Oregon Transparency Website, community postings, bulletin boards, newspaper notice, or any other means reasonably calculated to provide actual notice to the general public. Modify this sentence to communicate how the district publishes its public notices.}

notice shall also identify the specific statutory citation and appropriate subsection and paragraph authorizing the executive session, as well as a general description of the statutory authorization. Example:

Phe regular Board meeting will normally be held each month. The meeting schedule will be established at the organizational meeting but may be changed by the Board with proper notice. The purpose of this meeting will be to conduct the regular monthly business of the Board. The meeting will normally be held in the Board room of the district administration building.

R“The Board will meet in executive session under ORS 192.660(2)(a) to consider the employment of a public officer, employee, staff member or individual agent.”

OIf an executive session is to be part of an open regular, special, or emergency meeting, the notice shall comply with the above notice requirements and prior to entering the executive session, the Board chair shall make a public announcement and identify in open session the specific statutory provision and appropriate subsection and paragraph authorizing the executive session, as well as a general description of the statutory authorization. (See Board policy BDC – Executive Sessions for additional information on executive sessions.)

Complaints

PComplaints regarding Public Meetings can be filed in accordance with Public Meetings Law complaint procedures outlined in Board policy KL – Public Complaints. Complaints must be filed within 30 days of the alleged violation.

[8]Mandatory Training

OEvery member of the Board shall attend or view a training on Public Meetings Law as required by ORS 192.700 and Board policy BBAA – Board Member Authority and Responsibilities.]

END OF POLICY

Legal Reference(s):

⁸ {Training is only required for districts with annual fiscal expenditures of \$1M or more. See ORS 192.700.}

[ORS 174.104](#)
[ORS Chapter 192](#)
[ORS Chapter 193](#)
[ORS Chapter 192](#)
[ORS 332.045040 - 332.114061](#)
[ORS 332.107](#)
[ORS 433.835 - 433.875](#)

P R O P O S E D

OR. ATTY. GEN. OP. 1995 (1978) Public Records and Meetings Manual.

44 OR. ATTY. GEN. OP. 28 (1980)

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

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Eagle Point School District 9
Board of Directors

Date: 07/01/26 Presented By: Loris Fenner
Subject: BD Board Meetings, Notices,
Communications Attachment(s) _____

Information

BACKGROUND INFORMATION:

Policy BD is presented for review due to highly recommended changes needing to be made. The Oregon School Board Association recommends adopting a new proposed BD Policy and deletion of current Policy BD/BDA. The proposed policy includes additional definitions to support Board actions and processes.

RECOMMENDATION:

There is no district recommendation on this proposed policy change. The OSBA “Highly Recommends” adoption of the proposed policy as it more extensively details proper procedures and requirements.

BOARD ACTION REQUIRED

Suggested Motion: “ I move the Board to approve the proposed policy BD as edited and reviewed.”

Eagle Point School District 9
Board of Directors

Date:	<u>7/1/2026</u>	Presented By:	<u>The Board</u>
Subject:	<u>BDC Executive Sessions</u>	Attachment(s)	<u></u>

Information

BACKGROUND INFORMATION:

The Oregon School Boards Association highly recommends deleting the current version of this policy and replacing it with the proposed version.

RECOMMENDATION:

The recommendation is that the Board review the current and proposed versions and determine their preferences for detailed guidelines regarding functioning as a board in executive session.

BOARD ACTION REQUIRED

Suggested Motion: "I move the board to adopt policy BDC Executive Sessions with the revisions agreed upon by the Board.

Eagle Point School District 9

OSBA Model Sample Policy

Code: BDC
Adopted: 11/15/84
Revised/Readopted: 11/14/01; 6/8/11
Orig. Code: 1302; 1337

Executive Sessions

The Board may meet in executive session to discuss subjects allowed by statute under Oregon Revised Statute (ORS) 192.660 or ORS 332.061 but may not take final action in executive session except for the expulsion of ~~students~~ a student and matters pertaining to or examination of the confidential ~~medical~~ records of the student, ~~including that student's educational program in accordance with ORS 332.061.~~

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

~~The presiding officer~~ An executive session may be included as an agenda item of a meeting open to the public in accordance with Board policy BDDC - Board Meeting Agenda or held as its own meeting. Public notice is required as outlined in Board policy BD – Board Meetings, Notices and Communications.

If an executive session is held as part of a meeting open to the public, the Board chair will announce the executive session by identifying the authorization in compliance with Board policy BD – Board Meetings, Notices and Communications and include and identify the appropriate statutory citation, appropriate subsection and the paragraph authorizing the session under ORS 192.660 or ORS 332.061 for holding such a session and by noting the general subject of the executive session. ~~Members of~~

Example:

“The Board will now meet in executive session under ORS 192.660(2)(a) to consider the preemployment of a public officer, employee, staff member or individual agent.”

Prior to or at the beginning of the executive session, the Board chair may read the following¹:

“Representatives of the news media and designated staff shall be allowed to attend executive sessions 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 those matters pertaining to state the general subject of the session as previously announced. No decision may be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.”

¹ This statement should be amended if ORS 192.660 does not require that representatives of the news media be allowed to attend, ORS 332.061 allows the Board to vote in executive session, or the Board will not be returning to open session following the executive session. This statement can also be included on the agenda.

The Board may hold an executive session:

1. To consider the employment of a public officer, employee, staff member or individual agent; may not include a discussion or negotiation of compensation (including salaries and benefits).² (ORS 192.660(2)(a))
2. To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer³, employee, staff member or individual agent who does not request an open hearing⁴; may not include a discussion or negotiation of compensation (including salaries and benefits). (ORS 192.660(2)(b))
3. To ~~conduct~~ deliberations with persons designated by the ~~Board governing body~~ to carry on labor negotiations; ~~hearings on~~. (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.⁵ (ORS 192.660(2)(f))
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.⁶ (ORS 192.660(2)(h))

² 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. It also does not apply to the employment of the chief executive officer, other public officers, employees and staff members of the district unless:

- 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
- a-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.

³ To determine whether the individual involved is considered a public officer, consult with legal counsel.

⁴ Notice must be provided to the public officer, employee, staff member or individual agent in accordance with OAR 199-0040-0030. The public official must receive written notice of the meeting no less than one business day or 24 hours, whichever is greater, in advance of the meeting. The notice must include:

- a. Identification of the governing body before which the matter will be considered (the Board);
- b. The time, date and location of the meeting;
- c. The purpose for which the governing body proposes to convene the executive session, including the citation to the applicable section of ORS 192.660 and the fact that the governing body will be considering the dismissal or disciplining of, hearing complaints or charges against, or reviewing and evaluating the performance of the public official receiving the notice; and
- a-d. Information on how the public official may make a request for an open hearing.

⁵ Consider including a reference to the law that exempts the information or records from public inspection in the notice.

⁶ Legal counsel must be present in the executive session, either in-person or via electronic or telephonic communications.

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 hearing⁷; may not include a discussion or negotiation of compensation (including salaries and benefits or a general evaluation of an agency, goal, objective or operation or any directive to personnel concerning agency goals, objectives, operations or programs. (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 ~~students;~~ student from a public elementary or secondary school. (ORS 332.061(1)(a))
12. To review matters pertaining to or examination of the confidential ~~medical~~ records of a student including that student's educational program. (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 ~~current~~
- ~~1-3.~~ 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.

~~An executive session may be convened upon request of three Board members or by common consent of the Board for a purpose authorized under ORS 192.660.~~

⁷ Notice must be provided to the chief executive officer, public officer, employee or staff member in accordance with OAR 199-0040-0030. The public official must receive written notice of the meeting no less than one business day or 24 hours, whichever is greater, in advance of the meeting. The notice must include:

- a. Identification of the governing body before which the matter will be considered (the Board);
- b. The time, date and location of the meeting;
- c. The purpose for which the governing body proposes to convene the executive session, including the citation to the applicable section of ORS 192.660 and the fact that the governing body will be considering the dismissal or disciplining of, hearing complaints or charges against, or reviewing and evaluating the performance of the public official receiving the notice; and
- a.d. Information on how the public official may make a request for an open hearing.

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 ~~medical~~ records ~~and educational~~ ~~program~~; the discussion; and each Board member's vote on the issue.

Recordings or minutes shall be kept for all executive sessions in accordance with state law and Board policy – BDDG – Recordings and Minutes of Board Meetings.

Content discussed in executive sessions ~~is and recordings or minutes for executive sessions are~~ confidential ~~and must not be made public. Documents pertaining to evaluation except as provided by law. Board members, district personnel and students are also confidential and must not be made~~ ~~available~~ employees and the media are instructed not to disclose information obtained in executive session except when specifically authorized to the public do so or as required or allowed by law.

END OF POLICY

Legal Reference(s):

~~ORS 192.610 – 192.710~~
~~ORS 332.045~~

ORS 332.061

Cross Reference(s):

P
~~B – Board~~
~~OR 192.660~~
~~OR 192.685~~
~~ORS 192.705~~
~~ORS 332.045~~

~~ORS 332.061~~
~~OAR 199-040-0015 - 0060~~
~~OAR 199-050-0015~~
~~OAR 199-050-0040~~

~~OAR 199-050-0050~~
~~OAR 199-050-0060~~

~~OR. ATTY. GEN. – *Records and Meetings/Regular Board Meetings Manual.*~~

~~BDDA – Notification of Board Meetings~~

~~BDDG – Minutes of Board Meetings~~

~~CBG – Evaluation of the Superintendent~~
~~OREGON GOVERNMENT ETHICS COMMISSION, Staff Advisory Opinion No. 22-106S~~

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Eagle Point School District 9
Board of Directors

Date:	<u>7/1/2026</u>	Presented By:	<u>Board</u>
Subject:	<u>BDDC – Board Meeting Agendas</u>	Attachment(s)	<u></u>

Information

BACKGROUND INFORMATION:

The Oregon School Boards Association highly recommends deleting the current version of this policy and replacing it with the proposed version.

