As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

Reynolds School District
Board of Education Business Meeting

August 26, 2026
6:00 PM
Building I, Edgefield Campus
2408 SW Halsey Street
Troutdale, Oregon 97060

I. **5:00p - Executive Session** **3**
The Reynolds School Board and the Superintendent will recess into Executive Session at 5:00p, under ORS 192.660(2)(a) Personnel, ORS 192.600(2)(b) Employee Hearing, ORS 192.660(2)(d) Negotiations, and ORS 192.660(2)(f) Confidential Information. Executive Session is closed to the public.

II. **6:00p - Call to Order** **4**
- A. Roll Call
- B. Consider Approval of the August 26, 2026 Agenda
- C. Pledge of Allegiance
- D. Land Acknowledgement 5
- E. Mission and Vision 6

III. **6:10p - Executive Session Action** **7**

IV. **6:15p - Resolution 2026-2027-002 Proclaiming the Celebration of National Hispanic and Latino Heritage Month** **8**

V. **6:20p - Public to be Heard** **10**
Members of the public will address the board with comments and the board will listen only. Public Comment will be limited to 7 speakers with 3 minutes each. Forms must be turned in before the meeting start time.

VI. **6:35p - Bargaining Group Updates** **11**

VII. **6:45p - Board Vacancy Interviews** **12**

VIII. **7:15p - Presentation to the Board**
- A. First Reading - KNA: Immigration Enforcement on District Property

IX. **7:20p - Superintendent's Reports** **22**
- A. Announcements/Reports

X. **7:25p - Consent Agenda** **23**
- A. Approval of Personnel Order
- B. Approval of Prior Meeting Minutes 24
- C. 2026-27 Alternative Education List 26
- D. Lemelson Grant Acceptance 28

E. Authorization to Spend: Nutrition Services 35
F. Policy Second Reading and Adoption 36
XI. **7:30p - Action Items**
A. Memorandum of Understanding: District Contribution to the REA Insurance Pool 156
B. Memorandum of Agreement: Restructure of Technology Department 158
C. Board Vacancy Appointments 161
XII. **7:45p - Board Announcements and Discussion** **162**
A. Bond Update
B. Individual Board Members - Announcements and Reports
C. Upcoming Board Meetings
XIII. **8:00p - Adjourn** **163**

Reynolds School District

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To: Board of Directors

From: Frank Caropelo, Superintendent

Subject: Executive Session

Type: ☐ Action Item ☑ Report / Presentation

Policy: BDC: Executive Session

Date: August 26, 2026

Summary / Background:
The Reynolds School Board and the Superintendent will recess into Executive Session at 5:00p, under ORS 192.660(2)(a) Personnel, ORS 192.600(2)(b) Employee Hearing, ORS 192.660(2)(d) Negotiations, and ORS 192.660(2)(f) Confidential Information. Executive Session is closed to the public.

Previous Board Action:
Not Applicable

Financial Implications:
Not Applicable

Motion:
Not Applicable

Reynolds School District

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To: Board of Directors

From: Frank Caropelo, Superintendent

Subject: Call to Order

Type: ☑ Action Item ☐ Report / Presentation

Policy: BDDF: Conduct of Board Meetings

Date: August 26, 2026

Summary / Background:

Position 2: Vice Chair Joyce Rosenau
Position 3: Chair Michael Reyes
Position 5: Director Patty Carrera
Position 6: Director Ana Gonzalez Muñoz
Position 7: Director Francisco Ibarra

Motion to Approve Agenda:

A. Motion Made by Board Member:
    a. I move that the Board approve the August 26, 2026 agenda as presented.
B. Motion Seconded by Another Board Member
C. Points of Clarification / Discussion
D. Call for Board Vote

Pledge of Allegiance

Land Acknowledgement

Mission and Vision

Land Acknowledgement

We respectfully acknowledge that the land on which we are gathering today is the traditional homeland of a diverse array of indigenous tribes and bands. Multnomah County rests on traditional village sites of the Multnomah, Wasco, Cowlitz, Kathlamet, Clackamas, Bands of Chinook, Tualatin, Kalapuya, Molalla, and many other tribes who made their homes along the Columbia River, creating communities and summer encampments to harvest and use the plentiful natural resources of the area. Multnomah County is now home to a vibrant indigenous community representing over 400 different tribal nations.

We recognize Indigenous peoples as the traditional stewards of this land and acknowledge the enduring relationship between the land and the people since time immemorial. We make this acknowledgement to open a space of recognition, inclusion, and respect for our sovereign tribal partners and all indigenous students, families, and staff in our community.

mission:

We lead with equity to educate and support all students to graduate with the skills and confidence to thrive.





vision:

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

Reynolds School District

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To: Board of Directors

From: Frank Caropelo, Superintendent

Subject: Executive Session Action

Type: ☑ Action Item ☐ Report / Presentation

Policy: BDC: Executive Session

Date: August 26, 2026

Summary / Background:
The Reynolds School Board met in Executive Session under ORS 192.660(2)(b) Employee Hearing and ORS 192.660(2)(f) Confidential Information for a level III grievance hearing. The Board will now take action on the hearing.

Previous Board Action:
Not Applicable.

Financial Implications:
Not Applicable.

Motion:

A. Motion Made by Board Member:
    a. I move that the Board (uphold/overturn) the level II grievance findings for the appeal heard in executive session.
B. Motion Seconded by Another Board Member
C. Points of Clarification / Discussion
D. Call for Board Vote

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To: Board of Directors

From: Frank Caropelo, Superintendent

Subject: **Recognition**

Type: ☐ Action Item ☑ Report / Presentation

Policy: KAA: Community Relations

Date: August 26, 2026

Connection to Strategic Plan Goal Topics:

☑ Marginalized Students
☑ Culturally Responsive Teaching
☑ Student and Staff Wellness
☑ Professional Development

Summary / Background:
Resolution 2026-2027-002: Proclaiming the Celebration of National Hispanic and Latino Heritage Month

Previous Board Action:
Not Applicable

Financial Implications:
Not Applicable

Motion:
Not Applicable

Reynolds School District

Resolution 2026-2027-002

Proclaiming the Celebration of National Hispanic and Latino Heritage Month

---

WHEREAS, forty-four percent of enrolled students are Hispanic and/or Latino; and

WHEREAS, history is rich with Hispanic and Latino peoples, who positively influence and enrich our nation, our society, our region, our state, and our schools;

WHEREAS, the contributions of persons with Latino and Hispanic heritage have been a consistent and vital influence in our nation's growth and prosperity for more than five centuries;

WHEREAS, Spanish, Mexican, and indigenous cultures were established in this region before Oregon obtained statehood. From the mid 1800s to the mid 1900s, Latinos mined for resources, worked in the lumber industry, helped shape the livestock industry through the "vaquero" (cowboy) tradition and built highways and railroads in Oregon. In the 1950s, Mexican and Mexican-American Tejano families permanently settled in several regions of Oregon and Hispanic and Latino farm workers were a crucial part of Oregon's agricultural economy. As early as the 1960s, Latino and Hispanics initiated businesses meeting local demand in the service industry, health, manufacturing, and high-tech sectors, while establishing themselves as integral community members working in public service and civic society. Today, over two-thirds of Hispanic Oregonians were born in the United States and they continue to own business, serve as community leaders and vital contributors within vocations, civic and community life.

WHEREAS, we recognize that the Latino / Hispanic identity is not a monolith and expands beyond Latin America and the native cultures that exist within each of those countries.

WHEREAS, the Reynolds School Board has established that each and every student is to be celebrated and appreciated for the distinct and vibrant contributions made by sharing cultures, language, ideas, beliefs and values within a school community; and

WHEREAS, the contributions of our Latino and Hispanic students and families are a vital and vibrant part of our public school system.

NOW, THEREFORE, BE IT RESOLVED that the Reynolds School Board of Directors proclaims September 15 - October 15, 2026, to celebrate Hispanic and Latino Heritage Month; and strongly encourages our staff and community to observe, recognize, and celebrate the culture, heritage, and contributions of Hispanics / Latinos to our country, our state, our cities, and our schools.

Adopted this 26th day of August 2026.

Signed:

Attest:

_____

Chair, Reynolds School Board of Directors

_____

Superintendent / Clerk

Reynolds School District

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To:	Board of Directors
From:	Frank Caropelo, Superintendent
Subject:	**Public to be Heard**
Type:	☐ Action Item ☑ Report / Presentation
Policy:	BDDH: Public to be Heard; BDDH-AR: Public to be Heard at Board Meetings
Date:	August 26, 2026

Summary / Background:
Members of the public will address the Board with comments and the Board will listen only. The Board may choose not to address a request if it does not fall within the scope of Board Governance. Oregon law prohibits the Board from discussing specific employees or their job performance.

Those wishing to speak must sign-up prior to the start of the meeting. The first 7 submissions will be able to speak for 3 minutes.

Written Public Comment can be submitted on the RSD website at any time.

Previous Board Action:
Not Applicable

Financial Implications:
Not Applicable

Motion:
Not Applicable

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To: Board of Directors

From: Frank Caropelo, Superintendent

Subject: **Bargaining Group Updates**

Type: ☐ Action Item ☑ Report / Presentation

Policy: BD/BDA: Board Meetings

Date: August 26, 2026

Connection to Strategic Plan Goal Topics:

☑ Marginalized Students
☑ Culturally Responsive Teaching
☑ Student and Staff Wellness
☑ Professional Development

Summary / Background:
Reynolds Education Association (REA) and Oregon School Employees Association, Chapter 37 (OSEA), will provide an update to the Board of Directors.

Previous Board Action:
Not Applicable

Financial Implications:
Not Applicable

Motion:
Not Applicable

Reynolds School District

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To: Board of Directors

From: Frank Caropelo, Superintendent

Subject: **Board Applicant Interviews**

Type: ☐ Action Item ☑ Report / Presentation

Policy: BBC: Board Member Resignation; BBE: Vacancies on the Board

Date: August 26, 2026

Summary / Background:
Two Board positions were declared vacant at the July 1, 2026 meeting. An application to fill the vacancies opened July 2, 2026. The Board will now interview two applicants and deliberate. They will appoint a candidate to fill positions 1 and 4. The candidates appointed will take the oath of office at the September business meeting.

Both appointments will be for one school year, ending on June 20, 2027. Positions 1 and 4 will be added to the May 2027 ballot for a special two-year election, returning to their normal election cycle in May 2029.

The candidates are Donell Morgan and Giovanni Vaz.

Previous Board Action:
The Board has followed a similar process to fill vacant seats in the past.

Financial Implications:
Not Applicable.

Motion:
Not Applicable.

Reynolds School Board Vacancy Application

When a Board vacancy is declared, the Board will appoint a qualified person in accordance with Board policy BBE – Vacancies on the Board.

Positions 1 and 4 have been declared as vacant. **Both appointments will be for ONE school year, ending on June 30, 2027.**

To be considered for appointment, this form must be submitted by August 19, 2026. Submitted applications become public records and may be disclosable upon request.

The Board will interview candidates at the August 26, 2026 Business Meeting.

Candidates must:

1. Be a legally registered voter
2. Be a resident with the district for at least one year
3. Not be an employee of the district

Contact kjeffries@rsd7.net with questions.

Personal Information

This section is intended for internal and verification purposes. It is not intended to be provided to the Board or discussed at a Board meeting.

First and Last Name (as it appears on voter registration) *

Donell Morgan

Preferred Name

Donell Morgan

Home Address *

[redacted]

Email Address *

[redacted]

Phone Number *

[redacted]

We welcome applicants with disabilities. Do you need an accommodation to participate in interviews or meetings (e.g., ASL interpreter, materials in alternative formats, physical access, assistive technology)? *

- ○ Yes
- ◉ No

Accommodations

Describe the accommodation that is needed.

Application Questions

Briefly describe your background, qualifications, and community involvement that you believe would help you serve effectively on the Reynolds Board of Education. *

I bring more than 20 years of leadership experience in education, youth development, and nonprofit management. As Executive Director of Elevate Youth, I have led an organization serving students and families across the region, working closely with school districts, educators, community partners, and families to expand opportunities for young people. I have experience managing a multimillion-dollar budget, leading staff and organizational strategy, building partnerships, and advocating for resources that support student success.

My personal connection to education and youth development also shapes my approach. As a former college basketball student-athlete and Idaho State University Hall of Fame inductee, I understand the transformative power of education, mentorship, and strong community support. Through my work with Reynolds and other local school communities, I have developed relationships with students, families, educators, and community leaders.

I would bring a student-centered perspective, nonprofit and organizational leadership experience, strong community relationships, and a commitment to equity, accountability, and ensuring every Reynolds student has the opportunity to succeed.

Please outline why you are interested in serving on the Reynolds Board of Education. *

I am interested in serving on the Reynolds Board of Education because I believe strongly in the power of public education to change the trajectory of young people's lives. Through my work as Executive Director of Elevate Youth, I have seen firsthand the impact that caring adults, strong schools, meaningful partnerships, and access to opportunity can have on students and families.

My experience working alongside Reynolds students, families, educators, and community partners has given me a strong appreciation for the district and its commitment to serving its students. I would welcome the opportunity to bring my experience in youth development, nonprofit leadership, organizational strategy, and community partnerships to the Board.

I am particularly interested in helping Reynolds continue to strengthen student outcomes, support educators and staff, engage families and the broader community, and ensure that every student—regardless of background—has the opportunity to graduate prepared for college, career, and life. I would approach this role as a thoughtful, collaborative, and student-centered board member committed to listening, asking good questions, and helping the district move forward strategically.

What do you see as the key issues facing the District and outline how you would deal with them? *

I see several key issues facing the Reynolds School District, many of which are challenges facing public education across Oregon.

First, financial sustainability and responsible resource allocation will be critical. Districts are being asked to do more with increasingly limited resources while meeting the needs of students and families. I would work to ensure that budget decisions remain student-centered, transparent, and aligned with the district's strategic priorities. This includes asking difficult questions about priorities, evaluating the effectiveness of programs, and seeking additional partnerships and resources where appropriate.

Second, student achievement and opportunity gaps must remain a central focus. Every student should have access to the academic support, mentoring, enrichment, and resources necessary to succeed. I would support the use of meaningful data to identify gaps in achievement, attendance, graduation, and student engagement, while also making sure we listen to students, families, and educators to understand the reasons behind the numbers.

Third, recruiting, supporting, and retaining excellent educators and staff is essential. A strong school system depends on people who feel valued, supported, and equipped to do their jobs effectively. I would advocate for strong leadership, professional development, effective communication, and a culture that supports both accountability and collaboration.

Finally, strengthening family and community engagement is important to the long-term success of the district. Reynolds has tremendous assets within its schools and surrounding community. I would work to strengthen relationships among the district, families, businesses, nonprofits, and community organizations so that we can leverage collective resources and create more opportunities for students.

As a Board member, I would not expect to have all the answers. I would listen first, seek out multiple perspectives, use data and evidence to inform decisions, and work collaboratively with the Superintendent, educators, staff, families, students, and fellow Board members. My goal would be to help Reynolds remain focused on its most important responsibility: ensuring that every student has the opportunity to thrive.

How will you ensure decisions reflect student outcomes, safety, and well-being? *

I would ensure that student outcomes, safety, and well-being remain at the center of every Board decision by consistently asking, “How will this decision impact students?” I would rely on meaningful data, including academic achievement, attendance, graduation, discipline, and student engagement, while also listening directly to students, families, educators, and staff.

Safety must be treated as both physical and emotional. I would support policies and investments that create safe, welcoming, and inclusive learning environments where students feel respected, supported, and able to learn. I would also expect the district to regularly evaluate safety practices and respond thoughtfully to emerging needs.

At the Board level, I would focus on setting clear expectations, ensuring accountability, and monitoring outcomes rather than managing day-to-day operations. When difficult decisions involve competing priorities, I would look for solutions that protect essential student services and prioritize the students and families who are most vulnerable.

Ultimately, I would measure the effectiveness of our decisions by their impact on students—not simply by whether we balanced a budget or implemented a policy. Every student deserves to feel safe, supported, valued, and prepared for their future, and that would guide my approach as a Board member.

Availability: Board meetings, work sessions, and committee service often occur in the evenings and occasionally during the daytime. I understand the time commitment needed. *

- [x] Acknowledgement

Attestations

All checkboxes must be marked for this application to be valid. *

- [x] The information I have provided is true and complete to the best of my knowledge.
- [x] I meet the statutory eligibility for appointment: registered elector and one-year residency (ORS 332.018).
- [x] I am not disqualified by employee status (ORS 332.016).
- [x] I understand the appointment duration through June 30, 2026 (ORS 332.030(4)).

Reynolds School Board Vacancy Application

When a Board vacancy is declared, the Board will appoint a qualified person in accordance with Board policy BBE – Vacancies on the Board.

Positions 1 and 4 have been declared as vacant. **Both appointments will be for ONE school year, ending on June 30, 2027.**

To be considered for appointment, this form must be submitted by August 19, 2026. Submitted applications become public records and may be disclosable upon request.

The Board will interview candidates at the August 26, 2026 Business Meeting.

Candidates must:

1. Be a legally registered voter
2. Be a resident with the district for at least one year
3. Not be an employee of the district

Contact kjeffries@rsd7.net with questions.

Personal Information

This section is intended for internal and verification purposes. It is not intended to be provided to the Board or discussed at a Board meeting.

First and Last Name (as it appears on voter registration) *

Giovanni Vaz

Preferred Name

Home Address *

[redacted]

Email Address *

[redacted]

Phone Number *

[redacted]

We welcome applicants with disabilities. Do you need an accommodation to participate in interviews or meetings (e.g., ASL interpreter, materials in alternative formats, physical access, assistive technology)? *

- ○ Yes
- ◉ No

Accommodations

Describe the accommodation that is needed.

