



Policy Update
webinar scheduled
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OSBA's 79th Annual
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CONTENTS

BHD – Board Member Stipends and Reimbursements, Optional
BCF – Advisory Committees to the Board, Optional
CEA – Educational Equity Advisory Committee, Optional, *New*
DBEA – Budget Committee, Version 1, Highly Recommended
DBEA – Budget Committee, Version 2, Highly Recommended
GCBBD/GDBD – Sick Leave - Personal Illness and Injury Leave *, Optional
GCBDE/GDBDE – Military Leave of Absence, Optional
IF – District Curriculum, Optional
IF – Curriculum Development (Version 2), Delete
IGBAB/JO-AR – Education Records/Records of Students with Disabilities, Required
IIA – Instructional Materials**, Highly Recommended
IIA-AR(1) - Instructional Materials, Optional
IIA-AR(2) - Reconsideration of Core Instructional Materials, Optional
IIA-AR(3) - Reconsideration of Supplemental Instructional Materials, Optional
IIA-AR(4) - Reconsideration of Library Materials in a School or Classroom Library, Optional
IIA-AR(5) - Request for Reconsideration of Instructional or Library Materials Form, Optional
IIA-AR(6) - Independent Adoption of Core Instructional Materials, Optional
IKF - Graduation Requirements**, Conditionally Required
JFCEB - Personal Electronic Devices and Social Media** (Version 1), Required, Delete
JFCEB - Personal Electronic Devices and Social Media** (Version 2), Required, Delete
JFCEB - Personal Electronic Devices and Social Media** (Version 3), Required, Delete
JFCEB-AR - Personal Electronic Devices and Social Media, Optional, Delete
JFCEB - Personal Electronic Devices */**, Required, *New*
JFCEB-AR - Request for Personal Electronic Devices Exception, Optional, *New*
JHCA – Immunization, School Sports Participation, Concussions and Other Brain Injuries, Optional**
JHCA/JHCB – Immunization and School Sports Participation**, HR, *removal of double coding on policy*
JO/IGBAB-AR – Education Records/Records of Students with Disabilities, Required
JOA – Directory Information**, Required
LBEA – Denial for Virtual Public Charter School Student Enrollment**, Conditionally Required

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503-588-2800 or 800-578-6722

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.

BOARD MEMBER AND STAFF MEALS

Summary

Over the past few months, there have been questions regarding prohibited use violations under Oregon ethics laws. The Oregon Government Ethics Commission (OGEC) is the governing body over these laws. Some of the questions include board member and staff consumption of food and provided by the district. Many districts have language addressing this:

- BBFA- Board Member Ethics and Conflicts of Interest (see end of the second paragraph); and
- DJ-AR – Expenditure of District Funds for Meals, Refreshments and Gifts.

Districts are encouraged to review this language and determine if it matches current practice. If the district is providing benefits beyond what is included in policy and administrative regulation, amending language or practice is recommended. Note: board members may be faced with a conflict of interest when voting on changes to BBFA.

Policy BBFA – Board Member Ethics and Conflicts of Interest and administrative regulation DJ-AR – Expenditure of District Funds for Meals, Refreshments and Gifts are included in this update, but there are no updates to these documents at this time.

Collective Bargaining Impact

None

Local District Responsibility

Review existing policies and administrative regulations and compare to current practice.

Policy(ies) and ARs Impacted by these Revisions

None

PUBLIC MEETINGS

Summary

Over the last year, the Oregon Legislature and Oregon Government Ethics Commission (OGEC) have made several changes and updates to various public meeting laws. OSBA is working on updates to many related policies. Those policies will be released after OGEC finalizes the rules related to SB 1502 (2024) and the requirement for educational entities to post recordings of meetings on the entity's website.