RECOMMENDATION:

The recommendation is that the Board review the current and proposed versions and determine their preferences for detailed guidelines regarding the board meeting Agenda development process.

BOARD ACTION REQUIRED

Suggested Motion: “I move the board to adopt policy BDDC Board Meeting Agendas with the revisions agreed upon by the Board.”

Eagle Point School District 9

OSBA Model Sample Policy

Code: BDDC
Adopted: 11/15/84
Revised/Readopted: 11/14/01
Orig. Code: 1332; 1333

Board Meeting Agenda

^{1} The Board ~~chairman and the superintendent chair~~ will ~~prepare direct the preparation of~~ an agenda for all ~~regular~~ meetings of the Board. ~~The Board chair may seek assistance from the superintendent or another Board member.~~ Items of business may be suggested by any Board member, staff member, student or ~~citizen~~~~patron~~ of the district by notifying the ~~Board chair or~~ superintendent at least [five] working days prior to ~~assembling the Board packets the meeting.~~ The agenda will include the principal subjects anticipated to be considered at the meeting and be specific enough to permit the public to recognize the matters in which they are interested. When the agenda includes an executive session, the agenda shall identify the specific statutory citation and appropriate subsection and paragraph authorizing the executive session, as well as a general description of the statutory authorization. (See Board policy BDC – Executive Sessions for additional information.)

The Board chair may direct an amendment to the agenda until it is posted, including adding or removing items. The Board may also amend the agenda during a meeting by a majority vote of the Board. This includes adding items to the agenda during the meeting.

A consent agenda may be used by the Board ~~for non-controversial business.~~ The consent agenda will consist of routine business that requires action but ~~not necessarily~~ discussion. These items may all be ~~voted on and~~ approved at the same time. ~~A Board member may ask that any~~ An item on the consent agenda will be removed from the consent agenda: ~~upon request of a Board member prior to the consent agenda's consideration.~~ The item removed ~~item from the consent agenda~~ will then be placed on the regular agenda.

The agenda will follow a general order established by the Board. Opportunities for the audience to be heard will be included. The Board will follow the order of business set up by the agenda unless the order is altered by a consensus of the Board.

Items of business not on the agenda may be discussed and acted upon if the majority of the Board agrees to consider them.

The agenda, together with supporting materials, will be distributed to Board members at least [three] full working days prior to the meeting. ~~The A copy of the agenda will be available to the press and to interested patrons through posted on the superintendent's office district website at the same time it is available to the Board members.~~ least 48 hours prior to any regular meeting and 24 hours prior to any special meeting.

Copies of the agenda for the press and public will not contain any confidential information included in the Board ~~members'~~~~member~~ packets.

¹ {The Board is encouraged to review current practices for agenda preparation and Public Meetings Law.}

A copy of the agenda will be posted in each district facility on the day of the meeting. Members of the public may request a copy of the agenda at the superintendent's office.

The district will ensure equally effective communications are provided to qualified persons with disabilities upon request as required by the Americans with Disabilities Act.

Appropriate auxiliary aids and services may include large print, Braille, audio recordings and readers. Primary consideration will be given to the requests of the person with a disability in the selection of appropriate auxiliary aids and services.

Should the Board demonstrate such requests would result in a fundamental alteration in the service, program or activity or in undue financial and administrative burdens, alternate, equally effective communications will be used.

Auxiliary aids and services for persons with disabilities will be available at no charge to the individual.

END OF POLICY

Legal Reference(s):

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OAR 199-050-0040

Americans with Disabilities Act ~~of 1990~~ Americans with Disabilities Act Amendments Act, 42 U.S.C. ~~Sections~~ §§ 12101-12213 ~~(2018)~~; 29 CFR C.F.R., Part 1630 ~~(2000)~~ (2020); 28 CFR C.F.R., Part 35 ~~(2000)~~ (2020).

Cross-Reference(s):

~~BDDG—Minutes of Board Meetings~~

~~BDDH—Public Participation in Board Meetings~~

Eagle Point School District 9
Board of Directors

Date: 7/1/2026 Presented By: Board
Subject: BDDG – Recordings and Minutes of
Board Meetings Attachment(s) _____

Information

BACKGROUND INFORMATION:

The Oregon School Boards Association highly recommends deleting the current version of this policy and replacing it with the proposed version.

RECOMMENDATION:

The recommendation is that the Board review the current and proposed versions and determine their preferences for detailed guidelines regarding the board meeting recordings and minutes of their meetings.

BOARD ACTION REQUIRED

Suggested Motion: “I move the board to adopt policy BDDG Recordings and Minutes of Board Meetings with the revisions agreed upon by the Board.”

Eagle Point School District 9

OSBA Model Sample Policy

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Code: BDDG
Adopted: 11/15/84
Revised/Readopted: 11/14/01; 6/08/11; 12/14/11
Orig. Code: 1340-1342

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Recordings and Minutes of Board Meetings

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[^{1}] The Board ~~secretary will make ensure~~ a digital [^{2}video] recording is made of all ~~Board of its~~ meetings and portions of meetings that will serve are not held in executive session. These recordings will be posted on the district's website or social media site within seven days following the meeting.

A video or audio recording of a meeting can be kept as the official record as long as all required content is included and it is kept in an allowable format³. Alternatively, the district may create written minutes of all regular meetings and work sessions. Written minutes ~~will be used when the Board is hearing and discussing a complaint against an employee.~~ recording will not be allowed. do not need to be a verbatim transcript and can be kept in hard copy or electronic form⁴.

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The ~~recorded minutes will be official record.~~ must give a true reflection of the matters discussed at the meeting and the views of the participants. ~~The minutes will, and must include, but not be limited to,~~ the following information:

1. All members of the Board ~~who were present,~~
2. All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;
3. The results of all votes and the vote of each member by name for all actions taken⁵;
4. The substance of any discussion on any matter; and
5. ~~Any other information required by law.~~

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¹ {ORS 192.655 requires districts with an ADMr of 50 or more to record board meetings, and post the recording within seven days. Districts with fewer than 50 ADMr are exempt from this requirement and do not need to adopt this language.}

² {If the district lacks broadband internet, an audio recording is sufficient. See ORS 192.655.}

³ Oregon Administrator Rule (OAR) 166-017-0045(4) requires moving images or audio recordings be kept in MP2, MP3, MP4, or WAVE formats.

⁴ Oregon Administrator Rule (OAR) 166-017-0045(4) requires textual data or still images be kept in XML, ODT, TXT, PDF, RTF, PREG, JFIF, PNG, or TIFF formats.

⁵ If minutes are kept in a recorded form, all voting will use a roll call vote and if minutes are kept in written form the minutes will identify the vote of each member by name under each board action.

5. All digitally recorded A reference to any document discussed at the meeting.

If minutes are created for meetings which do not take place in executive session, those minutes shall be available to the public within a reasonable time. The public and patrons of the district may receive, upon request, copies of recordings by contacting the superintendent's office. When minutes are recorded they are considered verbatim so Board approval is not required. A copy of the digital recording of each regular and special Board meeting will be distributed {6} after such the meeting to each Board member upon request. These minutes [will be published to the district website and] may be requested from the district office.

Written Recordings or minutes⁷ of executive sessions will be kept in accordance with the requirement same manner as other meetings of Oregon's Public Meetings Law the Board. If disclosure of material in the from executive session recordings or minutes would be inconsistent with the purpose for which executive session was held under Oregon Revised Statute (ORS) 192.660, the material may be withheld from disclosure.

If an executive Executive session is minutes of a hearing held pursuant to under ORS 332.061, the following shall contain only material not be made public: the name of the minor student; the issue, including a student's confidential records and that student's educational program; the discussion; and each Board member's vote on the issue excluded under ORS 332.061(2) and information⁸ will not be disclosed in accordance with ORS 332.061.

Either the recording or minutes of Board meetings will be kept permanently. If written minutes are created for any meetings of the Board, any recordings will be kept for at least one year after the minutes are created.

END OF POLICY

Legal Reference(s):

⁶ {The Oregon Attorney General's *Public Records and Meetings Manual* says, "three weeks arguably is within the reasonable time allowed by statute."}

⁷ "...a record of any executive session may be kept in the form of a sound or video tape or digital recording which need not be transcribed unless otherwise provided by law." ORS 192.650(2)

⁸ ORS 332.061 prohibits the disclosure of:

1. The name of the minor student;
2. The issue, including a student's confidential records;
3. The discussion; and
4. The school board member's vote on the issue.

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~~Attorney General (Nov. 20, 1970).~~General's PUBLIC RECORDS AND MEETINGS MANUAL.

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Eagle Point School District 9

OSBA Model Sample Policy

Code: CBA
Adopted: 11/15/84
Revised/Readopted: 11/14/01; 1/08/14
Orig. Code: 1146; 1402; 2120

Qualifications and Duties of the Superintendent

POSITION: Superintendent of Schools

QUALIFICATIONS: 1. ~~A current Oregon administrative license with an authorization for all levels, superintendent's endorsement or a transitional~~
The Board requires the superintendent license;

2. ~~Successful experience as an~~ be a strong educational leader who has the following professional experience and administrator; training:

1. ~~3.~~ A current license that qualifies the individual to serve as superintendent of the district^{1};
2. A master's degree or higher in the field of education, preferably in educational administration;
3. Successful teaching experience at the elementary or secondary school level;
4. Service as a superintendent or administrative experience in the central administration of a school system.

