



## Annual Convention

Nov. 7-9, 2024  
Portland, OR

Watch for information  
coming soon for a  
*Policy Update*  
webinar

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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.

## TITLE IX AND CIVIL RIGHTS COORDINATORS

### Summary

The U.S. Department of Education recently released amendments to the Title IX regulations. These regulations went into effect on August 1, 2024 and made significant changes to complaint procedures for discrimination on the basis of sex. The previous version of these regulations primarily addressed sex-based harassment. With this change, AC-AR(2) – Discrimination Complaint Procedure has been created to provide additional guidance when handling sex-based discrimination under the Title IX regulations. Board policy GBN/JBA – Sexual Harassment still addresses sexual harassment under Oregon law, but GBN/JBA-AR(1) – Sexual Harassment Complaint Procedure and GBN/JBA-AR(2) – Federal Law (Title IX) Sexual Harassment Procedure are both recommended for deletion in lieu of revised AC-AR(1) – Discrimination or Civil Rights Complaint Procedures and new AC-AR(2) – Sex-Based Discrimination under Title IX.

There are multiple cases regarding the Title IX regulations in the federal courts, with at least one of them issuing an injunction. This injunction applies to some schools in some Oregon districts, but not all. This injunction does not prohibit the district from implementing the new regulations or these policies. Districts in which the injunction applies are encouraged to work with legal counsel on implementation.

Additionally, the Oregon State Board of Education recently adopted rules implementing ORS 332.505 regarding civil rights coordinators. These rules outline policy and practice requirements. Additional language has been added to AC – Discrimination and Civil Rights and AC-AR(1) – Discrimination or Civil Rights Complaint Procedures.

### Collective Bargaining Impact

None, however, notice of nondiscrimination must be provided to unions and professional organizations holding collective bargaining or professional agreements with the district.

### Local District Responsibility

The district should recommend board adoption of revised policies and reissue any updated administrative regulations to the Board for review.

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

AC – Nondiscrimination and Civil Rights, Required  
AC-AR(1) – Discrimination or Civil Rights Complaint Procedure, Required  
AC-AR(2) – Sex-Based Discrimination Under Title IX, Highly Recommended, *New*  
GBN/JBA – Sexual Harassment, Required  
GBN/JBA-AR(1) – Sexual Harassment Complaint Procedures, Delete  
GBN/JBA-AR(2) – Federal Law (Title IX) Sexual Harassment Procedure, Delete  
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JBA/GBN-AR(2) – Federal Law (Title IX) Sexual Harassment Procedure, Delete  
JFE – Pregnant and/or Parenting Students\*\*, Required  
JFE-AR – Individualized Plan for Pregnant and/or Parenting Students, Optional

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## LEAVE

### Summary

There continues to be significant changes in Oregon law regarding leave. This includes changes from SB 1515 (2024) and numerous rule changes to match.

The biggest change governs what conditions qualify for leave taken through the Oregon Family Leave Act (OFLA) and Paid Family and Medical Leave Insurance (PFMLI). While these leave allotments used to run concurrently in many situations, they now cannot be taken concurrently.

Included in this update are versions of GCBDA/GDBDA and GCBDA/GDBDA-AR(1) for districts with 50 or more employees (Version 1) and versions for districts with between 25 and 50 employees (Version 2).

Updates to the remaining GCBDA/GDBDA-ARs will come in future updates.

### **Collective Bargaining Impact**

Review existing collective bargaining agreements for any bargained benefits and their impact.

### **Local District Responsibility**

Review and adopt changes to policy and review updated administrative regulations governing leaves.

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

GCBDA/GDBDA – Family and Medical Leave \* (Version 1), Highly Recommended  
GCBDA/GDBDA-AR(1) – Family and Medical Leave \* (Version 1), Highly Recommended  
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GCBDC/GDBDC-AR – Request for Domestic Violence, Harassment, Sexual Assault, Bias, or Stalking Leave, Highly Recommended  
GCBDD/GDBDD – Sick Time \*, Highly Recommended  
GCBDF/GDBDF – Paid Family and Medical Leave Insurance \* (Version 1), Highly Recommended  
GCBDF/GDBDF-AR – Paid Family and Medical Leave Insurance (PFMLI), Highly Recommended

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## **INSTRUCTIONAL, SUPPLEMENTAL, SCHOOL LIBRARY, AND CLASSROOM LIBRARY MATERIALS**

### **Summary**

OSBA policy staff worked collaboratively with a work group comprised of school district and ESD staff and professionals from the State Library of Oregon and Intellectual Freedom Committee. The results of this work group culminated in the newly revised proposed sample policy and associated administrative regulations published in this *Policy Update*.

If the district has adopted policy and any associated administrative regulations on the topic of instructional materials, consider the new proposed samples.