Application Questions

Briefly describe your background, qualifications, and community involvement that you believe would help you serve effectively on the Reynolds Board of Education. *

I am a lifelong member of the Reynolds School District and a recent graduate of Reynolds High School, where I served as the Student Representative to the Board during my senior year (2023–24). I currently serve as Speaker of the ASUP Senate at the University of Portland and as a Youth Alternate on the City of Portland's Sustainability & Climate Commission. If appointed, I will bring firsthand experience of student life within the district, as well as established relationships with students and staff.

Please outline why you are interested in serving on the Reynolds Board of Education. *

I want to serve on the Board of Education because Reynolds is my community, and I want to give back to the district that helped shape me. If appointed, I would become the youngest member ever to serve on the Board, bringing a fresh perspective to the Board at a critical time for the district.

What do you see as the key issues facing the District and outline how you would deal with them? *

The key issues I see are chronic absenteeism, larger class sizes and teacher burnout, aging infrastructure, academic outcomes, and declining enrollment. I would focus on understanding the root causes of these challenges while using measurable outcomes to evaluate whether our solutions are working. Throughout that process, I believe strong community input is essential, especially from students, staff, and families.

How will you ensure decisions reflect student outcomes, safety, and well-being? *

I would make student outcomes, safety, and well-being central to every decision I make while on the Board. That means listening directly to students and staff while also using academic and attendance data to understand where the District is succeeding and where it needs improvement.

Availability: Board meetings, work sessions, and committee service often occur in the evenings and occasionally during the daytime. I understand the time commitment needed. *

- [x] Acknowledgement

Attestations

All checkboxes must be marked for this application to be valid. *

- [x] The information I have provided is true and complete to the best of my knowledge.
- [x] I meet the statutory eligibility for appointment: registered elector and one-year residency (ORS 332.018).
- [x] I am not disqualified by employee status (ORS 332.016).
- [x] I understand the appointment duration through June 30, 2026 (ORS 332.030(4)).

This form was created inside of REYNOLDS SCHOOL DISTRICT 7.

Google Forms

Reynolds School District

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To: Board of Directors

From: Frank Caropelo, Superintendent

Subject: Superintendent's Report

Type: ☐ Action Item ☑ Report / Presentation

Policy: BD/BDA: Board Meetings

Date: August 26, 2026

Summary / Background:
Superintendent Caropelo will provide announcements and reports to the Board:

a. Superintendent Report – Frank Caropelo

Previous Board Action:
Not Applicable

Financial Implications:
Not Applicable

Motion:
Not Applicable

Reynolds School District

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To: Board of Directors

From: Frank Caropelo, Superintendent

Subject: Consent Agenda

Type: ☑ Action Item ☐ Report / Presentation

Policy: BD/BDA: Board Meetings; BDDF: Conduct of Board Meetings

Date: August 26, 2026

Summary / Background:

A. Approval of Personnel Order
B. Approval of Prior Meeting Minutes
C. 2026-27 Alternative Education List
D. Lemelson Grant Acceptance
E. Nutrition Authorization to Spend
F. Policy Second Reading and Adoption

Previous Board Action:

Not Applicable

Financial Implications:

Not Applicable

Motion:

A. Motion Made by Board Member:
    a. I move that the Board approve all Consent Agenda items as presented.
B. Motion Seconded by Another Board Member
C. Points of Clarification / Discussion
D. Call for Board Vote

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

Reynolds School District
Board of Education Business Meeting
Meeting Minutes

July 1, 2026
6:00 PM
Building I, Edgefield Campus

Present: Patty Carrera, Francisco Ibarra, Michael Reyes, Joyce Rosenau, **Absent:** Ana Gonzalez Muñoz

I. 5:30p - Executive Session

The Reynolds School Board and the Superintendent will recess into Executive Session at 5:30p under ORS 192.660(2)(d) Negotiations.

II. 6:00p - Call to Order

- Chair Michael Reyes called the July 1, 2026 meeting to order at 6:00p.

A. Roll Call

B. Consider Approval of the July 1, 2026 Agenda

I move that the Board approve the August 26, 2026 agenda as presented. This motion, made by Patty Carrera and seconded by Francisco Ibarra, Passed.

Yea: 4, Nay: 0

C. Pledge of Allegiance

D. Land Acknowledgement

E. Mission and Vision

III. 6:10p - Election of Board Officers

A. Elect a 2026-27 Board Chair

- Francisco Ibarra nominated Michael Reyes for the position of Board Chair. Director Reyes was unanimously elected.
- Patty Carrera nominated Joyce Rosenau for the position of Vice Chair. Director Rosenau was unanimously elected.

B. Elect a 2026-27 Board Vice Chair

IV. 6:15p - Public to be Heard

Members of the public will address the board with comments and the board will listen only. Public Comment will be limited to 7 speakers with 3 minutes each. Forms must be turned in before the meeting start time.

V. 6:25p - Policy Update: First Reading

VI. 6:45p - Superintendent's Reports

A. Announcements/Reports

VII. 6:50p - Consent Agenda

I move that the Board approve all Consent Agenda items as presented. This motion, made by Francisco Ibarra and seconded by Patty Carrera, Passed.

Yea: 4, Nay: 0

A. Approval of Prior Meeting Minutes

B. 2026-2027 Fee Schedule

C. 2026-27 Board Calendar

D. RHS Football Camp in Bend, Oregon

E. Serendipity Center Agreement

VIII. 6:55p - Action Items

A. Resolution 2026-2027-001 Designating District Officers, Clerks, Agents, and Depositories of Funds

I move that the Board approve Resolution 2026-2027-001 Designating Officers, Clerks, Agents, and Depositories of Funds for the 2026-2027 fiscal year. This motion, made by Patty Carrera and seconded by Francisco Ibarra, Passed.

Yea: 4, Nay: 0

B. Position 1 and Position 4 Vacancies

I move that the Board declare Board positions 1 and 4 as vacant and open an application to fill the vacancies. This motion, made by Patty Carrera and seconded by Francisco Ibarra, Passed.

Yea: 4, Nay: 0

IX. 7:05p - Board Announcements and Discussion

A. Individual Board Members - Announcements and Reports

B. Upcoming Board Meetings

X. 7:15p - Adjourn

- Chair Michael Reyes adjourned the July 1, 2026 meeting at 6:34p.

Reynolds School District

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To: Board of Directors

From: Kate McLaughlin, Assistant Superintendent

Subject: Alternative Education List

Type: ☑ Action Item ☐ Report / Presentation

Policy: IGBHA: Alternative Education Programs

Date: August 26, 2026

Summary:
Board Policy IGBHA requires the Board to be presented a list of alternative education programs annually for approval.

The District strives to provide services to all students and recognizes different student needs create the need for multiple programs that best suit student needs as they complete their education.

Alternative Education Programs for 2026-27 school year:

- Columbia Regional Deaf & Hard of Hearing Program
- Kartini Clinic
- MESD Schools: Arata Creek, Burlingame Creek, Knott Creek, Helensview, and Wheatley
- MESD Functional Life Skills classrooms
- Mt. Hood Community College GED Program and Middle College Program
- Open School
- POIC/Rosemary Anderson
- PDX Youth Builders
- Serendipity Center

Additionally, some students are served at the Oregon School for the Deaf and Rivercrest Academy (addiction recovery school) which are funded directly by the state of Oregon.

Previous Board Action:
The Board approves alternative education programs annually.

Financial Implications:
Program costs vary by the level of service provided. Each time the Board is asked to authorize a contract with one of the programs or providers, financial implications for the contract will be reported.

Motion:

A. Motion Made by Board Member:

    a. I move that the Board approve the proposed Alternative Education Programs/Schools for the 2026-27 School Year.

B. Motion Seconded by Another Board Member
C. Points of Clarification / Discussion
D. Call for Board Vote

Reynolds School District

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To: Board of Directors

From: Frank Caropelo, Superintendent

Subject: **Grant Acceptance: The Lemelson Foundation**

Type: ☑ Action Item ☐ Report / Presentation

Policy: DD: Grant Funding Proposals and Applications

Date: August 26, 2026

Summary:
The Lemelson Foundation's mission is to harness the power of invention and innovation to accelerate climate action and improve lives around the world. The foundation's strategic funding areas are in climate action, invention and entrepreneurship and invention education.

Through their invention education initiative, this one-year renewal and increased investment will fund two science teachers per grade level at HB Lee Middle School (6 total) and an administrator to join a regional cohort of middle school educators to experience exemplary invention education practices and consider possible implementation via additional Lemelson support in subsequent years.

Previous Board Action:
The board is responsible for accepting all new grants or grants over $30,000.

Financial Implications:
$38,690 grant to support teacher registration to local and invention education conferences, substitute costs, and additional planning/meeting time for designated HB Lee Middle School teachers.

Motion:

A. Motion Made by Board Member:
    a. I move that the Board approve acceptance of the Lemelson Foundation grant for HB Lee Middle School.
B. Motion Seconded by Another Board Member
C. Points of Clarification / Discussion
D. Call for Board Vote

The Lemelson Foundation
improving lives through invention

July 22, 2026

Frank Caropelo
Superintendent
Reynolds School District
1204 NE 201st Avenue
Fairview, OR 97024

Reference: Grant Award #2026-0083

Dear Frank Caropelo,

We are pleased to inform you that The Lemelson Foundation (the "Foundation") has approved a grant of $38,690 (the "Grant") to Reynolds School District (the "Grantee"), for the period of May 1, 2026, to July 31, 2027.

The Grant funds are to be used to enable school districts to advance the adoption of Invention Education into their school day (the "Project"). The Grant funds are to be used as described in the Grantee's proposal dated May 20, 2026, and the proposed budget included therein (see Appendix 1; hereinafter called the "Approved Budget").

Katie Krummeck is the Foundation staff person responsible for the oversight of this Grant and considered the "Program Officer" for purposes of this Grant Agreement; if another Foundation staff person assumes this role during the term of this Grant, the Foundation will notify the Grantee of such change.

Payment of the Grant funds will be made after receipt by the Foundation of a countersigned copy of this letter Agreement ("this Agreement") signed by an appropriate officer of your organization.

These terms apply to the Grantee's use of the Foundation's Grant:

1. Use of Grant Funds and Income. Foundation Grant funds may be expended only for charitable, religious, scientific, literary or educational purposes. This Grant is made only for the purposes stated in this letter, and it is understood that these Grant funds will be used for such purposes substantially in accordance with the approved budget.

2. Return of Unused Funds. Any Grant funds not expended or committed for the purposes of the Grant by July 31, 2027, must be returned promptly to the Foundation.

3. No Lobbying. Foundation Grant funds may not be used by your organization to carry on propaganda, or otherwise to attempt to influence any legislation, within the meaning of Section 4945 of the Internal Revenue Code of 1986, as amended (the "Code"), and the Treasury Regulations thereunder.

4. Notice of Changes. The Grantee will inform the Foundation immediately of (a) any change in its organizational leadership or key personnel or (b) any material change or adverse development relative to its financial condition, operations, activities or affairs.

"Key personnel" for this Grant means Jenna Guertin-Davis, or any future individual or individuals with similar responsibilities. In the event that this individual is unable to perform his or her obligations, ceases to be involved in the Project, or substantially reduces his or her involvement in the Project, the Grantee shall immediately notify the Foundation.

5. Reports. The Grantee agrees to deliver a **Final Report (Narrative & Expenses)** covering the full grant term to the Foundation and loaded to the Foundation's Grants Portal by **August 31, 2027**. The reports in the Grants Portal will include the reporting period for each report.

The narrative report must: (1) describe the use of the Grant funds, (2) confirm the Grantee's compliance with the terms of the Grant, and (3) describe the progress made by the Grantee toward achieving the purposes for which the Grant was made. See Appendix 2 for what to include in the narrative report.

The expense report should include only funds received and expended under this Grant during the reporting period and should include all expenditures made under this Grant. Expenditures made in furtherance of the Grant purposes should be charged against the Grant, and records of such expenditures adequate to enable the use of such funds to be checked readily must be kept. Please use the Approved Budget in Appendix 1 when reporting actual expenditures.

6. Monitoring and Evaluation. The Foundation will monitor progress with respect to the purposes of the Grant and the use of the Grant funds, which may include reporting of project metrics (to be agreed upon with the Foundation Program Officer), visits from Foundation Directors or other personnel or agents, discussions of the program with the Grantee's personnel, and reviews of financial and other records and materials connected with the activities financed by this Grant. Information provided by the required reports will go into the Foundation's grants management system. Information obtained from monitoring and evaluation may be used for Foundation learning and/or shared with others.

7. Publicity and Acknowledgments**.** The Foundation may, but is not required to, include basic information about this Grant and the Project in its public reports (e.g., Forms 990-PF), in one or more press releases, on its website, or in any other publicly disseminated materials, or other general lists of Foundation Grantees. The Foundation and this Grant should be acknowledged by the Grantee in all appropriate publications and materials related to or produced by this Grant, including any annual report, donor honor roll, website, brochure, film credit, announcement, and commemorative signage. The Grantee agrees to use the Foundation's full legal name, "The Lemelson Foundation", and logo in all such materials. Whenever possible, we request two weeks to review press releases or other materials. The Foundation may at any time direct the Grantee to stop using either or both of the Lemelson or Foundation name in connection with the Project, and at such time the Grantee shall promptly cease to use such name. If there are special considerations concerning the Grantee's public announcement of this Grant, or if the Grantee would like to coordinate a public announcement of this Grant with the Foundation's announcement(s), we encourage the Grantee to contact the Foundation to discuss its concerns.

8. Intellectual Property. Except as may otherwise be provided herein, all copyright interest in materials produced as a result of this Grant (the "Grant Work Product") shall be owned by the Grantee. To effect the widest possible distribution of the Grant Work Product and to ensure that it furthers charitable purposes and benefits the public, the Grantee hereby Grants to the Foundation a non-exclusive, transferrable, perpetual, irrevocable, royalty-free, paid-up, worldwide license to use, display, perform, reproduce, publish, copy, and distribute, for non-commercial purposes, the Grant Work Product and any other work product arising out of or resulting from the Grantee's use (including digital or electronic or other media) of the Grant funds, including all intellectual property rights appurtenant thereto, and to sublicense to third parties the rights described herein. Without limiting the foregoing, such license includes the right of the Foundation to publish the Grant Work Product on the Foundation's website in connection with the Foundation's work with and support of the Grantee, and for use in periodic public reports, press releases, and fact sheets about the Foundation's grant-making. The Grantee further acknowledges and agrees, at the Foundation's request, to execute any additional documents necessary to effect such license.

9. Tax Status. The Grantee confirms that it is an educational institution exempt from United States federal income taxation by virtue of being a governmental unit of the State of Oregon (as described in Code Section 170). The Grantee shall advise the Foundation immediately if there is any change to its status during the term of this Grant.

10. Indemnification. The Grantee irrevocably and unconditionally agrees, to the fullest extent permitted by law, to defend, indemnify, and hold harmless the Foundation, its officers, directors, employees, and agents (collectively, "Indemnified Parties"), from and against any and all claims, liabilities, losses, and expenses (including reasonable attorneys' fees) incurred by the Indemnified Parties, arising out of any third-party claim to the extent attributable to, resulting from or in connection with any act or omission of the Grantee, its employees, or agents, in applying for or accepting the Grant, in expending or applying the Grant funds or in carrying out any project or program to be supported by the Grant, except to the extent that such claims, liabilities, losses, or expenses are attributable to, arise from or in connection with any act or omission of the Foundation, its officers, directors, employees, or agents.

11. Compliance with U.S. Law. The Grantee agrees that it will comply with all applicable United States law.

12. No Renewal Promised. The Grantee acknowledges that the Foundation and its representatives have made no actual or implied promise of funding or renewal of funding except for amounts, and subject to any conditions, specified by this Agreement, including the attached appendices.

13. Termination. Failure to comply with any term of this Agreement, including, but not limited to, the reporting requirements set forth herein, shall result in termination of this Grant and require the return of all Foundation Grant funds to the Foundation. The Foundation reserves the right to terminate this Agreement if, in its sole discretion, the Foundation determines that the Grantee has made any misrepresentations, has in any way misappropriated funds, or has failed to comply with the terms and conditions of this Agreement. The Foundation shall be entitled to a return of any misappropriated funds up to and including the full amount of this Grant.

14. Full Agreement. This Agreement sets forth all terms of this Grant and replaces all prior understandings and Agreements with respect to this Grant. Any modification or amendment must be in writing and signed by an authorized officer of the Grantee and of the Foundation.

15. Governing Law and Venue. This Agreement shall be construed in accordance with the laws of the State of Nevada, and any claims or causes of action shall be adjudicated exclusively in the courts of the State of Nevada.

If this Agreement correctly sets forth your understanding of the terms of this Grant, please indicate your Agreement to such terms by having the enclosed copy of this Agreement countersigned by an appropriate officer of your organization and returned to the Foundation to the attention of Grants Management.

This Agreement may be signed and delivered by means of facsimile or other electronic transmission. To the extent so delivered, this Agreement shall be treated in all manner and respects and for all purposes as an original Agreement and shall be considered to have the same binding legal effect as if it were the original signed version thereof delivered in person.

On behalf of the Foundation, may I extend every good wish for the success of your work.

Sincerely,

THE LEMELSON FOUNDATION

By:_____
Robert MH Schneider
Executive Director

On behalf of the Grantee, I understand and agree to the foregoing terms and conditions of the Foundation's Grant and hereby certify my authority to execute this Agreement.