In lieu of the experience and training requirements above, the Board may consider as a candidate for its superintendent's position an individual who meets ~~transitional administrator or exceptional administrator~~ alternative licensure requirements. The Board may, ~~jointly with the~~ take steps to assist an individual, submit an application to qualify for such a license for Teacher Standards and Practices Commission approval pursuant to OAR 584-080-0151 and 584-080-0161;

4. ~~Other qualifications as determined by the Board.~~

REPORTS TO: Board of Directors

SUPERVISES: ~~Central office~~ The superintendent will have the following personal and professional qualities:

1. Success in leadership roles with staff, community and professional peers;
2. Ability to communicate effectively, both orally and in writing;
3. Scholarship, intelligence and excellent ability to plan and organize;

^{1} Please contact the Teacher Standards Practices Commission (TSPC) with questions regarding licensure.}

4. Training, experience and success in personnel selection, evaluation and development;
5. Knowledge of curriculum development, implementation and evaluation;
6. Knowledge of business and support service systems which facilitate planning, control and accountability;
7. Experience in administering collective bargaining agreements;
- 4.8. Ability to motivate other administrators and school principals; and through significantly involve them, all district personnel, in the decision-making process;

EVALUATION: ~~Performance of this job will be evaluated annually in accordance with provisions of the superintendent's contract.~~

JOB: ~~The superintendent shall exercise general supervision and responsibility for all employees and property of the district. The superintendent shall implement the adopted Board policies and shall improve the district's programs. They shall supply the Board and the community with information concerning the district. The superintendent shall act as professional advisor to the Board and furnish professional leadership to the district. They shall perform legal and assigned duties as clerk of the district.~~

PERFORMANCE RESPONSIBILITIES:

The superintendent:

9. Serves as Strong management skills; and the desire and ability to motivate and innovate, taking advantage of the district's strengths.

General Functions

2. ~~The superintendent is the chief executive officer of the Board except as otherwise provided by law, makes rules not in conflict with law or with Board policies and decides all matters of administrative and supervisory detail in connection with the district and, under the direction of the Board, is responsible for control and operation and maintenance of the schools;~~
3. ~~Initiates and directs the development of policies for approval by the Board, delegating such responsibility to associates and subordinates as deemed desirable;~~
4. ~~Attends all meetings of the Board except those concerned with his/her own contract status and takes part in the deliberations, but does not vote;~~
1. ~~Assists the Board in reaching sound judgments, establishing policies and approving those matters which the law requires the Board to approve; places before the Board necessary and helpful facts, comparisons, investigations, informationschool system, and reports; and makes available the~~

personal advice on special or technical matters by those persons who are qualified to furnish it; for implementing the decisions and policies of the Board.

2. — Implements and interprets Board policies;

2. ~~Recommends~~ The superintendent has the authority to formulate and delegate duties and responsibilities to subordinate administrative personnel. The delegation of such duties and responsibilities, however, will not relieve the superintendent of responsibility for the action taken under such delegation.

Specific Functions

The superintendent will have the duty and authority to perform the following specific functions:

1. Review data regularly and lead the district in enacting equitable changes to improve educational outcomes for every student;
2. Serve as educational leader to the Board, staff and community;
3. Act as the district's chief administrative officer;
4. Serve as district school clerk, performing such duties as required by law or by the Board;
5. Support the Board with scheduling meeting places, providing for required notices, and ensuring any required recordings or minutes are created for all Board meetings and for all committee meetings authorized by the Board, as appropriate;
6. Attend all regular and special meetings of the Board, except when excused;
7. Serve as executive officer of the budget committee and prepare an educational plan that is the basis for formulating the district's budget;
8. Administer adopted Board policies;
9. Regularly review adopted Board policies and make recommendations for needed changes;
10. Advise, inform and make recommendations to the Board on matters of policy and other required action(s), and inform the Board on all phases of district operation;
11. Provide an ongoing program of communication to and from the community, staff and Board concerning district programs and activities;
12. Assess trends and changing procedures in salary negotiations and assist the Board in collective bargaining and salary consultation with district employee groups;
13. Serve as a member of the Board's salary consultation and negotiations teams, and make recommendations to the Board on all issues;
14. Direct the implementation and administration of all agreements resulting from the consultation or negotiation process;

15. Develop and file a complete list of position descriptions, with job descriptions within each classification for all classes of personnel; review and change those descriptions as needed or directed by the Board;
16. Formulate and recommend for Board adoption such personnel policies as may be necessary for efficient functioning of the district staff;
17. Make rules and reasonable regulations to govern routine matters and see that such rules and regulations are communicated to employees concerned;
18. Resolve problems of operations and settle disputes referred through administrative channels;
19. Work with staff organizations and committees in the development of sound personnel practices and procedures and provide for their implementation;
20. Assume responsibility for the development, maintenance and operation of a constructive program of in-service, training and education for all school system employees. For this responsibility, the superintendent may employ lecturers, grant temporary leave from work, approve reimbursement for extension or college courses and develop professional library facilities as required, subject to Board approval;
- ~~3-21. Recommend to the Board, the appointment, renewal, contract extension, contract nonrenewal, contract nonextensionnon-extension or dischargeddismissal of licensed district employees of the Board as provided byin accordance with state law, Board policieiespolicy and the employee's collective bargaining agreement, as applicable, and with such recommendations reported to the Board for approval;~~
- ~~4-22. AssignsAppoint, promote, demote or transfers licenseddischarge classified and non-represented employees as provided by state law, Board policieiespolicy, collective bargaining agreements and meet and confer agreements, as applicable;~~
- ~~5-23. Appoints, assigns, transfers, promotes, demotesAssign or discharges classified and nonrepresentedtransfer all district employees as provided byin accordance with state law, Board policieiespolicy and the employee's collective bargaining agreements and meet and confer agreementsagreement, as applicable;~~
- ~~6. Directs the professional supervisory staff in visits to the schools under his/her charge; through this staff, directs, assigns and assists teachers and all other educational employees in Evaluate the performance of their duties; classifies, assigns and controls the promotion of students; and performs other duties as the Board determines;~~
- ~~7. Directs the work of the professional staff in evaluating curriculum and instructional materials and, upon the basis of such study, makes recommendations to the Board;~~
- ~~8. Supervises the establishment or modification of attendance and transportation area boundaries subject to Board approval;~~
- ~~9. Directs the preparation of the budget showing the estimated receipts and disbursements necessary to cover the needs of the district for the ensuing budget period, and submits this estimate to the Boardall district administrative personnel in accordance with law;~~

- ~~10. Approves and directs, in accordance with lawstate law and Board policy, purchases and expenditures, within the limits of the budget;~~
- ~~11.24. Exercises leadership in directing studies of sites and buildings, considering the population trend and the educational and cultural needs of the district, to ensure timely decisions by and make recommendations for those positions to the Board and electorate regarding construction and renovation projectsbefore March 15 of each year;~~
- ~~25. Represents Provide for performance evaluations of licensed and classified personnel in accordance with state law, Board policy and the employee's collective bargaining agreement, as applicable;~~
- ~~26. Assign and control the promotion of students;~~
- ~~27. Maintain a continuous inventory of all district in dealings with property, furniture, material and supplies;~~
- ~~28. Recommend plans for repairs to district property and for new construction and see that all plans adopted by the Board are properly executed;~~
- ~~29. Establish procedures to involve teachers, principals, supervisory personnel and representatives from student and community groups in the preparation and selection of courses of study and other instructional materials;~~
- ~~30. Recommend instructional materials, instructional supplies and school systems, social institutions, business firms,equipment to be purchased by the district;~~
- ~~31. Direct the preparation of the budget, prepare the budget message for presentation to the budget committee, supervise the administration of all fiscal policies of the district and serve as custodian of all district funds;~~
- ~~32. Develop and recommend to the Board long-range plans for educational programs, facilities and financial resources that are consistent with population trends, district goals and community needs;~~
- ~~12.33. Direct the district in its relationships with federal, state and local government agencies and the general public;~~
- ~~13. Keeps the public informed about current educational practices, educational trends and issues confronting the district.~~

34. The specific enumeration of the superintendent's Cooperate with universities and colleges in their student-teacher training programs;
35. Attend local, state and national meetings, conferences and workshops as deemed beneficial to the interests of the district;
36. Visit, as may be required, all district schools as a regular part of a schedule and institute and carry out such regulations, as may be necessary, to attain their efficient operation;
37. Direct the administrative staff in establishing and changing, as needed, school attendance area boundaries subject to Board approval;
38. In cases of matters not specifically covered by Board policies, take appropriate action and report such action to the Board no later than the next regular Board meeting;
- 14.39. Have other power and duties as detailed above will not act to limit the broad authority and responsibility may be approved by the Board, and as may be necessary to fulfill the functions of the office of superintendent.

END OF POLICY

Legal Reference(s):

~~ORS 327.133~~
[ORS 332.075](#)
~~ORS 332.515~~
~~ORS 342.125~~
~~ORS 342.140~~
[ORS 342.143](#)
[ORS 342.173](#)

[ORS 342.175](#)
~~ORS 342.200~~
~~ORS 581-022-0102 to -1940~~
~~ORS 581-023-0006 to -0041~~
~~ORS 581-023-0104~~
~~ORS 581-023-0112~~

~~ORS 581-023-0220 to -0240~~
~~ORS 584-020-0000 to -0045~~
~~ORS 584-036- 0035(+)~~
~~ORS 584-046-0005 to -0003 - 0024~~
[ORS 584-080-0151](#)
[ORS 584-080-0152](#)
[ORS 584-080-0161](#)

Eagle Point School District 9
Board of Directors

Date: 7/1/2026 Presented By: Board
Subject: CBA – Qualifications and Duties of
the Superintendent Attachment(s) _____

Information

BACKGROUND INFORMATION:

The Oregon School Boards Association highly recommends deleting the current version of this policy and replacing it with the proposed version. There are no critical changes to this policy, the revisions consist primarily of formatting updates.

