



## Summary

JFCEB – Personal Electronic Devices, Required

JFCEB-AR – Request for Personal Electronic Devices Exception, Optional: Recommend with changes

JFCEB (versions 1,2 &3)– Personal Electronic Devices and Social Media, **Delete**

BHD – Board Member Stipends and Reimbursements, Optional: Recommend with changes

CEA – Educational Equity Advisory Committee, Optional: Recommend with changes

GCBBD/GDBD – Sick Leave, Personal Illness and Injury Leave \* Optional: Recommend with changes

GCBDE/GDBDE – Military Leave of Absence, Optional: Recommend with changes

IF – District Curriculum, Optional: Recommend with changes

IF – District Curriculum Version 2 **Delete**

IGBAB/JO-AR – Education Records/Records of Student w/Disabilities, Required

IGBHD – Program Exemptions: Recommend with Changes

IIA – Instructional Materials: Recommend with changes

IIA-AR (1) – Instructional Materials: Recommend with changes

IIA-AR(2) – Reconsideration of Core Instructional Materials, Optional: Recommend with changes

IIA-AR(3) – Reconsideration of Supplemental Instructional Materials, Optional: Recommend with changes

IIA-AR(4) – Reconsideration of Library Materials In a School or Classroom Library, Optional: Recommend with changes

IIA-AR(5) – Request for Reconsideration of Instructional or Library Materials Form, Optional: Recommend with changes

IIA-AR(6) – Independent Adoption of Core Instructional Materials, Optional – Recommend with changes

JHCA – Immunization, School Sports Participation, Concussion and other Brain Injuries: Recommend with changes

JOA – Directory Information, Required

# OSBA Model Sample Policy

OK - review

Code: JFCEB  
Adopted:

## Personal Electronic Devices \*/\*\*

{This policy is required by ORS 336.840 and EO 25-09. EO-25-09 requires policy to be adopted and in place by October 31, 2025, with full implementation by January 1, 2026.}

Student ~~[possession or]~~ use of a personal electronic device is prohibited from the start of regular instructional hours until the end of regular instructional hours, except as provided below. ~~[Personal electronic devices can be used when students are not on school grounds and are not under the supervision of school personnel (other than a school bus driver).<sup>1</sup>]~~

Except as otherwise provided in this policy, “personal electronic device” means any portable, electrically powered device that is capable of making and receiving calls and text messages and accessing the internet independently from the school’s network infrastructure.<sup>2</sup> This includes headphones and earbuds attached to personal electronic devices. This does not include a laptop computer or other device required to support academic activities.

Personal electronic devices may be used when use complies with the terms of:

1. The student’s medical provider’s order for the care and treatment of a medical condition;<sup>3</sup>
2. The student’s individualized education program, as defined in ORS 343.035 or an education plan developed for the student in accordance with section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794);<sup>4</sup>
3. A written exemption provided for the student based on a request received in JFCEB-AR. School administration will respond to such a request within ~~10~~<sup>12</sup> school days.<sup>5</sup>

Personal electronic devices ~~[must be placed in district-provided pouches or storage]~~ [may be kept by students in lockers or backpacks, but personal electronic devices are not to be stored on the student’s person or in the student’s clothing] ~~[may be stored on the student’s person, but may not be used]~~ during regular instructional hours.

<sup>1</sup> ~~If students are under the supervision of school personnel other than a school bus driver, the use of personal electronic devices is prohibited during regular instructional hours.~~ ODE’s guidance, *Fostering Student Learning, Well-Being, and Belonging* provides that districts have discretion related to field trips. The district could include language regarding field trips here.

<sup>2</sup> ODE’s guidance, *Fostering Student Learning, Well-Being, and Belonging* provides “This includes personal electronic devices that can make calls, send texts, or access the internet via cellular data are restricted. This includes smartphones, web-enabled flip phones, cellular-capable tablets and e-readers, smartwatches, smart glasses, and connected headphones or earbuds. This does not include laptop computers or other devices required to support academic activities.”

<sup>3</sup> JFCEB-AR must be submitted to the building administrator, along with a copy of the order.

<sup>4</sup> If use of the personal electronic device is included in the individualized education program or education plan, JFCEB-AR submission is not required.

<sup>5</sup> JFCEB-AR must be submitted to the building administrator.



Students in violation of this policy will be subject to disciplinary action. Discipline for mere possession or use of a personal electronic device may not include loss of instructional time for the student (including suspension or expulsion), but could include ~~[detention, Saturday school, a change to storage requirements, etc. {<sup>6</sup>}]~~. However, if the actions taken by a student violate another conduct policy, the student may be subject to discipline up to and including expulsion.<sup>7</sup> Steps may include:

1. First Instance of Noncompliance: staff will give the student a verbal reminder of the policy and expectations to reinforce appropriate use of personal electronic devices;
2. Second Instance of Noncompliance: the device will be temporarily confiscated and held and the front office until the end of the school day. Parents or guardians will be notified, and a meeting with school administration may be scheduled to discuss ways to support the student;
3. Third Instance of Noncompliance: the device will again be temporarily held, and parents or guardians will be informed. A meeting with school administration and family will be arranged to review the policy and plan for improved compliance;
4. Beyond Third Instance of Noncompliance: ~~If~~ noncompliance continues, schools will determine additional appropriate consequences, always prioritizing keeping students in class and engaged in learning.<sup>8</sup>

Necessary communications during the school day while on school grounds between students and parents or guardians can be made through the school office.

The superintendent or designee shall ensure this policy is posted on the district website and made available to district personnel, students, parents, guardians, partners who are in school buildings during the school day, and the Oregon Department of Education.

In accordance with ORS 336.840, students may be allowed to use personal electronic devices<sup>9</sup> that support academic activities and independent communications<sup>10</sup>, except as prohibited by this policy. In academic activities in which a personal electronic device is required as part of the curriculum, students may be allowed, but not required to use their own personal electronic devices for that portion of the curriculum. Students using their own device must be granted access to any applications or electronic materials that are available to students who do not use their own personal electronic devices. These applications must be free of charge if students who do not use their own devices have access free of charge.

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<sup>6</sup> ~~Correction may include requiring a student to store their device in a classroom storage space instead of in the backpack.~~

<sup>7</sup> For example: a student could be disciplined with lost instructional time for using a personal electronic device to bully another student or for accessing inappropriate content. Discipline will be in accordance with Board policies.

<sup>8</sup> ~~From guidance from the Oregon Department of Education. Consider whether these procedures apply at all grade levels and whether this much detail is desired in policy.~~

<sup>9</sup> The use of “personal electronic device” in this paragraph comes from ORS 336.840, which does not define the term. However, the definition in EO 25-09 wouldn’t necessarily apply. Consequently, items like laptop computers or other devices required to support academic activities would likely be considered personal electronic devices within this paragraph.

<sup>10</sup> “Independent communication means communication that does not require assistance or interpretation by an individual who is not part of the conversation, but that may require the use or assistance of an electronic device. ORS 336.840(1).

Requests for exemptions to this policy can be processed in accordance with JFCEB-AR – Request for Personal Electronic Devices Exemption. Appeals can be filed ~~with the superintendent~~ in accordance with KL-AR(1) – Public Complaint Procedure.

The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.

~~This policy takes effect on January 1, 2026.~~

END OF POLICY

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**Legal Reference(s):**

[ORS 332.107](#)

[ORS 336.840](#)

Oregon Executive Order 25-09



# OSBA Model Administrative Regulation

Code: JFCEB-AR  
Revised/Reviewed:

OK

## Request for Personal Electronic Devices Exception

A parent or guardian may request an exception to the personal electronic device prohibition by submitting the following form to the principal:

Name of student: \_\_\_\_\_ Grade: \_\_\_\_\_

School: \_\_\_\_\_

If the reason for the request is included in the student's individualized education program, as defined in ORS 343.025 or an education plan developed for the student in accordance with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, this form is not required.

This request is:

- ☐ In compliance with the student's medical provider's order for the care and treatment of a medical condition (attach a copy of the order);
- ☐ Accommodate the individual circumstances of the student;
- ☐ Further specific educational outcomes for the student.

Exemption requested (describe the requested possession or use of a personal electronic device to be allowed and reason for the requested exemption):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Duration for requested exemption: \_\_\_\_\_<sup>1</sup>

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Parent or guardian name: \_\_\_\_\_

Parent or guardian phone: \_\_\_\_\_ Email: \_\_\_\_\_

### For Completion by School Administration

Request: ☐ Granted      Expiration of exemption: \_\_\_\_\_  
☐ Denied      Reason for denial: \_\_\_\_\_

<sup>1</sup> The maximum duration of an exemption is ~~one year~~ the end of the current school year the end of the student's enrollment at this school.

☐ More information needed. Please submit by [date] for reconsideration.

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Signed: \_\_\_\_\_ Date: \_\_\_\_\_

School administration will consult with a school nurse when appropriate. School administration decisions will be issued and communicated to the parent or guardian within ~~10~~ school days of receipt and can be appealed to the ~~superintendent~~ within 10 days of issuance. The ~~superintendent's~~ decision will be final. Denied requests may be resubmitted if circumstances change or ~~after 12 months, whichever is earlier.~~  
the end of the school year.

Guidelines for exemption consideration:

1. ~~Exemptions~~ should only be approved for legitimate needs of students and their families, not mere convenience;
2. Exemptions should be consistently granted in a non-discriminatory manner;
3. Exemptions should be limited to address the specific need, with limitations communicated to the student regarding other possession and use;
4. Exemptions should only be approved when other communication methods and device availability (school phones, laptops, computers, available internet, etc.) are not adequate for the specific need;
5. Exemptions should be communicated to necessary staff in a way that protects student privacy;
6. Exemptions should minimize disruption to other students, staff and the educational environment.



# OSBA Model Sample Policy

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## Personal Electronic Devices and Social Media\*\*

(Student may possess a personal electronic device)

(Version 1)

Students may be allowed to use and possess personal electronic devices on district property and at district-sponsored activities provided such devices are not used in any manner that may disrupt the learning environment or district-sponsored activities, or violate Board policies, administrative regulations, school or classroom rules, state and federal law.<sup>1</sup>

[As used in this policy, a “personal electronic device” is a device that is capable of electronically communicating, sending, receiving, storing, recording, reproducing and/or displaying information and data.]

If the district implements a curriculum that uses technology, students may be allowed to use their own personal electronic devices to access the curriculum. Students who are allowed to use their own devices to access the curriculum will be granted access to any application or electronic materials when they are available to students who do not have their own devices, or provided free of charge to students who do not use their own devices for curriculum.

Students may not use district equipment to access social media websites, while on district property or at district-sponsored activities, unless the access is approved by a district representative.

The district will not be liable for personal electronic devices brought to district property and district-sponsored activities. The district will not be liable for information or comments posted by students on social media websites when the student is not engaged in district activities and not using district equipment.

The superintendent is directed to develop administrative regulations and/or approve school rules as necessary to ensure that student use of such devices is consistent with this policy. Administrative regulations may include grade- or age-level possession and/or use restrictions by students on district property and at district-sponsored activities; consequences for violations; a process for responding to a student’s request to use a personal electronic device, including an appeal process if the request is denied; and such other provisions as the superintendent may deem necessary. The superintendent is responsible for ensuring that pertinent provisions of Board policies, administrative regulations and school rules governing personal electronic devices are included in staff handbooks and student/parent handbooks, reviewed annually and updated as necessary.

END OF POLICY

<sup>1</sup> The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.

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**Legal Reference(s):**

[ORS 332.107](#)

[ORS 336.840](#)

Copyrights, 17 U.S.C. §§ 101-1332 (2012); 19 C.F.R. Part 133 (2017).

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# OSBA Model Sample Policy

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## Personal Electronic Devices and Social Media\*\*

(Student may possess a personal electronic device with certain restrictions)

(Version 2)

Student possession or use of personal electronic devices on district property, in district facilities during the school day and when a student is in attendance at district-sponsored activities may be permitted subject to the limitations set forth in this policy and consistent with any additional school rules as may be established by the principal and approved by the superintendent.

[A “personal electronic device” is a device that is capable of electronically communicating, sending, receiving, storing, recording, reproducing and/or displaying information and data.]

[“Independent communication” means communication that does not require assistance or interpretation by an individual who is not part of the communication but that may require the use or assistance of an electronic device.]

Personal electronic devices shall be turned off during instructional or class time[, during passing times between classes] or at any other time where such use of the device would cause a disruption of school activities. Devices which have the capability to take photographs or record video or audio shall not be used for such purposes while on district property or while a student is engaged in district-sponsored activities, unless as expressly authorized in advance by the principal or designee. Computers, tablets, iPads or similar devices brought to school will be restricted to academic activities and independent communications.

If the district implements a curriculum that uses technology, students may be allowed to use their own personal electronic devices to access the curriculum. Students who are allowed to use their own devices to access the curriculum will be granted access to any application or electronic materials when they are available to students who do not use their own devices, or provided free of charge to students who do not use their own devices, for curriculum.

A process for responding to a student’s request to use a personal electronic device, including an appeal process if the request is denied, will be provided.

The district will not be liable for personal electronic devices brought to district property and district-sponsored activities.

Students may not use district equipment to access social media websites, while on district property or at district-sponsored activities unless the access is approved by a district representative. The district will not be liable for information or comments posted by students on social media websites.

Exceptions to the prohibitions set forth in this policy may be made for health, safety or emergency reasons with prior principal or designee approval or when use is provided for in a student’s individualized education program (IEP).

Students are subject to disciplinary action up to and including expulsion for using a personal electronic device in any manner that is academically dishonest, illegal or violates the terms of this policy<sup>1</sup>. A referral to law enforcement officials may also be made. Personal electronic devices brought to district property or used in violation of this policy are subject to confiscation and will be released to the student's parent or property owner, as appropriate.

The superintendent shall ensure that the Board's policy and any subsequent school rules developed by building administrators are reviewed and approved in advance to ensure consistency with this policy and that pertinent provisions of policy and school rules are communicated to staff, students and parents through building handbooks and other means.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.107](#)

[ORS 336.840](#)

Copyrights, 17 U.S.C. §§ 101-1332; 19 C.F.R. Part 133 (2017).