Reynolds School District

By: _____

Print Name: _____

Title: _____

Date: _____

APPENDIX 1
Approved Budget

The Lemelson Foundation Project Budget	
Organization Legal Name:	**Reynolds School District**
Grant Term:	School year 2026-27
Proposal Submission Date:	5/20/2026
Amount Requested:	**$38,690**

Item #	Expense Type	Year 1	Total
1	**Personnel**	$21,190	**$21,190**
2	**Consultants**		**$0**
3	**Sub-grants/Sub-contracts**		**$0**
4	**Travel Expenses**	$15,000	**$15,000**
5	**Equipment**		**$0**
6	**Supplies**	$2,500	**$2,500**
7	**Conferences and Meetings Expenses**		**$0**
8	**Other Direct Expenses**		**$0**
	Total Expenses	**$38,690**	**$38,690**

APPENDIX 2
Final Narrative Report

A final narrative report outlining the actions taken and budget expenditures is due August 31, 2027. The report must be no more than five pages long. This report should include the following components:

- Vision statement for adopting invention education into the school day
- Priority learning objectives that are supported through invention education learning experiences
- Three potential models for how Invention Education could be adopted into the school day

In addition, all cohort participants must agree to complete the following learning and reflection activities:

- Administrator interviews and survey
- Educator and Principal pre- and post- surveys
- Educator and Principal personal reflections
- Debrief conversations with project teams

Reynolds School District

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To: Board of Directors

From: Wade Bakley, Managing Operations Officer

Subject: Nutrition Services Authorization to Spend

Type: ☑ Action Item ☐ Report / Presentation

Policy: DJ: District Purchasing

Date: August 26, 2026

Summary / Background:
The District purchases nutrition supplies and materials from vendors under price agreements with the Oregon Child Nutrition Coalition (OCNC) and Dairy Fresh Farms. Major grocery purchases will be in excess of the $500,000 purchasing limit, requiring Board approval.

Previous Board Action:
The Board must approve all purchases over $500,000.

Financial Implications:
The 2026-27 budget includes the appropriations necessary to complete the procurement of food and supplies for nutrition for the school year.

Motion:

A. Motion Made by Board Member:
    a. I move that the Board authorize expenditures in excess of $500,000 for major grocery purchases with both Sysco (under OCNC) and Dairy Fresh Farms for the 2026-2027 school year.
B. Motion Seconded by Another Board Member
C. Points of Clarification / Discussion
D. Call for Board Vote

Reynolds School District

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To: Board of Directors

From: Frank Caropelo, Superintendent

Subject: **Policy Updates: Second Reading and Adoption**

Type: ☑ Action Item ☐ Report / Presentation

Policy: BF: Policy Development

Date: August 26, 2026

Policy	Policy Name	Update / Notes
Section A/B: Board Governance		
BBAA	**Board Member Authority and Responsibilities**	Highly Recommended. Delete this version and replace. OSBA used to have multiple versions that districts chose from. They are consolidating to one version only. There have been several changes to Oregon Public Meetings laws over the last few years. These include statutes from the Oregon Legislature and rules from the Oregon Government Ethics Commission. In 2026, the Legislature passed House Bill 4177, but it will not go into effect as it was vetoed by the governor. The policies included in this update include language that matches the new laws.
BBE	**Vacancies on the Board**	Optional. Delete this version and replace. OSBA used to have multiple versions that districts chose from. They are consolidating to one version only. Boards often struggle establishing a procedure when there is a vacancy on the board. Consequently, OSBA has updated this policy to incorporate legal requirements into a set of steps boards can follow in order to fill the vacancy. Additionally, an application form has been created and placed in the Administrative Regulation (AR). Both the policy and the AR are optional.

BCB	**Board Officers**	Optional. Delete this version and replace. OSBA used to have multiple versions that districts chose from. They are consolidating to one version only. Language has been updated to clarify replacement of a board officer, timing of actions, board chair duties and spokesperson delegation.
BCE	**Board Committees**	Optional. Delete this version and replace. OSBA used to have multiple versions that districts chose from. They are consolidating to one version only. There have been several changes to Oregon Public Meetings laws over the last few years. These include statutes from the Oregon Legislature and rules from the Oregon Government Ethics Commission. In 2026, the Legislature passed House Bill 4177, but it will not go into effect as it was vetoed by the governor. The policies included in this update include language that matches the new laws.
BCF	**Advisory Committees to the Board**	Recommendation to delete and replace with BCE above. There have been several changes to Oregon Public Meetings laws over the last few years. These include statutes from the Oregon Legislature and rules from the Oregon Government Ethics Commission. In 2026, the Legislature passed House Bill 4177, but it will not go into effect as it was vetoed by the governor. The policies included in this update include language that matches the new laws.
BD	**Board Meetings, Notices, and Communications**	Highly Recommended. Delete BD/BDA and Replace with BD. There have been several changes to Oregon Public Meetings laws over the last few years. These include statutes from the Oregon Legislature and rules from the Oregon Government Ethics Commission. In 2026, the Legislature passed House Bill 4177, but it will not go into effect as it was vetoed by the governor. The policies included in this update include language that matches the new laws.

BDC	**Executive Session**	Highly Recommended. Delete this version and replace. OSBA used to have multiple versions that districts chose from. They are consolidating to one version only. There have been several changes to Oregon Public Meetings laws over the last few years. These include statutes from the Oregon Legislature and rules from the Oregon Government Ethics Commission. In 2026, the Legislature passed House Bill 4177, but it will not go into effect as it was vetoed by the governor. The policies included in this update include language that matches the new laws.
BDD	**Board Meeting Procedures**	Optional. There have been several changes to Oregon Public Meetings laws over the last few years. These include statutes from the Oregon Legislature and rules from the Oregon Government Ethics Commission. In 2026, the Legislature passed House Bill 4177, but it will not go into effect as it was vetoed by the governor. The policies included in this update include language that matches the new laws.
BDDC	**Board Meeting Agenda**	Highly Recommended. There have been several changes to Oregon Public Meetings laws over the last few years. These include statutes from the Oregon Legislature and rules from the Oregon Government Ethics Commission. In 2026, the Legislature passed House Bill 4177, but it will not go into effect as it was vetoed by the governor. The policies included in this update include language that matches the new laws.
BDDG	**Recordings and Minutes of Board Meetings**	Highly Recommended. There have been several changes to Oregon Public Meetings laws over the last few years. These include statutes from the Oregon Legislature and rules from the Oregon Government Ethics Commission. In 2026, the Legislature passed House Bill 4177, but it will not go into effect as it was vetoed by the governor. The policies included in this update include language that matches the new laws.
Section C: Administration		
CBA	**Qualifications and**	Highly Recommended.

	Duties of the Superintendent	Delete this version and replace. OSBA used to have multiple versions that districts chose from. They are consolidating to one version only. There have been several changes to Oregon Public Meetings laws over the last few years. These include statutes from the Oregon Legislature and rules from the Oregon Government Ethics Commission. In 2026, the Legislature passed House Bill 4177, but it will not go into effect as it was vetoed by the governor. The policies included in this update include language that matches the new laws.
CBG	**Evaluation of the Superintendent**	Required. There have been several changes to Oregon Public Meetings laws over the last few years. These include statutes from the Oregon Legislature and rules from the Oregon Government Ethics Commission. In 2026, the Legislature passed House Bill 4177, but it will not go into effect as it was vetoed by the governor. The policies included in this update include language that matches the new laws.
CEA	**Educational Equity Advisory Committee**	The Oregon Legislature passed House Bill 4066, modifying the requirement requiring a member of the educational equity advisory committee serve on the district's budget committee. The amendment clarifies that this requirement does not apply if no member of the educational equity advisory committee is willing or eligible to serve on the budget committee.
Section D: Fiscal Management		
DBEA	**Budget Committee**	Optional. The Oregon Legislature passed House Bill 4066, modifying the requirement requiring a member of the educational equity advisory committee serve on the district's budget committee. The amendment clarifies that this requirement does not apply if no member of the educational equity advisory committee is willing or eligible to serve on the budget committee.
Section E: Support Services		
EBB	**Integrated Pest Management**	Required. House Bill 2684 (2025) added some new requirements to law for Integrated Pest Management Plan requirements. The first requires posting the Integrated Pest Management Plan and list

		of low-impact pesticides to the website (can be included in the Healthy and Safe Schools Plan); the second requires a review of a IPM plan every five years to identify updates, if any, and readoption.
Section G: Personnel		
GBA	**Equal Employment Opportunity**	Required. Senate Bill 808 (2025) amended ORS 408.225, 408.230 and 408.235, which discusses issuing preferences to veterans and disabled veterans during a hiring or promotion process, and defined and added state servicemembers and former state servicemembers. These are servicemembers who are current servicemembers of the Oregon National Guard or former servicemembers of the Oregon National Guard, and who meet the new provisions. As a result, board policy GBA – Equal Employment Opportunity and administrative regulation GBA-AR – Veteran and State Servicemember Preference has been updated to reflect SB 808 and to account for the four different employment preferences now allowed under Oregon law effective January 1, 2026. Additionally, OAR 581-022-2405 requires districts have policies regarding equal employment opportunities and affirmative action. Language has been added to more clearly meet these requirements.
GBA-AR	**Veterans' Preference**	Highly Recommended. Senate Bill 808 (2025) amended ORS 408.225, 408.230 and 408.235, which discusses issuing preferences to veterans and disabled veterans during a hiring or promotion process, and defined and added state servicemembers and former state servicemembers. These are servicemembers who are current servicemembers of the Oregon National Guard or former servicemembers of the Oregon National Guard, and who meet the new provisions. As a result, board policy GBA – Equal Employment Opportunity and administrative regulation GBA-AR – Veteran and State Servicemember Preference has been updated to reflect SB 808 and to account for the four different employment preferences now allowed under Oregon law effective January 1, 2026. Additionally, OAR 581-022-2405 requires districts have policies regarding equal employment opportunities and affirmative

		action. Language has been added to more clearly meet these requirements.
GBN/JBA	**Sexual Harassment**	Required. Multiple laws address sexual harassment in Oregon schools. Oregon laws include requirements to provide notice to individuals involved in reports of sexual harassment. This update is to clarify these notice requirements.
GCBDA/GDBDA-AR(1)		Highly Recommended. Delete this version and replace. OSBA used to have multiple versions that districts chose from. They are consolidating to one version only. UPDATED: FIXED BRACKET ISSUE
GCBDD/GDBDD	**Sick Time**	Highly Recommended. The change from Senate Bill 1108 (2025) added another allowable use for earned sick time: to donate blood in connection with a voluntary program that is approved or accredited by the American Association of Blood Banks or the American Red Cross.
Section I: Instruction		
IGBB	Talented and Gifted Program and/or Services	Updated to clean-up language and match existing processes.
IGBBA	Talented and Gifted Students - Identification, Parent Notification and Participation	Updated to clean-up language and match existing processes.
IICA-AR	Field Trips and Special Events	Update language on chaperone requirements
Section J: Students		
JBA/GBN		See GBN/JBA Above
JOD	Media Access to Students	Updated language to clarify notification protocols. UPDATE: Removed mention of staff.
Section K/L: Community Relations		
KBCA	News Media and News Release	Updated language to clarify notification protocols.

Code: BBAA
Adopted:

Board Member's Authority and Responsibilities

(Version 2)

An individual Board member exercises the authority and responsibility of their position when the Board is in a meeting which is being held in accordance with Oregon's Public Meetings Law. A Board member has the authority to act in the name of the Board only when authorized by a specific Board motion. The affirmative vote of the majority of members of the Board is required to transact any business.

When authorized to act as the district's designated representative in collective bargaining, a Board member may make and accept proposals in bargaining subject to subsequent approval by the Board.

Board members may speak on behalf of the Board or district only when specifically authorized to do so. Any other statements do not represent the position of the Board or district. When expressing personal opinions in public, Board members are encouraged to clearly identify the opinions as their own.

All Board members shall maintain awareness of relevant district information and participate in Board functions and professional Board development activities.

All members of the Board will adhere to the following in carrying out the responsibilities of membership:

1. Request for Records

   Any individual Board member who desires a copy of an existing record may make such a request to the superintendent. Requests involving confidential records or significant staff time will be referred to the Board for approval.

2. Requests for Legal Opinions

   Requests for legal advice or opinions by a Board member that will incur a cost for the district must be approved by a majority vote of the Board before the request is made to legal counsel. The Board chair is authorized to obtain legal advice or opinions if advantageous to do so prior to the next meeting (e.g., advice regarding an executive session or a decision to invite district legal counsel) without a need for Board approval. Legal counsel is responsible to the Board.

3. Action on Complaints or Requests Made to a Board Member

   When a Board member receives complaints or requests for action from staff, students or members of the public, the Board member will direct the staff, students, members of the public to the public complaint policy Board policy KL – Public Complaints. Such information will be conveyed to the superintendent. An individual Board member is not authorized to independently act on complaints.

4. Board Member's Communication with Administration

   No individual Board member may direct the superintendent or other staff to action without Board authorization. No Board member will intervene in the administration of the district or its schools.

5. Contracts or Agreements

   All district contracts must be approved by the Board, unless otherwise delegated by the Board to the superintendent or designee for approval before an order can be drawn for payment. If a contract is made without authority of the Board, the individual making such contract shall be personally liable.

6. Visits to Schools

   A Board members may visit schools in accordance with Board policy BG – Board–Staff Communications.

7. Public Meetings Law

   All Board members will comply with Public Meetings Law, including participating in an approved[1] training at least once during each term of office.

8. Mandatory Reporting

   A Board member having reasonable cause to believe that any child with whom the Board member comes in contact has suffered abuse or that any person with whom the Board member comes in contact has abused a child shall immediately make an oral report or cause an oral report be made to Department of Human Services[2] or local law enforcement.

9. Oregon Ethics Laws

   All Board members will adhere to Oregon Government Ethics laws, including filing the statement of economic interest as required by Oregon Revised Statute (ORS) 244.

10. Confidential Information

    All Board members will not disclose confidential information received as part of Board service.

11. Other Laws, Policies, Agreements and Procedures

    All Board members will follow all laws, Board policies, working agreements, and any other procedures established by the district.

END OF POLICY

Legal Reference(s):

[1] Approved by the Oregon Government Ethics Commission.

[2] (855) 503-SAFE (7233)

ORS 192.311 – 192.478
ORS 192.610 – 192.705
ORS Chapter 244
ORS 332.045
ORS 332.055
ORS 332.057
ORS 332.075
ORS 332.107
ORS 419B.010

38 Or. Atty. Gen. Op. 1995 (1978)
S. Benton Educ. Ass'n v. Monroe Union High Sch. Dist., 83 Or. App. 425 (1987).

Code: BBAA
Adopted: 1/04/07
Revised/Readopted: 5/13/10; 9/14/16; 4/26/17; 8/23/23
Orig. Code: BBAA

Individual Board Member's Authority and Responsibilities

(Version 1)

See updated version

An individual Board member exercises the authority and responsibility of their position when the Board is in legal session only.

A Board member has the authority to act in the name of the Board when authorized by a specific Board motion. The affirmative vote of the majority of members of the Board is required to transact any business. When authorized to act as the district's designated representative in collective bargaining, a Board member may make and accept proposals in bargaining subject to subsequent approval by the Board.

When expressing personal opinions in public, the Board member should clearly identify the opinions as their own.

Members will be knowledgeable of information requested through Board action, supplied by the superintendent, gained through attendance at district activities and through professional Board activities.

Members of the Board will adhere to the following in carrying out the responsibilities of membership:

Request for Information

Any individual Board member who desires a copy of an existing written report or survey prepared by the administrative staff will make such a request to the superintendent. A copy of the material may be made available to each member of the Board. Requests for the generation of reports or information, which require additional expense to the district, must be submitted to the Board for consideration.

Requests for Legal Opinions

If a Board member requests legal opinions which will incur a cost for the district, the request must be approved by a majority vote of the Board. The Board chair is authorized to obtain legal advice or opinions if advantageous to do so prior to the next meeting (e.g., advice regarding an executive session or a decision to invite district legal counsel) without a need for Board approval. Copies of the opinion shall be distributed to all Board members. Legal counsel is responsible to the Board.

Action on Complaints or Requests Made to Board Members

Delete

When Board members receive complaints or requests for action from staff, students or members of the public, the Board members will direct the staff, students, members of the public to the appropriate complaint policy, Board policy KL – Public Complaints. Such information will be conveyed to the superintendent.
Complaints involving the superintendent shall be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board.

District Board Member's Relationship to Administration

Individual Board members will be informed about the district's educational program, may visit schools or other facilities to gain information, and may request information from the superintendent. No individual Board member may direct the superintendent to action without Board authorization. Board members will not intervene in the administration of the district or its schools.

Contracts or Agreements

All contracts of the district must be approved by the Board, unless otherwise delegated by the Board to the superintendent or designee for approval, before an order can be drawn for payment. If a contract is made without authority of the Board, the individual making such contract shall be personally liable.

END OF POLICY

Legal Reference(s):

ORS 192.311 – 192.478
ORS 192.610 – 192.705
ORS Chapter 244
ORS 332.045
ORS 332.055
ORS 332.057
ORS 332.075
ORS 332.107
ORS 419B.010

38 Or. Atty. Gen. Op. 1995 (1978)
S. Benton Educ. Ass'n v. Monroe Union High Sch. Dist., 83 Or. App. 425 (1987).

Cross Reference(s):

BHD - Board Member Compensation and Expense Reimbursement
DFEA - Admissions to District Events

Delete

Code: BBE
Adopted:

Vacancies on the Board
(Version 2)

Vacancies on the Board will be filled through the following procedures:

1. At a Board meeting, the Board will declare the vacancy[1];

2. The Board or designee will establish an application period of at least 20 days. Applicants will be required to submit an application to the district office by the designated date. Deadlines and instructions will be posted on the district website. The Board can vote to extend or re-open the application period at any time;

3. After the application period has ended, the superintendent or designee will verify applicant eligibility. Applicants must:

   a. Be an elector of the district.[2] This requires being registered to vote within the district;
   b. Have resided in the district for a period of one year immediately preceding the appointment;
   c. Not be an employee of the district or a charter school located within the district.