RECOMMENDATION:

The recommendation is that the Board review the current and proposed versions and determine their preferences regarding the content of this policy specifying the qualifications and duties of the superintendent.

BOARD ACTION REQUIRED

Suggested Motion: “I move the board to adopt policy CBA Qualifications and Duties of the Superintendent with the formatting revisions agreed upon by the Board.”

OSBA Model Sample Policy

Code: CBA
Adopted:

Qualifications and Duties of the Superintendent

The Board requires the superintendent be a strong educational leader who has the following professional experience and training:

1. A current license that qualifies the individual to serve as superintendent of the district^{1};
2. A master's degree or higher in the field of education, preferably in educational administration;
3. Successful teaching experience at the elementary or secondary school level;
4. Service as a superintendent or administrative experience in the central administration of a school system.

In lieu of the experience and training requirements above, the Board may consider as a candidate for its superintendent's position an individual who meets alternative licensure requirements. The Board may take steps to assist an individual to qualify for such a license.

The superintendent will have the following personal and professional qualities:

1. Success in leadership roles with staff, community and professional peers;
2. Ability to communicate effectively, both orally and in writing;
3. Scholarship, intelligence and excellent ability to plan and organize;
4. Training, experience and success in personnel selection, evaluation and development;
5. Knowledge of curriculum development, implementation and evaluation;
6. Knowledge of business and support service systems which facilitate planning, control and accountability;
7. Experience in administering collective bargaining agreements;
8. Ability to motivate other administrators and significantly involve them in the decision-making process;
9. Strong management skills; and the desire and ability to motivate and innovate, taking advantage of the district's strengths.

General Functions

1. The superintendent is the chief executive officer of the district and, under the direction of the Board, is responsible for control and operation of the school system, and for implementing the decisions and policies of the Board.

^{1} Please contact the Teacher Standards Practices Commission (TSPC) with questions regarding licensure.}

2. The superintendent has the authority to formulate and delegate duties and responsibilities to subordinate administrative personnel. The delegation of such duties and responsibilities, however, will not relieve the superintendent of responsibility for the action taken under such delegation.

Specific Functions

The superintendent will have the duty and authority to perform the following specific functions:

1. Review data regularly and lead the district in enacting equitable changes to improve educational outcomes for every student;
2. Serve as educational leader to the Board, staff and community;
3. Act as the district's chief administrative officer;
4. Serve as district school clerk, performing such duties as required by law or by the Board;
5. Support the Board with scheduling meeting places, providing for required notices, and ensuring any required recordings or minutes are created for all Board meetings and for all committee meetings authorized by the Board, as appropriate;
6. Attend all regular and special meetings of the Board, except when excused;
7. Serve as executive officer of the budget committee and prepare an educational plan that is the basis for formulating the district's budget;
8. Administer adopted Board policies;
9. Regularly review adopted Board policies and make recommendations for needed changes;
10. Advise, inform and make recommendations to the Board on matters of policy and other required action(s), and inform the Board on all phases of district operation;
11. Provide an ongoing program of communication to and from the community, staff and Board concerning district programs and activities;
12. Assess trends and changing procedures in salary negotiations and assist the Board in collective bargaining and salary consultation with district employee groups;
13. Serve as a member of the Board's salary consultation and negotiations teams, and make recommendations to the Board on all issues;
14. Direct the implementation and administration of all agreements resulting from the consultation or negotiation process;
15. Develop and file a complete list of position descriptions, with job descriptions within each classification for all classes of personnel; review and change those descriptions as needed or directed by the Board;
16. Formulate and recommend for Board adoption such personnel policies as may be necessary for efficient functioning of the district staff;
17. Make rules and reasonable regulations to govern routine matters and see that such rules and regulations are communicated to employees concerned;
18. Resolve problems of operations and settle disputes referred through administrative channels;

19. Work with staff organizations and committees in the development of sound personnel practices and procedures and provide for their implementation;
20. Assume responsibility for the development, maintenance and operation of a constructive program of in-service, training and education for all school system employees. For this responsibility, the superintendent may employ lecturers, grant temporary leave from work, approve reimbursement for extension or college courses and develop professional library facilities as required, subject to Board approval;
21. Recommend to the Board, the appointment, renewal, contract extension, contract nonrenewal, contract non-extension or dismissal of licensed district employees in accordance with state law, Board policy and the employee's collective bargaining agreement, as applicable;
22. Appoint, promote, demote or discharge classified and non-represented employees as provided by state law, Board policy, collective bargaining agreements and meet and confer agreements, as applicable;
23. Assign or transfer all district employees in accordance with state law, Board policy and the employee's collective bargaining agreement, as applicable;
24. Evaluate the performance of all district administrative personnel in accordance with state law and Board policy, and make recommendations for those positions to the Board before March 15 of each year;
25. Provide for performance evaluations of licensed and classified personnel in accordance with state law, Board policy and the employee's collective bargaining agreement, as applicable;
26. Assign and control the promotion of students;
27. Maintain a continuous inventory of all district property, furniture, material and supplies;
28. Recommend plans for repairs to district property and for new construction and see that all plans adopted by the Board are properly executed;
29. Establish procedures to involve teachers, principals, supervisory personnel and representatives from student and community groups in the preparation and selection of courses of study and other instructional materials;
30. Recommend instructional materials, instructional supplies and school equipment to be purchased by the district;
31. Direct the preparation of the budget, prepare the budget message for presentation to the budget committee, supervise the administration of all fiscal policies of the district and serve as custodian of all district funds;
32. Develop and recommend to the Board long-range plans for educational programs, facilities and financial resources that are consistent with population trends, district goals and community needs;
33. Direct the district in its relationships with federal, state and local government agencies;
34. Cooperate with universities and colleges in their student-teacher training programs;
35. Attend local, state and national meetings, conferences and workshops as deemed beneficial to the interests of the district;

36. Visit, as may be required, all district schools as a regular part of a schedule and institute and carry out such regulations, as may be necessary, to attain their efficient operation;
37. Direct the administrative staff in establishing and changing, as needed, school attendance area boundaries subject to Board approval;
38. In cases of matters not specifically covered by Board policies, take appropriate action and report such action to the Board no later than the next regular Board meeting;
39. Have other power and duties as may be approved by the Board, and as may be necessary to fulfill the functions of the office of superintendent.

END OF POLICY

Legal Reference(s):

[ORS 332.075](#)
[ORS 342.143](#)
[ORS 342.173](#)

[ORS 342.850](#)
[OAR 584-020-0000 - 0035](#)
[OAR 584-046-0003 - 0024](#)

[OAR 584-080-0151](#)
[OAR 584-080-0152](#)
[OAR 584-080-0161](#)

Eagle Point School District 9

Code: CBA
Adopted: 11/15/84
Revised/Readopted: 11/14/01; 1/08/14
Orig. Code: 1146; 1402; 2120

Qualifications and Duties of the Superintendent

POSITION: Superintendent of Schools

QUALIFICATIONS:

1. A current Oregon administrative license with an authorization for all levels, superintendent's endorsement or a transitional superintendent license;
2. Successful experience as an educational leader and administrator;
3. In lieu of the experience and training requirements above, the Board may consider as a candidate for its superintendent's position an individual who meets transitional administrator or exceptional administrator licensure requirements. The Board may, jointly with the individual, submit an application for such license for Teacher Standards and Practices Commission approval pursuant to OAR 584-080-0151 and 584-080-0161;
4. Other qualifications as determined by the Board.

REPORTS TO: Board of Directors

SUPERVISES: Central office administrators and school principals; and through them, all district personnel.

EVALUATION: Performance of this job will be evaluated annually in accordance with provisions of the superintendent's contract.

JOB: The superintendent shall exercise general supervision and responsibility for all employees and property of the district. The superintendent shall implement the adopted Board policies and shall improve the district's programs. They shall supply the Board and the community with information concerning the district. The superintendent shall act as professional advisor to the Board and furnish professional leadership to the district. They shall perform legal and assigned duties as clerk of the district.

PERFORMANCE RESPONSIBILITIES:

The superintendent:

1. Serves as chief executive officer of the Board except as otherwise provided by law, makes rules not in conflict with law or with Board policies and decides all matters of administrative and supervisory detail in connection with the operation and maintenance of the schools;
2. Initiates and directs the development of policies for approval by the Board, delegating such responsibility to associates and subordinates as deemed desirable;
3. Attends all meetings of the Board except those concerned with his/her own contract status and takes part in the deliberations, but does not vote;
4. Assists the Board in reaching sound judgments, establishing policies and approving those matters which the law requires the Board to approve; places before the Board necessary and helpful facts, comparisons, investigations, information and reports; and makes available the personal advice on special or technical matters by those persons who are qualified to furnish it;
5. Implements and interprets Board policies;
6. Recommends the appointment, renewal, contract extension, contract nonrenewal, contract nonextension or discharge of licensed employees of the Board as provided by law, Board policies and the employee's collective bargaining agreement, as applicable, and with such recommendations reported to the Board for approval;
7. Assigns or transfers licensed employees as provided by state law, Board policies, collective bargaining agreements and meet and confer agreements, as applicable;
8. Appoints, assigns, transfers, promotes, demotes or discharges classified and nonrepresented employees as provided by state law, Board policies, collective bargaining agreements and meet and confer agreements, as applicable;
9. Directs the professional supervisory staff in visits to the schools under his/her charge; through this staff, directs, assigns and assists teachers and all other educational employees in the performance of their duties; classifies, assigns and controls the promotion of students; and performs other duties as the Board determines;
10. Directs the work of the professional staff in evaluating curriculum and instructional materials and, upon the basis of such study, makes recommendations to the Board;
11. Supervises the establishment or modification of attendance and transportation area boundaries subject to Board approval;
12. Directs the preparation of the budget showing the estimated receipts and disbursements necessary to cover the needs of the district for the ensuing budget period, and submits this estimate to the Board in accordance with law;
13. Approves and directs, in accordance with law and Board policy, purchases and expenditures, within the limits of the budget;

14. Exercises leadership in directing studies of sites and buildings, considering the population trend and the educational and cultural needs of the district, to ensure timely decisions by the Board and electorate regarding construction and renovation projects;
15. Represents the district in dealings with other school systems, social institutions, business firms, government agencies and the general public;
16. Keeps the public informed about current educational practices, educational trends and issues confronting the district.