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<sup>1</sup> The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.



# OSBA Model Sample Policy

Code:  
Adopted:

JFCEB

## Personal Electronic Devices and Social Media\*\*

(Student may not possess a personal electronic device)

(Version 3)

Student possession or use of personal electronic devices and social media on district property, in district facilities during the school day and while the student is in attendance at district-sponsored activities is prohibited. Exceptions may be made with prior superintendent or designee approval for health, safety or emergency reasons or when use is provided for in a student's individualized education program (IEP). Students may not use district equipment to access social media websites, while on district property or at district-sponsored activities unless the posting is approved by a district representative.

[A "personal electronic device" is a device that is capable of electronically communicating, sending, receiving, storing, recording, reproducing and/or displaying information and data.]

Devices attached to, or stored in a student vehicle parked on district property will be exempt from this policy, provided the device is not removed from the vehicle while on district property.

Students in violation of this policy will be subject to disciplinary action up to and including expulsion.<sup>1</sup> The superintendent shall ensure that the Board's policy is communicated to staff, students and parents through building handbooks and other such means. The district will not be liable for information or comments posted by students on social media websites when the student is not engaged in district activities and not using district equipment.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

[ORS 336.840](#)

Copyrights, 17 U.S.C. §§ 101- 1332; 19 C.F.R. Part 133 (2012).

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<sup>1</sup> The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.

# OSBA Model Sample Policy

Controlled by: JFCEB-AR  
Reviewed/Revised: \_\_\_\_\_

## Personal Electronic Devices and Social Media

Students may use and possess personal electronic devices on district grounds subject to the following:

1. Personal electronic devices shall not be used in a manner that disrupts the educational process, school programs or activities, or in a manner that violates law, Board policy, administrative regulation or school rules;<sup>1</sup>
2. [Unless as provided in advance by the [principal] or designee for health or safety reasons, or in the event of an emergency situation that involves imminent physical danger, devices shall be turned on and operated only before and after the regular school day. Personal electronic devices may be used during the student's lunch break. They may not be used at any time in the proximity of any class, school activity or event that may be in session or in progress during those times;]
3. Personal electronic devices which have the capability to take photographs or record video or audio, shall not be used for such purposes while on district property or at district-sponsored events unless as expressly authorized in advance by the [principal] or designee;
4. The district shall not be responsible for loss, theft or damage to personal electronic devices brought to district property or district-sponsored events;
5. Personal electronic devices may be used as electronic study aids during the school day if provided as a part of a student's individualized education program (IEP) or if permission is received from the student's teacher;
6. The use of personal electronic devices in any way to send or receive messages, data or information that would pose a threat to academic integrity, contribute to or constitute academic dishonesty is strictly prohibited;
7. The use of personal electronic devices in any manner that violate the confidentiality or privacy rights of another individual is strictly prohibited;
8. Students shall comply with any additional school rules as established by the principal and classroom rules as approved by the principal concerning the appropriate use of personal electronic devices;

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<sup>1</sup> The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.

9. Personal electronic devices used in violation of law, Board policy, administrative regulation or approved school rules will be confiscated, turned in to the school office and returned to the student or parent following parent notification, conference, detention, suspension, expulsion and/or referral to law enforcement officials as appropriate;
10. Students may not access social media websites using district equipment, while on district property or at district-sponsored activities unless the access is approved by a district representative.

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# OSBA Model Sample Policy

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Code: BHD  
Adopted:

## Board Member ~~Compensation and Expense~~ Stipends and Reimbursements

{Board members likely have a potential conflict of interest when voting on this policy, as this decision “could be to the private pecuniary benefit or detriment of the Board member.” The adoption of this policy does not mean that a stipend or reimbursement will be paid: any stipend or reimbursement is contingent upon further action of the Board. In order to comply with a potential conflict of interest, Board members must declare the potential conflict of interest at each Board meeting in which this policy is being considered and can then participate in the discussion and vote. Declarations of conflicts should be included in the minutes of the meeting.}

Board members may receive a stipend for their service in accordance with state law and the Board-adopted district budget.<sup>1</sup> ~~[The amount of the stipend is limited to the amount included in the budget.]~~<sup>2</sup> The stipend amount will be approved by resolution of the Board.<sup>3</sup> Board members may choose not to accept the stipend by notifying the business office. Stipends will be issued ~~monthly~~ and may be pro-rated for service for incomplete months. Stipends will be paid in accordance with the district’s business practices.<sup>4</sup> Board members are responsible for any tax obligations resulting from the stipends.

~~No~~ Board members ~~will receive any compensation for services other than~~ may be reimbursement~~ed~~ for approved expenses actually incurred on district business. Such expenses may include the cost of attendance at meetings, conferences or visitations when such attendance has been approved by the Board.

The superintendent will establish and communicate procedures regarding submission of expenses for reimbursement.

When paid admission is required of the public, Board members may be reimbursed for attending district events and other activities when their attendance is consistent with board responsibilities and district operations. (See Board policy DFEA - Admission to District Events) The district will establish accounting procedures consistent with this policy.

END OF POLICY

<sup>1</sup> After declaring an actual conflict of interest during meetings in which the budget is being discussed, Board members are allowed to discuss and vote on the district’s budget that includes providing compensation of benefits to themselves or relatives in accordance with Senate Bill 983 (2025).

~~<sup>2</sup> The maximum amount [of the monthly stipend] will be limited to the total amount budgeted, divided by the total number of Board members[, divided by 12]. Stipend amounts are also limited by ORS 332.018(3).~~

<sup>3</sup> Because Board members likely have an conflict of interest when approving an annual resolution, the Board may need to approve multiple resolutions, each applying to fewer than a quorum of the Board.

<sup>4</sup> {Districts are encouraged to work with business professionals regarding the procedures and tax implications of providing stipends.}



**Legal Reference(s):**

[ORS 244.020](#)

[ORS 244.040](#)

[ORS 332.018\(3\)](#)

OR. GOV'T STANDARDS AND PRACTICES COMM'N, STAFF OPINION 02S-015 (May 20, 2002).

OR. GOV'T STANDARDS AND PRACTICES COMM'N, STAFF OPINION 03S-015 (Sept. 11, 2003).

[Senate Bill 983 \(2025\)](#)

# OSBA Model Sample Policy

OK

Code: CEA  
Adopted:

## Educational Equity Advisory Committee

The duties of the district's educational equity advisory committee<sup>1</sup> shall include:

1. Advising the superintendent about the educational equity impacts of policy decisions; and
2. Informing the superintendent when a situation arises in a district school that negatively impacts underrepresented students and advising the superintendent on how best to handle that situation.

The superintendent may act within the superintendent's authority on any recommendations of the educational equity advisory committee without approval from the Board. The superintendent does not have the authority to adopt or amend policy.

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 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 shared with the Board:
  - a. By the superintendent; and
  - b. If requested by the Board, by the committee as a presentation by the committee at a Board meeting.
3. Is made available by being:
  - a. Distributed to the parents of district students;
  - b. Posted on the district's website; and
  - c. Sent to the State Board of Education.

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

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

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<sup>1</sup> The district can name this committee something else. If the district chooses to do so, use consistent language throughout.

2. Must ensure that membership is primarily representative of underserved student groups;
3. May not exclude or deny members based on language, immigration status or protected class, including age, disability, national origin, race, color, marital status, religion, sex, sexual orientation, or gender identity;
4. May not appoint a voting member of the Board or the superintendent to the educational equity advisory committee; and
5. Must ensure that the composition of an educational equity advisory committee elevates underrepresented parent, employee, student, and community member voices.

The district will provide sufficient support to educational equity advisory committee members to participate in meetings, including, but not limited to access to district-managed emails, translation and interpretation services, and relevant trainings.

A member of the educational equity advisory committee will also serve on the school district budget committee.<sup>2</sup>

END OF POLICY

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**Legal Reference(s):**

[ORS 328.542](#)  
[ORS 329.711](#)

[ORS 332.107](#)  
[OAR 199-050-0010](#)

[OAR 581-022-2307](#)

House Bill 2453 (2025)

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<sup>2</sup> The district is not required to add an educational equity advisory committee member to the budget committee until there is a non-board member vacancy on the budget committee.



# OSBA Sample Policy

Code:  
Adopted:

GCBD/GDBD

OK

## Sick Leave - Personal Illness and Injury Leave \*

Sick leave ~~entitlement~~ is allowed to accrue at the rate of 10 days each school year for each “school employee<sup>1</sup>” for personal illness or injury ~~will accrue at the rate of 10 days each year~~ or one day per month employed, whichever is greater, as provided by Oregon ~~Revised Statutes~~ law. Twelve-month employees will accrue 1 day per month or 12 days each year. ~~[All other employees who work less than 12 months will receive 1 day per month.]~~

In accordance with state law, this leave will accumulate without limit.

~~The district reserves the right [after five consecutive days of absence,] to require proof of personal illness or injury from all employees, including a medical examination by a physician chosen and paid for by the district.~~ Sick leave in excess of five consecutive work days shall require a certificate from the employee’s attending physician, naturopathic physician or practitioner that the employee’s illness or injury prevents the employee from working. Any 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. ~~7~~

Other paid and unpaid leaves will be determined by the district’s collective bargaining agreements.

All medical information will be kept confidential, in a separate file from personnel records, and released only in accordance with the requirements of the Americans with Disabilities Act or other applicable law.

Sickness or other unavoidable circumstances that prevent a teacher from teaching 20 school days immediately following exhaustion of sick leave accumulated under Oregon law, the Board will ~~result in the teacher being placed~~ place the teacher on unpaid leave for the remainder of the regular school year or until the teacher’s disability is removed and they are able to return to work. If the teacher is still unable to return to work the following August 1, the Board may terminate the teacher’s employment, subject to state and federal laws regarding family ~~illness~~ and medical leave.

All district-paid employee benefits, such as health and dental insurance, will cease on the last day of the month in which employment is terminated, or the staff member is placed on unpaid leave, unless the unpaid leave is in conjunction with state or federal ~~family medical leave~~ law. The staff member will be informed of their rights to remain a part of the district benefit plan at personal expense.

~~Any worker who has sustained a compensable personal injury or illness and is disabled and unable to perform essential job functions, will be reemployed at such time as a physician issues a Fitness for Duty Certification. Such rights of reemployment are subject to seniority rights and other restrictions of the collective bargaining agreement between the employer and employee bargaining unit.~~

END OF POLICY

<sup>1</sup> “School employee” includes all employees of the district.



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**Legal Reference(s):**

[ORS 332.507](#)  
[ORS 342.545](#)

[ORS 342.610](#)  
[ORS 659A.043](#)

[ORS 659A.046](#)  
[OAR 581-022-2405](#)

Knapp v. North Bend, 304 Or. 34 (1987).

Consolidated Omnibus Budget Reconciliation Act of 1985, 29 U.S.C. §§ 1161-1169 (~~2012~~2024).

Employee Retirement Income Security Act of 1974, 29 U.S.C. §§ 1001-1461 (~~2012~~2024).

Americans with Disabilities Act-~~of 1990~~/Americans with Disabilities Act Amendments Act, 42 U.S.C. §§ 12101-12213 (~~2012~~2024); 29 C.F.R. Part 1630 (~~2016~~2025); 28 C.F.R. Part 35 (~~2016~~2025).

Family and Medical Leave Act-~~of 1993~~, 29 U.S.C. §§ 2601-2654 (~~2012~~2024); Family and Medical Leave Act-~~of 1993~~, 29 C.F.R. Part 825 (~~2016~~2025).

~~Americans with Disabilities Act Amendments Act of 2008.~~

# OSBA Sample Policy

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Code: GCBDE/GDBDE  
Adopted:

## Military Leave of Absence

The district will grant military leave of absence to an employees on duty<sup>1</sup> with a uniformed service<sup>2</sup> in accordance with applicable state and federal law. An Eemployees requesting military leave is required to provide written notice as soon as practicable following notification of military call up or reservist duty, unless precluded by military necessity.

An employee may apply for Mmilitary leave<sup>3</sup> ~~exceeding 15~~ of absence from duties for up to 21 work days ~~is unpaid leave~~ in any one training year<sup>4</sup> or in accordance with ORS 408.290. An Eemployees may use any accrued vacation or similar leave during the period of service exceeding ~~15~~ 21 days. Military leave shall be in addition to any other leave the employee is entitled.

While on military leave, the employee will receive the same benefits as other employees on leave, as well as the following:

1. The employee may continue enrollment in the district's health insurance plan. During the first 18 months of leave, the employee may be required to pay any employee ~~contribution~~ contributions required of other employees on a leave of absence. If the leave extends beyond 18 months, the employee will be required to pay not more than 102 percent of the full premium;
2. Upon return from military service, the district will give retroactive employer contributions to the Public Employees Retirement System on the same basis as if the employee had not left, provided the employee was an enrolled member at the time of the leave. The employee may repay any required employee contributions over a period of three times the military service leave period or five years, whichever is less.

An employee on duty with a uniformed service is entitled to reemployment for a maximum of five years, unless retained on active duty because of war or national emergency. An individual returning from military leave shall notify the district of their intent to return to the district as follows:

<sup>1</sup> "Duty" means the performance of duty on a voluntary or involuntary basis in a uniformed service and includes active duty; ~~active duty for training, initial active duty for training,~~ or inactive duty training, state active duty, ~~full-time~~ U.S. National Guard duty, U.S. Armed Forces duty and absence to determine fitness for duty.

<sup>2</sup> "Uniformed service" means being a member of the ~~U.S. Armed Forces, the~~ U.S. National Guard, National Guard Reserve or of any reserve component of the U.S. Armed Forces, or of the commissioned corps of the U.S. Public Health Service and any other category of persons designated by the President in time of war or national emergency.

<sup>3</sup> The employee may use military leave without loss of time, pay or regular leave if the employee has been employed by the district for six months or more.

<sup>4</sup> "Training year" means the federal fiscal year for any particular unit of the National Guard or a reserve component.

1. An ~~E~~mployees who ~~are~~ is a veterans ~~and~~ or reservists returning from training must only inform the district of their training obligations and report back at the next regularly scheduled working period;
2. An ~~E~~mployees returning from active duty must notify the district of their intention to return to their former jobs within 90 days ~~of~~ after the employee is ~~release~~ relieved from duty, or from hospitalization continuing after discharge for a period of not more than one year.