Collective Bargaining Impact

None

Local District Responsibility

None

Policy(ies) and ARs Impacted by these Revisions

None

STIPENDS

Summary

In 2023, the Oregon Legislature passed HB 2753, removing the prohibition on district school board members receiving compensation and authorizing stipends. However, Oregon ethics laws made implementation of stipends challenging. This year, the Oregon Legislature passed SB 983 (2025), removing one of the barriers related to budget adoption, making it simpler for board members to receive stipends.

As many districts currently have policy language prohibiting any compensation for board members, one of the first steps towards stipends is to amend this language. Updating this policy does not mean that stipends will automatically be provided: payment of stipends is generally contingent upon board action on the budget, resolutions, or both. Consideration of this policy update is likely considered a potential conflict of interest under ORS 244.020. Board members are encouraged to declare this conflict during any board meeting in which this policy is considered in accordance with ORS 244.120. Boards can move forward with amendment to this policy, even if the board does not want to provide stipends at this time.

Once this policy is updated, boards are encouraged to work with legal counsel if the board is interested in providing stipends to its members.

Collective Bargaining Impact

None

Local District Responsibility

Review and adopt changes to policy if the board wants to allow for stipends in the future.

Policy(ies) and ARs Impacted by these Revisions

BHD – Board Member Stipends and Reimbursements, Optional

EDUCATIONAL EQUITY ADVISORY COMMITTEES

Summary

In 2021, the Oregon Legislature passed SB 731, requiring school districts to create educational equity advisory committees (EEAC). This requirement went into effect in 2021 for districts with more than 10,000 students and was delayed until September 15, 2025 for districts with fewer than 10,000 students. Based on the experience of larger districts, the Oregon Legislature passed HB 2453 (2025), which removes some of the requirements of the EEAC, allowing them to function as a superintendent committee instead of a board committee.

OSBA previously added language about EEACs to Board policy BCF – Advisory Committees to the Board. Because EEACs no longer report to the Board, OSBA is recommending this language be deleted. OSBA has created a new optional policy, CEA – Educational Equity Advisory Committee for districts that want policy language outlining EEAC requirements. Many of the smaller districts have not added policy language about EEACs as the requirement does not go into effect until September 15, 2025 (the district may not need to delete anything).

Additionally, one member of the EEAC will serve on the district’s budget committee. This does not create a new position on the budget committee, rather, a member of the EEAC will

fill a vacancy on the budget committee when it becomes available. Language can be added to Board policy DBEA – Budget Committee.

Collective Bargaining Impact

None

Local District Responsibility

Review Board policy BCF – Advisory Committees to the Board. If EEAC language was added, delete that language. Consider adopting new optional policy CEA – Educational Equity Advisory Committee. Review Board policy DBEA – Budget Committee to add EEAC language and to ensure any existing language is current.

Policy(ies) and ARs Impacted by these Revisions

BCF – Advisory Committees to the Board, Optional
CEA – Educational Equity Advisory Committee, Optional, *New*
DBEA – Budget Committee, Version 1, Highly Recommended
DBEA – Budget Committee, Version 2, Highly Recommended

MILITARY LEAVE OF ABSENCE

Summary

A change in law affecting employees using a military leave of absence has changed leave time from 15 days of absence to “up to 21 work days of absence in any one training year” (ORS 408.290) and adds that such leave shall be in addition to any regular leave for which an employee may be entitled.

As a matter of reviewing GCBDE/GDBDE – Military Leave of Absence, an update to GCBDE/GDBDE – Sick Leave - Personal Illness and Injury Leave * has been made in connection with its review; not to update because there was any change in law.

Collective Bargaining Impact

None

Local District Responsibility

These policies include provisions of law that are required to be followed, but adopting a policy is not required. If either of these policies are new to the district, determine if they are helpful. If the board’s policy manual already includes either policy, update and present to the Board for adoption as appropriate.