The specific enumeration of the superintendent's duties as detailed above will not act to limit the broad authority and responsibility of the office.

END OF POLICY

Legal Reference(s):

[ORS 327.133](#)
[ORS 332.075](#)
[ORS 332.515](#)
[ORS 342.125](#)
[ORS 342.140](#)
[ORS 342.143](#)
[ORS 342.173](#)

[ORS 342.175](#)
[ORS 342.200](#)

[OAR 581-022](#)-0102 to -1940
[OAR 581-023](#)-0006 to -0041
[OAR 581-023](#)-0104
[OAR 581-023](#)-0112

[OAR 581-023](#)-0220 to -0240
[OAR 584-020](#)-0000 to -0045
[OAR 584-036](#)-0035(1)
[OAR 584-046](#)-0005 to -0024
[OAR 584-080](#)-0151
[OAR 584-080](#)-0152
[OAR 584-080](#)-0161

Eagle Point School District 9

OSBA Model Sample Policy

Code: EBBA
Adopted: 12/13/90
Revised/Readopted: 11/14/01; 2/14/18
Orig. Code: 5235

First Aid**

~~In cases of sudden illness or injury to a student or staff member, first aid will be given by school staff. Further medical attention for a student is the responsibility of the student's parent(s), or of someone the parent(s) designate in the case of an emergency.~~

~~Each principal is charged with providing for the immediate care of ill or injured persons within his/her area of responsibility.~~

~~Staff members shall report self-administered first aid treatment to an immediate supervisor.~~

~~In each district facility, procedures for handling health emergencies will be established and made known to the staff. Each district facility and district vehicle will be equipped with appropriate first aid supplies and equipment. All employees are expected to know where first aid supplies and equipment are kept in their work areas.~~

~~Designated employees in each building shall hold current first aid cards. In compliance with Oregon Administrative Rules, each school shall have, at a minimum, at least one staff member with a current first aid card for every 60 students enrolled or an emergency response team per building. Such teams shall consist of no less than six persons who hold current first aid/CPR cards and who are trained annually in the district and building emergency plans. Names of the designated employees will be posted.~~

Student Health Services */**

Although the district's primary responsibility is to educate students, the students' health and general welfare is also an important Board responsibility. The Board believes school programs should be conducted in a manner that protects and enhances student and employee health and is consistent with good health practices. A health services plan shall be developed, implemented, and updated annually. The plan shall describe a health services program for all students at each facility that is owned or leased where students are present for regular programming.

The district shall maintain a written prevention-oriented health services plan for all students. The health services plan will¹:

1. Explain available health care space that is appropriately supervised and adequately equipped for providing health care and administering medication or first aid;

¹ For exact language and complete requirement, see OAR 581-022-2220(1).

2. Refer to available communicable disease prevention and management plan that includes school-level protocols²;
3. Outline a district-to-school communication plan³;
4. Provide information about health screenings, including immunizations and TB certificate requirements;
5. Describe how services for all students, including those who are medically complex, medically fragile or nursing dependent, and those who have approved 504 plans, individual education program plans, and individualized health care plans or special health care needs are managed⁴;
6. Integrate school health services with school health education programs and coordinate with health and social service agencies, public and private;
7. Describe how hearing, vision and dental screenings are managed and/or verified for required students⁵;
8. Include a process to assess and determine a student's health services needs, including availability of a nurse to assess student nursing needs upon, during, and following enrollment with one or more new medical diagnose(s) impacting a student's access to education, and implement a student's individual health plan prior to attending school⁶;
9. Comply with OR-OSHA Bloodborne Pathogens Standards for all persons who are assigned to job tasks which may put them at risk for exposure to body fluids⁷;
10. Refer to adopted policy and procedures for medications in accordance with Oregon law⁸;
11. Include guidelines for the management of students who are medically complex, medically fragile, or nursing dependent as defined by ORS 336.201, including students with life-threatening food allergies and adrenal insufficiency while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before-school or after-school care programs on school-owned property, and in transit to or from school or school-sponsored activities⁹; and][.]

² For specific protocol content requirements, see OAR 581-022-2220(1)(b).

³ For requirements of this plan see OAR 581-022-2220(1)(c).

⁴ For more information regarding these requirements see ORS 336.201 and 339.869, OARs 581-021-0037, 581-015-2040, 581-015-2045, 851-045-0040 – 0060, and 851-047-0010 – 0030.

⁵ For vision screening or eye examination or dental screening information see ORS 336.211 and 336.213.

⁶ For definitions for this policy see ORS 336.201.

⁷ OAR 437-002-0360 lists various health and safety regulations that apply in the employment setting.

⁸ Medication laws can be found in ORS 339.866 – 339.874 and OAR 581-021-0037; relevant Board policy includes JHCD/JHCDA - Medications.

⁹ For guideline requirements see OAR 581-022-2220(1)(k).

12. [List the positions in the district which shall be required to obtain and maintain a first-aid/CPR/AED card in accordance with OAR 581-022-2220(3).]

[Any nurse(s) employed by the district and providing services to students on behalf of the district shall be licensed in Oregon to practice as a registered nurse or nurse practitioner or be a licensed practical nurse (LPN) in alignment with LPN supervision requirements of OAR 851-045-0050 – 0060.

A nurse employed by the district shall follow all applicable requirements of ORS Chapter 678 and OAR Chapter 851. This includes, but is not limited to, delegation in accordance with OAR 851-047, which includes performing a nursing assessment of a student prior to delegation, providing adequate supervision during the delegation, and evaluating the skills, ability and willingness of the delegee.¹⁰

An administrator or other staff who is not a nurse may supervise, evaluate or direct a school nurse or registered nurse for purposes related to the nurse's role as a school employee, including but not limited to assigning the nurse's work hours, locations and workload and other matters addressed through a collective bargaining agreement. An administrator may not direct the school nurse or registered nurse in the practice of nursing.

A nurse employed by the district will function as an integral member of the instructional staff, serving as a resource person to teachers in securing appropriate information and materials on health-related topics.]

[The district provides a menstrual product dispenser with a variety of products in every student bathroom¹¹ which meets the requirements of law.]

END OF POLICY

Legal Reference(s):

¹⁰ For additional delegation requirements see OAR 851-047-0030.

¹¹ ["Student bathroom" means a bathroom that is accessible by students, including a gender-neutral bathroom, a bathroom designated for females, and a bathroom designated for males. (OAR 581-021-0587)]

ORS 30.800

OAR 437-002-0042

OAR 437-002-0120 to 0139

OAR 437-002-0161

OAR 437-002-0360

OAR 437-002-0377

OAR 581-022-2050

OAR 581-022-2220

OAR 581-022-2225

OAR 581-053-0003(37)

OAR 581-053-0220(3)(B)(iii)

OAR 581-053-0320(5)(b)

OAR 581-053-0420(2)(f)(B)

Cross Reference(s):

~~GB—General Personnel Policies~~
~~GBE—Staff Health and Safety~~
~~ORS 329.025~~

ORS 332.107
ORS 336.201
ORS 336.204
ORS 336.211 – 336.214ORS 342.458
ORAR 581-021-0017
ORAR 581-021-0031
ORAR 581-021-0587

ORAR 581-021-0590
ORAR 581-022-2050
ORAR 581-022-2220
ORAR 581-022-2515

Every Student Succeeds Act, 20 U.S.C. § 7928 (2024).
Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2024).

~~Eagle Point School District 9~~

~~OSBA Model Sample Policy~~

Code: EBBA
Adopted: ~~12/13/90~~
Revised/Readopted: ~~11/14/01; 2/14/18~~
Orig. Code: ~~5235~~
~~¶~~

~~First Aid**~~ ~~¶~~

~~In cases of sudden illness or injury to a student or staff member, first aid will be given by school staff. Further medical attention for a student is the responsibility of the student's parent(s), or of someone the parent(s) designate in the case of an emergency.~~
~~¶~~

~~Each principal is charged with providing for the immediate care of ill or injured persons within his/her area of responsibility.~~
~~¶~~

~~Staff members shall report self-administered first aid treatment to an immediate supervisor.~~
~~¶~~

~~In each district facility, procedures for handling health emergencies will be established and made known to the staff. Each district facility and district vehicle will be equipped with appropriate first aid supplies and equipment. All employees are expected to know where first aid supplies and equipment are kept in their work areas.~~
~~¶~~

~~Designated employees in each building shall hold current first aid cards. In compliance with Oregon Administrative Rules, each school shall have, at a minimum, at least one staff member with a current first aid card for every 60 students enrolled or an emergency response team per building. Such teams shall consist of no less than six persons who hold current first aid/CPR cards and who are trained annually in the district and building emergency plans. Names of the designated employees will be posted.~~
~~¶~~

Student Health Services */**

Although the district's primary responsibility is to educate students, the students' health and general welfare is also an important Board responsibility. The Board believes school programs should be conducted in a manner that protects and enhances student and employee health and is consistent with good health practices. A health services plan shall be developed, implemented, and updated annually. The plan shall describe a health services program for all students at each facility that is owned or leased where students are present for regular programming.