An individual reemployed under this policy is entitled to the seniority and other currently existing rights and benefits the individual had when service started, plus the additional seniority and similar rights and benefits that would have been accrued if employment had been continuous.

This policy does not apply if the employee has been separated from service with a dishonorable or bad conduct discharge or under other than honorable conditions.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.505](#)  
[ORS 408.238](#)  
[ORS 408.240](#)

[ORS 408.270](#)  
[ORS 408.290](#)  
[ORS 659A.082](#)

[ORS 659A.086](#)

Consolidated Omnibus Budget Reconciliation Act of 1985, 42 U.S.C. §§ 300bb-1-300bb-8 (~~2012~~2024).

I.R.C., U.S.C. 26 § 4980B(f)(4) (~~2012~~2024).

Employment and Reemployment Rights of Members of the Uniformed Services, 38 U.S.C. §§ 4301-4334 (~~2012~~2024).



# OSBA Model Sample Policy

OK

Code: IF  
Adopted:

## District Curriculum ~~Development~~ (~~Version 1~~)

The Board believes it is necessary to continually develop and modify the district's curriculum to meet changing needs in technology and fields of knowledge and to assure the full, rounded and continuing development of students. While keeping with the requirements of state law, the Board authorizes the superintendent, in consultation with staff, parents and the community, to review the curriculum ~~periodically~~ and to advise the Board on needed curriculum changes. ~~Decision making within the curriculum review process should also be based on reliable data collected through a comprehensive assessment of needs. The assessment should include, but is not limited to, evaluation of student performance using appropriate measurement tools and procedures, surveys of parent perceptions and professional staff recommendations.~~

The Board or a committee or administrator responsible for making a decision for regarding the use of; textbooks or other instructional materials must not prohibit the use of or refuse to approve the use of textbooks or instructional materials on the basis that the textbooks or instructional materials include a perspective, study or story of, or are created by, any individual or group identified in ORS 337.260.

END OF POLICY

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### Legal Reference(s):

[ORS 243.650](#)  
[ORS 332.075\(1\)](#)  
[ORS 336.035](#)  
[ORS 336.067](#)  
[ORS 337.260](#)

[ORS 659.850](#)  
[OAR 581-021-0045](#)  
[OAR 581-021-0046](#)  
[OAR 581-022-2000](#)  
[OAR 581-022-2030](#)

[OAR 581-022-2250](#)  
[OAR 581-022-2300](#)  
[OAR 581-022-2305](#)  
[OAR 581-022-2310](#)  
[OAR 581-022-2315](#)

Senate Bill 1098 (2025)



# OSBA Model Sample Policy

Code: IF  
Adopted:

OK

## Curriculum Development (Version 2)

OSBA is removing this sample policy to keep only one version.

The Board recognizes that to improve the quality of instructional programs and to respond to changing societal and community needs, it cannot permit the curriculum to remain static. The Board deems it essential that the district develop and implement an instructional management system which will modify curricula to meet changing needs, ensuring quality educational programs serving each individual student's interests.

While the Board retains its full rights and responsibilities under the laws and regulations of the state of Oregon with regard to determining curriculum, it authorizes the superintendent to organize committees and other structures which would be responsive and representative in planning curriculum improvements and be effective at implementing approved changes.

Decision making within the curriculum improvement process should be based on reliable data collected through a comprehensive assessment of needs. The assessment should include, but is not limited to, evaluation of student performance using appropriate measurement tools and procedures, surveys of parent perceptions and professional staff recommendations.

END OF POLICY

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### Legal Reference(s):

[ORS 329.025](#)  
[ORS 332.075](#)  
[ORS 336.067](#)  
[OAR 581-021-0045](#)

[OAR 581-021-0046](#)  
[OAR 581-022-2000](#)  
[OAR 581-022-2030](#)  
[OAR 581-022-2250](#)

[OAR 581-022-2300](#)  
[OAR 581-022-2305](#)  
[OAR 581-022-2310](#)  
[OAR 581-022-2315](#)

# OSBA Model Sample Administrative Regulation

OK

Code: IGBAB/JO-AR  
Adopted:

## Education Records/Records of Students with Disabilities Management

### 1. Student Education Record

Student education records are those records that are directly related to a student and maintained by the district, or by a party acting for the district; however, this does not include the following:

- a. Records of instructional, supervisory and administrative personnel and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record, used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- b. Records of the law enforcement unit of the district subject to the provisions of Oregon Administrative Rule (OAR) 581-021-0225;
- c. Records relating to an individual who is employed by the district that are made and maintained in the normal course of business, which relate exclusively to the individual in that individual's capacity as an employee and that are not available for use for any other purpose. Records relating to an individual in attendance at the district who is employed as a result of status as a student, are education records and are not excepted under this section;
- d. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:
  - (1) Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in a professional capacity or assisting in a paraprofessional capacity;
  - (2) Made, maintained or used only in connection with treatment of the student; and
  - (3) Disclosed only to individuals providing the treatment. For purposes of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the district.
- e. Records that only contain information relating to activities in which an individual engaged after the individual is no longer a student at the district;
- f. Medical or nursing records which are made or maintained separately and solely by a licensed health-care professional who is not employed by the district, and which are not used for education purposes or planning.

The district shall keep and maintain a permanent record on each student which includes the:

- a. Name and address of educational agency or institution;
- b. Full legal name of the student;
- c. Student's birth date ~~and place of birth~~;
- d. Names of parents/guardians;
- e. Date of entry into the school;
- f. Name of school previously attended;



- g. Courses of study and marks received;
- h. Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;
- i. Credits earned;
- j. Attendance; and
- k. Date of withdrawal from school; ~~and.~~
- ~~l. Such additional information as the district may prescribe.~~

The district may ~~also~~ request the social security number of the student ~~and will include the social security number on the permanent record only if the eligible student or parent complies with the request.~~ The request shall include notification to the eligible student or the student's parent(s) that the provision of the social security number is voluntary and notification of the purpose for which the social security number will be used.

The district shall retain permanent records in a minimum one-hour fire-safe place in the district, or keep a duplicate copy of the permanent records in a safe depository in another district location.

## 2. Confidentiality of Student Records

- a. The district shall keep confidential any record maintained on a student in accordance with OAR 581-021-0220 through 581-021-0430.
- b. Each district shall protect the confidentiality of personally identifiable information at collection, storage, disclosure and destruction stages.
- c. Each district shall identify one official to assume responsibility for ensuring the confidentiality of any personally identifiable information.
- d. All persons collecting or using personally identifiable information shall receive training or instruction on state policies and procedures.

## 3. Rights of Parents and Eligible Students

The district shall annually notify parents and eligible students through the district student/parent handbook or any other means that are reasonably likely to inform the parents or eligible students of their rights. This notification shall state that the parent(s) or an eligible student has a right to:

- a. Inspect and review the student's education records;
- b. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy or other rights;
- c. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the applicable state or federal law authorizes disclosure without consent;
- d. Pursuant to OAR 581-021-0410, file with the Family Policy Compliance Office, United States Department of Education a complaint under 34 C.F.R. § 99.64 concerning alleged failures by the district to comply with the requirements of federal law; and
- e. Obtain a copy of the district policy with regard to student education records.

The notification shall also inform parents or eligible students that the district forwards education records requested under OAR 581-021-0255. The notification shall also indicate where copies of the district policy are located and how copies may be obtained.

If the eligible student or the student's parent(s) has a primary or home language other than English, or has a disability, the district shall provide effective notice.

These rights shall be given to either parent unless the district has been provided with specific written evidence there is a court order, state statute or legally binding document relating to such matters as divorce, separation or custody that specifically revokes these rights.

When a student becomes an eligible student, which is defined as a student who has reached 18 years of age or is attending only an institution of postsecondary education and is not enrolled in a secondary school, the rights accorded to, and the consent required of, the parents transfer from the parents to the student. Nothing prevents the district from giving students rights in addition to those given to parents.

#### 4. Parent's or Eligible Student's Right to Inspect and Review

The district shall permit an eligible student or student's parent(s) or a representative of a parent or eligible student, if authorized in writing by the eligible student or student's parent(s), to inspect and review the education records of the student, unless the education records of a student contain information on more than one student. In that case the eligible student or student's parent(s) may inspect, review or be informed of only the specific information about the student.

The district shall comply with a request for access to records:

- a. Within a reasonable period of time and without unnecessary delay;
- b. For children with disabilities before any meeting regarding an individualized education program (IEP), or any due process hearing, or any resolution session related to a due process hearing<sup>1</sup>;
- c. In no case more than 45 days after it has received the request.

The district shall respond to reasonable requests for explanations and interpretations of the student's education record.

The parent(s) or an eligible student shall comply with the following procedure to inspect and review a student's education record:

- a. Provide a written, dated request to inspect a student's education record; and
- b. State the specific reason for requesting the inspection.

The written request will be permanently added to the student's education record.

The district shall not destroy any education record if there is an outstanding request to inspect and review the education record.

While the district is not required to give an eligible student or student's parent(s) access to treatment records under the definition of "education records" in OAR 581-021-0220(6)(b)(D), the eligible

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<sup>1</sup> Records must be provided without undue delay, which may not exceed 10 business days from the date of the request for the records. Records may be redacted only to the extent necessary to protect personally identifiable information of other children unless disclosure is authorized by law or court order.



student or student's parent(s) may, at their expense, choose a physician or other appropriate professional and have those records reviewed.

If an eligible student or student's parent(s) so requests, the district shall give the eligible student or student's parent(s) a copy of the student's education record. The district may recover a fee for providing a copy of the record, but only for the actual costs of reproducing the record unless the imposition of a fee effectively prevents a parent or eligible student from exercising the right to inspect and review the student's educational records. The district may not charge a fee to search for or to retrieve the education records of a student.

The district shall not provide the eligible student or student's parent(s) with a copy of test protocols, test questions and answers and other documents described in Oregon Revised Statutes (ORS) 192.345(4) unless authorized by federal law.

The district will maintain a list of the types and locations of education records maintained by the district and the titles and addresses of officials responsible for the records.

Student education records will be maintained at the school building at which the student is in attendance except for special education records which may be located at another designated location within the district. The [administrator/principal or designee] shall be the person responsible for maintaining and releasing the education records.

## 5. Release of Personally Identifiable Information

Personally identifiable information shall not be released without prior written consent of the eligible student or student's parent(s) except in the following cases:

- a. The disclosure is to other school officials, including teachers, within the district who have a legitimate educational interest.

As used in this section, "legitimate educational interest" means a district official employed by the district as an administrator, supervisor, instructor or staff support member; a person serving on a school board who needs to review an educational record in order to fulfill their professional responsibilities, as delineated by their job description, contract or conditions of employment. Contractors, consultants, volunteers or other parties to whom an agency or institution has outsourced institutional services or functions may be considered a school official provided that party performs an institutional service or function for which the district would otherwise use employees, is under the direct control of the district with respect to the use and maintenance of education records, and is subject to district policies concerning the redisclosure of personally identifiable information.

The district shall maintain, for public inspection, a listing of the names and positions of individuals within the district who have access to personally identifiable information with respect to students with disabilities.

- b. The disclosure is to officials of another school within the district;
- c. The disclosure is to authorized representatives of:

[The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division] in connection

with an audit or evaluation of federal or state-supported education programs, or the enforcement of or compliance with federal or state-supported education programs, or the enforcement of or compliance with federal or state regulations.

- d. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:
- (1) Determine eligibility for the aid;
  - (2) Determine the amount of the aid;
  - (3) Determine the conditions for the aid; or
  - (4) Enforce the terms and condition of the aid.

As used in this section “financial aid” means any payment of funds provided to an individual that is conditioned on the individual’s attendance at an educational agency or institution.

- e. The disclosure is to organizations conducting studies for, or on behalf of, the district to:
- (1) Develop, validate or administer predictive tests;
  - (2) Administer student aid programs; or
  - (3) Improve instruction.

The district may disclose information under this section only if disclosure is to an official listed in paragraph (c) above and who enters into a written agreement with the district that:

- (1) Specifies the purpose, scope and duration of the study and the information to be disclosed;
- (2) Limits the organization to using the personally identifiable information only for the purpose of the study;
- (3) The study is conducted in a manner that does not permit personal identification of parents or students by individuals other than representatives of the organization; and
- (4) The information is destroyed when no longer needed for the purposes for which the study was conducted.

For purposes of this section, the term “organization” includes, but is not limited to, federal, state and local agencies, and independent organizations.

- f. The district may disclose information under this section only if the disclosure is to an official listed in paragraph (c) above who is conducting an audit related to the enforcement of or compliance with federal or state legal requirements and who enters into a written agreement with the district that:
- (1) Designates the individual or entity as an authorized representative;
  - (2) Specifies the personally identifiable information being disclosed;
  - (3) Specifies the personally identifiable information being disclosed in the furtherance of an audit, evaluation or enforcement or compliance activity of the federal or state-supported education programs;
  - (4) Describes the activity with sufficient specificity to make clear it falls within the audit or evaluation exception; this must include a description of how the personally identifiable information will be used;

- (5) Requires information to be destroyed when no longer needed for the purpose for which the study was conducted;
  - (6) Identifies the time period in which the personally identifiable information must be destroyed; and
  - (7) Establishes policies and procedures which are consistent with Family Education Rights and Privacy Act (FERPA) and other federal and state confidentiality and privacy provisions to insure the protection of the personally identifiable information from further disclosure and unauthorized use.
- g. The disclosure is to accrediting organizations to carry out their accrediting functions;
  - h. The disclosure is to comply with a judicial order or lawfully issued subpoena. The district may disclose information under this section only if the district makes a reasonable effort to notify the eligible student or student's parent(s) of the order or subpoena in advance of compliance, unless an order or subpoena of a federal court or agency prohibits notification to the parent(s) or student;
  - i. The disclosure is to comply with a judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependency matters;
  - j. The disclosure is to the parent(s) of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;
  - k. The disclosure is in connection with a health or safety emergency. The district shall disclose personally identifiable information from an education record to law enforcement, child protective services and health care professionals, and other appropriate parties in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. If the district determines that there is an articulable and significant threat, the district will document the information available at that time of determination and the rationale basis for the determination for the disclosure of the information from the educational records.

