Board Member Qualifications

A person is eligible to serve as a Board member if he or she is a qualified elector of the district. An “elector” means an individual qualified to vote under Section 2, Article II of the Oregon Constitution. The individual must be 18 years of age or older, registered to vote at least 20 calendar days immediately preceding any election in the manner provided by law and must have been a resident within the district for one year immediately preceding the election or appointment. If the district and the position sought is one elected or nominated by zone, the person must also reside in the zone from which the person is nominated except as authorized by law.

No person who is an employee of the district is eligible to serve as a Board member while so employed. A person who is an employee of a public charter school may not serve as a member of the Board of the district in which the public charter school that employs the person is located.

END OF POLICY

Legal Reference(s):

1 “Elector” means an individual qualified to vote under Article II, section 2, Oregon Constitution.
Oregon Constitution, Article II, Section 2.

Cross Reference(s):
BBE - Vacancies on the Board
Advisory Committees to the Board

In an ongoing effort to increase communication with the public and to provide for community involvement, the Board may appoint advisory committees which include community members to consider matters of districtwide importance. The Board shall have no permanent or standing advisory committees other than those required by statute.

Recommendations of such committees will be given careful consideration by the Board, but such recommendations will not relieve the Board of its legal responsibility to make final decisions about such matters.

All meetings of advisory committees shall be considered open meetings. The press may attend and report proceedings. Visitors shall sit apart from the committee members and shall speak only when invited to do so by the committee chair.

The composition of advisory committees to the Board will be broadly representative and will take into consideration the specific tasks assigned to the committee. The process for the appointment of community members to an advisory committee will be determined by the Board. When requested and approved by the Board, appointment of staff members, when appropriate, will be made by the superintendent.

The Board will adopt guidelines for each committee as appropriate, which will include, but not be limited to, the following:

1. The committee’s written charge which shall include, but not be limited to, a statement of purpose and responsibility;
2. The resources the Board will provide;
3. The length of time the committee is asked to serve and the approximate date(s) on which the Board wishes to receive the committee report(s).

Except as specifically provided by the Board, citizen advisory committees will cease to function when their reports have been received by the Board or when the purposes for which they were established have been accomplished or cease to be relevant.

The Board may be represented on lay and professional committees that serve the Board in an advisory capacity, with specific Board members appointed by the Board chair, but normally such Board members will function as ex-officio members of the committees. The Board’s responsibility cannot be delegated or...
surrendered to others; therefore, all recommendations of an advisory committee must be submitted to the Board for action and must be recognized as advisory in nature.

{This following section is recommended for immediate adoption for districts with more than 10,000 ADM. For districts with an ADM of 10,000 or less, this is recommended for adoption prior to September 15, 2025.}

**Educational Equity Advisory Committee**

The duties of the district’s educational equity advisory committee shall include:

1. Advising the Board about the educational equity impacts of policy decisions;

2. Advising the superintendent about the educational equity impacts of policy decisions; and

3. Informing the Board and superintendent when a situation arises in a district school that negatively impacts underrepresented students and advising the Board and superintendent on how best to handle that situation.

The educational equity advisory committee may prepare an annual report that:

1. Contains the following information:
   a. The successes and challenges the district has experienced in meeting the educational equity needs of students in the district;
   b. Recommendations the committee made to the Board and superintendent, and the actions that were taken in response to those recommendation; and
   c. Any other information required by the State Board of Education.

2. Is made available by being:
   a. Distributed to parents of district students;
   b. Posted on the district’s website;
   c. Presented to the Board in at a board meeting with adequate opportunity for public comment; and
   d. Sent to the State Board of Education.

The educational equity advisory committee shall be appointed by the Board and superintendent and must be composed of parents, employees, students and community members from the district. For the purposes of selecting members, the Board and superintendent:

1. Shall solicit name of possible members from the community;

2. Must ensure that membership is primarily representative of underserved student groups;

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1 District with ADM over 10,000 must convene an educational equity advisory committee no later than September 15, 2022. Districts with ADM of 10,000 or under are not required to convene an educational equity advisory committee until September 15, 2025.

2 Additional information on the formation, membership and responsibility of the committee can be found in OAR 581-022-2307.

Advisory Committees to the Board – BCF

Page 4 of 60
3. May not exclude members based on immigration status; and

4. Must comply with any other requirements established by the State Board of Education.

A member of the educational equity advisory committee will also serve on the school district budget committee.¹

END OF POLICY

Legal Reference(s):

¹ The district is not required to add an educational equity advisory committee member to the budget committee until there is a non-school board member vacancy on the budget committee.
Advisory Committees to the Board – BCF

4-4
The Board has the authority to act only when a quorum is present at a duly called regular, special or emergency meeting. “Meeting” means the convening of a quorum of the Board as the district’s governing body to make a decision or to deliberate toward a decision on any matter. This includes meeting for the purpose of gathering information to serve as the basis for a subsequent decision or recommendation by the Board, i.e. a work session. “Meeting” does not include any on-site inspection of any project or program the attendance of members of the Board at any national, regional or state association to which the Board or its members belong.

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

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

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

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

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

4 [When telephone or other electronic means of communication is used during a meeting open to the public, the Board shall make at least one place available to the public where, or at least one electronic means by which, the public can listen during the meeting. At all meetings of the Board open to the public, the public will be provided an opportunity, to the extent reasonably possible, to access and attend the meeting by telephone, video or other electronic or virtual means. If in-person oral testimony (or public comment) is allowed, the public will be provided, to the extent reasonably possible, an opportunity to submit oral testimony during the meeting, at the designated portion of the agenda, by telephone, video or other electronic or other means. If in-person written testimony is allowed, the public will be provided, to the extent reasonably possible, an opportunity to submit written testimony including by email or other electronic means, so that the Board is able to consider the submitted testimony in a timely manner.]
All Board meetings, including Board retreats and work sessions, will be held within district boundaries, except as allowed by law. The Board may attend training sessions outside the district boundaries but cannot deliberate or discuss district business. No meeting will be held at any place where discrimination on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, age or national origin is practiced.

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

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

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

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

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

1. Regular, Special and Emergency Meetings

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

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

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

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

\[6\] 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.
members, the news media which have requested notice, and the general public for any special meeting.

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

2. Communications Outside of Board Meetings

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

Communications outside of a Board meeting may contain:

a. Communications to, between or among members of a governing body that are:

(1) Purely factual or educational in nature and that convey no deliberation or decision on any matter that might reasonably come before the Board (including agendas and information concerning agenda items);

(2) Not related to any matter that, at any time, could reasonably be foreseen to come before the Board for deliberation and decision; or

(3) Nonsubstantive in nature, such as communication relating to scheduling, leaves of absence and other similar matters; or

b. Individual responses to questions posed by community members, subject to other limitations in Board policy.

[E-mails sent to other Board members will have the following notice:

*Important: Please do not reply or forward this communication if this communication constitutes a decision or deliberation toward a decision between and among a quorum of a governing body which could be considered a public meeting. Electronic communications on district business are governed by public meetings law.*]

3. Private or Social Meetings

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

4. Work Sessions

The Board may use regular or special meetings for the purpose of conducting work sessions to provide its members with opportunities for planning and thoughtful discussion. Work sessions will be conducted in accordance with state law on public meetings, including notice and minutes. [The
Board [may make] [is discouraged from making] official decisions during a work session. [Generally, Boards do not take official action during work sessions, although there is no legal prohibition to do so.]

5. Executive Sessions

Executive sessions may be held [as an agenda item] during regular, special or emergency meetings for a reason permitted by law. [(See Board policy BDC - Executive Sessions)]

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

[8][Mandatory Training]

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

END OF POLICY

Legal Reference(s):

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

8 {This is required for Board members in districts with total expenditures for a fiscal year of $1 million or more. This number will be reviewed by OGEC at least once every five years. If the district has total expenditures of less than $1 million, this language can be kept, but “shall” should be replaced with “is encouraged to.”}


House Bill 2805 (2023).
Executive Session

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

An executive session may be included as an agenda item convened by order of an existing meeting [in accordance with the Board policy BDDC – chair, upon request of three Board Meeting Agenda members or held as its own meeting. Proper notice is required.

If open session is held prior to the executive session, then by common consent of the Board for a purpose authorized under Oregon Revised Statute (ORS) 192.660 during a regular, special or emergency meeting. The presiding officer will announce the executive session by identifying the authorization under Oregon Revised Statute (ORS) 192.660 or ORS 332.061 for holding such session and by noting the subject of the executive session.