The district shall maintain a written prevention-oriented health services plan for all students. The health services plan will¹:

1. Explain available health care space that is appropriately supervised and adequately equipped for providing health care and administering medication or first aid;

¹ For exact language and complete requirement, see OAR 581-022-2220(1).

2. Refer to available communicable disease prevention and management plan that includes school-level protocols²;
3. Outline a district-to-school communication plan³;
4. Provide information about health screenings, including immunizations and TB certificate requirements;
5. Describe how services for all students, including those who are medically complex, medically fragile or nursing dependent, and those who have approved 504 plans, individual education program plans, and individualized health care plans or special health care needs are managed⁴;
6. Integrate school health services with school health education programs and coordinate with health and social service agencies, public and private;
7. Describe how hearing, vision and dental screenings are managed and/or verified for required students⁵;
8. Include a process to assess and determine a student's health services needs, including availability of a nurse to assess student nursing needs upon, during, and following enrollment with one or more new medical diagnose(s) impacting a student's access to education, and implement a student's individual health plan prior to attending school⁶;
9. Comply with OR-OSHA Bloodborne Pathogens Standards for all persons who are assigned to job tasks which may put them at risk for exposure to body fluids⁷;
10. Refer to adopted policy and procedures for medications in accordance with Oregon law⁸;
11. Include guidelines for the management of students who are medically complex, medically fragile, or nursing dependent as defined by ORS 336.201, including students with life-threatening food allergies and adrenal insufficiency while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before-school or after-school care programs on school-owned property, and in transit to or from school or school-sponsored activities⁹.

² For specific protocol content requirements, see OAR 581-022-2220(1)(b).

³ For requirements of this plan see OAR 581-022-2220(1)(c).

⁴ For more information regarding these requirements see ORS 336.201 and 339.869, OARs 581-021-0037, 581-015-2040, 581-015-2045, 851-045-0040 – 0060, and 851-047-0010 – 0030.

⁵ For vision screening or eye examination or dental screening information see ORS 336.211 and 336.213.

⁶ For definitions for this policy see ORS 336.201.

⁷ OAR 437-002-0360 lists various health and safety regulations that apply in the employment setting.

⁸ Medication laws can be found in ORS 339.866 – 339.874 and OAR 581-021-0037; relevant Board policy includes JHCD/JHCDA - Medications.

⁹ For guideline requirements see OAR 581-022-2220(1)(k).

12. Each school shall have, at a minimum, at least one staff member with a current first aid/CPR/AED card for every 60 students enrolled, as set by ORS 339.345, and 342.664

[Any nurse(s) employed by the district and providing services to students on behalf of the district shall be licensed in Oregon to practice as a registered nurse or nurse practitioner or be a licensed practical nurse (LPN) in alignment with LPN supervision requirements of OAR 851-045-0050 – 0060.]

A nurse employed by the district shall follow all applicable requirements of ORS Chapter 678 and OAR Chapter 851. This includes, but is not limited to, delegation in accordance with OAR 851-047, which includes performing a nursing assessment of a student prior to delegation, providing adequate supervision during the delegation, and evaluating the skills, ability and willingness of the delegee.¹⁰

An administrator or other staff who is not a nurse may supervise, evaluate or direct a school nurse or registered nurse for purposes related to the nurse's role as a school employee, including but not limited to assigning the nurse's work hours, locations and workload and other matters addressed through a collective bargaining agreement. An administrator may not direct the school nurse or registered nurse in the practice of nursing.

A nurse employed by the district will function as an integral member of the instructional staff, serving as a resource person to teachers in securing appropriate information and materials on health-related topics.]

END OF POLICY

Legal Reference(s):

¹⁰ For additional delegation requirements see OAR [851-047-0030](#).

~~ORS 30.800~~

~~¶~~

~~ORAR 437-002-0042~~

~~ORAR 437-002-0120 to -0139~~

~~ORAR 437-002-0161~~

~~¶~~

~~¶~~

~~Cross-Reference(s):~~

~~¶~~

~~GB – General Personnel Policies~~

~~GBE – Staff Health and Safety~~
~~ORS 329.025~~

~~ORAR 437-002-0360~~

~~ORAR 437-002-0377~~

~~ORAR 581-022-2050~~

~~ORAR 581-022-2220~~

~~ORAR 581-022-2225~~

ORS 332.107

ORS 336.201

ORS 336.204

ORS 336.211 – 336.214 **ORS 342.458**

~~ORAR 581-021-0017~~

~~ORAR 581-021-0031~~

~~ORAR 581-021-0587~~

~~ORAR 581-053-0003(37)~~

~~ORAR 581-053-0220(3)(B)(iii)~~

~~ORAR 581-053-0320(5)(b)~~

~~ORAR 581-053-0420(2)(f)(B)~~

ORAR 581-021-0590

ORAR 581-022-2050

ORAR 581-022-2220

~~ORAR 581-022-2515~~

Every Student Succeeds Act, 20 U.S.C. § 7928 **(2024)**.

Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g **(2024)**.

Eagle Point School District 9
Board of Directors

Date:	<u>7/1/26</u>	Presented By:	<u>Mrs. Shehorn</u>
	Revisions to Board Policy EBBA		
	Student Health Services (previously		
Subject:	<u>First Aid)</u>	Attachment(s)	<u>EBBA</u>

Information

BACKGROUND INFORMATION:

The Oregon School Boards Association (OSBA) has issued recommended revisions to Board Policy EBBA, Student Health Services, to align district policy with changes in Oregon Administrative Rules and state law. These revisions ensure district policies remain current and compliant with state requirements.

April 2024 Highly Recommended Update:

The State Board of Education adopted revisions to OAR 581-022-2220 regarding student health services. The revised rule requires school districts to develop and maintain a written, prevention-oriented health services plan for all students. Required components of the plan include, but are not limited to:

- Health care space
- Communicable disease prevention
- Communication strategies
- Health screenings
- Hearing, vision, and dental screenings

As a result of these rule changes, OSBA recommends:

- Deleting Policy EBBA – *First Aid*
- Adopting a new Policy EBBA – *Student Health Services*
- Deleting Administrative Regulation EBBA-AR – *First Aid – Infection Control*
- Deleting Policy JHC – *Student Health Services and Requirements* (replaced by the new EBBA)

April 2026 Highly Recommended Update:

OSBA has issued an additional recommended revision to Policy EBBA to reflect the passage of Senate Bill 2948 (ORS 342.458). The update incorporates new statutory language regarding nurse delegation, ensuring district policy remains aligned with current Oregon law.

RECOMMENDATION:

Administration recommends the Board adopt the revised Board Policy EBBA, *Student Health Services*, as presented. The proposed revisions align with current Oregon Administrative Rules, Senate Bill 2948, and the Oregon School Boards Association's highly recommended policy updates.

BOARD ACTION REQUIRED

Suggested Resolution: *"I move the Board to approve revisions and updates to Board Policy EBBA as presented."*

OSBA Model Sample Administrative Regulation

Code: GBA-AR
Revised/Reviewed:

Veteran and State Servicemember Preference

Oregon law requires the district to grant a preference to qualified and eligible veterans, disabled veterans, state servicemembers and former state servicemembers at each stage during the hiring or promotion process who claim a preference. To be **qualified** for preference, an applicant must meet the minimum qualifications and any other special qualifications required for the position sought. To be **eligible** for preference¹ an applicant must provide certification they are a veteran, disabled veteran, state servicemember or former state servicemember as defined by Oregon law².

The district is not obligated to hire or promote a qualified and eligible veteran, disabled veteran, state servicemember or former state servicemember. The district is obligated to interview all minimally qualified veterans or disabled veterans, and is also obligated to hire or promote a qualified or eligible veteran, disabled veteran, state servicemember or former state servicemember if the individual is equal to or better than the top candidate after the preference has been applied.

Recruitment Procedures

All job postings or announcements will include a concise list of minimum qualifications and any special qualifications required for the position. Job postings will include a statement that the district's policy is to provide a preference as required by Oregon law and the job posting will require applicants to provide certification³ of eligibility for preference, in addition to other requested materials.

Selection Procedures^{4}

¹ See Oregon Revised Statute (ORS) 408.235.

² See Oregon Revised Statute (ORS) 408.225 for definitions of veteran, disabled veteran, state servicemember and former state servicemember.