In making a determination whether a disclosure may be made under the health or safety emergency, the district may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. As used in this section a "health or safety emergency" includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnap, abduction or custodial interference and law enforcement or child protective services efforts to respond to a report of child abuse or neglect pursuant to applicable state law, or other such reasons that the district may in good faith determine a health or safety emergency;

- l. The disclosure is information the district has designated as "directory information" (See Board policy JOA – Directory Information);
- m. The disclosure is to the parent(s) of a student who is not an eligible student or to an eligible student;
- n. The disclosure is to officials of another school, school system, institution of postsecondary education, an education service district (ESD), state regional program or other educational agency that has requested the records and in which the student seeks or intends to enroll or is enrolled or in which the student receives services. The term "receives services" includes, but is not limited to, an evaluation or reevaluation for purposes of determining whether a student has a disability;
- o. The disclosure is to the Board during an executive session pursuant to ORS 332.061;

- p. The disclosure is to a caseworker or other representative, who has the right to access the student's case plan, of a state or local child welfare agency or tribal organization that are legally responsible for the care and protection of the student, provided the personally identifiable information will not be disclosed unless allowed by law.

The district will use reasonable methods to identify and authenticate the identity of the parents, students, school officials, and any other parties to whom the district discloses personally identifiable information from educational records.

## 6. Record-Keeping Requirements

The district shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student. Exceptions to the record-keeping requirements shall include the parent, eligible student, school official or assistant responsible for custody of the records and parties authorized by state and federal law for auditing purposes. The district shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure the record must include:

- a. The party or parties who have requested or received personally identifiable information from the education records; and
- b. The legitimate interests the parties had in requesting or obtaining the information.

The following parties may inspect the record of request for access and disclosure to a student's personally identifiable information:

- a. The parent(s) or an eligible student;
- b. The school official or assistants who are responsible for the custody of the records;
- c. Those parties authorized by state or federal law for purposes of auditing the record-keeping procedures of the district.

## 7. Request for Amendment of Student's Education Record

If an eligible student or student's parent(s) believes the education records relating to the student contain information that is inaccurate, misleading or in violation of the student's rights of privacy or other rights, the student or parent(s) may ask the building level principal where the record is maintained to amend the record.

The principal shall decide, after consulting with the necessary staff, whether to amend the record as requested within a reasonable time after the request to amend has been made.

The request to amend the student's education record shall become a permanent part of the student's education record.

If the principal decides not to amend the record as requested, the eligible student or the student's parent(s) shall be informed of the decision and of a right to appeal the decision by requesting a hearing.

## 8. Hearing Rights of Parents or Eligible Students



If the building level principal decides not to amend the education record of a student as requested by the eligible student or the student's parent(s), the eligible student or student's parent(s) may request a formal hearing for the purpose of challenging information in the education record as inaccurate, misleading or in violation of the privacy or other rights of the student. The district shall appoint a hearings officer to conduct the formal hearing requested by the eligible student or student's parent. The hearing may be conducted by any individual, including an official of the district, who does not have a direct interest in the outcome of the hearing. The hearings officer will establish a date, time and location for the hearing, and give the student's parent or eligible student notice of date, time and location reasonably in advance of the hearing. The hearing will be held within [10] working days of receiving the written or verbal request for the hearing.

The hearings officer will convene and preside over a hearing panel consisting of:

- a. The principal or designee;
- b. A member chosen by the eligible student or student's parent(s); and
- c. A disinterested, qualified third party appointed by the superintendent.

The parent or eligible student may, at own expense, choose one or more individuals to assist or represent them, including an attorney. The hearing shall be private. Persons other than the student, parent, witnesses and counsel shall not be admitted. The hearings officer shall preside over the panel. The panel will hear evidence from the school staff and the eligible student or student's parent(s) to determine the point(s) of disagreement concerning the records. Confidential conversations between a licensed employee or district counselor and a student shall not be part of the records hearing procedure. The eligible student or student's parent(s) has the right to insert written comments or explanations into the record regarding the disputed material. Such inserts shall remain in the education record as long as the education record or a contested portion is maintained and exists. The panel shall make a determination after hearing the evidence and make its recommendation in writing within ~~10~~ working days following the close of the hearing. The panel will make a determination based solely on the evidence presented at the hearing and will include a summary of the evidence and the reason for the decision. The findings of the panel shall be rendered in writing not more than ~~10~~ working days following the close of the hearing and submitted to all parties.

If, as a result of the hearing, the panel decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the eligible student or the student's parent(s) of the right to place a statement in the record commenting on the contested information in the record or stating why there is disagreement with the decision of the panel. If a statement is placed in an education record, the district will ensure that the statement:

- a. Is maintained as part of the student's records as long as the record or a contested portion is maintained by the district; and
- b. Is disclosed by the district to any party to whom the student's records or the contested portion are disclosed.

If, as a result of the hearing, the panel decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall:

- a. Amend the record accordingly; and
- b. Inform the eligible student or the student's parent(s) of the amendment in writing.

9. Duties and Responsibilities When Requesting Education Records

The district shall, within 10 days of a student seeking initial enrollment in or services from the district, notify the public or private school, ESD, institution, agency or detention facility or youth care center in which the student was formerly enrolled, and shall request the student's education records.

10. Duties and Responsibilities When Transferring Education Records

The district shall transfer originals of all requested student education records, including any ESD records, relating to the particular student to the new educational agency when a request to transfer the education records is made to the district. The transfer shall be made no later than 10 days after receipt of the request. For students in substitute care programs, the transfer must take place within five days of a request. Readable copies of the following documents shall be retained:

- a. The student's permanent records, for one year;
- b. Such special education records as are necessary to document compliance with state and federal audits, for five years after the end of the school year in which the original was created. In the case of records documenting speech pathology and physical therapy services, until the student reaches age 21 or 5 years after last seen, whichever is longer.

Note: Education records shall not be withheld for student fees, fines and charges if requested in circumstances described in ORS 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

### **Disclosure Statement**

Required for use in collecting personally identifiable information  
related to social security numbers.

On any form that requests the social security number (SSN), the following statement shall appear just above the space for the SSN:

“Providing your social security number (SSN) is voluntary. If you provide it, the district will use your SSN for record-keeping, research, and reporting purposes only. The district will not use your SSN to make any decision directly affecting you or any other person. Your SSN will not be given to the general public. If you choose not to provide your SSN, you will not be denied any rights as a student. Please read the statement on the back of this form that describes how your SSN will be used. Providing your SSN means that you consent to the use of your SSN in the manner described.”

On the back of the same form, or attached to it, the following statement shall appear:

“OAR 581-021-0250 (1)(j) authorizes districts to ask you to provide your social security number (SSN). The SSN will be used by the district for reporting, research and record keeping. Your SSN will also be provided to the Oregon Department of Education. The Oregon Department of Education gathers information about students and programs to meet state and federal statistical reporting requirements. It also helps districts and the state research, plan and develop educational programs. This information supports the evaluation of educational programs and student success in the workplace.”

The district and Oregon Department of Education may also match your SSN with records from other agencies as follows:

The Oregon Department of Education uses information gathered from the Oregon Employment Division to learn about education, training and job market trends. The information is also used for planning, research and program improvement.

State and private universities, colleges, community colleges and vocational schools use the information to find out how many students go on with their education and their level of success.

Other state agencies use the information to help state and local agencies plan educational and training services to help Oregon citizens get the best jobs available.

Your SSN will be used only for statistical purposes as listed above. State and federal law protects the privacy of your records.



# OSBA Model Sample Policy

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Code: IGBHD  
Adopted:

NOTE: THERE ARE NO UPDATES TO THIS POLICY AT THIS TIME, OTHER THAN THE ADDITION OF THE LEGAL REFERENCE: MAHMOUD v. TAYLOR. SEE SUMMARY FOR MORE INFORMATION.

## Program Exemptions\*\*

{The content comes primarily from OAR 581-021-0009. If the district would like to add language regarding procedure or authority, it could be added to this policy or an administrative regulation (AR) could be created.}

The district may excuse students from a state-required program or learning activity for reasons of religion, disability<sup>1</sup> or other reasons deemed appropriate by the district. Requests for excusal or accommodation must be in writing and must include the reasons for the request and a proposed alternative for an individualized learning activity which substitutes for the period of time exempt from the program and meets the goals of the learning activity or course being exempt. Requests may be filed by the student's parent or guardian, or by a student who is 18 years of age or older or who is an emancipated minor. Requests must be submitted to the ~~teacher or principal~~.

The district will determine if credit will be granted for any alternative activity.

END OF POLICY

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### Legal Reference(s):

[ORS 336.035\(2\)](#)  
[ORS 336.465](#)  
[ORS 336.615](#)  
[ORS 336.625](#)

[ORS 336.635](#)  
[OAR 581-002-0035](#)  
[OAR 581-021-0009](#)

[OAR 581-021-0071](#)  
[OAR 581-022-2050](#)  
[OAR 581-022-2110](#)  
[OAR 581-022-2505](#)

Mahmoud v. Taylor, No. 24-297, U.S., (June 27, 2025).

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<sup>1</sup> If the district receives a request for a disability accommodation, the district should consider its obligations under the Individuals with Disabilities in Education Act and Section 504 of the Rehabilitation Act.

# OSBA Model Sample Policy

OK

Code: IIA  
Adopted:

## Instructional Materials\*\*

The Board believes proper care and judgment should be exercised in selecting core and supplemental instructional materials and ~~school and classroom~~ library materials in school and classroom libraries[, and that those materials should be inclusive of populations represented in a global society]. ~~[The process to select materials will reflect respect for all people, regardless of race, color, creed, national origin, age, sex, sexual orientation, gender identity, or disability.]~~

Any person responsible for the adoption of textbooks or the approval of instructional materials may not prohibit the use of, or refuse to approve the use of, textbooks or instructional materials on the basis that the textbooks or instructional materials include a perspective, study or story of, or are created by, any individual or group identified in ORS 337.260(1)(a)-(e)[, i.e., 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].

Any person responsible for the selection or retention of library materials may not prohibit the selection or retention of, or refuse to select or retain, library materials on the basis that the library materials include a perspective, study or story of, or are created by any individual or group against whom discrimination is prohibited under ORS 659.850[, i.e., race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age or disability].

A material involved with a reconsideration request will remain available throughout the reconsideration process. Materials will not be removed for discriminatory reasons. A request for reconsideration of materials may be processed through established procedures found in accompanying administrative regulations. Meetings of reconsideration committees may be subject to Public Meetings Law. Records regarding reconsideration procedures are subject to Public Records Law.

[This policy is not intended to cover classroom activities. Complaints regarding classroom activities unrelated to materials can be filed using other established district complaint procedures.]

The term “instructional material” includes core instructional materials, supplemental materials, ~~school library materials, and classroom library materials~~ and library materials made available in classroom or school libraries as defined below.

Some materials may fall into more than one of the following categories. If there is a question regarding selection or reconsideration, the district administration may select which procedure to use.

### Definitions

“Core instructional material,”<sup>1</sup> sometimes referred to as basal, means any organized system, which constitutes the major instructional vehicle for a given course of study, or any part thereof. Core instructional materials may include adaptive or personalized learning programs, digital textbooks, and

<sup>1</sup> This comes from OAR 581-011-0050(1), referring to instructional materials which must be adopted by local school boards.



print textbooks and are adopted and paid for by the district. Core instructional materials may include such instructional materials as a hardbound or a softbound book or books or sets or kits of print and non-print materials, including electronic and internet or web-based materials or media.

“Supplemental instructional materials” means instructional materials used as part of the course of study, which are not part of the core instructional materials. They contain materials to supplement and/or differentiate core instruction and are generally teacher selected. These materials are not adopted by the Board. Materials required or assigned to be used as part of a class may be considered supplemental instructional materials, regardless of the source or location of the material.

“Library materials” includes educational or literary materials that are nonfiction or fiction and that are available in print or an electronic format. “Library materials” does not include textbooks or instructional materials that are selected under ORS 337.120, 337.141 or 337.260.

“School library ~~materials~~” means any collection of library materials ~~which are kept in the school library for student selection and use~~ made available to students at school, either at a central location of the school, at a common area for one or more grades of the school, or through an online remote education program. The use of these materials may not be required for a particular class, but they may be selected by students to use. ~~These may include books, media, newspapers, magazines, videos, websites, or databases, including in digital or print, etc.~~ These materials are not adopted by the Board.

“Classroom library ~~materials~~” means any collection of library materials ~~which are kept in the classroom for student selection and use~~ made available to students in a single classroom or a common area accessible by two or more classrooms in district schools. The use of these materials is not required for the class, but they may be selected by students to use. ~~These may include books, media, newspapers, magazines, videos, etc.~~ These materials are not adopted by the Board.

## Core Instructional Materials

The Board retains the authority to approve core instructional materials used in district schools and authorizes the superintendent ~~or designee~~ to develop and implement administrative regulations governing selection and adoption of such materials. Procedures will provide for involvement of administrators, staff, parents, ~~students,~~ and community members; will use established selection criteria to contribute to the attainment of district, program, and course or grade-level goals; and will reflect recent knowledge, trends, and technology in the field.

The district will review core instructional materials in accordance with the State Board of Education adoption cycle. Each core instructional program and its instructional materials will be reviewed ~~on a seven-year cycle,~~ and any resulting recommendations will be issued by district administration to the Board for approval. All recommended core instructional materials shall be approved by the Board prior to use. ~~[The adoption of textbooks for American history and government by the Board and any committee shall be done in a manner in accordance compliant with ORS 337.260.]~~ The district will establish a process and timeline for regularly determining and considering whether core instructional materials are available through online resources that enable students with print disabilities to receive textbooks and instructional materials free of charge. ~~[All requests for reconsideration of core instructional materials may be considered under administrative regulation IIA-AR(2) - Reconsideration of Core Instructional Materials.]~~



~~The district may choose to independently adopt core instructional materials which are not on the state-approved list, using state-approved selection criteria. (See administrative regulation IIA-AR(6) – Independent Adoption of Core Instructional Materials)~~

### Supplemental Instructional Materials

All supplemental instructional materials will be selected by ~~teachers, principals, librarians, and/or others, as determined appropriate~~ ~~which may not be through any formal selection procedure~~. Decisions regarding the use of, or refusal to approve the use of, supplemental instructional materials shall be made in a manner compliant with ORS 337.260. Such materials will contain suitable readability levels and support the district's adopted curriculum content. Materials will be used for their intended audience.