4. The Board will review applicant materials in an open Board meeting;

5. The Board may select applicants to interview. Any interview will be held in an open Board meeting;

6. During an open Board meeting, the Board will vote to appoint one of the applicants. In the event that no applicant receives a majority of votes[3], the Board may re-vote or vote to re-open the application period;

---

[1] In accordance with ORS 332.030, the Board shall declare a vacancy upon any of the following:
1. The death or resignation of any Board member;
2. When a Board member is removed from office or the election of the Board member has been declared void by the judgment of any court;
3. When a Board member ceases to be a resident of district;
4. When a Board member ceases to discharge the duties of office for two consecutive months unless prevented by sickness or other unavoidable cause;
5. When a Board member ceases to discharge the duties of office for four consecutive months for any reason; or
6. When a Board member is recalled.

[2] ORS 254.005(4) provides "'Elector' means an individual qualified to vote under section 2, Article II, Oregon Constitution." District staff may verify this with local elections officials.

[3] ORS 332.055 requires the affirmative vote of a majority of Board members to transact any business. Consequently four votes are necessary to appoint a board member, regardless of how many vacancies exist.

7. The newly appointed Board member(s) will take an oath of office before assuming the duties of office and will be seated immediately thereafter.

The appointee will serve until June 30 following the next election. At that election, either the remainder of the term for the position, or a full term for the position will be on the ballot.

If the offices of a majority of Board members are vacant at the same time, the directors of the Multnomah Education Service District shall appoint persons to fill the vacancies from qualified individuals.

END OF POLICY

Legal Reference(s):

ORS 249.865 - 249.877
ORS 254.005
ORS 255.245
ORS 255.335
ORS 332.030
ORS 332.122
ORS 332.124

Code: BBE
Adopted: 1/04/07
Revised/Readopted: 5/13/10; 4/26/17; 8/23/23
Orig. Code: BBE

Vacancies on the Board

(Version 1)

See updated version

Vacancies will be filled through Board appointment. The Board appointee must be a legally registered voter and a resident within the district for one year immediately preceding the appointment.

In the event of multiple vacancies, the position vacated first will be filled first.

Upon appointment by the Board, the newly appointed Board member(s) will be sworn and seated immediately.

If the offices of a majority of Board members are vacant at the same time, the directors of the Multnomah Education Service District board shall appoint persons to fill the vacancies from qualified district voters.

Board elections are held every odd-numbered year, which for the purposes of this policy, are termed "election" years.

The appointee will:

1. Serve until June 30 following the next election, at which time the individual elected in May of that year will fill the remaining portion of an unexpired term or serve a full four-year term; or

2. Serve until June 30 of a subsequent election year if the vacancy occurs after the filing date in an election year.

A Board member so elected as a replacement will serve the remaining year(s) of the term of office of the Board member being replaced.

END OF POLICY

Legal Reference(s):

ORS 249.865 - 249.877
ORS 254.005
ORS 255.245
ORS 255.335
ORS 332.030
ORS 332.122
ORS 332.124

Cross Reference(s):

Delete

BBBA - Board Member Qualifications
BBC - Board Member Resignation
BBD - Board Member Removal from Office

Delete

Code: BCB
Adopted:

Board Officers
(Version 2)

No later than the next regular meeting after July 1, the Board will elect one of its members to serve as chair and one to serve as vice chair. In an election year, this meeting must occur no later than the last day of July. No member of the Board may serve as chair more than four years in succession.

The Board chair will:

1. Prepare the agenda for Board meetings in accordance with Board policy BDDC – Board Meeting Agenda;

2. Call special meetings;

3. Preside at meetings of the Board and enforce the rules of order. The Board chair has inherent authority to keep order and to impose any reasonable restrictions necessary for the efficient and orderly conduct of a meeting. If public comment is a part of the meeting, the Board chair may regulate the order and length of appearances and limit appearances to presentations of relevant points in accordance with Board policy BDDH – Public Comment at Board Meetings;

4. Sign official documents that require the signature of the chair;

5. Represent the district and the Board at official functions, unless this duty is delegated by the Board chair to another Board member;

6. Appoint Board members to committees unless otherwise ordered by the Board;

7. Have the right to discuss issues and vote; and

8. Perform such other duties as may be prescribed by law or by action of the Board.

In the absence of the chair, the vice chair will perform the duties of chair and, when so acting, will have the chair's powers. The vice chair will perform other functions as designated by the Board.

If a Board member is unable to continue to serve as an officer, a replacement will be elected. The replacement officer will serve the remainder of the officer's term, until the officer resigns or ceases to remain on the Board, or until the officer is removed or replaced by the Board.

Board Spokesperson

The Board may designate the chair, vice chair or another Board member as the Board's spokesperson. A Board member speaks on behalf of the Board only when specifically authorized by the Board. Official Board statements will be made using official district or Board communication channels, websites or social media accounts, or at official district events. When a Board member expresses personal opinions in public, the Board member is encouraged to clearly identify the opinions as personal. Comments made by Board members when not authorized by the Board are considered personal comments of the Board member.

END OF POLICY

Legal Reference(s):

ORS 255.335
ORS 332.040
ORS 332.045
ORS 332.057
OAR 199-050-0050

Code: BCB
Adopted: 1/04/07
Revised/Readopted: 5/13/10; 4/26/17; 8/23/23
Orig. Code: BCB

Officers of the Board and Duties

(Version 1)

See updated version

At its first scheduled meeting after July 1, the Board will elect one of its members to serve as chair and one to serve as vice chair. No member of the Board may serve as chair more than four years in succession. If a Board member is unable to continue to serve as an officer, a replacement will be elected immediately. The replacement officer will serve the remainder of the officer's term until the following July.

The Board chair will:

1. Assist the superintendent in establishing the agenda for regular Board meetings;

2. Call special meetings when required;

3. Preside at all meetings of the Board and enforce the rules of order;

4. Sign the minutes and other official documents that require the signature of the chair;

5. Represent the district and the Board at official functions, unless this duty is delegated by the Board chair to another Board member;

6. Appoint all committees unless otherwise ordered by the Board;

7. Have the right to discuss issues and vote.

In the absence, incapacitation or death of the chair, the vice chair will perform the duties of chair and, when so acting, will have the chair's powers. The vice chair will perform other functions as designated by the Board.

The superintendent will designate a staff member to serve as Board secretary and will directly supervise and evaluate the secretary. In absence of the designated Board secretary, the Board may name anyone present to serve as secretary for that meeting. The secretary to the Board will take notes at Board meetings, compile minutes and perform related work as assigned by the superintendent or requested by the Board chair.

1. These duties will include, but not be limited to, the following: Record the disposition of all matters on which the Board considered action;

2. Prepare and distribute minutes in advance for approval at the next Board meeting;

Delete

3. Maintain properly authenticated official copies of the minutes;

4. Maintain the official record of Board policies;

5. Properly post all Board meetings.

Board or District Spokesperson

The Board may appoint one of its members, usually the chair, or another person to make authorized statements to the public or the media when the Board deems that, under the circumstances, the district's position should be articulated by a single voice. The spokesperson serves at the Board's direction and may be removed or replaced at any time by action of a majority of the Board.

END OF POLICY

Legal Reference(s):

ORS 255.335
ORS 332.040
ORS 332.045
ORS 332.057
OAR 199-050-0050

Cross Reference(s):

BC/BCA - Board Organization/Board Organizational Meeting

Delete

Code: BCE
Adopted:

Board Committees
(Version 2)

The Board may establish committees. A Board committee is a group of Board members, staff, students and/or community members tasked by the Board to make a decision on behalf of the Board or make a recommendation to the Board on policy or administration. The district may have additional administrative committees.

Board committees may be classified into two general types based on membership:

1. Board subcommittees are primarily made up of Board members, e.g., superintendent evaluation committee, long-range planning committee, policy committee;

2. Advisory committees are primarily made up of non-Board members, e.g., bond steering committee.

Regardless of classification, the Board can include Board members and non-Board members on committees.

Board committees will not have the power to act for the Board except as the Board has specifically authorized. Committee meetings may be called by the committee in accordance with any direction from the Board and committee procedures. Committee recommendations and reports will be provided to the Board.

All meetings of Board committees will follow the Public Meetings Law[1], including the requirement to record the meetings or take meeting minutes. A committee may sit in an executive session when such meeting is in accordance with the committee's assigned purpose and when such session is permitted by law. Administrative committees, including superintendent committees, are generally not subject to Public Meetings Law.[2]

When establishing a Board committee, the Board will determine:

1. Committee membership and appointment process;

2. The task of the committee;

[1] OAR 199-050-0010(1)(b) provides that Public Meetings Law apply to bodies "with authority to make recommendations to a public body on policy or administration."

[2] OAR 199-050-0010(2)(b) provides that Public Meetings Law does not apply to "bodies appointed by an individual public official with authority to make recommendations only that individual public official who has the authority to act on the body's recommendation and is not required to pass the recommendations on unchanged to a public body."

3. What resources are needed and will be provided to the committee;

4. The length of time the committee will exist[3];

5. Expectations regarding any actions or recommendations of the committee.

END OF POLICY

Legal Reference(s)

ORS 192.610 - 192.705
ORS 332.045
ORS 332.105
OAR 199-040
OAR 199-050

[3] The Board can establish a standing committee, which has a continuing existence or a special committee, which goes out of existence as soon as the committee has completed a specified task.

Code: BCE
Adopted: 1/04/07
Revised/Readopted: 5/13/10; 4/26/17; 8/23/23
Orig. Code: BCE

Board Committees

(Version 1)

See updated version

Special temporary committees may be appointed by the Board. The entire Board may meet as a committee-of-the-whole. The functions of such committees shall ordinarily be fact-finding, deliberative, and advisory, and their reports shall be made to the Board for discussion and action. Any Board member, the superintendent of schools or a designee of the superintendent may be ex-officio members of any committee. Special committees shall be discharged upon completion of their assignment.

Committee-of-the-whole meetings, called "work sessions," may be held. Committee-of-the-whole meetings may be called by the Board chair or any three Board members.

The budget committee and advisory (standing) committees are not addressed in this policy.

1. Committee Direction

The Board shall give clear directions to any committee it appoints. The Board chair will give a succinct committee direction summary statement to the appointed committee, which shall be recorded in the official board minutes.

Committee Member Selection

The Board shall determine a minimum and maximum number of members. The desire of the Board to determine the composition of the committee with regard to representation from different district groups should be determined at the Board meeting at the time the committee is established. All committees of the Board will have a district administrator as a member of that committee to act as an advisor in their duties. Board representation on the committee is required, but shall not involve more than three members.

Committee Timeline

The Board, at the time of creation, will establish a timeline for the newly created committee. No study committee shall continue functioning beyond 12 months from the date of creation without the board's reconfirmation at an official board meeting.

Parameters of the Committee

The Board, at the meeting during which the committee is created, will establish guidelines appropriate for the newly created committee. Guidelines should speak to the ability of the committee to expend district funds, to use district staff time to assist in their performance and other appropriate limits.

Delete

Committee Officers

The committee will select a chair and recorder.

Meeting Schedule Announcement

Meetings of a committee shall follow Public Meeting Laws.

Meeting Minutes

Committees shall record minutes as per public meetings law with distribution to all Board members and requesting members of the community.

Scope of Responsibility

The Board's responsibility cannot be delegated or surrendered to others; therefore, all recommendations of an advisory committee must be submitted to the Board for action.

END OF POLICY

Legal Reference(s):

ORS 192.610 - 192.705
ORS 332.045
ORS 332.105
OAR 199-040
OAR 199-050

Cross Reference(s):

BCF - Advisory Committees to the Board

Delete

Reynolds School District

Code: BCF
Adopted: 1/04/07
Revised/Readopted: 3/09/11; 5/10/17; 8/23/23; 9/24/25
Orig. Code: BCF

Advisory Committees to the Board

Updated policy BCE replaces this policy

In an ongoing effort to increase communication with the public and to provide for community involvement, the Board may appoint advisory committees which include community members to consider matters of districtwide importance.

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

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

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

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

1. The committee's written charge which shall include, but not be limited to, a statement of purpose and responsibility;

2. The resources the Board will provide;

3. The length of time the committee is asked to serve and the approximate date(s) on which the Board wishes to receive the committee report(s).

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

The Board may be represented on lay and professional committees that serve the Board in an advisory capacity, with specific Board members appointed by the chair, but normally such Board members will function as ex-officio members of the committees.

Delete

END OF POLICY

Legal Reference(s):

ORS 192.610
ORS 192.630
ORS 294.414
ORS 329.704
ORS 332.107

OR. DEP'T OF JUSTICE, OR. ATT'Y GENERAL'S MODEL PUBLIC CONTRACT RULES MANUAL

Delete

OSBA Model Sample Policy

Code: BD
Adopted:

Board Meetings, Notices and Communications

Definitions

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

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

"Decision" means any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of the Board[1] is required, at any meeting at which a quorum is present.

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

"Deliberation" means discussion or communication that is part of a decision-making process.

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

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

"Meeting" means the convening of the Board for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. Meeting does not include any on-site inspection of any project or program or the attendance of members of the Board at any national, regional or state association to which the Board or the members belong.

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

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

"Quorum" means the minimum number of members of the Board required to legally transact business. For the Board, a quorum is four Board members.

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

Board Authority at Meetings

The Board has the authority to act only when a quorum is present at a properly noticed regular, special or emergency meeting. The affirmative vote of four members of the Board is required to transact any business.

Types of Meetings

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

1. Regular Meetings

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

2. Special Meetings

   A special meeting may be scheduled when less than a quorum is present at a regular meeting and therefore no business may be conducted, additional business still needs to be conducted at the ending time of a meeting, conducting business prior to the next regular meeting would be advantageous to the district, or other reasons. Special meetings may be convened by the Board chair, upon request of three Board members, or by common consent of the Board.

3. Emergency Meetings

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

4. Work Sessions

   The Board may use regular or special meetings for the purpose of conducting work sessions to provide its members with opportunities for planning and thoughtful discussion. Work sessions will be conducted in accordance with Public Meetings Law. The Board may make official decisions during a work session.

5. Executive Sessions

   Executive sessions may be held during regular, special or emergency meetings for a reason permitted by law. (See Board policy BDC – Executive Sessions).

Communications Outside of a Board Meeting (Serial Meetings Prohibited)

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

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

1. In-person;

2. Telephone calls;

3. Videos, videoconferencing, or electronic video applications;

4. Written communication, including electronic written communications, such as email, texts, and other electronic applications;

5. Use of one or more intermediaries to convey information among members; and

6. Any other means of conveying information.

Communications outside of a Board meeting may contain communications between or among members of the Board, including a quorum, that are:

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

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

3. Nonsubstantive in nature, such as communication relating to scheduling, leaves of absence and other similar matters.

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

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

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

Meeting Location, Public Accommodations and Logistical Requirements

All meetings will be open to the public except as provided by law.

All Board meetings, including Board retreats and work sessions, will be held within district boundaries, except as allowed by law[2]. The Board may attend training sessions outside the district boundaries but may not deliberate or discuss district business. No meeting will be held at any place where discrimination on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, age or national origin is practiced. Meeting locations shall be accessible to persons with disabilities.

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

Access to and the ability to attend all meetings (excluding executive sessions) by telephone, video or other electronic or virtual means will be made available when reasonably possible. For Board meetings (excluding executive session) held by telephone or other electronic means of communication, the district shall make available a place or an electronic means by which the public can listen to or view the meetings in real time. The place provided may be a place where no Board member is present.

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

If requested to do so at least 48 hours before a meeting held in public, the Board shall make a good faith effort to provide an interpreter for persons who are deaf or hard of hearing. The request should include the name of the requester, sign language preference and any other relevant information requested. If the meeting is being held upon less than 48 hours' notice and a request for an interpreter is made, the Board shall make a reasonable effort to have an interpreter present. Other appropriate aids and services may be provided upon request and appropriate advance notice.

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

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

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

The possession of a firearm, deadly weapon or any other instrument used as a dangerous weapon is prohibited at Board meetings, except as authorized by law.

Public Notice Requirements

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

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

The public notice shall identify the following:

1. The time, date, location of the meeting, and, to the extent reasonably possible, will include the electronic link or telephone access information to allow members of the public to attend the meeting by telephone or electronic means;

2. The agenda or list of the principal subjects anticipated to be considered at the meeting and will be specific enough to permit the public to recognize matters in which they are interested. The Board may amend the agenda or may add or remove items from the list of principal subjects prior to or during a meeting. See Board policy BDDC – Board Meeting Agenda for additional meeting agenda information; and

3. The name, telephone number, and email address of a person at the district office to contact to request an interpreter or other communication aids or a statement that the district will provide a sign language interpreter or other communication aids at the meeting.

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

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

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

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

If a meeting will include an executive session, the notice shall comply with the above notice requirements and the notice shall also identify the specific statutory citation and appropriate subsection and paragraph authorizing the executive session, as well as a general description of the statutory authorization. Example:

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

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

Complaints

Complaints regarding Public Meetings Laws can be filed in accordance with Public Meetings Law

complaint procedures outlined in Board policy KL – Public Complaints. Complaints must be filed within 30 days of the alleged violation.