The Board may hold an executive session:

1. To consider the employment of a public officer, employee, staff member or individual agent. (ORS 192.660(2)(a))
2. To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing. (ORS 192.660(2)(b))
3. To conduct deliberations with persons designated by the governing body to carry on labor negotiations. (ORS 192.660(2)(d))

\* This provision does not apply to the filling of a vacancy in elective office or on any public committee, commission or other advisory group; or for the consideration of general employment policies. Prior to holding an executive session under ORS 192.660(2)(a), the Board must ensure:
   a. The vacancy has been advertised;
   b. Regular hiring procedures have been adopted;
   c. If hiring an officer, the public has had the opportunity to comment on the employment of the officer; and
   d. If hiring a chief executive officer, the Board has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

\* To determine whether the individual involved is considered a public officer, consult with legal counsel.
4. To conduct deliberations with persons designated by the governing body to negotiate real property transactions. (ORS 192.660(2)(e))

5. To consider information or records that are exempt by law from public inspection. (ORS 192.660(2)(f))

6. To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. (ORS 192.660(2)(h))

7. To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing. (ORS 192.660(2)(i))

8. To consider matters relating to school safety or a plan that responds to safety threats made toward a school. (ORS 192.660(2)(k))

9. To consider matters relating to the safety of the governing body and of public body staff and volunteers and the security of public body facilities and meeting spaces. (ORS 192.660(2)(o))

10. To consider matters relating to cyber security infrastructure and responses to cyber security threats. (ORS 192.660(2)(p))

11. To review the expulsion of a minor student from a public elementary or secondary school. (ORS 332.061(1)(a))

12. To discuss matters pertaining to or examination of the confidential records of a student. (ORS 332.061(1)(b))

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

1. Deliberations with persons designated by the Board to carry on labor negotiations;

13. Hearings on the expulsion of a minor student or examination of the confidential records of a student; and

14. Current litigation or litigation likely to be filed if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.

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

Minutes shall be kept for all executive sessions.

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

ORS 192.660  ORS 332.045  ORS 332.061

Oregon Government Ethics Commission, Staff Advisory Opinion No. 22-106S
House Bill 2806 (2023)

Cross Reference(s):

BD/BDA - Board Meetings/Regular Board Meetings
BDDA - Notification of Board Meeting
BDDG - Minutes of Board Meetings
CBG - Evaluation of the Superintendent
Student Transportation in Private Vehicles and Charter Buses

Transportation of students will be by the district’s transportation system or as indicated below.

Private Vehicles

School district employees and parents may be permitted to use private vehicles to transport students on field trips or other school activities under the following conditions:

1. The school administrator has approved the activity;
2. A permission slip signed by each student’s parent(s)/guardian(s) has been received by the principal or his or her designee, granting permission for the student to participate in the field trip and to ride in a privately-owned automobile.

Transportation of students for non-curricular activities and athletic events, when possible, will be provided by Redmond School District Transportation Services certified drivers. However, if students are not provided transportation by Redmond School District certified drivers, students are required to provide and arrange for their own transportation to the location where the non-curricular activity or athletic event will take place. Redmond School District assumes no liability for transportation that is provided by the student or the student’s parent to such non-curricular activities or athletic contests, practices or activities, regardless of whether school is in or out of session. Instructional field trips and special activities are subjected to all District policies and administrative regulations will be enforced on all field trips and school sponsored tours and activities, including those in another city or state. Trips and activities that require private transportation must adhere to these policies.

Charter Buses

Students may be transported by charter buses under the following conditions:

1. The school administrator has approved the activity;
2. A permission slip signed by each student’s parent(s)/guardian(s) has been received by the principal or his or her designee, granting permission for the student to participate in the field trip and to ride in a Charter bus;
3. Charter bus companies must provide proof of pre-employment screening (drug/alcohol testing, criminal background checks) for its drivers. An insurance certificate must be provided, and the Charter bus company must have met criteria as established by the Oregon Department of Education. This information must be on file at Transportation Services.

END OF POLICY

Legal Reference(s):
Cross Reference(s):

IICA - Field Trips and Special Events
Student Transportation in Private Vehicles

The following requirements must be met for transportation of students in private vehicles:

1. Students will be transported in private vehicles only for school activities;
2. Drivers must be at least 18 years of age;
3. If transporting one student that is not the driver’s student, two adults should be present in the vehicle.
4. Drivers must be properly licensed to drive;
5. Drivers must provide proof of valid vehicle liability insurance meeting or exceeding the minimum requirements as established by the state of Oregon and/or the district. Drivers acknowledge that in the event of an accident, the vehicle’s insurance will provide primary coverage;
6. The vehicle must contain an adequate number of seat restraints, including when applicable, a child safety system for a child who weighs less than 40 pounds, regardless of age. The child safety system must elevate the person so that a safety belt or safety harness properly fits the individual and meets the minimum standards and specifications of law. A person over 40 pounds or who has reached the upper weight limit for the forward-facing car seat must use a booster seat until four feet nine inches or age eight and the adult belt properly fits. A person who is taller than four feet nine inches or eight years of age or older must be properly secured with a safety belt or harness that meets the requirements under Oregon Revised Statute (ORS) 815.055. Training in the proper installation and use of child safety system may be required. It is recommended that students 12 years of age or younger do not ride in the front seat. The driver must require all students use safety restraint systems at all times when transported in the vehicle.
Local Wellness Program

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

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

The district superintendent or designee shall establish a Wellness Advisory Committee to advise the district in the development, review and update of the local wellness policy.

POLICY IMPLEMENTATION, MONITORING, ACCOUNTABILITY AND COMMUNITY ENGAGEMENT

Implementation

The district shall manage and coordinate the implementation of this local wellness policy. Implementation will consist of, but not be limited to, the following:

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

**Record Keeping**

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

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

**Notification of Policy**

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

**Triennial Progress Assessments**

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

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

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

\(^1\) [Model Wellness Policy resource published by the Alliance for a Healthier Generation. OSBA makes no representation of its compliance by providing this resource.]

Page 19 of 60
Community Involvement, Outreach and Communications (Review of, and Updating Policy)²

The district will actively communicate ways in which the community can participate in the development, implementation and periodic review and update of the local wellness policy. The district will communicate information about opportunities on the district’s website, and/or in district or school communications. The district will ensure that communications are culturally and linguistically appropriate to the community.

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

Nutrition Promotion and Nutrition Education

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

Nutrition promotion and nutrition education shall be a sequential and integrated focus on improving students’ eating behaviors, reflect evidence-based strategies and be consistent with state and local district health education standards.

The District recognizes that school gardens can improve student health and wellness, instill the value of healthy eating, increase physical activity, improve student achievement, and create highly engaging, interactive, and hands-on learning environments. The District supports the use of school gardens as a hands-on teaching environment to enliven standards-based curriculum and provide tangible ways for parents and families to contribute to the school community.

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

1. Students and staff will receive consistent nutrition messages throughout the school environment;

2. Nutrition education is provided throughout the student’s school years as part of the district’s age-appropriate, comprehensive nutrition program (which includes the benefits of healthy eating, essential nutrients, nutritional deficiencies, principles of healthy weight management, the use and misuse of dietary supplements, safe food preparation, and handling and storage related to food and eating), and is aligned and coordinated with the Oregon Health Education Standards and school health education programs;

3. Nutrition education will include culturally relevant, participatory activities that include social learning strategies and activities that are aligned and coordinated with the Oregon Health Education Standards and school health education programs.

Suggested resources include the USDA Local school wellness policy outreach toolkit and communication resource from Alliance for a Healthier Generation.²

² USDA Local school wellness policy resource; CDC resource; CDC Healthy Schools resource; USDA Local school wellness policy outreach toolkit and communication resource from Alliance for a Healthier Generation.
organizations are involved, to the extent practicable, in nutrition education. Schools are encouraged to consider the cafeteria as an integral part of the learning environment;

4. Teachers will receive curriculum-specific training;

5. Parents and families are encouraged through school communications to send healthy snacks/meals and reusable water bottles with their student to school;

6. Families and community organizations are involved, to the extent practicable, in nutrition education;

67. Nutrition education homework that students can do with their families is provided (e.g., reading and interpreting food labels, reading nutrition-related newsletters, preparing healthy recipes).

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

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

1. Information about available meal programs is distributed prior to or at the beginning of the school year and at other times throughout the school year;

2. Information about availability and location of a Summer Food Service Program (SFSP) is distributed;

3. Families are invited to attend exhibitions of student nutrition projects, school garden activities where applicable, or health fairs;

School Meals

Schools within the district participate in U.S. Department of Agriculture (USDA) child nutrition program(s), administered through the Oregon Department of Education (ODE) which may include the NSLP, the SBP, Fresh Fruit & Vegetable Program (FFVP), Summer Food Service Program (SFSP). The district also operates additional nutrition-related programs and activities including Farm-to-School programs, school gardens, Breakfast in the Classroom, Mobile Breakfast carts or Grab ‘n’ Go Breakfast.

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

The district values minimally processed, culturally relevant foods with high nutritional value that are low in sugar and artificial ingredients, and that fulfill students’ needs. The district will make reasonable efforts to purchase minimally-processed produce, meat, and dairy from local farmers and vendors. The district will be mindful of the recommendation that added sugar should account
for less than 10% of daily calories. To that end, individual schools may limit the days per week flavored milk is offered in the lunch program.

The School cafeterias should be branded and decorated in a way that creates a pleasant setting for students to socialize and eat meals that is reflective of the student body. After obtaining food, it is recommended that students have at least 10 minutes of seat time for breakfast and 20 minutes of seat time for lunch.

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

**Water**

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

**Competitive Foods and Beverages**

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

Caffeinated beverages sold or offered to students on the high school campus during the school day shall not exceed 50mg of caffeine per 12 ounces.