~~All requests for reconsideration of supplemental instructional materials may be considered under administrative regulation IIA-AR(3) - Reconsideration of Supplemental Instructional Materials.~~

### School Library Materials

All school library materials will be selected by a librarian using established selection criteria. The selection or retention of library materials in a school library shall be made in a manner compliant with Section 2 of Senate Bill 1098 (2025). Such materials will contain suitable readability levels. ~~All requests for reconsideration of school library materials may be considered under administrative regulation IIA-AR(4) - Reconsideration of School or Classroom Library Materials in a School or Classroom Library.~~

### Classroom Library Materials

All classroom library materials will be selected by a classroom teacher and/or others~~,~~ with no formal selection procedure~~.~~ The selection or retention of library materials in a classroom library shall be made in a manner compliant with Section 2 of Senate Bill 1098 (2025). Such materials will contain suitable readability levels. Teachers are responsible for knowing the available materials in their classroom library.

~~All requests for reconsideration of classroom library materials may be considered under administrative regulation IIA-AR(4) - Reconsideration of School or Classroom Library Materials in a School or Classroom Library.~~

END OF POLICY

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#### Legal Reference(s):

[ORS 174.100](#)  
[ORS 332.107](#)  
[ORS 336.035](#)  
[ORS 336.082](#)  
[ORS 336.840](#)  
[ORS 337.120](#)  
[ORS 337.141](#)

[ORS 337.150](#)  
[ORS 337.260](#)  
[ORS 337.511](#)  
[ORS 339.155](#)  
[ORS 659.850](#)

[OAR 581-011-0050 - 0117](#)

[OAR 581-021-0045](#)  
[OAR 581-021-0046](#)  
[OAR 581-022-2310](#)  
[OAR 581-022-2340](#)  
[OAR 581-022-2350](#)  
[OAR 581-022-2355](#)

Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (~~2018~~2024).

Title VI of the Civil Rights Act ~~of 1964~~, 42 U.S.C. § 2000d (~~2018~~2024); 28 C.F.R. §§ 42.101-42.106 (~~2019~~2024).

Title IX of the Education Amendments ~~of 1972~~, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (~~2018~~2024);

Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (~~2024~~2020).

Americans with Disabilities Act/Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (20182024); 29 C.F.R. Part 1630 (20192024); 28 C.F.R. Part 35 (20192024).  
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (20182024).  
Senate Bill 1098 (2025).



# OSBA Model Sample Administrative Regulation

Code: IIA-AR(1)  
Revised/Reviewed:

OK

## Instructional Materials

### Core Instructional Materials<sup>1</sup>

The Board selects core instructional materials. The responsibility to ensure procedures on selection and recommendations for core instructional materials are followed rests with the superintendent. The responsibility for coordinating the distribution of core instructional materials to classes also rests with the superintendent. It is the principal's responsibility to implement and maintain the core instructional materials, and teachers are expected to use selected core instructional materials in the classroom.

Any person responsible for the adoption of textbooks may not prohibit the use of, or refuse to approve the use of, textbooks on the basis that the textbooks include a perspective, study or story of, or are created by, any individual or group identified in ORS 337.260(1)(a)-(e), i.e., 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.

Materials selection committees will be appointed by the administration at the time necessary adoption areas are determined. The committee will review the materials and the general criteria for materials selection and provide a recommendation to the superintendent. The superintendent may make changes to the recommendation and shall submit a recommendation(s) to the Board for adoption prior to use.<sup>2</sup> ~~The meetings of a selection committee for core instructional materials will follow Public Meetings Law.~~

~~If the district chooses to adopt core instructional materials which are not on the state-approved list, the rules outlined in OAR 581-022-2350 will apply and are represented in administrative regulation IIA-AR(6) - Independent Adoption of Core Instructional Materials.~~

### Supplemental Instructional Materials<sup>3</sup>

~~The responsibility for evaluating and selecting supplemental instructional materials is delegated to teachers, principals, librarians, and/or others, as determined appropriate, who may collaborate as part of~~

<sup>1</sup> "Core instructional material," sometimes referred to as basal, means any organized system, which constitutes the major instructional vehicle for a given course of study, or any part thereof. Core instructional materials may include adaptive or personalized learning programs, digital textbooks and print textbooks and are adopted and paid for by the district. Core instructional materials may include such instructional materials as a hardbound or a softbound book or books, or sets or kits of print and non-print materials, including electronic and internet or web-based materials or media.

<sup>2</sup> {Depending on the structure of the committee and who the committee reports to, Public Meetings Law may apply to the committee meetings.}

<sup>3</sup> "Supplemental instructional materials" means instructional materials used as part of the course of study, which are not part of the core instructional materials. They contain materials to supplement and/or differentiate core instruction and are generally teacher selected. These materials are not adopted by the Board. Materials required or assigned to be used as part of a class may be considered supplemental instructional materials, regardless of the source or location of the material.



the process. Other authoritative matter experts may be included when practicable, as determined by the district.

Anyone responsible for the approval of supplemental instructional materials may not prohibit the use of, or refuse to approve the use of, textbooks on the basis that the textbooks include a perspective, study or story of, or are created by, any individual or group identified in ORS 337.260(1)(a)-(e), i.e., 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.

1. Materials will contain suitable readability levels and support the district's adopted curriculum content.
2. Recommendations for selection may be solicited from staff and may include students.
3. Donated materials will be evaluated using the district's selection criteria and will be accepted or rejected based on those criteria.
4. Selection is an ongoing process which should include the removal of materials which no longer meet the selection criteria and the replacement of lost and worn materials still of educational value.

#### **School Library Materials<sup>4</sup>**

1. ~~In~~ When making decisions on selection or retention of materials for the school library<sup>5</sup> or media center, a librarian, under supervision of the principal, will evaluate the existing collection and the curriculum needs. The librarian will consult reputable, professionally prepared selection aids and other professional sources. Materials will contain suitable readability levels. The librarian or other staff may not prohibit the selection or retention of, or refusal to select or retain, library materials on the basis that the library materials include a perspective, study or story of, or are created by, any individual or group against whom discrimination is prohibited under ORS 659.850[, i.e., race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age or disability].
2. Recommendations for selection may be solicited from staff and students.
3. Donated materials will be evaluated using the established selection criteria and will be accepted or rejected based on those criteria.
4. Selection is an ongoing process which should include the removal of materials which no longer meet the selection criteria and the replacement of lost and worn materials still of educational value.

<sup>4</sup> ~~“School library materials” means materials that are kept in the school library for student selection and use. The use of these materials may not be required for a particular class, but they may be selected by students to use. These may include books, media, newspapers, magazines, videos, websites, or databases, including in digital or print, etc. These materials are not adopted by the Board.~~

<sup>5</sup> “School library” means any collection of library materials (as defined in policy), made available to students at school, either at a central location of the school, at a common area for one or more grades of school, or through an online remote education program. The use of these materials may not be required for a particular class, but they may be selected by students to use. These materials are not adopted by the Board.

## Classroom Library Materials<sup>6</sup>

1. When selecting or retaining materials for a classroom library, the teacher may consult staff and/or accept recommendations from staff and students. The teacher or other staff may not prohibit the selection or retention of, or refusal to select or retain, library materials on the basis that the library materials include a perspective, study or story of, or are created by, any individual or group against whom discrimination is prohibited under ORS 659.850[, i.e., race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age or disability].
2. Donated materials will be evaluated and may be accepted or rejected by the teacher.
3. Selection is an ongoing process which should include the removal of materials which no longer meet the selection criteria.

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<sup>6</sup> “Classroom library ~~materials~~” means ~~materials that are kept in the classroom for student selection and use~~ any collection of library materials (as defined in policy) made available to students in a single classroom or a common area accessible by two or more classrooms in district schools. The use of these materials is not required for the class, but they may be selected by students to use. ~~These may include books, media, newspapers, magazines, videos, etc.~~ These materials are not adopted by the Board.



# OSBA Model Sample Administrative Regulation

Code: IIA-AR(2)  
Revised/Reviewed:

OK

## Reconsideration of Core Instructional Materials

~~Any staff member, student or their parent or guardian, or resident of the district~~ The Board, a staff member of the district or a parent or guardian of a student of a school of the district may raise concern about core instructional materials<sup>1</sup> used in the district's educational program. ~~This procedure is meant to provide a forum for those persons in the schools and the community who are not directly involved in the selection process.~~ Access to, or use of, materials under reconsideration will not be restricted during the reconsideration process.

Complaints alleging a material constitutes protected-class discrimination should be submitted through the district's discrimination complaint policy and procedures.

This reconsideration process will be completed in its entirety and not subverted or ended prematurely. The person making a request for reconsideration may withdraw their request at any time during the process.

### 1. Concern

- a. Concerns about core instructional materials should be submitted to the ~~/principal/~~. If a staff member receives an informal inquiry, the staff member is to forward the inquiry to the ~~/principal/~~ promptly.
- b. Any concern made to the ~~/principal/~~ about core instructional materials by any person(s) will be made known to the staff member(s) most directly involved with its use.
- c. The ~~/principal/~~ will arrange to meet with the person(s) with the concern, and may include the staff member(s) most directly involved with its use, in an effort to resolve the issue informally, within ~~/15/~~ days of receipt of the concern.
  - (1) The ~~/principal/~~ initially receiving a concern will explain to the person the district's selection procedure.
  - (2) The ~~/principal/~~ initially receiving a concern will explain to their best ability the particular place the material in question occupies in the educational program and its intended educational usefulness or include someone who can identify and explain the use of the material.
- d. The ~~/principal/~~ will inform the person(s) submitting the concern that if they are not satisfied with the outcome of the informal inquiry process above, they may file a written request for reconsideration of the material within [10] days of the conclusion of 1.c. The initial contact

<sup>1</sup> "Core instructional material," sometimes referred to as basal, means any organized system, which constitutes the major instructional vehicle for a given course of study, or any part thereof. Core instructional materials may include adaptive or personalized learning programs, digital textbooks, and print textbooks and are adopted and paid for by the district. Core instructional materials may include such instructional materials as a hardbound or a softbound book or books or sets or kits of print and non-print materials, including electronic and internet or web-based materials or media.

Concerns and requests for reconsideration of supplementary instructional materials or school or classroom library materials will be processed in accordance with the applicable administrative regulation.



from the person and any outcome of a meeting or conversation will be documented and maintained by the ~~/principal/~~.

## 2. Request for Reconsideration

- a. ~~/A staff member of the district, student or their~~ or a parent or guardian of a student of a school of the district, ~~or resident of the district~~ wishing to file a request for reconsideration of core instructional materials must complete Step 1 above prior to filing a request for reconsideration.
  - b. Only requests for reconsideration from the Board, committee or administrator responsible for the adoption of textbooks or instructional materials, a staff member of the district or a parent or guardian of a student of the district will be considered. All requests for reconsideration will be in writing ~~on the form prepared for this purpose~~, signed by the ~~complainant~~ person making the request, and must be submitted to the superintendent. All school offices will make forms available.
  - c. Upon receipt of a written request for reconsideration, the superintendent ~~/or designee/~~ will appoint a reconsideration committee.
  - d. The reconsideration committee will be made up of at least ~~nine~~<sup>seven</sup> members:
    - (1) ~~/Two/~~ teacher~~s/~~ designated ~~/annually/~~ by the superintendent ~~/or designee/~~;
    - (2) ~~/One school librarian designated /annually/ by the superintendent /or designee/~~;
    - (3) ~~/One administrator designated /annually/ by the superintendent /or designee/~~;
    - (4) ~~/Four/~~<sup>Two</sup> members from the community ~~/having expressed willingness to serve on this committee/~~ appointed annually by the Board;
    - (5) ~~/One student selected /annually/ by the student council/~~
- ~~/The reconsideration committee may include other designated district personnel in discussions about complaints which relate to an underrepresented group or a protected class./~~
- ~~/The committee selected will only serve to consider the material, which is the subject of the request for reconsideration, unless otherwise specified. After completion of the reconsideration committee's responsibilities, committee members will be returned to the pool./~~
- e. The use of the material identified in the request for reconsideration will not be suspended and shall not be removed during the reconsideration process. Materials will not be removed for discriminatory reasons.
  - f. The reconsideration committee will convene to consider the request for reconsideration received by the district. The committee will receive the request for reconsideration and copies of related materials and instructions on procedure during this committee meeting.

## 3. Procedures for the Reconsideration Committee

- a. The procedures for the reconsideration committee are as follows:
  - (1) Select a chair ~~/and a secretary/~~. ~~/The chair of the committee will not be an employee of the district. The secretary will be an employee of the district/~~;

<sup>2</sup> {An odd number of members is recommended.}



- (2) Be responsible for documenting all proceedings; adhering to Public Meetings Law, when required; ~~and~~ adhering to established policies, procedures and guidelines; and preparing and representing the recommendations to the superintendent;
  - (3) ~~[Establish a calendar for review of the material.]~~
  - (4) Review copies of the request for reconsideration;
  - (5) ~~[Review applicable materials such as a copy of the district or school mission statement; professional reviews of the materials being reconsidered, when available; state standards; and curriculum planning.]~~
  - (6) Review copies of material being reconsidered, as available;
  - (7) Consider the material's suitability in the context of the original use and the context in which the request for reconsideration was made;
  - (8) Review the material under reconsideration in its entirety, considering the theme, concept, vocabulary, and illustrations as they apply to:
    - (a) The suitability of the material for the instructional objectives established for the lesson(s) in which it was used, including its presentation and follow-up;
    - (b) The material's level of difficulty; and
    - (c) The age group(s) with which it was used.
- b. An opportunity will be provided to the person who filed the request and staff member(s) involved to offer oral or written testimony on the reconsideration; outside consultants, lay people, other staff members, or other individuals may be offered an opportunity to provide offer oral or written testimony on the reconsideration within such procedures and limitations as may be established by the chair with the consensus of the committee.
  - c. The person who made the request for reconsideration will be kept informed by the superintendent or designee concerning the status of the request throughout the committee process. The person and known interested parties will be given notice of committee meetings.
  - d. Every request for reconsideration will be acted upon by the committee. However, the committee may consider requests with similar concerns together.
  - e. Review and discuss possible options for decision, including:
    - (1) Continued use of the material as used, with no restrictions;
    - (2) Restricted or modified use of the material in terms of subject area, grade level, and/or districtwide, related to the specific request for reconsideration; or
    - (3) Removal of the material from the educational setting in which it was used.