Mandatory Training

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

END OF POLICY

Legal Reference(s):

ORS Chapter 192
ORS 332.040 - 332.061
ORS 332.107
ORS 433.835 - 433.875
OAR 199-050-0005 – 199-050-0085

OR. ATTY. GEN. *Public Records and Meetings Manual*.

Reynolds School District

Code: BD/BDA
Adopted: 1/04/07
Revised/Readopted: 5/13/10; 9/14/16; 8/23/23; 1/24/24
Orig. Code: BD/BDA

Board Meetings

New policy BD replaces this policy

The Board has the authority to act only when a quorum is present at a duly called regular, special or emergency meeting. "Meeting" means the convening[1] of a quorum of the Board as the district's governing body to make a decision[2] or to deliberate[3] toward a decision on any matter. This includes meeting for the purpose of gathering information to serve as the basis for a subsequent decision or recommendation by the Board, i.e. a work session. "Meeting" does not include any on-site inspection of any project or program, or the attendance of members of the Board at any national, regional or state association to which the Board or its members belong.

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

All regular, special and emergency meetings of the Board will be open to the public except as provided by law. Access to and the ability to attend all meetings (excluding executive sessions) by telephone, video or other electronic or virtual means will be made available when reasonably possible. All meetings will be conducted in compliance with state and federal statutes. Information on how to submit public comment can be found on the district website.

All Board meetings, including Board retreats and work sessions, will be held within district boundaries, except as allowed by law[4]. The Board may attend training sessions outside the district boundaries but cannot deliberate or discuss district business. No meeting will be held at any place where discrimination on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, age or national origin is practiced.

The Board will give reasonable public notice to interested persons, including the news media which have requested notice of the time and place for all Board meetings and of the principal subjects to be

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

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

[3] "Deliberation" means discussion or communication that is part of a decision-making process.

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

Delete

considered. The Board may consider additional subjects at a meeting, even if they are not included in the notice.

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

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

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

Regular, Special and Emergency Meetings

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

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

Special meetings can be convened by the Board chair, upon request of three Board members, or by common consent of the Board at any time to discuss any topic. At least 24 hours' notice must be provided to all Board members, the news media which have requested notice, and the general public for any special meeting.

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

Communications Outside of Board Meetings

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

Communications outside of a Board meeting may contain:

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

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

Delete

b. Not related to any matter that, at any time, could reasonably be foreseen to come before the Board for deliberation and decision; or
c. Nonsubstantive in nature, such as communication relating to scheduling, leaves of absence and other similar matters; or
d. Individual responses to questions posed by community members, subject to other limitations in Board policy.

Private or Social Meetings

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

Work Sessions

The Board may use regular or special meetings for the purpose of conducting work sessions to provide its members with opportunities for planning and thoughtful discussion. Work sessions will be conducted in accordance with state law on public meetings, including notice and minutes. The Board may make official decisions during a work session.

Executive Sessions

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

Complaints regarding public meetings laws can be filed with the Board in accordance with Board Policy KL – Public Complaints. The Board will respond and provide a copy of the complaint and response to the Oregon Government Ethics Commission within 21 days in accordance with state law.[5]

Mandatory Training

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

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

END OF POLICY

Legal Reference(s):

ORS Chapter 192 ORS 255.335 ORS 332.040 - 332.061 ORS 433.835 - 433.875

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2020); 28 C.F.R. Part 35 (2020).
Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).

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

OR. ATTY. GEN. Public Records and Meetings Manual.

Cross Reference(s):

ACA - Americans with Disabilities Act
BDC - Executive Sessions

Delete

Code: BDC
Adopted:

Executive Sessions
(Version 2)

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

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

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

Example:

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

Prior to or at the beginning of the executive session, the Board chair may read the following[1]:

> "Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on or otherwise disclose any of the deliberations or anything said about these subjects during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room."

The Board may hold an executive session:

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

1. To consider the employment of a public officer, employee, staff member or individual agent; may not include a discussion or negotiation of compensation (including salaries and benefits).[2] (ORS 192.660(2)(a))

2. To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer[3], employee, staff member or individual agent who does not request an open hearing[4]; may not include a discussion or negotiation of compensation (including salaries and benefits). (ORS 192.660(2)(b))

3. To conduct deliberations with persons designated by the governing body to carry on labor negotiations. (ORS 192.660(2)(d))

4. To conduct deliberations with persons designated by the governing body to negotiate real property transactions. (ORS 192.660(2)(e))

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

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

---

[2] This provision does not apply to the filling of a vacancy in elective office or on any public committee, commission or other advisory group; or for the consideration of general employment policies. It also does not apply to the employment of the chief executive officer, other public officers, employees and staff members of the district unless:

a. The vacancy has been advertised;
b. Regular hiring procedures have been adopted;
c. If hiring an officer, the public has had the opportunity to comment on the employment of the officer; and
d. If hiring a chief executive officer, the Board has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

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

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

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

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

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

7. To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing[7]; may not include a discussion or negotiation of compensation (including salaries and benefits or a general evaluation of an agency, goal, objective or operation or any directive to personnel concerning agency goals, objectives, operations or programs.
(ORS 192.660(2)(i))

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

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

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

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

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

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

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

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

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

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

---

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

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

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

Content discussed in executive sessions and recordings or minutes for executive sessions are confidential except as provided by law. Board members, district employees and the media are instructed not to disclose information obtained in executive session except when specifically authorized to do so or as required or allowed by law.

END OF POLICY

Legal Reference(s):

ORS 192.660
ORS 192.685
ORS 192.705
ORS 332.045
ORS 332.061
OAR 199-040-0015 - 0060
OAR 199-050-0015
OAR 199-050-0040
OAR 199-050-0050
OAR 199-050-0060

OR. ATTY. GEN. *Public Records and Meetings Manual*.
OREGON GOVERNMENT ETHICS COMMISSION, Staff Advisory Opinion No. 22-106S

Code: BDC
Adopted: 1/04/07
Revised/Readopted: 5/13/10; 9/14/16; 8/23/23
Orig. Code: BDC

Executive Sessions

(Version 1)

See updated version

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

An executive session may be included as an agenda item of an existing meeting or held as its own meeting. Proper notice is required.

If open session is held prior to the executive session, the presiding officer will announce the executive session by identifying the authorization under Oregon Revised Statute (ORS) 192.660 or ORS 332.061 for holding such session and by noting the subject of the executive session.

The Board may hold an executive session:

1. To consider the employment of a public officer, employee, staff member or individual agent. [1] (ORS 192.660(2)(a))

2. To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer[2], employee, staff member or individual agent who does not request an open hearing. (ORS 192.660(2)(b))

3. To conduct deliberations with persons designated by the governing body to carry on labor negotiations. (ORS 192.660(2)(d))

4. To conduct deliberations with persons designated by the governing body to negotiate real property transactions. (ORS 192.660(2)(e))

---

[1] This provision does not apply to the filling of a vacancy in elective office or on any public committee, commission or other advisory group; or for the consideration of general employment policies. Prior to holding an executive session under ORS 192.660(2)(a), the Board must ensure

a. The vacancy has been advertised;
b. Regular hiring procedures have been adopted;
c. If hiring an officer, the public has had the opportunity to comment on the employment of the officer; and
d. If hiring a chief executive officer, the Board has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

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

Delete

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

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

7. To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.(ORS 192.660(2)(i)) To consider matters relating to school safety or a plan that responds to safety threats made toward a school. (ORS 192.660(2)(k))

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

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

10. To review the expulsion of a minor student from a public elementary or secondary school. (ORS 332.061(1)(a)) To review matters pertaining to or examination of the confidential records of a student. (ORS 332.061(1)(b))

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

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

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

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

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

Minutes shall be kept for all executive sessions.

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

END OF POLICY

Legal Reference(s):

ORS 192.660
ORS 192.685
ORS 192.705
ORS 332.045
ORS 332.061
OAR 199-040-0015 - 0060
OAR 199-050-0015
OAR 199-050-0040
OAR 199-050-0050

Delete

OAR 199-050-0060

OR. ATTY. GEN. *Public Records and Meetings Manual*.
OREGON GOVERNMENT ETHICS COMMISSION, Staff Advisory Opinion No. 22-106S

Cross Reference(s):

BD/BDA - Board Meetings
CBG - Evaluation of the Superintendent

Delete

OSBA Model Sample Policy

Code: BDD
Adopted:

Board Meeting Procedures

1. Quorum

   A quorum of the Board is four Board members.

2. Vote Needed for Exercise of Powers

   The affirmative vote of four Board members will be necessary for exercising any of the Board's powers. All votes of the Board shall be taken by public vote, except when authorized in executive session under Oregon Revised Statute (ORS) 332.061.

3. Board Member Voting

   The results of all votes shall be recorded, including the vote of each member's vote by name, on all votes taken by the Board. A written ballot, if used, shall identify the individual Board member by name and their vote, and shall be announced during the meeting at which the vote occurred. Secret ballots are prohibited.

4. Abstaining from Vote

   Any conflicts of interest will be handled in accordance with ORS 244.120 and Board policy BBFA – Board Member Ethics and Conflicts of Interest. Board member abstentions will be documented in the meeting minutes or recording.

5. Parliamentary Procedure

   Official Board business will be transacted by motion or resolution at properly noticed[1] meetings.

   Except as otherwise provided by state law and/or Board policy, the rules of parliamentary procedure comprised in *Robert's Rules of Order Newly Revised, "Procedure in Small Boards"*[2] as modified by the Board will govern the Board in its deliberation. Modifications include the following: Motions will all be seconded prior to consideration for discussion by the Board and motions to close or limit debate will be acceptable.

   The Board chair will decide all questions relative to points of order, subject to an appeal to the Board.

---

[1] See ORS 192.640, OAR 199-050-0040 and Board policy BD/BDA – Board Meetings for notice requirements. {In the June 2026 policy update, OSBA will be recommending policy BD/BDA be recoded and renamed: BD – Board Meetings, Notices and Communications.}

[2] See *Robert's Rules of Order*, 12th Edition, § 49:21.

Failure to follow *Robert's Rules of Order* will not invalidate a lawful Board decision.

END OF POLICY

Legal Reference(s):

ORS 192.650
ORS 244.120(2)
ORS 332.045
ORS 332.055
ORS 332.057
ORS 332.107
OAR 199-050-0005 (9)
OAR 199-050-0055

38 OR. ATTY. GEN. OP. 1995 (1978)
41 OR. ATTY. GEN. OP. 28 (1980)

OSBA Model Sample Policy

Code: BDDC
Adopted:

Board Meeting Agenda

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

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

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

The agenda, together with supporting materials, will be distributed to Board members at least three full working days prior to the meeting. A copy of the agenda will be posted on the district website at least 48 hours prior to any regular meeting and 24 hours prior to any special meeting.

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

END OF POLICY

Legal Reference(s):

ORS 192.630 ORS 192.640 OAR 199-050-0040

Americans with Disabilities Act/Americans with Disabilities Act Amendments Act, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2020); 28 C.F.R. Part 35 (2020).

OSBA Model Sample Policy

Code: BDDG
Adopted:

Recordings and Minutes of Board Meetings

The Board will ensure a video recording is made of all of its meetings and portions of meetings that are not held in executive session. These recordings will be posted on the district's website or social media site within seven days following the meeting.

A video or audio recording of a meeting can be kept as the official record as long as all required content is included and it is kept in an allowable format[1]. Alternatively, the district may create written minutes. Written minutes do not need to be a verbatim transcript and can be kept in hard copy or electronic form[2].

The official record must give a true reflection of the matters discussed at the meeting and the views of the participants, and must include the following information:

1. All members of the Board present;

2. All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;

3. The results of all votes and the vote of each member by name for all actions taken[3];

4. The substance of any discussion on any matter; and

5. A reference to any document discussed at the meeting.

If written minutes are created for meetings which do not take place in executive session, those minutes shall be available to the public within a reasonable time after the meeting. These minutes will be published to the district website and may be requested from the district office.

Recordings or minutes[4] of executive sessions will be kept in the same manner as other meetings of the Board. If disclosure of material from executive session recordings or minutes would be inconsistent with the purpose for which executive session was held under Oregon Revised Statute (ORS) 192.660, the material may be withheld from disclosure. Executive session minutes of a hearing held under ORS

---

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

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

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

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

332.061 shall contain only material not excluded under ORS 332.061(2) and information[5] will not be disclosed in accordance with ORS 332.061.

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

END OF POLICY

Legal Reference(s):

ORS 192.610 - 192.705
ORS 332.061
OAR 166-017-0005 - 0095
OAR 166-400-0010(9)
OAR 199-050-0060

Attorney General's PUBLIC RECORDS AND MEETINGS MANUAL.

[5] ORS 332.061 prohibits the disclosure of:
1. The name of the minor student;
2. The issue, including a student's confidential records;
3. The discussion; and
4. The school board member's vote on the issue.

Code: CBA
Adopted:

Qualifications and Duties of the Superintendent

(Version 2)

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

1. A current license that qualifies the individual to serve as superintendent of the district;

2. A master's degree or higher in the field of education, preferably in educational administration;

3. Successful teaching experience at the elementary or secondary school level;

4. Service as a superintendent or administrative experience in the central administration of a school system.

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

The superintendent will have the following personal and professional qualities:

1. Success in leadership roles with staff, community and professional peers;

2. Ability to communicate effectively, both orally and in writing;

3. Scholarship, intelligence and excellent ability to plan and organize;

4. Training, experience and success in personnel selection, evaluation and development;

5. Knowledge of curriculum development, implementation and evaluation;

6. Knowledge of business and support service systems which facilitate planning, control and accountability;

7. Experience in administering collective bargaining agreements;

8. Ability to motivate other administrators and significantly involve them in the decision-making process;

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

General Functions

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

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

Specific Functions

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

1. Review data regularly and lead the district in enacting equitable changes to improve educational outcomes for every student;

2. Serve as educational leader to the Board, staff and community;

3. Act as the district's chief administrative officer;

4. Serve as district school clerk, performing such duties as required by law or by the Board;

5. Support the Board with scheduling meeting places, providing for required notices, and ensuring any required recordings or minutes are created for all Board meetings and for all committee meetings authorized by the Board, as appropriate;

6. Attend all regular and special meetings of the Board, except when excused;

7. Serve as executive officer of the budget committee and prepare an educational plan that is the basis for formulating the district's budget;

8. Administer adopted Board policies;

9. Regularly review adopted Board policies and make recommendations for needed changes;

10. Advise, inform and make recommendations to the Board on matters of policy and other required action(s), and inform the Board on all phases of district operation;

11. Provide an ongoing program of communication to and from the community, staff and Board concerning district programs and activities;

12. Assess trends and changing procedures in salary negotiations and assist the Board in collective bargaining and salary consultation with district employee groups;

13. Serve as a member of the Board's salary consultation and negotiations teams, and make recommendations to the Board on all issues;

14. Direct the implementation and administration of all agreements resulting from the consultation or negotiation process;

15. Develop and file a complete list of position descriptions, with job descriptions within each classification for all classes of personnel; review and change those descriptions as needed or directed by the Board;

16. Formulate and recommend for Board adoption such personnel policies as may be necessary for efficient functioning of the district staff;

17. Make rules and reasonable regulations to govern routine matters and see that such rules and regulations are communicated to employees concerned;

18. Resolve problems of operations and settle disputes referred through administrative channels;

19. Work with staff organizations and committees in the development of sound personnel practices and procedures and provide for their implementation;

20. Assume responsibility for the development, maintenance and operation of a constructive program of in-service, training and education for all school system employees. For this responsibility, the superintendent may employ lecturers, grant temporary leave from work, approve reimbursement for extension or college courses and develop professional library facilities as required, subject to Board approval;

21. Recommend to the Board, the appointment, renewal, contract extension, contract nonrenewal, contract non-extension or dismissal of licensed district employees in accordance with state law, Board policy and the employee's collective bargaining agreement, as applicable;

22. Appoint, promote, demote or discharge classified and non-represented employees as provided by state law, Board policy, collective bargaining agreements and meet and confer agreements, as applicable;

23. Assign or transfer all district employees in accordance with state law, Board policy and the employee's collective bargaining agreement, as applicable;

24. Evaluate the performance of all district administrative personnel in accordance with state law and Board policy, and make recommendations for those positions to the Board before March 15 of each year;

25. Provide for performance evaluations of licensed and classified personnel in accordance with state law, Board policy and the employee's collective bargaining agreement, as applicable;

26. Assign and control the promotion of students;

27. Maintain a continuous inventory of all district property, furniture, material and supplies;

28. Recommend plans for repairs to district property and for new construction and see that all plans adopted by the Board are properly executed;

29. Establish procedures to involve teachers, principals, supervisory personnel and representatives from student and community groups in the preparation and selection of courses of study and other instructional materials;

30. Recommend instructional materials, instructional supplies and school equipment to be purchased by the district;

31. Direct the preparation of the budget, prepare the budget message for presentation to the budget committee, supervise the administration of all fiscal policies of the district and serve as custodian of all district funds;

32. Develop and recommend to the Board long-range plans for educational programs, facilities and financial resources that are consistent with population trends, district goals and community needs;

33. Direct the district in its relationships with federal, state and local government agencies;

34. Cooperate with universities and colleges in their student-teacher training programs;

35. Attend local, state and national meetings, conferences and workshops as deemed beneficial to the interests of the district;

36. Visit, as may be required, all district schools as a regular part of a schedule and institute and carry out such regulations, as may be necessary, to attain their efficient operation;

37. Direct the administrative staff in establishing and changing, as needed, school attendance area boundaries subject to Board approval;

38. In cases of matters not specifically covered by Board policies, take appropriate action and report such action to the Board no later than the next regular Board meeting;

39. Have other power and duties as may be approved by the Board, and as may be necessary to fulfill the functions of the office of superintendent.