³ An applicant claiming veteran's or disabled veteran's preference will submit a copy of their Certificate of Release or Discharge from Active Duty (DD Form 214 or 215) or a certification that the veteran is expected to be discharged or released from active duty under honorable conditions not later than 120 days after the submission of the certification. A disabled veteran may also submit a copy of their letter from the U.S. Department of Veterans Affairs, unless the information is included in the DD Form 214/215 or a certification that the veteran is expected to be medically separated from active duty under honorable conditions not later than 120 days after the submission of the certification. (OAR 839-006-0465) An applicant claiming to be a former state servicemember must meet the definition of "former state servicemember." An applicant is treated as a former state servicemember if they meet the definition, except for the requirement that the applicant was discharged or released under honorable conditions and submits certification that the individual is expected to be discharged or released from Oregon National Guard under honorable conditions no later than 120 days after the submission of the certification. (ORS 408.235)

⁴ {If the district chooses not to use a scored system the law requires that the district give special consideration in the district's hiring decision to veterans, disabled veterans, state servicemembers and former state servicemembers and the district will need to be able to demonstrate the method used for providing special consideration. ORS 408.230(2)(c).}

- Step 1: Before the review of any applications the [human resources director] will establish an evaluation scoring guide based on the minimum **qualifications** and any special qualifications listed in the job posting.
- Step 2: The [human resources director] will review the application materials using the evaluation scoring guide to determine which applicants meet the minimum and any special qualifications listed in the job posting. In assessing the applicant materials of a veteran or disabled veteran the [human resources director] shall evaluate whether the skill experience obtained in **service** are transferable **skills** to the posted position. Any applicants that do not meet the minimum and any special qualifications shall be removed from the applicant pool.
- Step 3: Based on Step 2, the [human resources director] determines who will be interviewed. All qualified and eligible veterans or disabled veterans shall be given an opportunity to interview.
- Step 4: Interview questions and scoring sheets will be developed and each scoring sheet must be completed after each interview by the interviewers.
- Step 5: Following completion of the interviews, the [human resources director] shall complete the selection matrix and score the applicants based on the scoring sheets completed during interviews. **Preference shall be applied by adding 5 percentage points to an eligible veteran, state servicemember or former state servicemember and 10 percentage points to an eligible disabled veteran.**
- Step 6: **The district will appoint an otherwise qualified applicant claiming preference to the position if the applicant's results of their application examination, when combined with the preference, are equal to or better than the results for the top candidate.**
- The district may base a decision not to appoint the applicant claiming preference solely on the applicant's merits or qualifications with respect to the position.**

In the event the district chooses not to appoint an applicant covered by this administrative regulation, the district shall provide the reasons it chose not to appoint the applicant for the position upon a written request from the applicant.

Filing a Complaint

A veteran, disabled veteran, **state servicemember or former state servicemember** is encouraged to contact the [human resources office] if **there are** any concerns or questions concerning the application of or the process used for preference.

An applicant claiming to be aggrieved by a violation of Board policy GBA - Equal Employment Opportunity or this administrative regulation, may file a written complaint with the Civil Rights Division of the Bureau of Labor and Industries (BOLI) in accordance with Oregon Revised Statute (ORS) 659A.820.

Eagle Point School District 9
Board of Directors

Date:	<u>July 1, 2026</u>	Presented By:	<u>Jen Durham</u>
Subject:	<u>Revisions to Board Policy GCBDD/GDBDD: Sick Time</u>	Attachment(s)	<u>Recommended Policy GCBDD/ GDBDD</u>

Information

BACKGROUND INFORMATION:

OSBA has identified Policy GCBDD/GDBDD – Sick Time as a recommended policy update to align district policy with current Oregon sick leave statutes and related leave requirements. Administration reviewed the OSBA model policy and recommends adoption with district-specific revisions.

The proposed revisions update references to current state leave laws, including Family and Medical Leave Act (FMLA), Paid Leave Oregon (PFMLI), and Oregon Family Leave Act (OFLA) provisions. The policy also clarifies employee eligibility, use of sick time, leave notice requirements, verification procedures, and other statutory requirements related to sick leave administration.

Administration's recommended revisions retain several existing district practices and procedures while incorporating the necessary legal and technical updates reflected in the OSBA model policy. The recommended language maintains consistency with current district operations and leave administration practices.

RECOMMENDATION:

Administration recommends adoption of Policy GCBDD/GDBDD – Sick Time as revised by administration. The recommended revisions update the policy to reflect current legal requirements while maintaining consistency with existing district practices and procedures for sick leave administration.

BOARD ACTION REQUIRED

Suggested Resolution:

Move to adopt revised Policy GCBDD/GDBDD – Sick Time as recommended by administration.

Eagle Point School District 9

OSBA Model Sample Policy

Code: GCBDD/GDBDD
Adopted: 4/10/18

Sick Time *

{ORS 653.606 requires employers to “implement a sick time policy and provide notice to employees of sick time policies and procedures. OSBA does not interpret this as a requirement for school boards to adopt a policy on sick time. Rather, school districts are required to have practices and procedures to implement the requirements of this law. Having a board-adopted policy may help the district meet legal requirements. Many districts bargain aspects of this leave; policy language should not conflict with language in collective bargaining agreements.}

“Employee” means an individual who is employed by renders personal services at a fixed rate to the district and who is paid on an hourly, stipend if the district either pays or salary basis, and for whom withholding is required under Oregon Revised Statute (ORS) 316.162-316.221 agrees to pay for personal services or permits the individual to perform personal services. The definition does not include volunteers or independent contractors or others excluded by law.

Employees qualify to begin earning and accruing sick time on the first day of employment with the district and are eligible to use sick time beginning on the 91st calendar day of employment with the district and may use sick time as it is accrued.

A[The district employing employs {¹} 10 or more employees and therefore shall allow an eligible employee to access up to 40 hours of paid sick time per year. [Paid sick time shall accrue at the rate of at least one hour of paid sick time for every 30 hours the employee works, or 1-1/3 hours for every 40 hours the employee works.] [Paid sick time of 40 hours shall be {²} front-loaded to an employee at the beginning of each year.]]

The employee may carry up to 40 hours of unused sick time from one year to the subsequent year. [{³} An employee is limited to [accruing no more than 80 hours of sick time] [and] [using no more than 40 hours of sick time in a year].]

[Sick time shall be taken in hourly increments] [{⁴} Sick time shall be taken in increments of more than [one] hour[s]] [Sick time may be used in increments of less than one hour] and may be used for the

¹ {If the district is located in a city with a population exceeding 500,000, the threshold is whether the district employs at least six employees working anywhere in this state.}

² {For employees employed by an employer for less than a full year, “front-load” means to assign and make available to an employee as soon as the employee becomes eligible to use sick time a number of hours of sick time that is the pro rata percentage of the hours the employee would be entitled to for an entire year based on the number of hours the employee was actually employed by the employer for the year. ORS 653.601(5)(b).}

³ {If the district chooses to limit the accrual or usage, the district must choose language in the bracketed sentence and keep this sentence in policy. The application of these limits need not be applied to employers with less than 10 employees and who front-load at least 40 hours of unpaid sick time or unpaid time off at the beginning of each year used to calculate the accrual and usage of sick time or time off. (ORS 653.606 (1)(d))}

⁴ {This bracketed option only applies if the public charter school claims “undue hardship” (as is defined in OAR 839-007-0000(7)) and front-loads 56 hours of paid sick time per year. The school may require the employee to use paid sick time in

employee's or a family member's⁵ mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition, or need for preventive care, or for reasons consistent with ~~the~~qualifying Family and Medical Leave ~~Act~~ (FMLA), Paid Family and Medical Leave Insurance (PFMLI) or Oregon Family Leave ~~Act~~ (OFLA). ~~Sick time may also be used in the event of a public health emergency.~~

Sick time earned by an employee may also be used for the following reasons:

1. In the event of a public health emergency compliant with Oregon Revised Statute (ORS) 653.616;
2. [{}⁶] To donate accrued sick time to another employee if the other employee uses the donated sick time for a purpose consistent with ORS 653.616;]
3. To donate blood in connection with a voluntary program for the donation of blood that is approved or accredited by the American Association of Blood Banks or the American Red Cross; or
4. For leave to address domestic violence, harassment, sexual assault, bias, or stalking under ORS 659A.272 (safe leave).

[When sick time is used to care for, or to deal with the death of, an individual related by blood or affinity whose close association with the district employee is the equivalent of a family relationship, the district requires an attestation form signed and submitted by the employee.]

The use of sick time may not lead to, or result in, an adverse employment action against the employee.

The district reserves the right, after ~~five~~an employee uses sick time for more than [three⁷] consecutive ~~days of absences scheduled workdays~~, to require ~~proof of personal illness verification or injury from an employee certification in accordance with law of the need for the sick time~~, including a medical examination by a physician ~~chosen and verification or certification~~⁸ paid for by the district. ~~And if an employee refusing to submit to such an examination or fails to provide verification or certification or fails to provide other evidence as required by the district, the employee~~ shall be subject to appropriate disciplinary action, up to and including dismissal.

When the reason for sick time is consistent with FMLA⁴, PFMLI or OFLA leave, ~~the~~ sick time leave and ~~the~~qualifying FMLA⁴, PFMLI or OFLA leave may run concurrently.

increments of more than one hour; however in the case of front-loading 56 hours of paid sick time, the school cannot require an employee to use sick time in increments that exceed four hours, however the employee may choose to do so. OAR 839-007-0025}

⁵ "Family member" is defined ~~by the Oregon Family Leave Act (OFLA) in OAR 839-007-0000.~~

⁶ {The district must first have a policy that allows an employee to donate sick time to a coworker for this purpose. Do not keep this language if there is no policy authorizing this process.}

⁷ {This number can be increased, but not decreased. Review any applicable collective bargaining agreements.}

⁸ In the case of need for leave under ORS 659A.272, the district may not require the verification or certification to explain the nature of the illness or details related to the domestic violence, sexual assault, harassment, bias, or stalking, which necessitates the use of sick time.

When the reason for sick time is consistent with ORS 332.507, ~~the~~ sick time leave and ~~sick~~ leave pursuant to ORS 332.507 may run concurrently.

If the reason for sick time is a foreseeable absence, the district ~~may require the~~ requires an employee to provide advance notice of ~~their~~ the intention to use sick time ~~consistent with {⁹}~~ 10 days prior to when the reporting requested sick time established by the district, is to begin or as soon as otherwise practicable. When ~~the~~ an employee uses sick time for a foreseeable absence, the employee shall take reasonable effort to schedule the sick time in a manner that does not unduly disrupt the operations of the district (e.g., grading deadlines, inservice training, mandatory meetings). [The district may discipline an employee if the employee fails to make a reasonable effort to schedule leave in a manner that does not unduly disrupt the operations of the district.]