Policy(ies) and ARs Impacted by these Revisions

GCBDE/GDBDE – Sick Leave - Personal Illness and Injury Leave *, Optional
GCBDE/GDBDE – Military Leave of Absence, Optional

MAHMOUD v. TAYLOR

Summary

In June 2025, the Supreme Court of the United States issued a decision for [Mahmoud v. Taylor \(2025\)](#). In this case, the district selected books to be used as part of the curriculum. Some parents requested exemptions from these books for religious reasons. Initially, the

district allowed parents to opt their children out of lessons using these books, but later denied the opportunity to opt out. The Court sided with the parents and granted a preliminary injunction, allowing parents to opt their children out of instruction when these books were used while the case continues to be litigated in lower courts.

The Court considered the age of the students involved, the level to which the books contradicted religious beliefs, the celebration of the content of the books as opposed to mere exposure, and how the books were used in the classroom. It is important to note that this case involved books that were used as part of the required instruction, not books that were self-selected by students. Additionally, the Court did not authorize the district to ban certain books, rather gave the parents in this specific situation the ability to opt out of instruction using these books.

Oregon has a law allowing parents to request an exemption for religious reasons: OAR 581-021-0009. Many districts have policy IGBHD – Program Exemptions, last updated in March 2023. This policy provides a procedure for a parent to request an exemption and for administration to respond.

Policy IGBHD – Program Exemptions** is included in this update, there are no updates to the policy content at this time, but districts should add a new legal reference to existing policy: *Mahmoud v. Taylor*, No. 24-297, U.S., (June 27, 2025).

Collective Bargaining Impact

None

Local District Responsibility

Consider adopting policy IGBHD – Program Exemptions** if the district does not currently have it.

Policy(ies) and ARs Impacted by these Revisions

None

CHOOSING INSTRUCTIONAL MATERIALS AND SCHOOL OR CLASSROOM LIBRARY MATERIALS

Summary

The changes include new provisions of law from Senate Bill 1098 (2025) governing persons responsible for the selection or retention of library materials, and also governing persons responsible for the use of, or refuse to approve the use of, textbooks and other instructional materials on American history and government. New provisions require compliance with nondiscrimination practices under ORS 659.850 and ensuring compliance with ORS 337.260, i.e., a person may not prohibit the use of, or refuse to approve the use of, textbooks or other instructional materials on the basis that the textbooks or materials include a perspective, study or story of, or are created by, any individual or group identified in ORS 337.260 (1). The law identifies individuals or groups who are: Native American, European, African, Asian, Pacific Island, Chicano, Latino, Middle Eastern or Jewish descent, have disabilities, are immigrants or refugees, or are lesbian, gay, bisexual or transgender.

The law does not prohibit the district from choosing to apply these provisions to other textbooks and instructional materials.

Collective Bargaining Impact

None

Local District Responsibility

If either of policy and its administrative regulations (AR) are new to the district, determine if they are helpful. If the board's policy manual already includes these, update as needed and present to the policy to the Board for adoption as appropriate, and submit any ARs for board review.

Policy(ies) and ARs Impacted by these Revisions

IF – District Curriculum, Optional

IF – Curriculum Development (Version 2), Delete

IIA – Instructional Materials**, Highly Recommended

IIA-AR(1) - Instructional Materials, Optional

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

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

IIA-AR(4) - Reconsideration of Library Materials in a School or Classroom Library, Optional

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

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

GRADUATION REQUIREMENTS

Summary

The Oregon Legislature passed HB 4137 (2024) which grants credit towards graduation to students who complete International Baccalaureate programs. The State Board of Education adopted rules for implementation and established responsibilities for districts that offer International Baccalaureate Programs. The update also adds extended diploma information back to the notification requirements.

Collective Bargaining Impact

None

Local District Responsibility

Review and adopt changes to policy governing graduation requirements.