Any decision to prohibit the use of, or refusal to approve the use of materials, on the basis that the materials include a perspective, study or story of, or are created by, any individual or group identified in ORS 337.260 (1) ~~],~~ i.e., 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 ~~]~~ is prohibited.

~~[The reconsideration committee will consider the material's suitability in the context in which the request for reconsideration was made.]~~

Following the discussion and review of possible options for recommendation, a committee member may offer a motion outlining the committee's recommendation. Action will be taken on the motion and any subsequent motions within the procedures outlined above and consistent with Oregon law.



f. Procedures for voting:

- (1) A quorum<sup>3</sup> will be present to act upon any business to come before the committee.
- (2) All outcomes of motions and votes by name will be recorded and reported in the minutes of the meeting(s).
- (3) Only votes of the members present at the time of the vote will be recorded<sup>4</sup>.

A vote in the affirmative from a majority of those present is required for a motion to pass.

The committee's recommendation will be issued within ~~45~~<sup>90</sup> days of receipt of the request by the district.

The written recommendation and its justification<sup>5</sup> from the committee will be forwarded ~~to the superintendent within [seven] days of issuance of the recommendation. Within [seven] days of receipt of the recommendation by the superintendent, a copy of the recommendation will be sent by the superintendent or designee~~ by the superintendent or designee to the person who requested the reconsideration and to the Board within ~~five~~ days of the recommendation.

g. ~~Procedures for voting:~~

- ~~(1) A quorum<sup>6</sup> will be present to act upon any business to come before the committee.~~
- ~~(2) All outcomes of motions and votes by name will be recorded and reported in the minutes of the meeting(s).~~
- ~~(3) Only votes of the members present at the time of the vote will be recorded<sup>7</sup>.~~
- ~~(4) A vote in the affirmative from a majority of those present is required for a motion to pass.~~

4. Board Review

The Board will review the ~~final~~ committee's recommendation and ~~announce its~~ make a final decision at a Board meeting within ~~30~~ days of receipt of the committee's recommendation. ~~If the Board's decision is contrary to the committee's recommendation, the reasons will be communicated, in writing, to the superintendent.~~ The Board's decision, at minimum, should include a reference to grade level and subject area, for which the subject material can be used, if any, and a written explanation of the decision. ~~The Board will issue a decision within [30] days of receipt of the reconsideration committee's recommendation.~~ The district will provide a copy of the Board's

<sup>3</sup> A "quorum" is a majority (one-half of an odd number of members rounded up to the next whole number; one-half of an even number of members plus one). A quorum of a five-member committee is three; a quorum of a six-member committee is four; a quorum of a seven-member committee is four.

<sup>4</sup> Committee members may attend virtually. Members attending virtually are considered present for quorum and voting purposes.

<sup>5</sup> Includes an explanation supporting the recommendation.

~~<sup>6</sup> A "quorum" is a majority (one-half of an odd number of members rounded up to the next whole number; one-half of an even number of members plus one). A quorum of a five-member committee is three; a quorum of a six-member committee is four; a quorum of a seven-member committee is four.~~

~~<sup>7</sup> Committee members may attend virtually. Members attending virtually are considered present for quorum and voting purposes.~~



decision to the person who requested the reconsideration, and it will be made available to the public. The committee's recommendation and explanation will be made available to the public prior to any removal.

The timelines may be modified by the district based on the availability of staff and/or committee participants. Notice of a modified timeline must be provided to the person who made the request, and the staff member(s) involved.

Requests for reconsideration of the same material will not be accepted for at least ~~two~~ calendar year~~s~~ following issuance of a decision on said material.

# OSBA Model Sample Administrative Regulation

Code: IIA-AR(3)  
Revised/Reviewed:

OK

## Reconsideration of Supplemental Instructional Materials

~~Any staff member, student or their parent or guardian, or resident of the district~~ A staff member of the district or a parent or guardian of a student of a school of their district ~~for their student~~ may raise concern about supplemental instructional materials<sup>1</sup> used in the district's educational program. ~~This procedure is meant to provide a forum for those persons in the schools and the community who are not directly involved in the selection process.~~ Access to, or use of, materials under reconsideration will not be restricted during the reconsideration process.

Complaints alleging a material constitutes protected-class discrimination may be submitted through the district's discrimination complaint policy and procedures.

This reconsideration process will be completed in its entirety and not subverted or ended prematurely. The person making a request for reconsideration may withdraw their reconsideration request at any time during the process.

### 1. Concern

- a. Any concern made regarding supplemental instructional materials by any staff member, student or their parent or guardian, ~~or resident of the district~~ will be made known to the ~~principal~~.
- b. The ~~principal~~ will arrange to meet with the person(s) with the concern, and may include the staff member(s) most directly involved with its use, in an effort to resolve the issue informally, within ~~15~~ days of receipt of the concern.

The ~~principal or staff member~~ will explain to their best ability the particular place the material in question occupies in the educational program and its intended educational usefulness or include someone who can identify and explain the use of the material.

- c. The ~~principal~~ will inform the person(s) submitting the concern that if the person is not satisfied with the outcome of the informal inquiry, they may file a written request for reconsideration within ~~10~~ days of the conclusion in 1.b. The initial contact from the person and any outcome of a meeting or conversation will be documented and maintained by the ~~principal~~.

### 2. Request for Reconsideration

- a. A staff member of the district, ~~student or their~~ or parent or guardian of a student of a school of the district, ~~or resident of the district~~ wishing to file a request for reconsideration of

<sup>1</sup> "Supplemental instructional materials" means instructional materials used as part of the course of study, which are not part of the core instructional materials. They contain materials to supplement and/or differentiate core instruction and are generally teacher selected. These materials are not adopted by the Board. Materials required or assigned to be used as part of a class may be considered supplemental instructional materials, regardless of the source or location of the material.



supplemental instructional materials must complete Step 1 above prior to filing a request for reconsideration.

- b. Only requests for reconsideration from district staff or parent or guardian of a student of a school of the district will be considered. All requests for reconsideration will be in writing ~~{on the form prepared for this purpose}~~, signed by the ~~complainant~~ person making the request, and must be submitted to the ~~{principal}~~. If a request for reconsideration involves more than one material, a separate form must be completed for each material. A request to reconsider multiple titles in a series may be submitted on a single form. All school offices will make forms available.
- c. Upon receipt of a written reconsideration request, the ~~{principal}~~ will appoint a reconsideration committee ~~{by random selection}~~ from a pool of previously identified interested individuals.
- d. Use of the material identified in the request for reconsideration will not be suspended and shall not be removed during the reconsideration process. Materials will not be removed for discriminatory reasons.
- e. The reconsideration committee will convene to consider the request for reconsideration received by the district. The committee will receive the request for reconsideration and copies of related materials and instructions on procedure during this committee meeting.

### 3. Reconsideration Committee

- a. The reconsideration committee shall be made up of at least ~~{seven}~~ members:
  - (1) ~~{Two}~~ teacher~~s~~ designated by the principal and will be from the grade level of the material under reconsideration;
  - (2) ~~{One}~~ librarian designated ~~{annually}~~ by the principal;
  - (3) ~~{One}~~ administrator designated ~~{annually}~~ by the principal;
  - (4) ~~{Two}~~ members from the community ~~{having expressed willingness to serve on this committee}~~ appointed by the principal;
  - (5) ~~{One}~~ student selected ~~{annually}~~ by the student council.

~~{The reconsideration committee may include equity, Title IX, and/or Section 504 personnel in discussions about concerns which relate to an underrepresented group or a protected class.}~~

~~{Committee members directly associated with the selection of the material under reconsideration will be excused from the committee. The {principal} may appoint a replacement for the excused committee member, but such replacement will be of the same general qualifications as the person excused.}~~

~~{The committee selected will only serve to consider the material, which is the subject of the request for reconsideration, unless otherwise specified. After completion of the reconsideration committee's responsibilities, committee members will be returned to the pool.}~~

### 4. Procedures for the Reconsideration Committee

- a. ~~{<sup>2</sup>}~~ Designate a committee member to keep minutes of the committee.
- b. Every request for reconsideration will be acted upon by the committee. However, the committee may consider requests with similar concerns together.

<sup>2</sup> {Will the district provide staff to keep minutes or will the committee be responsible for keeping its own minutes?}



- c. ~~Review~~ applicable materials such as a copy of the district or school mission statement, professional reviews of the materials being reconsidered, when available, state standards and curriculum planning.
- d. Be responsible for documenting all proceedings; adhering to established policies, procedures and guidelines; and preparing and ~~representing~~ the recommendations to the ~~principal~~.
- e. ~~Establish~~ a calendar for review of the material.
- f. Review the material under reconsideration in its entirety, considering the theme, concept, vocabulary, and illustrations (if any) as they apply to:
  - (1) ~~The~~ suitability of the material for the instructional objectives established for the lesson(s) in which it was used, including its presentation and follow-up;
  - (2) The alignment of the material with the standards and curriculum;
  - (3) The material's reading level and intended audience (literary level to comprehend the words as opposed to difficult topics);
  - (4) The suitability of the material for the students it was used with; and
  - (5) Professional review sources for the title/material, when available.
- g. An opportunity will be provided to the person who filed the request and staff member(s) involved to offer oral or written testimony on the reconsideration; outside consultants, lay people, other staff members, or other individuals may be offered an opportunity to provide oral or written testimony on the reconsideration within such procedures and limitations as may be established by the committee.
- h. The person who made the request will be kept informed by the principal or designee concerning the status of the request throughout the committee process. The person and known interested parties will be given notice of such meetings.
- i. Review and discuss possible options for decision, including:
  - (1) Continued use of the material as used, with no restrictions;
  - (2) Restricted or modified use of the material in terms of [subject area, grade level, districtwide, related to the specific request];
  - (3) Removal of the material from the educational setting in which it was used.

Any decision to prohibit the use of, or refusal to approve the use of materials, on the basis that the materials include a perspective, study or story of, or are created by, any individual or group identified in ORS 337.260 (1), i.e., 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 is prohibited.

~~The~~ reconsideration committee will consider the material's suitability in the context in which the request for reconsideration was made.

Following the discussion and review of possible options ~~for recommendation~~, a committee member may offer a motion outlining the committee's ~~recommendation~~ <sup>decision</sup>. Action will be taken on the motion and any subsequent motions within the procedures outlined above and consistent with Oregon law.

~~The written recommendation and its justification from the committee will be forwarded to the [principal] within [seven] days of issuance of the recommendation. Within [seven] days of receipt of the recommendation by the superintendent, a copy of the recommendation will be~~



~~sent by the superintendent or designee to the person who made the request for reconsideration and to the Board.~~

j. Procedures for voting:

- (1) A quorum<sup>3</sup> will be present to act upon any business to come before the committee.
- (2) All outcomes of motions and votes will be recorded and reported in the minutes of the meeting(s).
- (3) Only votes of the members present at the time of the vote will be recorded<sup>4</sup>.
- (4) A vote in the affirmative from a majority of those present is required for a motion to pass.

*{Consider whether the committee is authorized to make a recommendation or a decision. If the committee makes only a recommendation, who makes the final decision? This option is the first k. through 5. below (before the “{OR}”).}*

*If the committee makes a decision, is this a final decision, or can it be appealed? If it can be appealed, who makes the decision on appeal? This option is the second k. through 5. below (after the “{OR}”).}*

- k. [The ~~decision~~ recommendation from the reconsideration committee will be issued within ~~[45]~~ days of receipt of the written request for reconsideration by the principal. The ~~response to the request for reconsideration~~ recommendation will be in writing and include the committee’s justification ~~decision [and information regarding an appeal to the [superintendent] [Board]].~~ The ~~decision~~ recommendation will be ~~copied~~ provided to the involved parties, including the ~~[principal]~~. The ~~[principal]~~ will also communicate the decision to the affected staff ~~[and to the public].~~

~~1. [The committee’s decision will be the final decision of the district.]~~

5. The committee’s recommendation will be provided to the ~~[superintendent] [Board]~~ for a final decision of the district. All materials from the reconsideration committee meetings will be made available to the ~~[superintendent] [Board]~~. ~~[The superintendent will issue a written decision to the involved parties within [30] days of receipt of the committee’s recommendation.] [The Board will review the recommendation and issue a written decision at a Board meeting, within [30] days of receipt of the recommendation.] The decision of the [superintendent] [Board] is final.]~~

~~5. [Appeal to the [Superintendent] [Board]]~~

~~A decision from the reconsideration committee may be appealed by [{<sup>5</sup>} the person who requested the reconsideration] to the [superintendent] [Board] by submission of the appeal to the~~

<sup>3</sup> A quorum is a majority (one-half of an odd number of members rounded up to the next whole number; one-half of an even number of members plus one). A quorum of a five-member committee is three; a quorum of a six-member committee is four; a quorum of a seven-member committee is four.

<sup>4</sup> Committee members may attend virtually. Members attending virtually are considered present for quorum and voting purposes.