**Celebrations and Rewards/Incentives**

All foods and beverages offered on the school campus are encouraged to meet the nutrition standards set by the USDA and the Oregon Smart Snacks Standards and students’ dietary needs. This includes, but is not limited to, celebrations, parties, and classroom snacks, including those brought by families. The district will provide lists and resources for families and schools for foods that meet Smart Snack Standards. Non-food rewards are highly encouraged.

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3 [https://www.cdc.gov/nutrition/php/data-research/added-sugars.html#cdc_data_surveillance_section_3-recommendations](https://www.cdc.gov/nutrition/php/data-research/added-sugars.html#cdc_data_surveillance_section_3-recommendations)

4 [https://www.cdc.gov/healthyschools/nutrition/school_lunch.htm](https://www.cdc.gov/healthyschools/nutrition/school_lunch.htm)


Due to concerns about food safety and food allergies, no food will be brought into the classroom for birthday celebrations. Students may be recognized on their birthdays in other ways. The District will provide lists and resources for non-food celebration ideas.

**Food and Beverage Marketing in Schools**

Moving forward, food and beverages marketed to students in the school buildings will be Smart Snack Compliant.

**Physical Activity and Physical Education**

A quality physical education program is an essential component for all students to learn about and participate in physical activity. The district will develop and assess student performance standards and program minute requirements in order to meet ODE’s physical education content standards and state law. Physical activity should be included in the school’s daily education program for grades [pre-]K through 12 and include regular, instructional physical education, as well as co-curricular activities and recess.

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

1. Physical education will be a course of study that focuses on students’ physical literacy and development of motor skills;
2. Staff encourages and provides support for parental and familial involvement in their children/student’s physical education;
3. Physical education courses will be the environment where students learn, practice and are assessed on developmentally appropriate knowledge, skills and confidence to become physically literate;

Instruction, provided by adequately prepared teachers, i.e., licensed or endorsed to teach physical education, will meet the state adopted academic content standards for physical education (Oregon Revised Statute (ORS) 329.045). Teachers of physical education shall regularly participate in professional development activities annually;

1. Physical activity will be integrated across curricula and throughout the school day.
2. Physical activity during the school day (including, but not limited to, recess, classroom physical activity breaks or physical education) will not be used as a punishment.
3. Physical activity is encouraged to be incorporated into the school day and school-community events.

**Other Activities that Promote Student Wellness**

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

**Employee Wellness**

The district encourages staff to pursue a healthy lifestyle that contributes to their improved health status, improved morale and a greater personal commitment to the school’s overall wellness program. Many actions and conditions that affect the health of staff may also influence the health and learning of students. The physical and mental health of staff is integral to promoting and protecting the health of students and helps foster their academic success. The district’s Employee Wellness Program will promote health, reduce risky behaviors of employees and identify and correct conditions in the workplace that can compromise the health of staff, reduce their levels of productivity, impede student success and contribute to escalating health-related costs such as absenteeism.

The district will collaborate with community partners to identify programs, services and/or resources to complement and enrich employee wellness endeavors. Each school is encouraged to have an employee wellness committee that meets at least once a month to address employee wellness needs, concerns, and activities. Employee wellness resources are available on the District’s website. Schools in the District will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors.

The district’s Employee Wellness Program may include the following:

1. Health education and health promoting activities that focus on skill development and lifestyle behavior that change along with awareness building, information dissemination, access to facilities, and are preferably tailored to employees’ needs and interests;

2. Safe, supportive social and physical environments including organizational expectations about healthy behavior, and implementation of policy that promotes health and safety and reduces the risk of disease;

3. Linkage to related programs such as employee assistance programs, emergency care and programs that help employees balance work life and family life;

4. Education and resources to help employees make decisions about health care; and

5. Nutrition and fitness educational opportunities that may include but are not limited to, the distribution of educational and informational materials, and the arrangement of presentations and workshops that focus on healthy lifestyles, health assessments, fitness activities and other appropriate nutrition and physical activity related topics.

**Definitions**

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

3. “Oregon Smart Snacks Standards” means the State’s minimum nutrition standards for competitive foods and beverages (ORS 336.423).

4. “School day” means, for the purpose of competitive food standards implementation, the period from the midnight before, to 30 minutes after the end of the official school day.

“School campus” means, for the purpose of competitive food standards implementation, all areas of property under the jurisdiction of the school that are accessible to students during the school day.

END OF POLICY

Legal Reference(s):

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

8 Oregon Department of Education, Oregon Smart Snacks Standards
<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
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<tbody>
<tr>
<td>ORS 327.531</td>
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<td>ORS 327.537</td>
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<td>ORS 329.496</td>
<td>OAR 581-051-0100</td>
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<td>ORS 332.107</td>
<td>OAR 581-051-0305</td>
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House Bill 3199 (2023).

**Cross Reference(s):**

- EFAA - District Nutrition and Food Services
- EFC - Vending Machines and School Stores
Sick Time (SB 454) and Sick Leave (ORS 332.507)

“Employee” means an individual who is employed by the district and who is paid on an hourly, stipend or salary basis, and for whom withholding is required under Oregon Revised Statute (ORS) 316.162-316.221. The definition does not include volunteers or independent contractors.

All employees qualify to begin earning and/or accruing sick time and/or sick leave on the first day of employment with the district.

A district employing 10 or more employees shall allow an eligible employee to access up to 40 hours of paid sick time and/or sick leave per year. The district will award sick time and/or leave according to applicable Collective Bargaining Agreements and the employment categories listed below:

Licensed employees will receive one day of paid sick leave (based on FTE or full-time equivalent) per month of anticipated work, front-loaded at the beginning of each school year, with a minimum of 56 hours to be awarded. Said leave is available to use upon award and may be carried over and accumulated without limit. If an employee leaves district employment mid-year, their sick leave award will be prorated for the portion of the year worked. Up to 75 days of unused sick leave is transferable to other Oregon school districts after termination and will be reinstated after completing 30 working days in the new district, if the employee returns to district employment, except for PERS retirees. In the case of retirement, the sick leave earned but not used at the date of retirement will be reported to PERS and thus considered “used.” If the employee chooses to “work back” for the district, they will begin with a zero leave balance and receive a new leave award based on the above criteria, prorated for the portion of the year remaining. Unused leave from the “work back” period of employment will be forfeited upon termination or at the end of each school year, whichever occurs first.

Classified, confidential, administrative, and supervisory employees will accrue one day of paid sick leave (based on FTE) per month worked with accrual processed at the end of each pay period. Said leave is available to use upon accrual and may be carried over and accumulated without limit. Up to 75 days of unused sick leave is transferable to other Oregon school districts after termination and will be reinstated after completing 30 working days in the new district, except for PERS retirees. Unused sick leave is transferable to other school districts, is reportable to PERS upon termination and may be reinstated if the employee returns to district employment except for PERS retirees. In the case of retirement, the sick leave earned but not used at the date of retirement will be reported to PERS and thus considered “used.” If the employee chooses to “work back” for the district, they will begin with a zero leave balance and start accruing leave again based on the above criteria.

Professional coaches who are not volunteers and are not employed by the district in any other FTE position will be front-loaded 40 hours of sick time at the beginning of the sport’s season. Said leave is available to use immediately. Unused sick time will be forfeited at the end of each season or at the end of employment, whichever comes first, and thus will not carry forward to subsequent seasons/years. Unused sick time is not transferable to other school districts and is not reportable to PERS upon termination.
Temporary and variable hour (non-FTE) employees, such as substitutes, tutors, event workers and special program workers, shall accrue paid sick time at the rate of at least one hour for every 30 hours the employee works or .033 hours per hour worked, with accrual processed at the end of each pay period. Said leave is available to use on the 91st calendar day of employment. Up to 40 hours of accrued sick time may be carried over to the subsequent year, with a maximum accrual of no more than 80 hours and a usage limit of 40 hours per year. Unused sick time is forfeited upon termination but will be reinstated if the employee returns to district employment within 180 days of termination, and days previously worked will be credited toward the 90-day eligibility period for its use. Unused sick time is not transferrable to other school districts and is not reportable to PERS upon termination.

For full-time licensed, sick time and/or leave shall be taken in a minimum of quarter hour increments except when a licensed substitute is required, in which case sick leave must be taken in increments of four hours. (Licensed employees required to use said increments will be issued an undue hardship notice.) The sick time/leave may be used for the employee’s or a family member’s 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 Family Medical Leave Act (FMLA) or OFLA. Sick time/leave may also be used in the event of a public health emergency.

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

The district reserves the right, after three consecutive days of absence, to require proof of personal illness or injury from an employee, including a medical examination by a physician chosen and paid for by the district. An employee refusing to submit to such an examination or to provide other evidence as required by the district, shall be subject to appropriate disciplinary action, up to and including dismissal.

When the reason for sick time is consistent with FMLA/OFLA/PLO leave, the sick time and the FMLA/OFLA/PLO leave will run concurrently.

Nothing in this policy impacts the district’s sick leave obligation under Oregon Revised Statute (ORS) 332.507. When the reason for sick time is consistent with ORS 332.507, the sick time and leave pursuant to ORS 332.507 will run concurrently.