Policy(ies) and ARs Impacted by these Revisions

IKF - Graduation Requirements**, Conditionally Required

PERSONAL ELECTRONIC DEVICES

Summary

Governor Kotek issued Executive Order No. 25-09 (EO) on July 2, 2025. The EO requires school districts to adopt a policy prohibiting student use of personal electronic devices during instructional time. The policy must be adopted by October 31, 2025, with full implementation required by January 1, 2026. OSBA anticipates the Oregon State Board of Education to adopt administrative rules aligning with the EO in the next several months.

Existing Oregon law, ORS 336.840, also requires policy language regarding student use and possession of personal electronic devices by students.

Although full implementation is not required until January 1, 2026, districts may decide to implement at the beginning of the school year in order to avoid changing practice during the middle of the year. Districts can adopt this policy early, but should be aware of the possibility that a subsequent policy update may be necessary due to the adoption of rules or other changes.

Any previous versions of sample policy JFCEB – Personal Electronic Devices and Social Media** and sample administrative regulation, JFCEB-AR - Personal Electronic Devices and Social Media adopted are recommended to be deleted in lieu of the new sample policy, JFCEB –Personal Electronic Devices */** and new administrative regulation, JFCEB-AR - Request for Personal Electronic Devices Exception created in response to the Governor’s EO.

Collective Bargaining Impact

Coordinate with unions prior to adoption.

Local District Responsibility

Delete existing policy and replace with the new version of the policy prior to October 31, 2025. Delete current administrative regulation and consider whether the new administrative regulation will be beneficial for the district.

Policy(ies) and ARs Impacted by these Revisions

JFCEB - Personal Electronic Devices and Social Media** (Version 1), Required, Delete
JFCEB - Personal Electronic Devices and Social Media** (Version 2), Required, Delete
JFCEB - Personal Electronic Devices and Social Media** (Version 3), Required, Delete
JFCEB-AR - Personal Electronic Devices and Social Media, Optional, Delete
JFCEB - Personal Electronic Devices */**, Required, *New*
JFCEB-AR - Request for Personal Electronic Devices Exception, Optional, *New*

CONCUSSIONS AND OTHER BRAIN INJURIES

Summary

The Oregon Legislature adopted HB 3007 (2025) outlining steps that must be taken when information regarding a student’s concussion or other brain injury is provided to the district. The State Board of Education provided additional rules by adopting OAR 581-021-3007. OSBA is also recommending removing the double code on JHCA/JHCB Immunization and School Sports Participation**, making it JHCA Immunization, School Sports Participation, Concussions and Other Brain Injuries**.

Collective Bargaining Impact

None

Local District Responsibility

Review and adopt changes to policy.

Policy(ies) and ARs Impacted by these Revisions

JHCA – Immunization, School Sports Participation, Concussions and Other Brain Injuries, Optional**

STUDENT RECORDS

Summary

The State Board of Education recently made changes to the rules regarding directory information and student permanent records (OAR 581-021-0220). This update reflects these changes. OSBA will be doing a more comprehensive review of policies related to student records and releasing additional updates in the future.

Collective Bargaining Impact

None

Local District Responsibility

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

Policy(ies) and ARs Impacted by these Revisions

IGBAB/JO-AR – Education Records/Records of Students with Disabilities, Required
JO/IGBAB-AR – Education Records/Records of Students with Disabilities, Required
JOA – Directory Information**, Required

VIRTUAL PUBLIC CHARTER SCHOOL ENROLLMENT

Summary

The State Board of Education adopted changes to OAR 581-026-0305 and -0310 on the process for parents to provide notice about enrolling their student in a virtual public charter school and a district's response. The changes are reflected in policy LBEA – Denial for Virtual Public Charter School Student Enrollment.

Collective Bargaining Impact

None

Local District Responsibility

Review the board's policy manual and if policy LBEA – Denial for Virtual Public Charter School Student Enrollment exists, update and submit to the board to readopt.

Policy(ies) and ARs Impacted by these Revisions

LBEA – Denial for Virtual Public Charter School Student Enrollment**, Conditionally Required

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.

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