⁹ {ORS 653.621(3): "...not to exceed 10 days"}

If the reason for sick time is unforeseeable, such as an emergency, accident or sudden illness, the employee shall notify the district [consistent with the reporting time established by the district] [at least 24 hours in advance] [before the start of the employee's shift], or when circumstances prevent the employee from providing notice as required, as soon as practicable.

[The district may discipline an employee for violating workplace policies and procedures if the employee fails to provide notice as required.]

The district shall establish a standard process to track the eligibility for sick time of a substitute.

END OF POLICY

Legal Reference(s):

~~ORS 332.507~~

~~ORS 332.507~~

ORS 342.545

ORS 342.610

ORS 653.601 ~~to~~ 653.661

ORS 659A.150 ~~to~~ 659A.186

Americans with Disabilities Act ~~of 1990~~/Americans with Disabilities Act Amendments Act, 42 U.S.C. §§ 12101-12213; ~~(2024)~~; 29 C.F.R. Part 1630 (~~2016~~2025); 28 C.F.R. Part 35 (~~2016~~2025).
Family and Medical Leave Act ~~of 1993~~, 29 U.S.C. §§ 2601-2654 (~~2016~~2024); Family and Medical Leave Act ~~of 1993~~, 29 C.F.R. Part 825 (~~2016~~).
~~Americans with Disabilities Act Amendments Act of 2008.~~

~~Cross-Reference(s):~~

~~ACA—Americans with Disabilities Act~~
~~GBDA—Mother Friendly Workplace~~
~~GCBDA/GDBDA—Family Medical Leave~~2025).

OSBA Model Sample Policy

Code: GCBDD/GDBDD

Adopted:

Sick Time *

{ORS 653.606 requires employers to “implement a sick time policy and provide notice to employees of sick time policies and procedures. OSBA does not interpret this as a requirement for school boards to adopt a policy on sick time. Rather, school districts are required to have practices and procedures to implement the requirements of this law. Having a board-adopted policy may help the district meet legal requirements. Many districts bargain aspects of this leave; policy language should not conflict with language in collective bargaining agreements.}

“Employee” means an individual who renders personal services at a fixed rate to the district if the district either pays or agrees to pay for personal services or permits the individual to perform personal services. The definition does not include volunteers, independent contractors or others excluded by law.

Employees qualify to begin earning and accruing sick time on the first day of employment with the district and are eligible to use sick time beginning on the 91st calendar day of employment with the district and may use sick time as it is accrued.

[The district employs {¹} 10 or more employees and therefore shall allow an eligible employee to access up to 40 hours of paid sick time per year. [Paid sick time shall accrue at the rate of at least one hour of paid sick time for every 30 hours the employee works, or 1-1/3 hours for every 40 hours the employee works.] [Paid sick time of 40 hours shall be {²} front-loaded to an employee at the beginning of each year.]]

OR

~~[The district employs {³} 10 or more employees and has established and invokes the “undue hardship” exception of ORS 653.621 (1)(b); therefore, 56 hours of paid sick time shall be {⁴} front loaded to an eligible employees at the beginning of each year.]~~

OR

~~[The district employs fewer than 10 employees and therefore shall provide access for an eligible employee of at least 40 hours of unpaid sick time or unpaid time off. [Unpaid sick time or time off shall accrue at the~~

¹ {If the district is located in a city with a population exceeding 500,000, the threshold is whether the district employs at least six employees working anywhere in this state.}

² {For employees employed by an employer for less than a full year, “front-load” means to assign and make available to an employee as soon as the employee becomes eligible to use sick time a number of hours of sick time that is the pro rata percentage of the hours the employee would be entitled to for an entire year based on the number of hours the employee was actually employed by the employer for the year. ORS 653.601(5)(b)}

³ {If the district is located in a city with a population exceeding 500,000, the threshold is whether the district employs at least six employees working anywhere in this state.}

⁴ {For employees employed by an employer for less than a full year, “front-load” means to assign and make available to an employee as soon as the employee becomes eligible to use sick time a number of hours of sick time that is the pro rata percentage of the hours the employee would be entitled to for an entire year based on the number of hours the employee was actually employed by the employer for the year. ORS 653.601(5)(b)}

the beginning of each year.}]

The employee may carry up to 40 hours of unused sick time from one year to the subsequent year. ⁶ An employee is limited to ~~accruing no more than 80 hours of sick time~~ ⁶ and ~~using no more than 40 hours of sick time in a year.~~]

~~[Sick time shall be taken in hourly increments]~~ ⁷ ~~[Sick time shall be taken in increments of more than one] hour[s]]~~ [Sick time may be used in increments of less than one hour] and may be used for the employee's or a family member's⁸ mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition, or need for preventive care, or for reasons consistent with qualifying Family and Medical Leave (FMLA), Paid Family and Medical Leave Insurance (PFMLI) or Oregon Family Leave (OFLA).

Sick time earned by an employee may also be used for the following reasons:

1. In the event of a public health emergency compliant with Oregon Revised Statute (ORS) 653.616;
2. ⁹ ~~[To donate accrued sick time to another employee if the other employee uses the donated sick time for a purpose consistent with ORS 653.616;]~~
3. To donate blood in connection with a voluntary program for the donation of blood that is approved or accredited by the American Association of Blood Banks or the American Red Cross; or
4. For leave to address domestic violence, harassment, sexual assault, bias, or stalking under ORS 659A.272 (safe leave).

[When sick time is used to care for, or to deal with the death of, an individual related by blood or affinity whose close association with the district employee is the equivalent of a family relationship, the district requires an attestation form signed and submitted by the employee.]

⁵ {For employees employed by an employer for less than a full year, "front-load" means to assign and make available to an employee as soon as the employee becomes eligible to use sick time a number of hours of sick time that is the pro rata percentage of the hours the employee would be entitled to for an entire year based on the number of hours the employee was actually employed by the employer for the year. ORS 653.601(5)(b)}

⁶ {If the district chooses to limit the accrual or usage, the district must choose language in the bracketed sentence and keep this sentence in policy. The application of these limits need not be applied to employers with less than 10 employees and who front load at least 40 hours of unpaid sick time or unpaid time off at the beginning of each year used to calculate the accrual and usage of sick time or time off. (ORS 653.606 (1)(d))}

⁷ {This bracketed option only applies if the public charter school claims "undue hardship" (as is defined in OAR 839-007- 0000(7)) and front-loads 56 hours of paid sick time per year. The school may require the employee to use paid sick time in increments of more than one hour; however in the case of front-loading 56 hours of paid sick time, the school cannot require an employee to use sick time in increments that exceed four hours, however the employee may choose to do so. OAR 839-007- 0025}

⁸ "Family member" is defined in OAR 839-007-0000.

⁹ {The district must first have a policy that allows an employee to donate sick time to a coworker for this purpose. Do not keep this language if there is no policy authorizing this process.}

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The use of sick time may not lead to, or result in, an adverse employment action against the employee.

The district reserves the right, after an employee uses sick time for more than ~~three~~ ⁰ {Five} consecutive scheduled workdays, to require verification or certification in accordance with law of the need for the sick time, including a medical verification or certification¹¹ paid for by the district. If an employee fails to

provide verification or certification or fails to provide other evidence as required by the district, the employee shall be subject to appropriate disciplinary action, up to and including dismissal.

When the reason for sick time is consistent with FMLA, PFMLI or OFLA leave, sick time leave and qualifying FMLA, PFMLI or OFLA leave may run concurrently.

When the reason for sick time is consistent with ORS 332.507, sick time leave and leave pursuant to ORS 332.507 may run concurrently.

If the reason for sick time is a foreseeable absence, the district requires an employee to provide advance notice of the intention to use sick time {¹²} 10 days prior to when the requested sick time is to begin or as soon as otherwise practicable. When an employee uses sick time for a foreseeable absence, the employee shall take reasonable effort to schedule the sick time in a manner that does not unduly disrupt the operations of the district (e.g., grading deadlines, inservice training, mandatory meetings). ~~[The district may discipline an employee if the employee fails to make a reasonable effort to schedule leave in a manner that does not unduly disrupt the operations of the district.]~~

If the reason for sick time is unforeseeable, such as an emergency, accident or sudden illness, the employee shall notify the district [consistent with the reporting time established by the district] ~~[at least 24 hours in advance] [before the start of the employee's shift]~~, or when circumstances prevent the employee from providing notice as required, as soon as practicable.

~~[The district may discipline an employee for violating workplace policies and procedures if the employee fails to provide notice as required.]~~

The district shall establish a standard process to track the eligibility for sick time of a substitute. END OF POLICY

Legal Reference(s):

[ORS 332.507](#) [ORS 342.545](#) [ORS 342.610](#) [ORS 653.601 - 653.661](#) [ORS 659A.150 - 659A.186](#) [OAR 839-007-0020 - 007-0065](#)

Americans with Disabilities Act/Americans with Disabilities Act Amendments Act, 42 U.S.C. §§ 12101-12213 (2024); 29 C.F.R. Part 1630 (2025); 28 C.F.R. Part 35 (2025).

Family and Medical Leave Act, 29 U.S.C. §§ 2601-2654 (2024); Family and Medical Leave Act, 29 C.F.R. Part 825 (2025).

¹⁰ {This number can be increased, but not decreased. Review any applicable collective bargaining agreements.}

¹¹ In the case of need for leave under ORS 659A.272, the district may not require the verification or certification to explain the nature of the illness or details related to the domestic violence, sexual assault, harassment, bias, or stalking, which necessitates the use of sick time.

¹² {ORS 653.621(3): "...not to exceed 10 days"}

9. Future Board Meeting Agenda Items

9.A. Work Session

9.B. Regular Meeting

10. Adjournment