If the reason for sick time is foreseeable, the district will require the employee to provide advance notice or their intention to use sick time within 10 days of the requested sick time, or as soon as practicable. When the employee uses sick time for a foreseeable absence, the employee shall make a reasonable effort to schedule the sick time in a manner that does not unduly disrupt the operations of the district (e.g., grading deadlines, in-service training, and mandatory meetings).

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 or at least 12 hours in advance or as soon as practicable.

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1“Family member” is defined by the Oregon Family Leave Act (OFLA).
Sick time/leave will be tracked via the district’s timekeeping and payroll systems. Accrual, usage and available balances will be printed on employee pay stubs, which will be available to the employee via the district’s self-service portal. For accounting purposes, the district’s leave year will match the fiscal year (July 1 through June 30).

END OF POLICY

Legal Reference(s):

ORS 332.507  ORS 342.545  ORS 653.601 to -653.661
ORS 332.507  ORS 342.610  ORS 659A.150 to -659A.186


Cross Reference(s):

ACA - Americans with Disabilities Act
GBDA - Mother Friendly Workplace
GCBDA/GDBDA - Family Medical Leave
Homeless Students and Students in Foster Care

Homeless students and students placed in foster care (Department of Human Services child welfare custody) in the district will have access to education and other services needed to ensure that opportunities are available to meet the same academic achievement standards to which all students are held.

A liaison for students in homeless situations will be designated by the district to carry out duties as required by law. The district will also appoint a foster care point of contact to carry out duties required by law with respect to children in foster care.

The district will ensure that homeless students and students in foster care are not stigmatized nor segregated on the basis of their status as homeless or their placement in foster care. A homeless student will be admitted, as requested by the parent, guardian or unaccompanied youth and in accordance with the student’s best interest, to the student’s school of origin or the district school in the attendance area in which the homeless student is actually living. Students in foster care will remain in their school of origin unless a court determines otherwise.

Transportation will be provided to and from a homeless student’s school of origin at the request of the parent, guardian or unaccompanied youth. The student will be immediately enrolled in the district’s free meals program. Transportation will be provided to and from a foster care student’s home and court appointed school of origin in coordination with the Department of Human Services (DHS). The student will be immediately enrolled in the district’s free meals program upon receipt of notice from DHS regarding the student’s placement in foster care.

The superintendent will develop administrative regulations to implement this policy.

END OF POLICY

Legal Reference(s):

ORS 109.056
ORS 327.006
ORS 339.115(7)
ORS 339.133
ORS 433.267

Compulsory Attendance**

Except when exempt by Oregon law, all children students between ages 6 and 18 who have not completed the 12th grade are required to regularly attend a public, full-time school during the entire school term. Persons having legal control of a child between the ages 6 and 18, who has not completed the 12th grade, are required to have the child attend and maintain the child in regular attendance during the entire school term.

All children students five years of age who have been enrolled in a public school are required to attend regularly while enrolled in the public school.

Persons having legal control of a child student between ages 6 and 18, who has not completed the 12th grade, are required to have the student attend and maintain the student in regular attendance during the entire school term. Persons having legal control of a student, who is five years of age and has enrolled the child in a public school, are required to have the child student attend and maintain the child in regular attendance during the school term.

Attendance supervisors shall monitor and report any violation of the compulsory attendance law to the superintendent or designee. Failure to send a student and to maintain a student in regular attendance is a Class C violation.

The district will develop procedures for issuing a citation.

A parent who is not supervising their child student by requiring school attendance may also be in violation of Oregon Revised Statute (ORS) 163.577 (1)(c); failing to supervise a child is a Class A violation.

Exemptions from Compulsory School Attendance

In the following cases, children students shall not be required to attend public, full-time schools:

1. Students being taught in a private or parochial school in courses of study usually taught in grades kindergarten through grade 12 in the public schools, and in attendance for a period equivalent to that required of students attending public schools.
2. **Children Students** proving to the Board’s satisfaction that they have acquired equivalent knowledge to that acquired in the courses of study taught in grades kindergarten through grade 12 in the public schools.

3. **Children Students** who have received a high school diploma or a modified diploma.

4. **Children Students** being taught, by a private teacher, the courses of study usually taught in grades kindergarten through grade 12 in the public school for a period equivalent to that required of students attending public schools.

5. **Children Students** being educated in the home by a parent or guardian or private teacher:
   a. When a student is taught or is withdrawn from a public school to be taught by a parent or private teacher, the parent or teacher must notify the High Desert Education Service District (HDESD) in writing within 10 days of such occurrence. In addition, when a home-schooled student moves to a new ESD, the parent shall notify the new ESD in writing, within 10 days, of the intent to continue home schooling. The ESD superintendent or designee shall acknowledge receipt of any notification in writing within 90 days of receipt of the notification. The ESD is to notify, at least annually, school districts of home-schooled students who reside in their district.
   b. Each child student being taught by a parent or private teacher shall be examined no later than August 15, following grades 3, 5, 8 and 10:
      (1) If the student was withdrawn from public school, the first examination shall be administered at least 18 months after the date the student withdrew; student would not be required to participate in examinations within the 18-month period following the date of withdrawal.
      (2) If the child student never attended public or private school, the first examination shall be administered prior to the end of grade 3½.
      (3) Procedures for homeschooling home-schooled students with disabilities are set out in Oregon Administrative Rule (OAR) 581-021-0029.
   c. Examinations testing each child student shall be from the list of approved examinations from the State Board of Education;
   d. The examination must be administered by a neutral, individual qualified to administer tests on the approved list provided by the Oregon Department of Education;
   e. The person administering the examination shall score the examination and report the results to the parent. Upon request of the ESD superintendent or designee, the parent shall submit the results of the examination to the ESD;
   f. All costs for the test instrument, administration and scoring are the responsibility of the parent;
   g. In the event the ESD superintendent or designee finds that the child student is not showing satisfactory educational progress, the ESD superintendent shall provide the parent with a written statement of the reasons for the finding based on the test results and shall follow the guidelines in Oregon Revised Statutes and Oregon Administrative Rules.

6. Children whose sixth birthday occurred on or before September 1 immediately preceding the beginning of the current school year, if the parent or guardian notified the child’s resident district in writing that the parent or guardian is delaying the enrollment of their child for one school year to
better meet the child’s needs for cognitive, social or physical development, as determined by the parent or guardian.

7. Children who are present in the United States on a nonimmigrant visa and who are attending a private, accredited English language learner program in preparation for attending a private high school or college.

8. Students excluded from attendance as provided by law.

9. Students who are eligible military children are exempt up to 10 days after the date of military transfer or pending transfer indicated in the official military order.

10. An exemption may be granted to the parent or guardian of any child 16 or 17 years of age who is lawfully employed full-time, or who is lawfully employed part-time and enrolled in school, a community college or an alternative education program as defined in ORS 336.615.

11. An exemption may be granted to any child who is an emancipated minor or who has initiated the procedure for emancipation under ORS 419B.550 to 419B.558.

END OF POLICY

Legal Reference(s):

1 “Military child” means a child who is in a military family covered by the Interstate Compact on Educational Opportunity for Military Children, as determined under rules adopted by the State Board of Education.
| ORS 153.018 | ORS 339.990 | OAR 581-021-0026 |
| ORS 163.577 | ORS 807.065 | OAR 581-021-0029 |
| ORS 339.010 - 339.095 | ORS 807.066 | OAR 581-021-0076 |
| ORS 339.139 | OAR 581-021-0077 |
Student Conduct on School Buses

The following regulations will govern student conduct on school buses and Type 10 and 20 School Activity Vehicles if used for transporting students from home to school, school to home and to/from district-sponsored activities and will be posted in a conspicuous place in all buses:

1. Students being transported are under authority of the bus driver.
2. Fighting, wrestling or boisterous activity is prohibited on the bus.
3. Students will use the emergency door only in case of emergency.
4. Students will be on time for the bus, both morning and evening.
5. Students will not bring animals (except approved assistance guide dogs), firearms, weapons, drugs or drug paraphernalia, or other potentially hazardous or illegal material on the bus.
6. Students will remain seated while bus is in motion.
7. Students may be assigned seats by the bus driver.
8. When necessary to cross the road, students will cross in front of the bus or as instructed by the bus driver.
9. Students will not extend their hands, feet, arms or heads through bus windows.
10. Students will have written permission to leave the bus other than for home or school. A district issued bus pass is required.
11. Students will converse in normal tones; loud or vulgar language is prohibited.
12. Students will not open or close windows without permission of driver.
13. Students will keep the bus clean and must refrain from damaging it.
14. Students will be courteous to the driver, fellow students and passersby.
15. Students who refuse to promptly obey the directions of the driver or refuse to obey regulations may forfeit their privilege to ride on the buses.
The superintendent will establish other regulations as necessary for the safe conduct of students riding district school buses or other forms of district transportation and for disciplinary procedures. Such regulations will be available to all parents and students and posted in each school bus or other district vehicle. Students who violate bus rules of conduct may be denied the use of district transportation.