END OF POLICY

Legal Reference(s):

ORS 332.075
ORS 342.143
ORS 342.173
ORS 342.850
OAR 584-020-0000 - 0035
OAR 584-046-0003 - 0024
OAR 584-080-0151
OAR 584-080-0152
OAR 584-080-0161

Code: CBA
Adopted: 1/04/07
Revised/Readopted: 5/13/10; 4/26/17; 8/23/23
Orig. Code: CBA

Qualifications and Duties of the Superintendent

(Version 1)

See updated version

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

1. A current license that qualifies the individual to serve as superintendent of the district

2. Successful experience as an educational leader or administrator;

3. A master's degree or higher in the field of education, preferably in educational administration;

4. Successful teaching experience at the elementary or secondary school level

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

The superintendent will have the following personal and professional qualities:

1. Success in leadership roles with staff, community and professional peers;

2. Ability to communicate effectively, both orally and in writing;

3. Scholarship, intelligence and excellent ability to plan and organize;

4. Training, experience and success in personnel selection, evaluation and development;

5. Knowledge of curriculum development, implementation and evaluation;

6. Knowledge of business and support service systems which facilitate planning, control and accountability;

7. Experience in administering collective bargaining agreements;

8. Ability to motivate other administrators and significantly involve them in the decision-making process;

Delete

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

General Functions

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

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

Performance Responsibilities

1. Serves as chief executive officer of the Board except as otherwise provided by law, makes rules not in conflict with law or with board policies and decides all matters of administrative and supervisory detail in connection with the operation and maintenance of the schools;

2. Serves as educational leader to the Board, staff and community;

3. Initiates and directs the development of policies for approval by the Board, delegating such responsibility to associates and subordinates as deemed desirable;

4. Attends all meetings of the Board, unless excused by the Board;

5. Assists the Board in reaching sound judgments, establishing policies and approving those matters which the law requires the Board to approve, places before the Board necessary and helpful facts (such as comprehensive data in regard to student achievement and behavior), comparisons, investigations, information and reports and makes available the personal advice on special or technical matters by those persons who are qualified to furnish it;

6. Assesses trends and changing procedures in salary negotiations and assist the Board in collective bargaining and salary consultation with district employee groups;

7. Recommends the appointment, renewal, contract extension, contract nonrenewal, contract nonextension or discharge of licensed employees of the Board as provided by law, board policies and the employee's collective bargaining agreement, as applicable, and with such recommendations reported to the Board for approval;

8. Assigns or transfers licensed employees as provided by state law, board policies, collective bargaining agreements and meet and confer agreements, as applicable;

9. Appoints, assigns, transfers, promotes, demotes or discharges classified and nonrepresented employees as provided by state law, board policies, collective bargaining agreements and meet and confer agreements, as applicable;

Draft

10. Evaluates the performance of all district administrative personnel in accordance with state law and board policy, and make recommendations for those positions to the Board before March 15 of each year;

11. Causes evaluation of the performance of licensed and classified personnel in accordance with state law, board policy and the employee's collective bargaining agreement, as applicable;

12. Directs the professional supervisory staff in visits to the schools; through this staff, directs, assigns and assists teachers and all other educational employees in the performance of their duties; classifies, assigns and controls the promotion of students; and performs such other duties as the Board determines;

13. Directs the work of the professional staff in evaluating curriculum and instructional materials and, upon the basis of such study, makes recommendations to the Board;

14. Supervises the establishment or modification of school attendance and transportation area boundaries subject to Board approval;

15. Directs the preparation of an annual budget showing the estimated receipts and disbursements necessary to cover the needs of the district for the ensuing fiscal year and submits this estimate to the Board in accordance with law;

16. Approves and directs, in accordance with law and board policy, purchases and expenditures, within the limits of the budget;

17. Seeks additional resources as appropriate (such as grants) in accordance with district goals;

18. Exercises leadership in directing studies of sites and buildings, considering the population trend and the educational and cultural needs of the district, to ensure timely decisions by the Board and electorate regarding construction and renovation projects;

19. Represents the district in dealings with other school systems, social institutions, business firms, government agencies and the general public;

20. Keeps the public informed about modern educational practices, educational trends and the practices and problems in the district;

21. Implements and interprets board policies.

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

END OF POLICY

Legal Reference(s):

ORS 332.075
ORS 342.143
ORS 342.173
ORS 342.850
OAR 584-020-0000 - 0035
OAR 584-046-0003 - 0024
OAR 584-080-0151
OAR 584-080-0152
OAR 584-080-0161

Delete

Cross Reference(s):

CBG - Evaluation of the Superintendent

Delete

Code: CBG
Adopted: 1/04/07
Revised/Readopted: 5/13/10; 8/23/23; 5/22/24
Orig. Code: CBG

Evaluation of the Superintendent

The Board will formally evaluate the superintendent's job performance annually. The evaluation will be based on the superintendent's job description, any applicable standards of performance, Board policy and progress in attaining any goals for the year established by the superintendent and/or the Board.

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

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

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

END OF POLICY

Legal Reference(s):

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

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

ORS 192.660
ORS 332.107
ORS 332.505
OAR 199-040-0027
OAR 199-040-0030
OAR 581-022-2405

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

Cross Reference(s):

BDC - Executive Sessions
CB - Superintendent
CBA - Qualifications and Duties of the Superintendent

Code: CEA
Adopted: 9/24/25

Educational Equity Advisory Committee

The duties of the district's educational equity advisory committee 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;

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.

6. 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.[1]

END OF POLICY

Legal Reference(s):

ORS 328.542
ORS 329.711
ORS 332.107
OAR 199-050-0010
OAR 581-022-2307

House Bill 4066 (2026)

[1] The district is not required to include a member of the educational equity advisory committee on the budget committee if no member of the committee is willing or able to serve on the budget committee..

Code: DBEA
Adopted: 8/28/24
Orig. Code(s): DBEA

Budget Committee

Organization, Membership and Terms of Office

The district budget committee will consist of the seven members of the Board and seven electors[1] appointed by the Board as required by law. The term of the appointed members of a budget committee in a district that prepares an annual budget, will each be three years, with appointments made so that, as nearly as practicable, the terms of one-third of the members end each year. At least one member of the budget committee must be a member of the district's educational equity advisory committee.[2] The Board will establish appropriate timelines and procedures for the appointment of budget committee members.

A majority of the constituted committee is required for passing an action item. Majority for a 14-member budget committee is 8. Therefore, if only 8 members are present, a unanimous vote is needed for passing an action item.

Presiding Officer and Orientation of Budget Committee

1. Organization: The budget committee will hold its first regular organizational meeting on a day set by the Board. A presiding officer shall be elected from among its members at this meeting. Such meeting may be prior to or on the date the budget message and document are presented.

2. Background Information: Budget committee members will be provided with data for the ensuing year(s), such as the Board's educational plan, and other pertinent material bearing on the preparation of the district budget.

Meetings of the Budget Committee

The district's budget committee shall hold one or more meetings to receive the budget message, ~~review~~ the budget document~~,~~ and to provide members of the public with an opportunity to ask questions about and comment on the budget document. The budget officer shall announce the time and place for all meetings, as provided by law. All meetings of the budget committee are open to the public.

Function of the Budget Committee

---

[1] ~~1. To be eligible for appointment, the appointive member must:~~
~~a. Live and be registered to vote in the district;~~
~~b. Not be an officer, agent or employee of the district.~~

[2] The district is not required to include a member of the educational equity advisory committee on the budget committee if no member of the committee is willing or able to serve on the budget committee.

It is the function of the budget committee to approve budget estimates for an educational plan previously determined by the Board. No new program should be considered for the budget estimate that has not previously been submitted to the Board and approved as a part of the educational plan. The budget committee will determine levels of spending, but will not determine programs.

Final Action

The budget committee will approve an estimated district budget document for submission to the Board.

END OF POLICY

Legal Reference(s):

ORS 174.130
ORS 192.610 - 192.695
ORS 294.305 - 294.565
ORS 328.542
ORS 329.711
ORS 433.835 - 433.875
OAR 581-022-2307

House Bill 4066 (2026)

Cross Reference(s):

DBD - Budget Priorities

Code: EBB
Adopted: 7/15/10
Revised/Readopted: 12/11/13; 4/08/15; 8/23/23
Orig. Code: EBB

Integrated Pest Management

To ensure the health and safety concerns of student, staff and community members, the Board~~district~~ shall adopt an integrated pest management plan (IPM) which emphasizes the least possible risk to students, staff and community members and shall adopt a list[1] of low-impact pesticides for use with the IPM plan. The IPM plan and list shall be available to the public through the district's website[2].

The IPM plan is a proactive strategy that:

1. Focuses on the long-term prevention or suppression of pest problems through economically sound measures that:

   a. Protect the health and safety of students and staff;
   b. Protect the integrity of district buildings and grounds;
   c. Maintain a productive learning environment; and
   d. Protect local ecosystem health.

2. Focuses on the prevention of pest problems by working to reduce or eliminate conditions of property construction, operation and maintenance that promote or allow for the establishment, feeding, breeding and proliferation of pest populations or other conditions that are conducive to pests or that create harborage for pests;

3. Incorporates the use of sanitation, structural remediation or habitat manipulation or of mechanical, biological and chemical pest control measures that present a reduced risk or have a low-impact and, for the purpose of mitigating a declared pest emergency, the application of pesticides that are not low-impact pesticides;

4. Includes regular monitoring and inspections to detect pests, pest damage and unsanctioned pesticide usage;

5. Evaluates the need for pest control by identifying acceptable pest population density levels;

6. Monitors and evaluates the effectiveness of pest control measures;

[1] See ORS 634.705(5).

[2] Inclusion of the list and IPM in the district's Healthy and Safe Schools Plan satisfies this requirement as long as it is posted on the district's website.

7. Excludes the application of pesticides on a routine schedule for purely preventive purposes, other than applications of pesticides designed to attract or be consumed by pests;

8. Excludes the application of pesticides for purely aesthetic purposes;

9. Includes school staff education about sanitation, monitoring, inspection and pest control measures;

10. Gives preference to the use of nonchemical pest control measures;

11. Allows the use of low-impact pesticides if nonchemical pest control measures are ineffective; and

12. Allows the application of a pesticide that is not a low-impact pesticide only to mitigate a declared pest emergency or if the application is by, or at the direction or order of, a public health official.

The Director of Facilities is designated~~district shall designate the custodial services supervisor~~ as the Integrated Pest Management Plan Coordinator and has~~give them~~ the authority for overall implementation and evaluation of the IPM plan.

Integrated Pest Management Plan Coordinator

The IPM Plan Coordinator shall:

1. Attend not less than six hours of IPM training each year. The training shall include at least a general review of integrated pest management principles and the requirements of IPM as required by Oregon statute;

2. Ensure appropriate prior notices are given and posted warnings have been placed when pesticide applications are scheduled;

3. Oversee pest prevention efforts;

4. Ensure identification and evaluation of pest situation;

5. Determine the means of appropriately managing pest damage that will cause the least possible hazard to people, property and the environment;

6. Ensure the proper use and application of pesticide applications when non-pesticide controls have been unsuccessful;

7. Evaluate pest management results;~~ and~~

8. Keep for at least four years following the application date, records of applied pesticides that include:

    a. A copy of the label;
    b. A copy of the Safety Data Sheet (SDS);
    c. The brand name and U.S. Environmental Protection Agency (USEPA) registration number of the product;
    d. The pest condition that prompted the application;
    e. The approximate amount and concentration of pesticide applied;

f. The location and description of the area where the pesticide was applied;
g. The type of application and whether the application was effective;
h. The name(s) of the person(s) applying the pesticide;
i. The pesticide applicator's license numbers and pesticide trainee or certificate numbers of the person applying the pesticide;
j. The dates and times for the placement and removal of warning signs; and
k. Copies of all required notices given, including the dates the IPM Coordinator(s)~~Coordinators~~ gave the notices.

9. Respond to inquiries about the IPM plan and refer complainants to Board policy KL - Public Complaints; and

10. Conduct outreach to district staff about the district's IPM plan.

At least once every five years, the Board shall review the IPM plan, make any necessary updates and readopt the IPM plan.[3] The final IPM plan shall include the day, month and year the Board adopted or readopted the plan.

END OF POLICY

Legal Reference(s):

ORS 634.116
ORS 634.700 - 634.750

Cross Reference(s):

EB - Safety Program
GBE - Staff Health and Safety

[3] For IPMs adopted prior to January 1, 2026, the Board shall review, update and readopt the IPM no later than January 1, 2027, or five years from the date of the most recent approval of the plan, whichever is later.

Code: GBA
Adopted: 1/04/07
Revised/Readopted: 10/14/10; 5/14/14; 4/26/23
Orig. Code: GBA

Equal Employment Opportunity

Equal employment opportunity and treatment shall be practiced by the district regardless of race[1], color, religion, sex, sexual orientation, gender identity, national origin, marital status, pregnancy, childbirth or a related medical condition, age, veterans' status[2], service in a uniformed service, familial status, genetic information, an individual's juvenile record that has been expunged, and disability if the employee, with or without reasonable accommodation, is able to perform the essential functions of the position.

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

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

~~Complaints regarding this policy may be submitted through the complaint process established by Board policy KL – Public Complaints and its accompanying administrative regulation KL-AR – Public Complaint Procedure. The complaint may begin at step two.~~

The superintendent will develop other specific recruitment, interview~~recruiting, interviewing~~ and evaluation procedures ~~as are~~ necessary to implement this policy. These procedures will seek to provide an equal employment opportunity and eliminate the effects of past and present discrimination.
END OF POLICY

Legal Reference(s):

ORS 174.100
ORS 243.305
ORS 326.051
ORS 332.505
ORS 408.225 – 408.237
ORS 652.210 - 652.220

---

[1] Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001. ~~(as amended by House Bill 2935 (2021)).~~

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

ORS 659.850
ORS 659A.003
ORS 659A.006
ORS 659A.009
ORS 659A.029
ORS 659A.030
ORS 659A.082
ORS 659A.109
ORS 659A.112
ORS 659A.147
ORS 659A.820

OAR 581-021-0045
OAR 581-022-2405
OAR 839-006-0435 - 0480

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2024).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, et. seq. (2024).
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 (2024); 29 C.F.R Part 1626 (2025).
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2024).
Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2024).
Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 794 (2024); 34 C.F.R. Part 104 (2025).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2024); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).
Americans with Disabilities Act/Americans with Disabilities Act Amendments Act, 42 U.S.C. §§ 12101-12213 (2024); 29 C.F.R. Part 1630 (2025); 28 C.F.R. Part 35 (2025).
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (2024).
Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (2024).
Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. §§ 4301-4303, 4311 (2024).

Cross Reference(s):

AC - Nondiscrimination
ACA - Americans with Disabilities Act

Code: GBA-AR
Revised/Reviewed: 6/13/18; 4/26/23
Orig. Code: GBA-AR

Veterans' Preference

Oregon law~~Oregon's Veterans' Preference Law~~ requires the district to grant a preference to qualified and eligible veterans, ~~and~~ disabled veterans, state servicemembers and former state servicemembers at each stage during~~in~~ the hiring or~~and~~ promotion process who claim a preference.~~.~~ To be **qualified** for ~~veterans'~~ preference, an applicant~~a veteran or disabled veteran~~ must meet the minimum qualifications and any other special qualifications required for the position sought. To be **eligible** for ~~veterans'~~ preference[1] an applicant~~a veteran or disabled veteran~~ must provide certification they are a veteran, ~~or~~ disabled veteran, state servicemember or former state servicemember as defined by Oregon law[2].

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

~~A veteran may submit a written request to the district for an explanation of the reasons why they were not selected for the position. The district shall provide the reasons for not selecting the candidate when requested.~~

Recruitment Procedures

All job postings or announcements will include a concise list of minimum qualifications and any special qualifications required for the position. Job postings will include a statement that the district's policy is to provide a~~veterans and disabled veterans with~~ preference as required by Oregon law and the job posting will require applicants to provide certification[3] of eligibility for preference, in addition to other requested materials.

---

[1] See Oregon Revised Statute (ORS) 408.235.

[2] See Oregon Revised Statute (ORS) 408.225 ~~and OAR 839-006-0440~~ for definitions of veteran, ~~and~~ disabled veteran, state servicemember and former state servicemember.

[3] ~~See Verification of Veteran's Preference (OAR 839-006-0465).~~ An applicant claiming veteran's or disabled veteran's preference will submit a copy of their Certificate of Release or Discharge from Active Duty (DD Form 214 or 215) or a certification that the veteran is expected to be discharged or released from active duty under honorable conditions not later than 120 days after the submission of the certification. A disabled veteran may also submit a copy of their letter from the U.S. Department of Veterans Affairs, unless the information is included in the DD Form 214/215 or a certification that the veteran is expected to be medically separated from active duty under honorable conditions not later than 120 days after the submission of the certification. (OAR 839-006-0465) An applicant claiming to be a former state servicemember must meet the definition of "former state servicemember." An applicant is treated as a former state servicemember if they meet the definition, except for the requirement that the applicant was discharged or released under honorable conditions and submits certification that the

Selection Procedures

Step 1: Before the review of any applications the executive director of human resources will establish an evaluation scoring guide based on the minimum qualifications and any special qualifications listed in the job posting.

Step 2: The hiring administrator or supervisor will review the application materials using the evaluation scoring guide to determine which applicants meet the minimum and any special qualifications listed in the job posting. In assessing the applicant materials of a veteran or disabled veteran the hiring administrator or supervisor shall evaluate whether the skill experience obtained in service~~the military~~ are transferable skills to the posted position. Any applicants that do not meet the minimum and any special qualifications shall be removed from the applicant pool.