~~<sup>5</sup> {Does the district want to limit who can file an appeal? Consider:~~



~~[superintendent] [Board chair] within [15] days from issuance of the committee's decision. A copy of all procedural documents, recommendations, and decisions will be made available to the [superintendent] [Board]. [The Board will review the appeal and information at a Board meeting.] [The [superintendent] [Board] should review whether the correct procedure was followed. If the correct procedure was followed, the decision of the committee should be affirmed.] [The Board will make a decision regarding the appeal at a Board meeting.] The [superintendent] [Board] will issue a written decision to the involved parties within [30] days of receipt of the appeal.]~~

~~[If an appeal is made, the decision made by the reconsideration committee [is suspended pending the appeal (meaning, if applicable, that the material may remain in use until the appeal decision is made)] [remains in effect until the appeal is decided].]~~

~~{OR}~~

- ~~k. [The decision from the reconsideration committee will be issued within [45] days of receipt of the written request for reconsideration by the principal. The decision will be in writing and include the committee's justification [and information regarding an appeal to the [superintendent] [Board]]. The decision will be provided to the involved parties, including the [principal]. The [principal] will also communicate the decision to the affected staff [and to the public].]~~
- ~~l. [The committee's decision will be the final decision of the district.]~~

~~5. [Appeal to the [Superintendent] [Board]]~~

~~A decision from the reconsideration committee may be appealed by [{<sup>6</sup>}the person who requested the reconsideration] to the [superintendent] [Board] by submission of the appeal to the [superintendent] [Board chair] within [15] days from issuance of the committee's decision. A copy of all procedural documents, recommendations, and decisions will be made available to the [superintendent] [Board]. [The Board will review the appeal and information at a Board meeting.] [The [superintendent] [Board] should review whether the correct procedure was followed. If the correct procedure was followed, the decision of the committee should be affirmed.] [The Board will make a decision regarding the appeal at a Board meeting.] The [superintendent] [Board] will issue a written decision to the involved parties within [30] days of receipt of the appeal.]~~

~~An item approved for removal shall not be removed until a written explanation from the committee (if the committee agreed to removal) is made available to the public.~~

- ~~• Communication regarding the reconsideration committee's decision (if any member of the public can file an appeal, should the decision be communicated to the public);~~
- ~~• The impact of the decision (if the decision applies throughout the entire district, should the entire district be able to appeal the decision).;~~

<sup>6</sup> {Does the district want to limit who can file an appeal? Consider:

- Communication regarding the reconsideration committee's decision (if any member of the public can file an appeal, should the decision be communicated to the public);
- The impact of the decision (if the decision applies throughout the entire district, should the entire district be able to appeal the decision).;



The timelines in this administrative regulation may be modified by the district based on the availability of staff and/or committee participants. Notice of a modified timeline must be provided to the person who made the request and staff member(s) involved.

Requests for reconsideration of the same materials will not be accepted for at least ~~[two]~~ calendar year~~[s]~~ following issuance of a decision on those materials.

# OSBA Sample Administrative Regulation

Code: IIA-AR(4)  
Revised/Reviewed:

OK

## Reconsideration of ~~School or Classroom~~ Library Materials in a School or Classroom Library

Student choice reading is endorsed by the district as a key component of literacy and reading instruction. Students select reading materials with the understanding that parents or guardians will discuss concerns and expectations with them.

~~Any~~ A staff member who was responsible for the selection or retention of library material<sup>1</sup>, a staff member of the school, ~~student or their~~ or a parent or guardian of a student of the school, ~~or resident of the district~~ may raise concerns about the library materials available to students through ~~the district's~~ school and classroom libraries. ~~This procedure is to provide a forum for those persons in the schools and the community who are not directly involved in the selection process.~~ Access to, or use of, materials under reconsideration will not be restricted during the reconsideration process.

Concerns and requests for reconsideration alleging a material constitutes protected-class discrimination may be submitted through and will be processed in accordance with the district's discrimination complaint policy and procedures.

Meetings of the reconsideration committee ~~are~~ may be subject to Public Meeting Law.

This reconsideration process will be completed in its entirety and not subverted or ended prematurely. The person filing the request may withdraw their reconsideration request at any time during the process.

### 1. Concerns about ~~School or Classroom~~ Library Materials

- a. Any concern made regarding ~~school or classroom~~ library materials by any staff member of the school, ~~student or their~~ or parent or guardian of a student of the school, ~~or resident of the district~~ will be made known to the person responsible for the selection or retention. For ~~school~~ library materials in school libraries, share concerns with the ~~building's~~ designated librarian. For ~~classroom~~ library materials in classroom libraries, share concerns with the classroom teacher.
- b. The person responsible for the selection or retention of the material in question will respond and attempt to resolve the issue informally. Alternatively, the person responsible for selection or retention may move the concern to the ~~principal~~ in 1.d. An initial response will be provided within ~~15~~ days of receipt of the concern.
- c. If the person who made the inquiry is not satisfied, they can request a meeting with the ~~principal~~.
- d. The ~~principal~~ will meet with the person, attempt to resolve the concern, and document the meeting. The staff member responsible for selection or retention may be requested to attend

<sup>1</sup> "Library materials" includes educational or literary materials that are nonfiction or fiction and that are available in print or an electronic format. "Library materials" do not include textbooks or instructional materials that are selected under ORS 337.120, 337.141 or 337.260.



this meeting. The ~~principal~~ will issue a follow-up communication about the outcome of the meeting to the person who made the informal inquiry and relevant staff within ~~10~~ days of receipt in 1.c.

- e. If the person who made the request is not satisfied with the outcome of the informal inquiry, they may file a written request for reconsideration within ~~10~~ days of the conclusion in 1.d. The initial contact from the person and any outcome of a meeting or conversation will be documented and maintained by the ~~principal~~.
- f. No library materials will be removed or restricted from use ~~as a result of~~ because of an informal concern ~~by anyone other than the person responsible for selection or retention~~.

## 2. Request for Reconsideration of School or Classroom Library Materials

- a. A staff member of the school, ~~student~~ or ~~their~~ a parent or guardian of a student of the school, ~~or resident of the district~~ wishing to file a request for reconsideration of ~~school or classroom~~ library materials in a school or classroom library must complete Step 1 above, prior to filing a request.
- b. Only requests for reconsideration from a staff member responsible for the selection or retention of the material, a staff member of the school or a parent or guardian of a student of the school will be considered. All requests for reconsideration will be in writing ~~[on the form prepared for this purpose]~~, signed by the ~~complaint~~ person making the request, ~~]~~ and must be submitted to the ~~principal~~. If a request for reconsideration involves more than one material, a separate form must be completed for each material. A request to reconsider multiple titles in a series may be submitted on a single form. All school offices will make forms available.
- c. Upon receipt of a request for reconsideration, the ~~principal~~ will notify all staff member(s) who are directly involved in the request, ~~]~~ and forward the request to the ~~district librarian~~; ~~a copy will be forwarded to the superintendent [or designee]~~.
- d. The ~~district librarian~~ ~~principal~~ ~~curriculum director~~ will, within ~~15~~ days, appoint a reconsideration committee ~~[by random selection]~~ from a pool of previously identified interested individuals.
- e. Use of the material identified in the request for reconsideration will not be suspended and shall not be removed during the reconsideration process. Materials will not be removed for discriminatory reasons.

## 3. Reconsideration Committee

- a. The reconsideration committee will be made up of at least [seven] members:
  - (1) ~~Two~~ teacher(s) ~~designated by the principal~~ and will be from the grade level of the material under reconsideration;
  - (2) ~~One~~ librarian designated ~~annually~~ by the principal;
  - (3) ~~One~~ administrator designated ~~annually~~ by the principal;
  - (4) ~~Two~~ members from the community ~~having expressed willingness to serve on this committee~~ appointed by the principal;
  - (5) ~~One~~ student selected ~~annually~~ by the student council.

~~[The reconsideration committee may include equity, Title IX and/or Section 504 personnel in discussions about requests that relate to an underrepresented group or a protected class.]~~



~~[[The committee selected will only serve to consider the material, which is the subject of the request for reconsideration, unless otherwise specified. After completion of the reconsideration committee's responsibilities, committee members will be returned to the pool.]]~~

#### 4. Procedures for the Reconsideration Committee

- a. ~~[[<sup>2</sup>]]~~ Designate a committee member to keep minutes of the committee.
- b. Every request for reconsideration will be acted upon by the committee. However, the committee may consider requests with similar concerns together.
- c. ~~[[Review applicable materials such as a copy of the district or school library mission statement and professional reviews of the materials being reconsidered, when available.]]~~
- d. Be responsible for documenting all proceedings; adhering to established policies, procedures and guidelines; and preparing and ~~representing~~ the recommendations of the committee to the ~~principal~~.
- e. Review the material under reconsideration in its entirety, considering the theme, concept, vocabulary, and illustrations (if any) as they apply to:
  - (1) ~~[[The material's availability for student selection from the school or classroom library;~~
  - (2) The alignment of the material with the school or classroom library material selection criteria;
  - (3) The material's reading level and intended audience (literary level to comprehend the words as opposed to controversial topics);
  - (4) The suitability of the material for the students it is available for; and
  - (5) Professional review sources for the title/material, when available.
- f. An opportunity will be provided to the person who filed the request and staff member(s) involved to offer oral or written testimony on the reconsideration; outside consultants, lay people, other staff members, or other individuals may be offered an opportunity to provide oral or written testimony on the reconsideration within such procedures and limitations as may be established by the committee.
- g. The person who made the request will be kept informed by the principal or designee concerning the status of the request throughout the committee process. The person and known interested parties will be given notice of such meetings.
- h. Review and discuss possible options for a decision, including:
  - (1) Continued use of the material as used, with no restrictions;
  - (2) Restricted or modified use of the material in terms of ~~subject area, grade level, districtwide related to the specific request~~; or
  - (3) Removal of the material from the educational setting.

Any decision to prohibit the selection or retention of, or refuse to select or retain, library materials on the basis that the materials include a perspective, study or story of, or are created by, any individual or group against whom discrimination is prohibited under ORS 659.850, i.e., race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age or disability is prohibited.

<sup>2</sup> ~~{Will the district provide staff to keep minutes, or will the committee be responsible for keeping its own minutes?}~~



~~[The reconsideration committee will consider the material's suitability in the context in which the request for reconsideration was made.]~~

Following the discussion and review of possible options for recommendation, a committee member may offer a motion outlining the committee's recommendation. Action will be taken on the motion and any subsequent motions within the procedures outlined above and consistent with Oregon law.

~~The written recommendation and its justification from the committee will be forwarded to the [principal] within [seven] days of issuance of the recommendation. Within [seven] days of receipt of the recommendation by the [principal], a copy of the recommendation will be sent by the [principal or designee] to the person who requested the reconsideration and to the Board.~~

i. Procedures for voting:

- (1) A quorum<sup>3</sup> will be present to act upon any business to come before the committee.
- (2) All outcomes of motions and votes will be recorded and reported in the minutes of the meeting(s).
- (3) Only votes of the members present at the time of the vote will be recorded<sup>4</sup>.
- (4) A vote in the affirmative from a majority of those present is required for a motion to pass.

The committee's written recommendation will be issued within ~~45~~<sup>90</sup> days of receipt of the original request received by the ~~[principal]~~.

The committee's written recommendation and its justification<sup>5</sup> will be forwarded to the ~~[principal]~~.

~~j. The decision from the reconsideration committee will be issued within [45] days of receipt of the written request for reconsideration by the [principal]. The response to the request for reconsideration will include the committee's decision [and information regarding an appeal to the [superintendent] [Board]. The decision will be copied to the involved parties, including the [principal]. The [principal] will also communicate the decision to the affected staff [and to the public].~~

~~k. [The committee's decision will be the final decision of the district.]~~

5. The ~~[principal]~~ will review the committee's recommendation and communicate a decision within ~~10~~ days to the person making the request and affected staff, and to the public in the event there is a decision to remove library material.

<sup>3</sup> A quorum is a majority (one-half of an odd number of members rounded up to the next whole number; one-half of an even number of members plus one). A quorum of a five-member committee is three; a quorum of a six-member committee is four; a quorum of a seven-member committee is four.

<sup>4</sup> Committee members may attend virtually. Members attending virtually are considered present for quorum and voting purposes.

<sup>5</sup> Includes an explanation supporting the recommendation.

6. ~~[Appeal to the {Superintendent}] {Board}~~

A decision from the ~~reconsideration committee~~ [principal] may be appealed by ~~{<sup>6</sup>}~~ the person who requested the reconsideration to the {superintendent} {Board} by submission of the appeal to the {superintendent} {Board chair} district office within ~~{10}~~ days from issuance of the committee's [principal's] decision. A copy of all procedural documents, recommendations, and decisions will be made available to the {superintendent} {Board}. ~~[The Board will review the appeal and information at a Board meeting.]~~ {The {superintendent} {Board} should review whether the correct procedure was followed. If the correct procedure was followed, the {superintendent} {Board} should affirm the decision of the committee.} ~~[The Board will make a decision regarding the appeal at a Board meeting.]~~ The {superintendent} {Board} will issue a written decision to the involved parties within ~~{30}~~ days of receipt of the appeal ~~to the involved parties.~~

~~[If an appeal is made, the decision made by the reconsideration committee {principal} is suspended pending the appeal (meaning, if applicable, that the material may remain in use until the {superintendent} {Board} makes its decision) [remains in effect until the appeal is decided by the {superintendent} {Board}.]~~

An item approved for removal shall not be removed until a written explanation for removal from the committee is made available to the public (if the committee recommended removal).

The timelines in this administrative regulation may be modified by the district based on the availability of staff and/or committee participants. Notice of a modified timeline must be provided to the person who requested the reconsideration and staff member(s) involved.

Requests for reconsideration of the same materials will not be accepted for at least ~~{two}~~ calendar year[s] following issuance of a decision on those materials.

---

<sup>6</sup> ~~{Does the district want to limit who can file an appeal? Consider:~~

- ~~• Communication regarding the reconsideration committee's decision (if any member of the public can file an appeal, should the decision be communicated to the public);~~
- ~~• The impact of the decision (if the decision applies throughout the entire district, should the entire district be able to appeal the decision).}~~



# OSBA Model Sample Administrative Regulation

ok

Code: IIA-AR(5)  
Revised/Reviewed:

## Request for Reconsideration of Instructional or Library Materials Form

(Submit to ~~Principal~~)

[Student choice reading is endorsed by the district as a key component of literacy and reading instruction. Student choice in reading materials is honored, with the understanding that parents/guardians have the final decision in what their child is reading. When materials are challenged, the principles of the freedom to read, listen, and view will also be considered for all students.]