END OF POLICY

**Legal Reference(s):**

<table>
<thead>
<tr>
<th>ORS 339.240</th>
<th>OAR 581-021-0050 to- 0075</th>
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<td>ORS 339.250</td>
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<td>ORS 820.100 - 820.190</td>
<td>OAR 581-053-0002</td>
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</table>


**Cross Reference(s):**

EEA - Student Transportation Services  
JFCB - Care of District Property by Students
Discipline Procedures for District-Approved Student Transportation

All students eligible for district-approved student transportation shall receive safety instruction and a code of conduct.

Violation of the code of conduct or conduct which jeopardizes the health/safety of self and/or others may result in the loss of district-approved transportation services.

The following procedures address:

- Safety instructions;
- Code of conduct;
- Violations;
- Suspension;
- Expulsion;
- Right of appeal;
- Reinstatement;
- Education;
- Special education students.

1. Safety Instructions
   a. Within the first six weeks of each half of the school year the transportation supervisor will direct all bus drivers to conduct a safety review with all students who are regularly transported by the district.
      
      (1) Safe school bus riding procedures, including but not limited to loading, unloading, crossing etc.;
      (2) Use of emergency exits; and
      (3) Planned and orderly evacuation of the school bus in case of emergency, including participation in actual evacuation drills.

   b. At least once in the first half of each school year the transportation supervisor will direct all bus drivers to conduct a safety review with all other students.
      
      (1) The drivers shall review safe bus riding procedures.
      (2) The drivers shall review use of emergency exits.
c. The transportation supervisor will record dates and content of safety instructions by each driver. Such information shall be kept as a part of the district’s records.

2. Code of Conduct

a. Each year the district will include the following transportation rules in the student/parent handbook.

(1) The district will provide interpretation to those students/parents whose primary language is not English.

(2) In addition to rules stated in Policy EEACC:

(3) While riding a school bus or type 10/20 activity vehicle, students will:

(a) Obey the driver at all times;
(b) *Not throw objects in the bus or out windows;
(c) *Not have in their possession any weapon as defined by Board policy JFCJ - Weapons in the Schools;
(d) *Not fight, hit, slap, wrestle or scuffle;
(e) *Keep all body parts and bodily fluids and personal property to self;
(f) *Not stand up and/or move from seats until you are at your bus stop or instructed by the driver;
(g) Sit properly in a safe manner, seat to seat, back to back, feet on the floor, stay out of the isle;
(h) *Not extend hands, head, feet or objects from windows or doors;
(i) Not apply perfumes, body sprays, essential oils, or other such items;
(j) *Not possess matches or other incendiaries and concussion devices;
(k) *Use emergency exits only as directed by the driver;
(l) *Not damage school property or the personal property of others;
(m) *Not threaten or physically harm the driver, monitor, or other riders;
(n) *Not do any disruptive activity which might cause the driver to stop the bus in order to reestablish order;
(o) *Not make disrespectful or obscene statements, or use foul language;
(p) *Not possess and/or use tobacco, alcohol or illegal drugs (including e-cigarettes and vaping);
(q) Not eat, drink, or chew gum;
(r) Not carry glass containers or other glass objects, balloons, or any project or object with the potential to spill;
(s) Not take onto the bus skateboards, longboards, scooters, musical instruments or other large projects or objects which might pose safety risks or barriers to safe entry and exit from the bus or driving the bus;
(t) Accept assigned seats;
(u) Follow cell phone policy from student handbook. In addition, students may use cell phone while on the bus to listen to music, but must use earbuds/headphones. Cell phone must be kept out of sight. No taking pictures, videos, making calls, handing to others, sharing content, etc.
(v) Stay away from the bus when it is moving;
(w) Be standing at the bus stop five minutes before the scheduled depart time, no waiting in car, home, etc.;
(x) *Only use Transportation assigned bus stop;
(y) **Answer to coaches, teachers and chaperons who are responsible for maintaining order on trips.

* These regulations, if broken, are SEVERE violations with severe consequences because of the threat to the safety of yourself or others.

** Coaches, teachers and chaperons: (1) must have a copy of the bus regulations and know them before going on a trip; and (2) must position themselves on the bus as to be in control of discipline at all times.

3. Violations

Each year the district will include the following procedures for violations in the student/parent handbook.

The district will provide interpretation to those students/parents whose primary language is not English.

DISCIPLINARY PROCEDURES FOR VIOLATIONS

First Referral - Warning: The driver verbally restates behavior expectations and issues a warning referral. The driver may assign the student to a particular seat.

Second Referral: The student is suspended from the bus for two days.

Third Referral: The student receives a three-day suspension.

Fourth Referral: The student receives a 10-day suspension.

Severe Violations: Any severe violation may result in the immediate suspension of the student for a minimum of 10 days, and up to a 1-year expulsion.

In all instances, the appeal process may be used if the student and/or parent desires.

Definitions

“Suspension” means any disciplinary removal, other than expulsion, for up to 10 school days.

“Expulsion” means any disciplinary removal beyond 10 school days up to one calendar year.
APPEAL PROCEDURE

If a student or parent wishes to appeal the application of the discipline policy, the steps outlined below should be used. If the student or parent wishes to complain about a school employee’s decision.

Step 1: The student or their representative will discuss the issue with the transportation supervisor and principal.

Step 2: If the student is not satisfied with the outcome of the discussion, they may file a written statement with the principal and transportation supervisor. This is to be done within 10 school days of the act or condition which is the basis of the complaint. The administration will, within three school days, arrange a conference for the student, parent, transportation supervisor and the principal, with the goal of resolving the issue.

Step 3: Within five school days, the principal is to communicate, in writing, the decision to the student and the student’s parents.

Step 4: If, after five school days from receipt of the principal’s reply, the issue still remains unresolved, the student may submit the matter in writing to the superintendent. The superintendent will meet with the student within three school days and will respond to the issue, in writing, within five school days after the appeal.

Step 5: If the issue is still unresolved, the student may appeal to the Board. The Board will notify persons involved that a hearing will be held within 14 days of receipt of the appeal. The Board shall review correspondence, hear relevant facts and respond to the student within three school days following the hearing.
CONTENTS

BBBA – Board Member Qualifications, Optional
BCF – Advisory Committees to the Board, Optional
CB – Superintendent, Highly Recommended
CBC – Superintendent’s Contract, Optional
CPA - Layoff and Recall for Administrators, Highly Recommended
CPA-AR – Layoff and Recall for Administrators, Highly Recommended
DBEA – Budget Committee, Highly Recommended, (versions 1 & 2)
EFA – Local Wellness, Required
EFA-AR - Local Wellness Program, Recommend Delete
EH – Records and Data Management, Optional
EH-AR – Records and Data Management, Optional
GBEA – Workplace Harassment *, Required
GCAA – Standards for Competent and Ethical Performance of Oregon Educators, Optional
GCBDB/GDBDB – Early Return to Work, Highly Recommended
GCDA/GDDA-AR – Criminal Records Checks and Fingerprinting, Required
GCPA - Reduction or Recall of Licensed Staff *, Optional
GCPA-AR – Reduction or Recall of Licensed Staff, Optional
GCQB – Research, Optional
GDA – Instructional Assistants, Optional
IFE - Curriculum Guides and Course Outlines, Optional
IGAC – Religion and Schools, Optional
IGAI – Human Sexuality, AIDS/HIV, Sexually Transmitted Diseases, Health Education**, Highly Recommended
IGBAF – Special Education – Individualized Education Program (IEP), Required
IGBAF-AR – Special Education - Individualized Education Program (IEP), Required
IGBB – Talented and Gifted Program and/or Services, Required
IGBB-AR – Complaints Regarding the Talented and Gifted Program and/or Services, Optional
IGBBA – Talented and Gifted Students - Identification, Required
IGBBA-AR – Appeal Procedure for Talented and Gifted Student Identification and Placement, Optional
IGBBC - Talented and Gifted – Programs and Services, Recommend delete in lieu of other revisions
IGBBC-AR - Complaints Regarding the Talented and Gifted Program, Recommend delete or recode to IGBB-AR and revise as recommended or per district practice
IGBHE – Expanded Options Program**, Highly Recommended
IGDJ – Interscholastic Activities**, Required
BOARD MEMBER QUALIFICATIONS

Summary

The revisions to BBBA are made to better align with the criteria stated in statute and in the Oregon Constitution to be an elector for a member of a school board.

Collective Bargaining Impact

None

Local District Responsibility

Revise and readopt optional policy BBBA – Board Member Qualifications if present in the Board’s policy manual.

Policy(ies) and ARs Impacted by these Revisions

BBBA – Board Member Qualifications, Optional

SUPERINTENDENT

Summary

With passage of Senate Bill 1521 (2022), there are new provisions in law to consider when issuing a superintendent’s contract and when district school boards are making decisions related to operation of the district. The entire SB can be accessed here.

Collective Bargaining Impact

None

Local District Responsibility

Update policies with the recommended revisions if they are present in the Board’s policy manual and submit to the Board for readoption.

Policy(ies) Impacted by these Revisions

CB – Superintendent, Highly Recommended
CBC – Superintendent’s Contract, Optional
ADVISORY COMMITTEES TO THE BOARD

Summary

Senate Bill 732 was passed in the 2021 Legislative session requiring districts to establish an educational equity advisory committee. The bill outlines the responsibilities and makeup of the committee. For districts with an ADM over 10,000 the committee must convene no later than September 15, 2022. For districts with an ADM of 10,000 or less, the committee must convene no later than September 15, 2025. At least one member of the educational equity advisory committee needs to be appointed to the budget committee. This would happen when a position becomes open, it does not establish an additional budget committee member.