Step 3: Based on Step 2, the hiring administrator or supervisor determines who will be interviewed. All qualified and eligible veterans or disabled veterans shall be given an opportunity to interview.

Step 4: Interview questions and scoring sheets will be developed and each scoring sheet must be completed after each interview by the interviewers.

Step 5: Following completion of the interviews, the hiring administrator or supervisor shall complete the selection matrix and score the applicants based on the scoring sheets completed during interviews. Preference~~Veterans' preference~~ shall be applied by adding 5 percentage points to an eligible veteran, state servicemember or former state servicemember and 10 percentage points to an eligible disabled veteran.

Step 6: The ~~executive director of human resources makes the offer to the applicant with the highest final score. The~~ district will appoint an otherwise ~~is not obligated to hire or promote a~~ qualified applicant claiming preference to the position~~and eligible veteran or disabled veteran.~~

~~The district is obligated to hire or promote a qualified or eligible veteran or disabled veteran~~ if the applicant's results of their application examination, when combined with the preference,~~they~~ are equal to or better than the results for the top candidate ~~after the veterans' preference has been applied~~.
The district ~~A veteran~~ may base a decision not to appoint the applicant claiming preference solely on the applicant's merits or qualifications with respect ~~submit a written request~~ to the position.
In the event the district chooses~~for an explanation of the reasons why they were~~ not to appoint an applicant covered by this administrative regulation, the~~selected for the position. The~~ district shall provide the reasons it chose not to appoint the applicant for the position upon a written request from the applicant~~for not selecting the candidate when requested~~.

Filing a Complaint

individual is expected to be discharged or released from Oregon National Guard under honorable conditions no later than 120 days after the submission of the certification. (ORS 408.235)

A veteran, ~~or~~ disabled veteran, state servicemember or former state servicemember is encouraged to contact the human resource office if there are~~they have~~ any concerns or questions concerning the application of or the process used for ~~veterans'~~ preference.

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

Code: GBN/JBA
Adopted: 7/27/22
Revised/Readopted: 5/22/24; 12/18/24; 2/26/25
Orig. Code(s): GBN/JBA

Sexual Harassment

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

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

General Procedures

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

OREGON DEFINITION AND PROCEDURES

Oregon Definition

Sexual harassment of students, staff members or third parties[1] shall include:

1. A demand or request for sexual favors in exchange for benefits;

2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:

    a. Interferes with a student's educational activity or program;
    b. Interferes with a school or district staff member's ability to perform their job; or
    c. Creates an intimidating, offensive, or hostile environment.

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

3. Assault when sexual contact occurs without consent[2]

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

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

Oregon Procedures

Reports and complaints of sexual harassment should be made to the building principal or the following individual:

Name	**Position**	**Phone**	**Email**
Shaunice Silas	Managing Human Resources Officer ~~Executive Director of Human Resources~~	503.661.7200	ssilas@rsd7.net

This individual is responsible for accepting and managing complaints of sexual harassment. Persons wishing to report should contact them using the above information. This person is also designated as the Title IX coordinator. *See* GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure.

Response

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

1. Student is protected and to promote a nonhostile learning environment;

2. Staff member is protected and to promote a nonhostile work environment; or

3. Third party who is subjected to the behavior is protected and to promote a nonhostile environment.

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

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

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

Investigation

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

1. Interviews with those involved;

2. Interviews with witnesses;

3. Review of video surveillance;

4. Review of written communications, including electronic communications;

5. Review of any physical evidence; and

6. Use of third-party investigator

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

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

1. Discipline of staff and students engaging in sexual harassment;

2. Removal of third parties engaged in sexual harassment;

3. Additional supervision in activities;

4. Additional controls for district electronic systems;

5. Trainings and education for staff and students; and

6. Increased notifications regarding district procedures and resources

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

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

2. If the third party works for an entity that contracts with the district, communicating with the third party's employer;

3. If the third party is a student of another district or school, communicate information related to the incident to the other district or school;

4. Limiting attendance at district events; and

5. Providing for additional supervision, including law enforcement if necessary, at district events

No Retaliation

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

1. Educational assignments or educational environment of a student or other person initiating the complaint, reporting the behavior, or participating in the investigation; or

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

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

Notices

When a person[3] who may have been affected by this policy files a complaint or otherwise reports behavior that may violate the policy, the district shall provide written notification to the following:

1. Each reporting person;

2. If appropriate, any impacted person who is not a reporting person;

3. Each reported person; and

4. Where applicable, a parent or legal guardian of a reporting person, impacted person, or reported person.

The written notification must include[4]:

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

[4] Remember confidentiality laws when providing any information.

1. Name and contact information for all persons designated by the district to receive complaints;

2. The rights of the person that the notification is going to;

3. Information about the internal complaint processes available through the school or district that the person who filed the complaint may pursue, including the person designated for the school or district for receiving complaints and any timelines;

4. Notice that civil and criminal remedies that are not provided by the school or district may be available to the person through the legal system and that those remedies may be subject to statutes of limitation;

5. Information about services available to the student or staff member through the school or district, including any counseling services, nursing services or peer advising;

6. Information about the privacy rights of the person and legally recognized exceptions to those rights for internal complaint processes and services available through the school or district;

7. Information about, and contact information for, services and resources that are available to the person, including but not limited to:

    a. For the reporting person, state and community-based resources for persons who have experienced sexual harassment; or
    b. For the reported persons, information about and contact information for state and community-based mental health services.

8. Notice that students who report about possible prohibited conduct and students who participate in an investigation under this policy may not be disciplined for violations of the district's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered as a result of a prohibited conduct report or investigation unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct; and

9. Prohibition of retaliation.

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

The notice must:

1. Be written in plain language that is easy to understand;

2. Use print that is of a color, size and font that allows the notification to be easily read; and

3. Be made available to students, students' parents, staff members and member of the public at each office, at the district office and on the website of the school or district.

Additionally, notice must be provided to the person who initiated the complaint and, if applicable, the person's parents, when an investigation is initiated and when it is concluded. The notification at the

conclusion of the investigation must include whether a violation of the policy was found to have occurred, to the extent allowable under state and federal student confidentiality laws.

FEDERAL DEFINITION AND PROCEDURES

Federal Definition

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

1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity[5];

3. "Sexual assault": an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;

4. "Dating violence": violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship;

5. "Domestic violence": felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or

6. "Stalking": engaging in a course of conduct directed at a specific person that would cause a reasonable person fear for the person's own safety or the safety of others, or suffer substantial emotional distress.

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

Federal Procedures

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

---

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

Reporting

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

The executive director of human resources is designated as the Title IX coordinator. The Title IX coordinator will coordinate the district's efforts to comply with its responsibilities related to this AR~~policy~~. The district prominently will display the contact information for the Title IX coordinator on the district website and in each handbook

Response

The district will promptly respond to information, allegations or reports of sexual harassment when there is actual knowledge of such harassment, even if a formal complaint has not been filed.[6] The district shall treat complainants and respondents equitably by providing supportive measures[7] to the complainant and by following a grievance procedure[8] prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX coordinator is responsible for coordinating the effective implementation of supportive measures.

The Title IX coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes, with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.[9]

If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place.[10] The district must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. A non-student employee may also be placed on non-disciplinary administrative leave pending the grievance process.

---

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

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

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

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

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

Notice

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

1. The name or title, office address, electronic mail address, and telephone number of the Title IX coordinator(s);

2. That the district does not discriminate on the basis of sex in the education program or activity that it operates, as required by Title IX. This includes admissions and employment; and

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

No Retaliation

Neither the district or any person may retaliate[11] against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. The district must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act (FERPA), as required by law, or to carry out the proceedings herein. Complaints of retaliation may be filed using these procedures.

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

Publication

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

END OF POLICY

Legal Reference(s):

ORS 243.706
ORS 332.107
ORS 342.700
ORS 342.704
ORS 342.708
ORS 342.850
ORS 342.865
ORS 659.850
ORS 659A.006
ORS 659A.029
ORS 659A.030
OAR 581-021-0038
OAR 584-020-0040
OAR 584-020-0041

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

[11] Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).
Bartsch v. Elkton School District, FDA-13-011 (March 27, 2014).
Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).
Gebser v. Lago Vista Indep. Sch. Dist., 524 U.S. 274 (1998).

Cross Reference(s):

AC - Nondiscrimination
ACB - Every Student Belongs
GBNA - Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying – Staff
GBNAA/JHFF - Suspected Sexual Conduct with Students and Reporting Requirements
GBNAB/JHFE - Suspected Abuse of a Child Reporting Requirements
JBA/GBN - Sexual Harassment
JFCF - Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence or Domestic Violence – Student
JHFE/GBNAB - Suspected Abuse of a Child Reporting Requirements

OSBA Model Sample Administrative Regulation

Code: GCBDA/GDBDA-AR(1)
Revised/Reviewed:

Family and Medical Leave *
(Version 2)

Employee Eligibility

FMLA benefits are available to employees who have been employed by the district for at least 12 months, have worked at least 1,250 hours during the past 12-month period and work at a worksite that employs 50 district employees within 75 miles of the worksite.

An employee who has previously qualified for and has taken some portion of FMLA leave may request additional FMLA leave within the same leave year.

Generally, in order for an employee to be eligible for the benefits under OFLA, the employee must work an average of 25 hours or more per week during the 180 calendar days immediately prior to the first day of the start of the requested leave.[1] In determining if an employee has been employed for the preceding 180 calendar days under OFLA, the district must consider days, paid or unpaid, an employee is maintained on payroll.

In determining average workweek, under FMLA and OFLA, the employer must count the actual hours worked using the Fair Labor Standards Act (FLSA) guidelines. An employee is eligible to take leave for any purposes of OFLA during a period of time covered by a public health emergency except:

1. An employee who has worked for the district for fewer than 30 days immediately before the date on which the family leave would commence; or

2. An employee who has worked for the district for an average of fewer than 25 hours per week in the 30 days immediately before the date on which the family leave would commence.

An employee of the district who has separated and is reemployed within 180 days, or experiences a temporary cessation of schedule hours may be eligible for OFLA in accordance with ORS 659A.156.

Any OFLA leave taken by the employee within any one-year period continues to count against the length of time of OFLA leave the employee is entitled. The amount of time that an employee is deemed to have worked for the district prior to a break in service due to a separation from employment or a temporary cessation of scheduled hours shall be restored to the employee when the employee is reemployed by the district within 180 days of separation from employment or when the employee returns to work at the end of the temporary cessation of scheduled hours of 180 days or less.

[1] The requirements of OFLA do not apply to any employer offering eligible employees a nondiscriminatory cafeteria plan, as defined by section 125 of the Internal Revenue Code of 1986, which provides as one of its options, employee leave at least as generous as the leave required by OFLA.

When an employee requests OFLA leave, or when the district acquires knowledge that an employee's leave may be for a purpose that constitutes OFLA leave, the district will notify the employee of the employee's eligibility to take OFLA leave within five business days, absent extenuating circumstances. Whether an employee is an "eligible employee" as defined in OAR 839-009-0210 is determined, a notice must be provided, at the commencement of the first instance of each purpose for leave listed in OAR 839-009-0240 during the OFLA leave year. If an employee is an "eligible employee" as defined in OAR 839-009-0210 for the purpose listed in OAR 839-009-0240, the employee's eligibility for that purpose does not change during the applicable 12-month period.

In addition:

1. An employee taking, in any order, some or all of 12 weeks of OFLA pregnancy disability leave and some or all of 12 weeks of OFLA leave for any other purpose, need not requalify each time the employee takes OFLA leave within the same leave year;

2. An employee unable to work because of a disabling compensable injury[2] need not requalify under OAR 839-009-0210 in order to use OFLA leave following a period the employee is off work due to the compensable injury.

Leave under the Oregon Military Family Leave Act (OMFLA) applies to employees who work an average of at least 20 hours per week. There is no minimum number of days worked when determining employee eligibility for OMFLA.

Qualifying Reason

Eligible employees may access FMLA leave entitlements for the following reasons:

1. Serious health condition of the employee or the employee's covered family member. "Serious health condition" means an illness, injury, impairment or physical or mental condition that involves inpatient care[3] or continuing treatment by a health care provider[4].

2. Parental leave[5] (separate from eligible leave as a result of a child's serious health condition):

    a. Bonding with and caring for the employee's newborn child (within 12 months following birth);
    b. Bonding with and caring for a newly adopted child or newly placed child in foster care under the age of 18 (within 12 months of placement);
    c. Caring for a newly adopted child or newly placed child in foster care 18 years of age or older who is incapable of self-care because of a mental or physical disability (within 12 months of placement);

[2] As defined in ORS 656.005.

[3] "Inpatient care" means an overnight stay in a hospital, hospice, or residential medical facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care. See 29 CFR § 825.114.

[4] "Continuing treatment" includes incapacity and treatment, pregnancy or prenatal care, chronic conditions, permanent or long-term conditions, conditions requiring multiple treatments, and absences attributable to incapacity. See 29 CFR § 815.115.

[5] Parental leave must be taken in one continuous block of time within 12 months of the triggering event.

d. Time to effectuate the legal process required for placement of a child in foster care or the adoption of a child.

3. Military caregiver leave: leave for the care for a covered servicemember if the eligible employee is the spouse, child or next-of-kin of the servicemember with a serious injury or illness;

4. Qualifying exigency leave: leave arising out of deployment to a foreign country of the employee's spouse, child or parent who is a military member on active duty or call to covered active duty status.

Eligible employees may access OFLA leave entitlements for the following reasons:

1. Pregnancy disability leave: leave taken by an employee for their own disability related to pregnancy, including pregnancy termination or childbirth, whether the disability occurs before, during or after the birth of the child or for prenatal care, including fertility or infertility treatment.

2. Sick child leave: leave taken to care for an employee's child who is suffering from an illness, injury, or condition that requires home care; or leave taken to care for an employee's child whose school or child care provider has been closed[6] in conjunction with a statewide public health emergency declared by a public health official.[7]

3. Bereavement leave: leave taken to deal with the death of a covered family member and includes leave taken to attend the funeral or alternative to a funeral of the family member, to make arrangements necessitated by the death of the family member, or to grieve the death of the family member.[8]

Eligible employees may also access OMFLA for the purpose of spending time with a spouse or domestic partner who is in the military and has been notified of an impending call or order to active duty, or who has been deployed during a period of military conflict.

Definitions

1. Family member:

   a. For the purposes of FMLA, "family member" means:

---

[6] "Closure" (OAR 839-009-0210(5)) for the purpose of sick child leave during a statewide public health emergency declared by a public health official means a closure that is ongoing, intermittent, or recurring and restricts physical access to the child's school or child care provider as defined in OAR 839-009-0210(4).

[7] The district may request verification of the need for sick child leave under OFLA due to a closure during a statewide public health emergency. Verification may include:
1. The name of the child being cared for;
2. The name of the school or child care provider that has closed or become unavailable;
3. A statement from the employee that no other family member of the child is willing and able to care for the child; and
4. With the care of a child older than 14, a statement that special circumstances exist requiring the employee to provide care to the child during daylight hours.

[8] Bereavement leave under OFLA must be completed within 60 days of the date the employee received notice of the death. The notice of the death of a family member may be by any means and from any source.

(1) Spouse[9];
(2) Parent[10]; or
(3) Child[11].

b. For the purposes of OFLA, "family member" means an eligible employee's:

(1) Spouse or domestic partner;
(2) Child or the child's spouse or domestic partner;
(3) Parent or the parent's spouse or domestic partner;
(4) Sibling or stepsibling, or the sibling's or stepsibling's spouse or domestic partner;
(5) Grandparent or the grandparent's spouse or domestic partner;
(6) Grandchild or the grandchild's spouse or domestic partner; or
(7) Any individual related by blood or affinity whose close association with an eligible employee is the equivalent of a family relationship.[12]

2. Child:

a. For the purposes of FMLA, "child" means the eligible employee's biological or adopted child, a child the employee is fostering, a stepchild, a legal ward or a child of a person standing "in loco parentis", who is either under the age of 18, or who is 18 years of age or older and who is incapable of self-care because of a physical or mental disability.
b. For the purposes of Military Caregiver Leave and Qualifying Exigency Leave under FMLA, "child" means the employee's child on covered active duty regardless of that child's age.
c. For the purposes of OFLA, "child" means the eligible employee's biological or adopted child, a child the employee is fostering, a stepchild, the child of the employee's spouse or domestic partner, or a child with whom the employee is or was in a relationship of "in loco parentis."
d. For the purposes of sick child leave under OFLA, the child must be under the age of 18 or substantially limited by a physical or mental impairment as described in ORS 659A.104.

3. In loco parentis:

---

[9] "Spouse" means individuals in a marriage, including "common law" marriage and same-sex marriage.

[10] "Parent" means a biological, adoptive, step or foster parent, or any other individual who stood "in loco parentis" to the employee when the employee was a child as defined herein. This does not include parents "in law."

[11] "Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence.

[12] "Affinity" means a relationship for which there is a significant personal bond that, when examined under the totality of the circumstances, is like a family relationship. This bond may be demonstrated by, but is not limited to the following factors, with no single factor being determinative:
1. Shared personal financial responsibility, including shared leases, common ownership of real or personal property, joint liability for bills or beneficiary designations;
2. Emergency contact designation of the employee by the other individual in the relationship or the emergency contact designation of the other individual in the relationship by the employee;
3. The expectation to provide care because of the relationship or the prior provision of care;
4. Cohabitation and its duration and purpose;
5. Geographic proximity; and
6. Any other factor that demonstrates the existence of a family-like relationship.

a. For the purposes of FMLA, "in loco parentis" means persons with day-to-day responsibility to care for or financially support a child, or, in the case of an employee, who had such responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.
b. For the purposes of OFLA, "in loco parentis" means person in the place of a parent, having financial or day-to-day responsibility for the care of a child. A legal or biological relationship is not required.