Please complete this form in its entirety for consideration. This document will become a public record and is subject to public records requests.

Requests for reconsideration will be processed in accordance with the following:

1. Core instructional materials: IIA-AR(2) - Reconsideration of Core Instructional Materials
2. Supplemental instructional materials: IIA-AR(3) - Reconsideration of Supplemental Instructional Materials
3. School and classroom library materials: IIA-AR(4) - Reconsideration of ~~School or Classroom~~ Library Materials in a School or Classroom Library

People who wish to file a request for reconsideration of [supplemental and/or school or classroom library materials] must follow the informal process for concerns related to those instructional materials prior to filing this request for reconsideration.

Request initiated by: \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

Email: \_\_\_\_\_

### Book or other material:

Title: \_\_\_\_\_ Author \_\_\_\_\_

Publisher: \_\_\_\_\_ Publication Date: \_\_\_\_\_

Type of material: ☐ Article ☐ Audio recording ☐ Book ☐ Textbook ☐ Video ☐ Website

☐ Other: \_\_\_\_\_

Producer/Source (if known): \_\_\_\_\_

Please respond to the following questions.

1. Did you discuss your concerns with the teacher or other involved staff? ☐ Yes ☐ No

If no, you must first discuss your concerns with the teacher or other involved staff before filing a request for reconsideration.

If yes, on what date? \_\_\_\_\_

Please provide a summary of the conversation: \_\_\_\_\_

What is the name of the staff member(s)? \_\_\_\_\_

2. Did you review the entire material? ☐ Yes ☐ No

If not, what sections did you review? \_\_\_\_\_

3. How was the material acquired by the student (i.e., required reading, free choice selection, etc.)? \_\_\_\_\_

4. To what in the material do you object and why? (Please be specific and cite pages, frames, etc.) \_\_\_\_\_

5. What material do you recommend in its place which would provide information on the subject? \_\_\_\_\_

6. What action are you requesting the reconsideration committee consider? \_\_\_\_\_

7. Do you wish to provide oral or written testimony to the reconsideration committee?  
☐ Yes, oral testimony ☐ Yes, written testimony ☐ No

If yes, please call the principal's office at \_\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Received by principal: \_\_\_\_\_

\_\_\_\_\_  
Date

**References:**



# OSBA Model Sample Administrative Regulation

Code: IIA-AR(6)  
Revised/Reviewed:

ok

## Independent Adoption of Core Instructional Materials

This administrative regulation applies to independent adoption of core instructional materials—materials which are not included on the state-approved list and are not supplemental, school library, or classroom library materials. The committee will include relevant subject area criteria published by the Oregon Department of Education.

1. Prior to an adoption study, teachers, administrators, parents, community members, and students may suggest materials they feel should be considered for adoption. Their specific suggestions or recommendations should be submitted to the ~~curriculum coordinator~~/curriculum administrator of the content area to be reviewed.
2. The ~~curriculum coordinator~~/curriculum administrator will compile and present all suggestions listed in Step 1 to a review committee. The review committee will be comprised of at least ~~five~~ members including the ~~curriculum coordinator~~/curriculum administrator, ~~two~~ teachers, ~~two~~ parents of students in the district selected by the ~~curriculum coordinator~~/curriculum administrator to represent elementary and secondary levels, and a district administrator or a librarian, as deemed appropriate.
3. In order to inform constituents who may wish to volunteer ~~off~~ for the review process, an announcement will be made at a regular Board meeting, a public notice will be written, and affected parents will be notified at each building within one month of the committee's first meeting.
4. The committee will conduct a preliminary study of materials suitable for basic adoption. Publishers and curriculum consultants may be invited to participate in the study. Material under consideration for adoption by the committee will be available for review by district constituents upon request. An evaluation/rating instrument will be employed for all program/instructional materials considerations.

The decision to use, or refuse to approve the use of, materials on the basis that the materials include a perspective, study or story of, or are created by, any individual or group identified in ORS 337.260 (1), i.e., 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 is prohibited.

The committee will decide whether to first initiate a pilot or trial use of a particular series or text or to proceed directly with an adoption. Any trial use or pilot should be coordinated and compatible with the proposed revisions in the curriculum guide. The proposed pilot or trial use must have approval of the principal and the teachers involved.

5. After a trial use or pilot in the classroom and/or committee review, the committee will release results of its evaluation of the instructional materials studied to the ~~superintendent~~. Specific recommendations will be prepared and forwarded to the ~~superintendent~~. The committee must show evidence of having used an evaluation or instrument to ensure conformity with curriculum program goals.

6. The ~~/superintendent/~~ ~~/or designee/~~ will review the recommended adoption and ensure that:
- Appropriate procedures have been complied with;
  - Compatibility exists with other texts or skills presented at the same grade level in other curriculum areas;
  - The cost is within budgeted amounts.

The ~~/superintendent/~~ ~~/or designee/~~ will issue a recommendation either endorsing the adoption proposal and forwarding it to the Board for approval or referring it back to the committee for revision or further study.

7. The Board may rule on the adoption recommendation or direct the superintendent to further action as it deems appropriate or conducive to reach established goals and objectives.

It is a principal's responsibility to implement and maintain the district-adopted instructional materials. The district must not prohibit the use of, or refuse to approve the use of, materials on the basis that the materials include a perspective, study or story of, or are created by, any individual or group identified in ORS 337.260 (1). ~~Exceptions to implementation of this district-adopted instructional materials could occur only after following the procedure defined below:~~

- ~~1. If a teacher has a concern regarding the effectiveness/appropriateness of the adoption in the teacher's assignment area, the teacher may submit that concern in writing to the [principal]. If the [principal] shares that concern, the [principal] may refer the concern to the superintendent. [The superintendent will refer the concern to the [curriculum coordinator/curriculum administrator] for a recommendation.] The superintendent will issue a decision on the concern after receiving the recommendation.~~
- ~~2. If an administrator has a concern regarding the effectiveness/appropriateness of the adoption, or if the administrator would like to trial use/pilot a specific program, the concern or the request to pilot/trial use must be submitted to the superintendent for a decision. Should any pilot or trial use justify continuation beyond a single school year, the continued use requires the superintendent's approval.~~

~~A teacher or administrator may withdraw their concern at any time during the process.~~



# OSBA Model Sample Policy

Code: JHCA/JHCB  
Adopted:

ok

## Immunization, ~~and~~ School Sports Participation, Concussions and Other Brain Injuries\*\*

### Immunization

Proof of immunization must be presented at the time of initial enrollment<sup>1</sup> in school or within 30 days of transfer to the district in accordance with Oregon law. Proof consists of a signed Certificate of Immunization Status form documenting either evidence of immunization, a religious, philosophical beliefs and/or medical exemption or immunity documentation.<sup>2</sup>

### School Sports Participation

A student participating in extracurricular sports in grades 7 through 12 is required to submit to an appropriate School Sports Pre-Participation Examination<sup>3</sup> prior to their initial participation in a related district program. The form<sup>4</sup> is to be completed and signed by a parent or guardian giving permission for the student to participate and be signed by a medical provider authorized by law<sup>5</sup> who has examined and evaluated the student. The completed form(s) must be returned ~~as directed~~ to the school office. A student who is subsequently diagnosed with a significant illness or has had a major surgery is required to have a physical examination prior to further participation.

A student who continues to participate in extracurricular sports in grades 7 through 12 shall be required to complete a sports examination once every two years, thereafter.

### Concussions and Other Brain Injuries

A student who exhibits signs, symptoms or behaviors consistent with a concussion following an observed or suspected blow to the head or body, or who has been diagnosed with a concussion will not be allowed to participate in any athletic event or training on that day, unless an athletic trainer licensed by the Board of Athletic Trainers or a physician licensed pursuant to ORS 677.100 - 677.228 has determined the student

<sup>1</sup> The district shall immediately enroll a student experiencing houselessness in the school selected even if the student is unable to produce records normally required for enrollment.

<sup>2</sup> Documentation requirements for exemptions are outlined in ORS 433.267.

<sup>3</sup> The required form is available at <https://www.osaa.org/governance/forms>, a copy may be obtained from a school office, or a form generated by the medical provider may be used if it meets requirements of law in OAR 581-021-0041.

<sup>4</sup> The form may be used in either a hard copy or electronic format.

<sup>5</sup> This physical examination must be conducted by a physician possessing an unrestricted license to practice medicine, a licensed naturopathic physician, a licensed physician assistant, a licensed nurse practitioner or a licensed chiropractic physician who has clinical training and experience in detecting cardiopulmonary diseases and defects.



has not suffered a concussion.<sup>6</sup> Except as allowed above, a student excluded for concussion reasons will not be allowed to return to participate in an athletic event or training until the following three conditions have been met:

1. It is not the same day as the student exhibited signs, symptoms or behaviors, experienced a blow to the head or body, or was diagnosed with a concussion;
2. The student no longer exhibits signs, symptoms or behaviors consistent with a concussion; and
3. The student has received a medical release form from a health care professional<sup>7</sup>.

~~A student who continues to participate in extracurricular sports in grades 7 through 12 shall be required to complete a sports examination once every two years, thereafter.~~

Upon receipt of written notification<sup>8</sup> from a parent or guardian that a student has been diagnosed with a concussion or other brain injury by a health care professional and that accommodations are being requested, the district shall follow all procedures developed by the Oregon Department of Education (ODE) to develop and implement an immediate and temporary accommodation plan.<sup>9</sup> Written notice is not required for the district to begin following concussion protocols.

Any accommodations will be communicated to the parent or guardian, to all teachers who provide instruction to the student and to other employees who have regular responsibilities for the student's supervision or health.<sup>10</sup>

Accommodations will be in effect no later than 10 school days after the written notification is received by the district and will be reviewed as needed, but no later than every two months.

END OF POLICY

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**Legal Reference(s):**

[ORS 326.580](#)  
[ORS 336.479](#)  
[ORS 336.485 - 336.490](#)

[ORS 433.235 - 433.280](#)  
[OAR 333-019-0010](#)

[OAR 333-050-0010 - 050-0120](#)  
[OAR 581-021-0041](#)  
[OAR 581-021-3007](#)

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<sup>6</sup> For more information regarding medical releases for students in grades 9-12, see OSAA rules.

<sup>7</sup> "Health care professional" includes a chiropractic physician, a naturopathic physician, a psychologist, a physical therapist, an occupational therapist, a physician assistant or a nurse practitioner who is licensed or registered under the laws of Oregon.

<sup>8</sup> "Written notification" means a written notice from a parent or guardian, supported by medical documentation from a health care professional, informing the district that they are requesting an accommodation for a student who has been diagnosed with a concussion or other brain injury by a health care professional.

<sup>9</sup> The district must use the sample form developed by ODE [add link when available] or a district form that includes all required content.

<sup>10</sup> Including, but not limited to, school nurses, counselors, physical education teachers, coaches, athletic trainers and staff supervision recess or other physical activities.



McKinney-Vento Homeless Assistance Act, Subtitle VII-B, reauthorized by Title IX-A of the Every Student Succeeds Act, 42 U.S.C. §§ 11431-11435 (2018).  
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2024).  
House Bill 3007 (2025)

# OSBA Model Sample Policy

Code: JOA  
Adopted:

OK

## Directory Information\*\*

“Directory information” means those items of personally identifiable information contained in a student education record which is not generally considered harmful or an invasion of privacy if released. ~~The following categories are designated as directory information. The following d~~Directory information<sup>[1]</sup> may be released ~~to the public~~ through appropriate procedures and includes:

1. Student’s name;
- ~~2. Student’s address;~~
- ~~3. Student’s telephone listing;~~
- ~~4. Student’s electronic address;~~
- ~~5.2.~~ Student’s photograph;
- ~~6. Date and place of birth;~~
- ~~7.3.~~ Major field of study;
- ~~8.4.~~ Participation in officially recognized ~~sports and~~ activities and sports;
- ~~9.5.~~ Weight and height of ~~athletic team~~ members of athletic teams;
- ~~10.6.~~ Dates of attendance; and
- ~~11. Grade level;~~
- ~~12.7. Diploma, honors or~~ Degrees and awards received;
- ~~13. Most recent previous school or program attended.~~

## Public Notice

The district will give annual public notice to parents of students in attendance and students 18 years of age or emancipated. The notice shall identify the types of information considered to be directory information, the district’s option to release such information and the requirement that the district must, by law upon request, release secondary students’ names, addresses and telephone numbers to military recruiters and/or institutions of higher education, unless parents or eligible students request the district withhold this information. Such notice will be given prior to release of directory information.

<sup>1</sup> ~~[For the health, safety and welfare of students, the district may want to consider limiting this list. Consider deleting #2, 3, 4, 6, 7, 10, 11, 12 and/or 13; recommend deleting the word ‘diploma’ in #12 if kept.]~~



## Exclusions

Exclusions from any or all directory categories named as directory information or release of information to military recruiters and/or institutions of higher education must be submitted in writing to the principal by the parent, student 18 years of age or emancipated student within 15 days of annual public notice. A parent or student 18 years of age or an emancipated student may not opt out of directory information to prevent the district from disclosing or requiring a student to disclose their names, identifier, institutional email address in a class in which the student is enrolled or from requiring a student to disclose a student ID card or badge that exhibits information that has been properly designated directory information by the district in this policy.

Directory information shall be released only with administrative direction.

Directory information considered by the district to be detrimental will not be released.

Information will not be given over the telephone except in health and safety emergencies.

At no point will a student's Social Security Number or student identification number be considered directory information. The district shall not, in accordance with state law, disclose personal information for the purpose of enforcement of federal immigration laws.

END OF POLICY

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### Legal Reference(s):

[ORS 30.864](#)  
[ORS 107.154](#)  
[ORS 180.805](#)

[ORS 326.565](#)  
[ORS 326.575](#)  
[ORS 336.187](#)

[OAR 581-021-0220 - 021-0430](#)  
[OAR 581-022-2060](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (~~2012~~2024).  
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (~~2012~~2024); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (~~2017~~2025).  
Every Student Succeeds Act, 20 U.S.C. § 7908 (~~2012~~2024).