Collective Bargaining Impact

None

Local District Responsibility

If the district has previously adopted the highly recommended policy DBEA – Budget Committee and/or the optional policy BCF – Advisory Committees to the Board, review and consider revising the policy and submit to the Board for readoption.

Policy(ies) and ARs Impacted by these Revisions

DBEA – Budget Committee, Highly Recommended, (versions 1 & 2)
BCF – Advisory Committees to the Board, Optional

LOCAL WELLNESS

Summary

A triennial assessment, required by one of the components of the federal National School Lunch Program and delayed by COVID, of the district’s local wellness plan (aka policy) has become due for the first time. In anticipation, the Oregon Department of Education (ODE), Oregon School Boards Association and other stakeholders (OEA Choice Trust) began discussing how to help members realize more effective local wellness planning and implementation in their districts. One of the supports was to revamp the model local wellness policy and bring elements of the accompanying model administrative regulation into the policy.

The result is a revised policy and a recommendation to rescind the administrative regulation if it is present in the district’s board policy manual. There are resources available from ODE on their website to support local wellness policy planning and implementation: Oregon Healthy Schools, the attached model policy is just one of those resources. The resources also include tools for the triennial assessment.

Collective Bargaining Impact

None

Local District Responsibility

Review the policy recommendations attached, along with reviewing the requirements for a triennial assessment available from ODE, and consider what changes need made to policy
following results of the assessment. If the Board’s manual includes the AR, and the district
decides to revise the policy, action should be taken to rescind the AR.

**Policy(ies) and ARs Impacted by these Revisions**

EFA – Local Wellness, Required
EFA-AR - Local Wellness Program, Recommend Delete

**PUBLIC RECORDS**

**Summary**

Updated to better align policy and administrative regulation language with statute and revise
language to reflect current terms and practices.

To help with public record responses, access Oregon Attorney General’s available
information and consult counsel.

Additionally, to provide support for records retention requirements, a table of contents and
links to Oregon Archives Division retention requirements for school districts has been added
to EH-AR – Records and Data Management.

**Collective Bargaining Impact**

None

**Local District Responsibility**

If the Board’s policy manual includes the policies and administrative regulations (AR)
included in this update, consider reviewing and revising as suggested and submit to Board for
readoption. The administrative regulation for either policy may be submitted to the Board as
an information item for review. Board policy EH and its AR are both optional. Optional
policy EH and its accompanying administrative regulation have been rewritten so consider
adopting the newer versions presented herein to replace current policy, if present.

**Policy(ies) and ARs Impacted by these Revisions**

EH – Records and Data Management, Optional
EH-AR – Records and Data Management, Optional
KBA – Public Records Request, Highly Recommended
KBA-AR – Public Records Request, Highly Recommended

**WORKPLACE HARASSMENT**

**Summary**

The legal references for policy GBEA – Workplace Harassment have been updated to reflect
an assigned statute number to what is House Bill 3041 (2021), which modified Oregon’s
definition of sexual orientation and added a definition for gender identity; these definitions
apply to a host of Oregon statutes including its use in ORS 659A.370. HB 3041 is now
numbered ORS 659A.370, and ORS 174.100 is the home for definitions of sexual orientation
and gender identity – both used in this referenced policy.
Collective Bargaining Impact

None

Local District Responsibility

Districts should update the legal references in this policy and republish.

Policy(ies) and ARs Impacted by these Revisions

GBEA – Workplace Harassment *, Required

STANDARDS FOR COMPETENT AND ETHICAL PERFORMANCE OF OREGON EDUCATORS

Summary

The definition of “sexual conduct” in OAR 584-020-0005 changed to be consistent with the definition in ORS 339.370(11). This update is to reflect the new definition.

Collective Bargaining Impact

None

Local District Responsibility

If the district has the optional policy GCAA - Standards for Competent and Ethical Performance of Oregon Educators, review, revise, and submit to the Board for readoption.

Policy(ies) and ARs Impacted by these Revisions

GCAA – Standards for Competent and Ethical Performance of Oregon Educators, Optional

EARLY RETURN TO WORK

Summary

The change to policy GCBDB/GDBDB – Early Return to Work is to align with Equal Employment Opportunity Commission guidance.

Collective Bargaining Impact

Review any collective bargaining agreements for consistency.

Local District Responsibility

If the district has previously adopted highly recommended policy GCBDB/GDBDB – Early Return to Work, review and revise policy and submit to Board for readoption.

Policy Impacted by these Revisions

GCBDB/GDBDB – Early Return to Work, Highly Recommended
FINGERPRINTING

Summary

House Bill 4030 (2022) modifies fingerprinting requirements for persons seeking employment in schools and now makes a temporary exception to allow the Oregon Department of Education (ODE) to waive fingerprinting requirements if ODE determines the person has:

- Submitted to a criminal records check for the person’s immediately previous employer, the employer is a school district or private school and the person has not lived outside this state between the two periods of employment;
- Submitted to a criminal records check conducted by TSPC within the previous three years; or
- Remained continuously licensed or registered with the commission.

This is a temporary change and sunsets July 1, 2024.

Collective Bargaining Impact

None

Local District Responsibility

The revisions effect language in required administrative regulation GCDA/GDDA-AR - Criminal Records Checks and Fingerprinting and can be revised by administration, implemented, and submitted to the Board for review; the AR is not required to be adopted.

Policy(ies) and ARs Impacted by these Revisions

GCDA/GDDA-AR – Criminal Records Checks and Fingerprinting, Required

LAYOFFS AND REDUCTIONS IN STAFF

Summary

HB 2001 (2021) changed the laws regarding reductions in staff for teachers. This law also changed the definition of “teacher” to be used in the layoff process (now ORS 342.120). This change requires districts to consider cultural or linguistic expertise when implementing a reduction in staff.

Collective Bargaining Impact

HB 2001 applies to “contracts entered into, renewed or extended on or after” September 2021. Review any collective bargaining agreements for licensed staff to ensure compliance.

Local District Responsibility

Revise and readopt highly recommended policy CPA – Layoff and Recall for Administrators. Amend accompanying administrative regulation. Delete current policy GCPA – Layoff - Licensed Staff * and GCPA-AR – Layoff/Recall – Licensed Staff, and replace them with the new optional version GCPA – Reduction or Recall of Licensed Staff and GCPA-AR – Reduction of Recall of Licensed Staff.
Policy(ies) and ARs Impacted by these Revisions

CPA - Layoff and Recall for Administrators, Highly Recommended
CPA-AR – Layoff and Recall for Administrators, Highly Recommended
GCPA - Reduction or Recall of Licensed Staff *, Optional
GCPA-AR – Reduction or Recall of Licensed Staff, Optional

RESEARCH PROJECTS

Summary

This recommended update is just a revision of policy language and an addition to, and updates of the legal references (see policy for recommendations).

Collective Bargaining Impact

None

Local District Responsibility

If the district has this optional policy in its Board policy manual, consider review, update and readoption of current policy with recommended changes. Since this policy is optional, the district may also decide to rescind policy if present in its policy manual.

Policy(ies) and ARs Impacted by these Revisions

GCQB – Research, Optional

INSTRUCTIONAL ASSISTANTS

Summary

Model policy GDA – Instructional Assistants has been revised to reflect current language found in Oregon statute and rules that relate to such positions established in schools.

Collective Bargaining Impact

None

Local District Responsibility

If the district has this optional policy in its board policy manual, consider review, update and readoption of updated policy with recommended changes. Since this policy is optional, the district may also decide to rescind policy if present in its policy manual.

Policy(ies) and ARs Impacted by these Revisions

GDA – Instructional Assistants, Optional
STAFF MEMBER RELIGIOUS ACTIVITY

Summary

The United States Supreme Court recently issued a decision in Kennedy v. Bremerton Sch. Dist., 142 S. Ct. 2407 (2022). In this case, the Court determined that the coach in question was allowed to engage in personal prayer following a football game, at the same time that other on-duty employees were able to “engage in personal secular conduct.” This decision does not mean that employees are able to engage in religious conduct whenever they would like to, nor does it mean that employees can lead students in prayer. OSBA is not changing language in its sample policy or AR at this time, however, the legal reference should be updated to reflect the recent decision. It is a good time for the district to review the policy, AR and practices and determine if any changes need to be made.

Collective Bargaining Impact

None.

Local District Responsibility

Districts should update the legal references in this policy and republish.

Policy(ies) and ARs Impacted by these Revisions

IGAC – Religion and Schools, Optional

STUDENT HEALTH SERVICES

Summary

A new Oregon Administrative Rule, 581-021-0593, requires public education providers, which includes school districts, public charter schools, and education service districts, to provide information on menstrual health and must include this information in their health and sexuality education. As a result, new language has been added to board policy IGAI - Human Sexuality, AIDS/HIV, Sexually Transmitted Diseases, Health Education. Oregon Department of Education’s (ODE) website provides a variety of related resources.