### **Collective Bargaining Impact**

None

### **Local District Responsibility**

Consider the new proposed highly recommended policy IIA – Instructional Materials\*\* for board adoption and decide whether any of proposed administrative regulations support local practices and submit to the Board for review. The administrative regulations are proposed as

is for best practices. *If the district has similar coding or existing policy or administrative regulations, consider they may need to be deleted/rescinded with coordination of any new adoptions.*

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

IIA - Instructional Materials\*\*, Highly Recommended, *New*

IIA-AR(1) - Instructional Materials, Optional, *New*

IIA-AR(2) - Reconsideration of Core Instructional Materials, Optional, *New*

IIA-AR(3) - Reconsideration of Supplemental Instructional Materials, Optional, *New*

IIA-AR(4) - Reconsideration of School or Classroom Library Materials, Optional, *New*

IIA-AR(5) - Request for Reconsideration of Instructional or Library Materials Form, Optional, *New*

IIA-AR(6) - Independent Adoption of Core Instructional Materials, Optional, *New*

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## **GRADUATION REQUIREMENTS**

### **Summary**

There are several recommended changes to policy IKF – Graduation Requirements\*\*.

Senate Bill (SB) 992 (2023) replaced the “Alternative Certificate” with a “Certificate of Attendance.”

Additionally, SB 3 (2023) added one-half credit each of higher education and career path skills and personal financial education to the diploma and the modified diploma, therefore, reducing the number of elective credits by 1 to maintain the 24 credits. Both of these are effective for students who began grade 9 in the 2023-2024 school year.

The State Board of Education adopted the half credit for civics passed in SB 513 (2021) into OAR 581-022-2000. This is effective for students who began grade 9 in the 2022-2023 school year. Additional rules adopted by the State Board affect a variety of changes in policy which include language on additional credit requirements, Essential Skills, and updated parent notice requirements.

Also of note is the requirement for a district board to define criteria for the issuance of a certificate of attendance to a student in their district when they do not satisfy the requirements to receive a diploma.

OSBA still anticipates additional rules (which may affect this policy) resulting from passage of House Bill 4137 (2024) and affecting ORS 329.451; the bill creates a path for students who have completed an International Baccalaureate program to satisfy graduation requirements. More to come.

### **Collective Bargaining Impact**

None

### **Local District Responsibility**

Review existing policy, revise as needed, and readopt required policy IKF – Graduation Requirements\*\*. There were minor changes in IKFB – Graduation Exercises If this policy is present in the board’s policy manual, review existing policy, revise as needed and readopt. The changes to JECA – Admission of Resident Students\*\* are primarily the replacement of ‘alternative certificate’ with ‘certificate of attendance’.

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

IKF - Graduation Requirements\*\*, Required

IKFB - Graduation Exercises, Optional

JECA - Admission of Resident Students\*\*, Highly Recommended

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## **ARTIFICIAL INTELLIGENCE**

### **Summary**

Artificial intelligence and generative artificial intelligence are the most recent additions to technology tools available to education. The purpose of this new model sample policy is to facilitate actions regarding artificial intelligence. Many OSBA members have developed statements, policies, or positions, or have responsible use agreement language that includes related content; this policy is not intended to replace that language. The Oregon Department of Education (ODE) has [Educational Technology](#) resources which include several on artificial intelligence.

### **Collective Bargaining Impact**

None

### **Local District Responsibility**

Review the available optional model sample policy and decide whether it is beneficial to adopt.

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

IKJ – Artificial Intelligence, Optional, *New*

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## **MEDICATIONS**

### **Summary**

There were a host of changes in Oregon law and administrative rules around administration of medication to students and for student self-administration in a school/district setting. This includes changes from House Bill 2002 and 2395 passed in the 2023 Legislature; from Senate Bill 1552 passed in the 2024 Legislature affecting statute in ORS 339.866 - 339.871; and rules on administration of medication in OAR 581-021-0037 which include new rules on short-acting opioid antagonist.

The Oregon Department of Education has put together some additional resources [Opioid Overdose Information and Resources](#) which include a template letter to support communication with parents and other toolkits. Other resources on medications in schools are [here](#).

The resulting changes are quite extensive and therefore the model policy and administrative regulation are presented without showing tracked changes.

### **Collective Bargaining Impact**

None

## **Local District Responsibility**

Review and adopt changes to policy and administrative regulation governing administration of medications.

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

JHCD - Medications\*\*/\*, Required, *New*

JHCD-AR - Medications\*\*/\*, Required, *New*

JHCD/JHCDA - Medications\*\*/\*, Delete

JHCD/JHCDA-AR - Medications\*\*/\*, Delete

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## **ABOUT *POLICY UPDATE***

*Policy Update* is a subscription newsletter providing a brief discussion of current policy issues of concern to Oregon school districts, education service districts, community colleges, and public charter schools.

Sample model policies reflecting these issues and changes in state and federal law, if applicable, are part of this newsletter. These samples are offered as a starting point for drafting local policy and may be modified to meet particular local needs. They do not replace district legal counsel advice.

To make the best use of *Policy Update*, we suggest you discuss the various issues it presents and use the sample model policies to determine which policies your district should develop or revise, get ideas for what a policy should contain, and as a starting point for editing, modifying and discussing your district's policy position.

If you have questions about *Policy Update*, sample policies or policy in general, call OSBA Policy Services, 800-578-6722 or 503-588-2800.

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