In addition, new proposed language has been added to board policy JHC - Student Health Services, which refers to existing rules related to school nursing services and responsibilities.

Collective Bargaining Impact

None

Local District Responsibility

Both policies in this recommended update are highly recommended; submit to Board to consider revising and readopting.

Policy(ies) and ARs Impacted by these Revisions

IGAI – Human Sexuality, AIDS/HIV, Sexually Transmitted Diseases, Health Education**, Highly Recommended
JHC – Student Health Services**, Highly Recommended
INDIVIDUALIZED COVID-19 RECOVERY SERVICES

Summary
At its December 2021 meeting, the State Board of Education updated Temporary Rule OAR 581-015-2229 Individualized COVID-19 Recovery Services. The OAR required IEP teams for eligible student to make decisions about Individualized COVID-19 Recovery Services which support the district’s requirement to ensure a free appropriate public education (FAPE) to eligible students.

A new section, Individualized COVID-19 Recovery Services, is added to IGBAF-AR describing the district’s responsibilities and outlining notification requirements.

Collective Bargaining Impact
None

Local District, Responsibility
The district should review required administrative regulation IGBAF-AR – Special Education, Individualized Education Program and submit to the Board to adopt the recommended changes. It is further recommended that the district update the legal references in this policy and republish.

Policy(ies) and ARs Impacted by these Revisions
IGBAF – Special Education – Individualized Education Program (IEP), Required
IGBAF-AR – Special Education - Individualized Education Program (IEP), Required

TALENTED AND GIFTED

Summary
There have been some additional rule changes passed for talented and gifted programs. As a result, OSBA policy staff worked to reduce number of policies and administrative regulations (AR) to two, and both remaining ARs are optional. Further, the district could choose to use the general complaint procedure in board policy KL to support these programs and services, if desired, instead of using the accompanying ARs.

Collective Bargaining Impact
None

Local District Responsibility
Review the recommendations suggested to revise and update TAG related policies and administrative regulations. Essentially, policies IGBB and IGBBC have been merged, deleting IGBBC and leaving revised IGBB, and IGBBC-AR has been recoded to IGBB-AR.

Policy(ies) and ARs Impacted by these Revisions
IGBB – Talented and Gifted Program and/or Services, Required
IGBB-AR – Complaints Regarding the Talented and Gifted Program and/or Services, Optional
IGBBBA – Talented and Gifted Students - Identification, Required
EXPANDED OPTIONS

Summary

Changes result from a recent review of statute and include some revisions that modify use of the term ‘dropout’. The policy is further published to bring awareness to program requirements, notification requirements and student eligibility.

Collective Bargaining Impact

None

Local District Responsibility

This is a highly recommended policy that reflects statutory language in Oregon Revised Statute Chapter 340 – Expanded Options Program. If the policy is included in the Board’s policy manual, revise and submit to the Board for readoption.

Policy(ies) and ARs Impacted by these Revisions

IGBHE – Expanded Options Program**, Highly Recommended

INTERSchOLASTIC ACTIVITIES

Summary

Senate Bill 1522 (2022; see Section 13) modified the use of the term general education development or GED to be referred to as “high school equivalency program” which was further defined to mean: a program provided to assist a student in earning a certificate for passing an approved high school equivalency test such as the General Educational Development (GED) test.

In addition, policy IGDJ has been redesignated required (from optional) to comply with OAR 581-022-2308(2) – a new Division 22 rule requiring school districts to adopt policy with conditions of membership when entering into an agreement with a voluntary organization for interscholastic activities. As a result, much of the original language in what was an optional policy is now bracketed as it continues to be optional language. The remaining policy content is model language for a required policy regulated in OAR 581-022-2308(2).

Collective Bargaining Impact

None

Local District Responsibility

Policy IGDJ is now designated as required and recommended language for the required portion of the policy is included at the end of this model sample policy. The district should
review suggested revisions and consider what optional language to continue with, and readopt to make policy required by OAR 581-022-2308.

Policy(ies) and ARs Impacted by these Revisions
IGDJ – Interscholastic Activities**, Required

ACADEMIC ACHIEVEMENT

Summary
Policy IK – Academic Achievement language is revised to align with OAR 581-022-2270.

Collective Bargaining Impact
None

Local District Responsibility
Review and revise required policy IK – Academic Achievement with recommended updates and submit to the Board for readoption.

Policy(ies) and ARs Impacted by these Revisions
IK – Academic Achievement, Required

GRADUATION REQUIREMENTS

Summary
There have been additional changes to graduation requirements in Oregon as a result of Senate Bill 1522 (2022). The bill provided a new definition for “an educational program in this state” and modified what credits the district shall accept from other educational programs in this state to satisfy credit requirements for a student to graduate.

An additional change modified the definition of “world language” in graduation requirements to include sign language, heritage language and languages other than a student’s primary language.

Collective Bargaining Impact
None

Local District Responsibility
A graduation requirement policy is required if the district has graduation requirements in addition to the minimum requirements outlined in law, such as if the district requires more than 24 credit requirements for a high school diploma, has an honors diploma, or has other noncredit requirements. Review the district’s current graduation requirements if published elsewhere and review policy and revise with the recommended changes and submit to the Board for readoption. Please update legal references as recommended.

If the district has optional policy IFE, consider the revision, i.e., delete ‘and Essential Skills’, and submit to Board for readoption.
Policy(ies) and ARs Impacted by these Revisions
IFE - Curriculum Guides and Course Outlines, Optional
IKF – Graduation Requirements**, Conditionally Required

IMPROVEMENT PLAN/PROGRAM

Summary
The State Board of Education recently made a revision to the rules related to improvement plans/programs, it changes the self-evaluation requirement from once every three years to once every four years. The remaining revisions recommended reflect changes from other updates of the rule.

Collective Bargaining Impact
None

Local District Responsibility
If the district has this policy and its administrative regulation (AR) consider the recommended updates and submit policy to the Board for readoption and the AR for review.

Policy(ies) and ARs Impacted by these Revisions
IMB – District Improvement Program, Highly Recommended
IMB-AR – District Improvement Program, Highly Recommended

COMPULSORY ATTENDANCE

Summary
There have been recent changes to compulsory attendance removing the Class C violation and related fees, court costs and fines associated with juvenile delinquency matters (Senate Bill 817, 2021). Other conditions of compulsory attendance and truancy remain unchanged.

Collective Bargaining Impact
None

Local District Responsibility
If the policy and accompanying administration regulation (AR) are in the Board’s manual, consider updating with the proposed revisions, submit policy to the Board for readoption and the AR to the Board for review.

Policy(ies) and ARs Impacted by these Revisions
JEA – Compulsory Attendance**, Highly Recommended
JEA-AR – Compulsory Attendance Notices and Citations**, Highly Recommended
RESTRAINT AND SECLUSION

Summary
The updates to policy are recommended to add mention of prohibitions related to seclusion cells.

Collective Bargaining Impact
None

Local District Responsibility
The changes to policy are recommended to identify prohibitions related to both restraint and seclusion. Revise and submit to the Board for readoption.

Policy(ies) and ARs Impacted by these Revisions
JGAB – Use of Restraint or Seclusion**, Required

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Menstrual Dignity Act Summary
Passage of House Bill 3294 (2021) (or ORS 326.545) and further amended by Senate Bill 1522 (2022; see Section 11), requires public education providers, which includes school districts, public charter schools, and education service districts, to provide menstrual products, i.e., tampons and sanitary pads, at no cost to students through a dispenser in student bathrooms. No policy language is suggested at this time.

More information can be accessed from the current related Oregon Administrative Rules 581-021-0587 through 581-021-0596 which provides definitions, education and instruction requirements and information about reimbursement for the program.

The Oregon Department of Education’s (ODE) website provides a variety of resources which include:
- Menstrual Dignity for Students Toolkit published by ODE.
- Other ODE resources with access to information about the program, including a reimbursement form.

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Changes In Law During The 2023 Legislative Session
BD/BDA – Board Meetings, Optional
BDC – Executive Sessions, Optional
Board Stipends and Expense Reimbursements
EFA – Local Wellness, Required
GCBDA/GDBDA – Family Medical Leave *, Highly Recommended, Version 1 or 2
GCBDA/GDBDA-AR(1) – Family Leave *, Highly Recommended, Version 1 or 2
GCBDF/GDBDF – Paid Family Medical Leave Insurance *, Highly Recommended, Version 1 (Version 2 has no changes and is not included in this update)
GCBDF/GDBDF-AR – Paid Family Medical Leave Insurance (PMFLI), Highly Recommended
GCPC/GDPC – Retirement of Staff *, Optional
Health Services Plan
LBE – Public Charter Schools**, Highly Recommended
LBEA – Resident Student Denial for Virtual Public Charter School Attendance**, Conditionally Required

CHANGES IN LAW DURING THE 2023 LEGISLATIVE SESSION
Many other bills were passed that impact policy. Some of these bills are already in effect. Policies will be updated in future releases from OSBA. These include:

- JGA – Corporal Punishment, JGAB-AR – Use of Restraint or Seclusion (SB 577 (2023));
- GCDA/GDDA – Criminal Records Checks and Fingerprinting (updates to OAR 581-021-0511);
- IGBHE – Expanded Options Programs (HB 2275 (2023));
- GBN/JBA – Sexual Harassment (HB 2280 (2023));
- Abbreviated day (SB 819 (2023) and others);
- Procurement
- Graduation requirements
- Abuse reporting hotline

This publication is designed to provide accurate and authoritative information regarding the subject matter covered. It is furnished with the understanding that policies should be reviewed by the district’s legal counsel.
PUBLIC MEETINGS LAW

Summary

House Bill 2805 (2023) and House Bill 2806 (2023) added new provisions to Public Meetings Law and executive sessions, expanded Oregon Government Ethics Commission (OGEC) oversight of public meetings law, and added provisions requiring a board member to receive mandatory public meetings training.

As a result of HB 2805, a person who believes the district has violated identified provisions of public meetings law may be able to file a grievance with the district in accordance with law. The new public meetings law provisions to file a grievance become effective in September 2023.

The new public meetings law provisions for executive sessions (HB 2806), which now include considering matters relating to the safety of the board, district staff and volunteers and the security of district facilities and meeting spaces, as well as considering matters relating to cyber security infrastructure and responses to cyber security threats, are effective now.

The new board member training requirement takes effect January 1, 2024.

Collective Bargaining Impact

None

Local District Responsibility

Review the recommended changes for policies BD/BDA – Board Meetings, and BDC – Executive Sessions, propose to the board for readoption.

Policy(ies) and ARs Impacted by these Revisions

BD/BDA – Board Meetings, Optional
BDC – Executive Sessions, Optional

BOARD STIPENDS AND EXPENSE REIMBURSEMENTS

Summary

Previously, Oregon Revised Statute (ORS) 332.018 prohibited board members from receiving any compensation from the district. During the 2023 Legislative session, House Bill (HB) 2753 passed and became effective July 18, 2023. This law removes the prohibition on compensation and allows school district boards to provide each “voting member of the board with a stipend in an amount determined by the board, not to exceed $500 per month.”

The Oregon Government Ethics Commission recently indicated that they will be issuing guidance regarding board action with regard to stipends. As soon as this guidance is released, OSBA will release additional information, including updates to existing policy, as necessary.

No new or updated OSBA sample policies or administrative regulations released in this update.
PHYSICAL EDUCATION REQUIREMENTS

Summary

House Bill 3199 (2023) revised physical education requirements for upper elementary grades from 225 minutes down to “an average of 150 minutes during each school week, as calculated over the duration of the school year.” As was with previous law, grade 6 students must meet standards in the school where they are taught, i.e., if taught in same school as grade 5 and below, each student must “participate in physical education for the entire school year for at least 150 minutes during each school week.

Collective Bargaining Impact

None

Local District Responsibility

Review the district’s current policy EFA – Local Wellness, and if the PE requirements are included as goals under the Physical Activity and Education section, revise it to include the new requirements. If the district has not yet updated policy EFA – Local Wellness, consider doing it now. An updated version of EFA would not require EFA-AR, so review the board’s manual and rescind EFA-AR if the board updates policy EFA; there is no longer an OSBA model for EFA-AR.

Policy(ies) and ARs Impacted by these Revisions

EFA – Local Wellness, Required

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EMPLOYEE LEAVE

Summary

During the 2023 Legislative Session, multiple bills were passed amending Paid Family Medical Leave Insurance (PFMLI) and the Oregon Family Leave Act (OFLA). Additionally, administrative rules have been implemented. The changes to these policies reflect those amendments. These leave laws apply differently to districts based on the number of employees that a district has. Version 1 of GCBDA/GDBDA - Family Medical Leave * and its Administrative Regulation (AR) are for districts with 50 or more employees (the district is subject to OFLA and employees may be eligible for FMLA). Version 2 of GCBDA/GDBDA - Family Medical Leave * and its AR are for districts with between 25 and 50 employees (the district is subject to OFLA, but employees will generally not be eligible for FMLA). If the district has fewer than 25 employees, OSBA does not recommend using either of the versions of GCBDA/GDBDA and its AR unless the district wants to make these benefits available to its employees. Changes to additional GCBDA/GDBDA’s-A R’s will be made in future updates.

GCBDF/GDBDF- Paid Family Medical Leave Insurance * is not based on employee size. Version 1 of GCBDF/GDBDF Paid Family Medical Leave Insurance * and the AR are designed for districts using Paid Leave Oregon (through the Oregon Department of Employment). Version 2 of GCBDF/GDBDF- Paid Family Medical Leave Insurance * is for districts using an equivalent plan (there is no accompanying AR). Version 2 of GCBDF/GDBDF had no changes and therefore is not included in this update.
Collective Bargaining Impact

Districts may need to bargain aspects of these policies.

Local District Responsibility

The board should delete current GCBDA/GDBDA – Family Medical Leave * and GCBDA/GDBDA-AR(1) -Family Leave* and replace them with one of the new versions.

If the district is using Paid Leave Oregon (Employment Department) to administer PMFLI, the board should update version 1 of GCBDF/GDBDF – Paid Family Medical Leave Insurance * and GCBDF/GDBDF-AR – Paid Family Leave Insurance (PMFLI). If the district is using an equivalent plan for PFMLI, the board should keep version 2 of GCBDF/GDBDF – Paid Family Medical Leave Insurance * (no changes and not included in this update). If a district is using an equivalent plan, OSBA recommends that they work with the equivalent plan provider to developing procedures.

Policy(ies) and ARs Impacted by these Revisions

GCBDA/GDBDA – Family Medical Leave *, Highly Recommended, Version 1 or 2
GCBDA/GDBDA-AR(1) – Family Leave *, Highly Recommended, Version 1 or 2
GCBDF/GDBDF – Paid Family Medical Leave Insurance *, Highly Recommended, Version 1 (Version 2 has no changes and is not included in this update)
GCBDF/GDBDF-AR – Paid Family Medical Leave Insurance (PMFLI), Highly Recommended

PERS RETIREMENT

Summary

The only change resulting from passing House Bill 2296 (2023) extends the sunset for the 2019 law revision to the end of 2034. This summary has been provided just to inform about this change.

Collective Bargaining Impact

Review collective bargaining agreements for any provisions relating to employee retirement.

Local District Responsibility

There are no changes to policy language resulting from revisions created by House Bill 2296.

Update to legal references only.

Policy(ies) and ARs Impacted by these Revisions

GCPC/GDPC – Retirement of Staff *, Optional
HEALTH SERVICES PLAN

Summary

The State Board of Education adopted revisions to Oregon Administrative Rule (OAR) 581-022-2220 on health services. The changes result in a requirement to develop “a written prevention-oriented health services plan for all students” (OAR 581-022-2220 (1)). The plan requirements include a variety of topics, including but not limited to, plan for health care space, communicable disease prevention, communication strategies, health screenings, services for all students, and hearing, vision and dental screenings.

An analysis of these rule changes is still occurring and are expected to affect several policy recommendations which may include recommendations to rescind unnecessary policies.

Review the entire rule here: OAR 581-022-2220 and reach out to the Oregon Department of Education with additional questions regarding plan requirements and deadlines. ODE provided this recent news release.

No new or updated OSBA sample policies or administrative regulations released in this update.

PUBLIC CHARTER SCHOOLS

Summary

Some changes to law governing attendance at virtual public charter schools have become effective with passing of House Bill 3204 (2023). Districts may still deny enrollment if more than three percent of students residing in the district are attending a virtual public charter school not sponsored by the district. However, there are several permanent changes, two of which include a requirement to complete the percentage calculation at least twice each year and a decision by a district to not give approval requires notice to be issued by the district within 10 calendar days of receiving notice from the parent of intent to enroll their student. Such notice must now include information about the calculations which supports denial, in addition to the existing requirements to provide information about the right to appeal to the State Board and other online options available to the student (read Oregon Revised Statue (ORS) 338.125 as amended by HB 3204).

Additionally, a student is now not required to gain approval from the district where the student now resides, if the student enrolled in a virtual public charter school while living in another school district, and has maintained continuous enrollment in that school since moving into the district where the student currently resides (HB 3204).

A second bill, Senate Bill 767 (2023), created new law added to Chapter 338 governing the operation of a nonvirtual public charter school by a public charter school in a nonsponsoring school district and revised ORS 332.158. The bill does exempt schools in operation prior to the effective date of the new law, if other requirements outlined in the new provisions are met. Read the bill (SB 767) to gain further understanding of the requirements.

Both of these new bills are effective now.

Collective Bargaining Impact

None
Local District Responsibility

If the district previously adopted policy LBEA – Resident Student Denial for Virtual Public Charter School Attendance**, and wishes to continue the practice established by policy, update policy language and submit to the board for readoption. The language in LBEA was previously part of recommended language in policy LBE - Public Charter Schools** until creation of LBEA. The district should review their version of LBE and if adopted prior to 2021, consider an update to LBE as well. In policy LBE, review the recommended changes and readopt this highly recommended language.

Policy(ies) and ARs Impacted by these Revisions

LBE – Public Charter Schools**, Highly Recommended
LBEA – Resident Student Denial for Virtual Public Charter School Attendance**, Conditionally Required

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