4. Next of kin:

For the purposes of FMLA , "next of kin" means the nearest blood relative other than the covered servicemember's spouse, parent or child in the following order of priority (unless otherwise designated in writing by the servicemember):

a. Blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions;
b. Siblings;
c. Grandparents;
d. Siblings of parents and their spouses; and
e. First cousins.

5. Covered servicemembers:

For the purposes of FMLA, "covered servicemember" means:

a. A current member of the Armed Forces, including a member of the National Guard or Reserves, who:

(1) Is undergoing medical treatment, recuperation or therapy;
(2) Is otherwise in outpatient status; or
(3) Is otherwise on the temporary disability retired list for a serious injury or illness; or

b. A covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

6. Covered veteran:

For the purposes of FMLA, "covered veteran" means an individual who was:

a. A member of the Armed Forces (including a member of the National Guard or Reserves);
b. Discharged or released under conditions other than dishonorable; and
c. Discharged within the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.

7. Public health emergency:

For OFLA a "public health emergency" means;

a. A public health emergency declared under ORS 433.441.

b. An emergency declared under ORS 401.165 if related to a public health emergency as defined in ORS 433.442.

Leave Period

For the purposes of calculating an employee's leave period for FMLA, the district will use a "rolling" 12-month period measured backward from the date the employee uses any FMLA leave.

For the purposes of calculating an employee's leave period for OFLA, the district will use a period of 52 consecutive weeks beginning on the Sunday immediately preceding the date on which family leave commences.

The leave period for the purposes of Military Caregiver Leave under FMLA shall be dependent on the start of any such leave regardless of the district's designated leave period described above.

Leave Duration

For the purposes of FMLA, an eligible employee is generally entitled to a total of 12 weeks of qualified leave during the district's designated leave period (12-month period)[13]. Spouses who work for the district and are eligible for FMLA leave may be limited to a combined total of 12 weeks of FMLA leave during the district's designated leave period when the purpose of the leave is for:

1. Birth of a child or to care for a child after birth;

2. Placement of an adopted child or child in foster care, the care for an adopted child or child in foster care after placement; or

3. Care of the employee's parent with a serious medical condition.

Except in specific and unique instances, all qualified leave under FMLA counts toward an employee's leave entitlement within the designated leave period.

For the purposes of OFLA, an eligible employee is generally entitled to a total of up to 12 weeks of OFLA leave, for sick child leave and bereavement leave, during the designated leave period. An eligible employee is entitled to a total of two weeks of bereavement leave upon the death of each family member of the employee within a leave year, except that the eligible employee may not take more than four weeks of bereavement leave within a leave year.

An employee may also be entitled to take a total of 12 weeks of OFLA pregnancy disability leave within the same leave year.

Under OFLA, the employee may use all or part of the 12 weeks of sick child or bereavement leave and all or part of the 12 weeks of pregnancy disability leave in any order.

---

[13] An eligible employee taking Military Caregiver Leave under FMLA is entitled to up to 26 weeks of leave in the 12-month period beginning with the first day of such leave and regardless of any FMLA leave taken previously during the district's leave period. However, once the 12-month period begins for the purposes of Military Caregiver Leave under FMLA, any subsequent FMLA qualified leave, regardless of reason for such leave, will count toward the employee's 26-week entitlement under Military Caregiver Leave under FMLA.

Unlike FMLA, OFLA does not combine the leave entitlement when two or more family members work for the district. Under OFLA, family members who work for the district may be restricted from taking concurrent OFLA qualified leave.[14]

For the purposes of OMFLA, an eligible employee is entitled to 14 days of leave per call or order to active duty or notification of a leave from deployment. When an employee also meets the eligibility requirements of OFLA, the duration of the OMFLA leave counts toward that employee's leave entitlement during the designated leave period.

Qualified leave under FMLA and OFLA for an eligible employee will run concurrently during the designated leave period if for the same qualifying reason. Qualified leave under FMLA will run concurrently with other qualified leave covered under Paid Family and Medical Leave Insurance (PFMLI) and/or available sick leave under ORS 653.601 - 653.661 for eligible employees. Qualified leave under OFLA may also run concurrently with leave taken under the sick time law in ORS 653.601 - 653.661 if for the same qualifying reason, but not concurrent with PFMLI.

For the purpose of tracking the number of leave hours an eligible employee is entitled and/or has used during each week of the employee's leave, leave entitlement is calculated by multiplying the number of hours the eligible employee normally works per week by 12[15]. If an employee's schedule varies from week-to-week, a weekly average of the hours worked over the 12 months worked prior to the beginning of the leave period shall be used for calculating the employee's normal workweek[16]. If an employee takes intermittent or reduced work schedule leave, only the actual number of hours of leave taken may be counted toward the 12 weeks of leave to which the employee is entitled.

Holidays which occur within the week taken as FMLA may be counted against FMLA entitlement.[17] However, for leave taken in increments of less than one week, holidays in which employees generally are not expected to report do not count against the employees FMLA leave entitlement.

Under OFLA, days in which the district is not in operation, are not counted toward intermittent or reduced work schedule OFLA leave.

Intermittent Leave

With the exception of parental leave under FMLA which must be taken in one continuous block of time, an eligible employee is permitted under FMLA or OFLA to take intermittent leave for any qualifying reason.

---

[14] Exceptions to the ability to require family members to take OFLA qualified leave at different times are when one employee needs to care for a child for a purpose described in ORS 659A.159 (1)(a) while another employee is taking pregnancy disability leave or, one or more of the employees is taking bereavement leave.

[15] For example, an employee normally employed to work 30 hours per week is entitled to 12 times 30 hours, or a total of 360 hours of leave.

[16] For example, an employee working an average of 25 hours per week is entitled to 12 times 25 hours, or a total of 300 hours of leave.

[17] See 29 CFR § 825.200(h).

Intermittent leave is taken in separate periods of time (i.e., hours, days, weeks, etc.), rather than in one continuous period of time, and/or requiring an altered or reduced work schedule. For OFLA this includes but is not limited to sick child leave taken requiring an altered or reduced work schedule because the intermittent or recurring closure of a child's school or child care provider due to a statewide public health emergency declared by a public health official.

When an exempt employee is eligible for both OFLA and FMLA leave, and the employee takes intermittent leave in blocks of less than one day, if done in accordance with 29 CFR § 825.206, the district may reduce the employee's salary for the part-day absence without the loss of the employee's exempt status in accordance with OAR 839-020-0004(32).

When an exempt employee is eligible for OFLA leave but not FMLA leave, and the employee takes intermittent leave in blocks of less than one day, the district will jeopardize the employee's exempt status if the district reduces the employee's salary for the part-day absence.

An employee's FMLA and/or OFLA intermittent leave time is determined by calculating the difference between the employee's normal work schedule and the number of hours the employee actually works during the leave period. The result of such calculation is credited against the eligible employee's leave entitlement.

Alternate Work Assignment

Under FMLA, the district may transfer an employee taking intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment to an alternate position for which the employee is qualified and which better accommodates an employee's recovery from a serious health condition, a serious health condition of a spouse, parent, or child, or a serious injury of illness of a covered servicemember. However, the district may not transfer the employee to an alternative position in order to discourage the employee from taking leave or otherwise work a hardship on the employee.

Under FMLA, when an employee who is taking leave intermittently or on a reduced leave schedule and has been transferred to an alternative position no longer needs to continue on leave and is able to return to full-time work, the employee will be placed in the same or equivalent job as the job they left when the leave commenced. An employee may not be required to take more leave than necessary to address the circumstance that precipitated the need for leave.

Under OFLA, the district may transfer an employee on intermittent OFLA leave or reduced work schedule into an alternate position with the same or different duties to accommodate leave, provided:

1. The employee accepts the position voluntarily and without coercion;

2. The transfer is temporary, lasts no longer than necessary to accommodate the leave and has equivalent pay and benefits;

3. The transfer is compliant with any applicable collective bargaining agreement, as well as with state and federal law;

4. The transfer to an alternate position is used only when there is no other reasonable option available that would allow the employee to use intermittent leave or reduced work schedule; and

5. The transfer is not used to discourage the employee from taking leave or to create a hardship for the employee.

Under OFLA, an employee transferred to an alternate position for the purpose of a reduced work schedule must be returned to the employee's former position when the employee notifies the employer that the employee is ready to return to the former position at the end of the alternate duty leave.

The district may transfer an eligible employee to an alternate position that accommodates OFLA pregnancy disability leave provided:

1. The employee accepts the transfer position voluntarily and without coercion;

2. The transfer is temporary, lasts no longer than necessary and has equivalent pay and benefits;

3. The transfer is compliant with any applicable collective bargaining agreements, as well as with state and federal law;

4. The transfer is not used to discourage the employee from taking OFLA leave or to create a hardship for the employee.

Under OFLA, if an eligible employee is transferred to an alternative position and as a result the employee works fewer hours than the employee worked in the original position, the employee's OFLA leave time is determined by calculating the difference between the number of hours the employee worked in the original position and the number of hours the employee actually works in the alternative position.

An employee is not on OFLA leave if the employee has been transferred – as provided for in OAR 839-009-0245 (5) – to an alternate position for the purpose of alternate work duties that the employee is able to perform within the limitations of the employee's pregnancy disability, but not requiring a reduced workweek. An employee working in an alternate position retains the right to return to the employee's original position at any time during the employee's OFLA leave. This does not impair the right of an employee to a reasonable accommodation or the application of any other state or federal law.

Special Rules for School Employees

For the purposes of FMLA, "instructional employee" means those whose principal function is to teach and instruct students in a class, a small group or an individual setting. Athletic coaches, driving instructors and special education assistants, such as signers for the hearing impaired, are included in this definition. This definition does not include teacher assistants or aides who do not have as their principal job actual teaching or instructing, auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers or bus drivers.

FMLA leave that is taken for a period that ends with the school year and begins with the next semester is considered consecutive rather than intermittent. The period during the summer vacation when the employee would not have been required to report for duty is not counted against the employee's FMLA leave entitlement. In any such situation, the eligible instructional employee will receive any benefits

during the break period that employees would normally receive if they had been working at the end of the school year.

1. Foreseeable Intermittent Leave Exceeding 20 Percent of Working Days

   When the qualified leave is foreseeable, will encompass more than 20 percent of the eligible instructional employee's regular work schedule during the leave period, and the purpose of such leave is to care for a family member with a serious medical condition, for a covered servicemember or for the employee's own serious medical condition, the district may require the eligible instructional employee to choose either to:

   a. Take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
   b. Temporarily transfer to an available alternate position for which the employee is qualified, which has equivalent pay and benefits, and which better accommodates recurring periods of leave than the employee's regular position.

   If an instructional employee does not give required notice of foreseeable FMLA leave to be taken intermittently or on a reduced leave schedule, the district may require the employee to take leave of a particular duration, or to transfer temporarily to an alternative position. Alternatively, the district may require the employee to delay the taking of leave until the notice provision is met.

2. Limitation on Leave Near the End of the Term[18]

   When an eligible instructional employee requests leave near the end of the term, the district may require the following:

   a. When the qualified leave begins more than five weeks before the end of the term, the district may require the employee to continue taking leave until the end of the term if:

      (1) The leave will last at least three weeks; and
      (2) The employee would return to work during the three-week period before the end of the term.

   b. When the qualified leave begins during a five-week period before the end of the term and the purpose of such leave is parental leave, for the serious health condition of a family member or to care for a covered servicemember, the eligible instructional employee may be required by the district to remain on leave until the end of the term if:

      (1) The leave will last more than two weeks; and
      (2) The employee would return to work during the two-week period before the end of the term.

   c. When the qualified leave begins within three weeks of the end of the term and the purpose of such leave is parental leave, for the serious health condition of a family member or to care for

[18] "Academic term" means the school semester, which typically ends near the end of the calendar year and the end of spring each school year. In no case may a school have more than two academic terms or semesters each year for purposes of FMLA. 29 CFR § 825.602(b)

a covered servicemember, the eligible instructional employee may be required to remain on leave until the end of the term if the length of the leave will last more than five working days.

If the district requires an eligible instructional employee to remain on leave until the end of the term as described above, additional leave required by the district until the end of the school term shall not count against the eligible instructional employee's leave entitlement.

For the purposes of OFLA leave, if an employee[19] begins a period of bereavement leave during the three-week period before the end of the term and the duration of the leave is greater than five working days, the district may require the employee continue on family leave until the end of the term.

Paid/Unpaid Leave

FMLA and OFLA do not require the district to pay an eligible employee who is on a qualified leave. Paid Family and Medical Leave Insurance (PFMLI) leave taken via Paid Leave Oregon or an equivalent plan will run concurrently with FMLA and leave available under ORS 653.601 - 653.661 when taken for the same purpose. An employee may elect to use any available accrued paid leave including personal, sick or vacation leave during the leave period to the extent that the total combined amount of accrued paid leave and benefits received from PFMLI does not exceed an amount equal to the employee's full wage replacement during the period of leave. The district will notify the eligible employee when the requested leave has been designated as FMLA or OFLA leave and ask the employee about the use of available accrued paid leave.

Eligible employees taking OMFLA leave are entitled to use available accrued paid time off during the OMFLA leave period.

Benefits and Insurance

When an eligible employee returns to work following a FMLA-, OFLA- or OMFLA-qualified leave, the employee must be reinstated to the same position the employee held when the leave commenced, or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

During an OFLA qualified leave an eligible employee does not accrue seniority or other benefits that would have accrued while the employee was working, unless the terms of a collective bargaining agreement, other agreement or other district policy provide otherwise.[20] The eligible employee is also subject to layoff to the same extent similarly situated employees not taking OFLA leave are subject unless the terms of an applicable collective bargaining agreement, other agreement or the district's policies provide otherwise.

For the purposes of FMLA and OFLA, the district will continue to pay the employer portion of the eligible employee's group health insurance contribution (if applicable) during the qualified leave period. The eligible employee is required to pay the employee portion of any such group health insurance contribution as a condition of continued coverage.

---

[19] Applies only to an employee who is employed principally in an instructional capacity by the district.

[20] See also ORS 342.934(4)(d) in reduction force situations.

For the purposes of FMLA qualified leave, the district's obligation to maintain the employee's group health insurance coverage will cease if the employee's contribution is remitted more than 30 calendar days late. The district will provide written notice that the premium payment is more than 30 calendar days late. Such notice will be provided within 15 calendar days before coverage is to cease.

For the purposes of OMFLA, the eligible employee is entitled to a continuation of benefits.

Fitness-for-Duty Verification

For purposes of FMLA, prior to the reinstatement of an employee following a leave which was the result of the employee's own serious health condition, the district may require the employee to obtain and present a Fitness-for-Duty Certification. If the district is going to require a Fitness-for-Duty Certification upon return to work, the district must notify the employee of such requirement when the leave is designated as FMLA leave and that failure to provide the certification may result in a delay or denial of reinstatement. Any costs associated with obtaining the certification shall be borne by the employee.

Application

For purposes of FMLA, an eligible employee requesting FMLA leave shall provide at least 30 days' notice prior to the leave date if the leave is foreseeable. The notice shall be written and include the anticipated start date, duration and reasons for the requested leave. When appropriate, the eligible employee must make a reasonable effort to schedule treatment, including intermittent leave and reduced leave, so as not to unduly disrupt the operation of the district.

For purposes of OFLA, an eligible employee shall provide at least 30 days' written notice of the need for foreseeable leave before starting family leave. An employee may commence family leave without prior notice in the event of: an unexpected illness, injury or condition of a child of the employee that requires home care; the death of a family member; the closure of the school or child care provider of the employee's child due to a public health emergency unless the declaration of the emergency was issued by the Governor at least 30 days before commencement of the leave; or an illness, injury or condition related to the employee's own pregnancy or childbirth that disables the employee from performing any available job duties offered by the district. If an employee commences leave without prior notice as allowed above, the employee must give oral notice[21] to the employer within 24 hours of the commencement of the leave and must provide the written notice within three days after returning to work. Failure of an employee to provide the required notice for leave may result in the district deducting up to three weeks from the employee's unused OFLA leave in that one-year leave period. The employee may be subject to disciplinary action for not following the district's notice procedures.

The district may request additional information[22] to determine the requested leave qualifies as FMLA or OFLA leave as provided by law. The district may designate the employee as provisionally on FMLA or OFLA leave until sufficient information is received to properly make a determination.

An eligible employee able to give advance notice of the need to take leave must follow the district's known, reasonable and customary procedures for requesting any kind of leave.

---

[21] Oral notice may be given by any other person on behalf of the employee taking the leave.

[22] See OAR 839-009-0260 for OFLA and 29 CFR § 825.305 et. al. for FMLA.

For the purposes of FMLA, if advance notice is not possible, an employee eligible for FMLA leave must provide notice as soon as practicable. "As soon as practicable," for the purpose of FMLA leave, means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case. In most situations, as soon as practicable will be within one business day of an employee becoming aware of the need. Failure of an employee to provide the required notice for FMLA leave may result in the district delaying the employee's leave up to 30 days after the notice is ultimately given.[23]

For the purposes of OFLA, if an eligible employee is taking leave in an unforeseeable situation, an employee must give oral or written notice[24] within 24 hours before or after commencement of the leave.

In all cases, proper documentation must be submitted no later than three working days following the employee's return to work.

For purposes of OMFLA, an employee must provide the district with notice of the intention to take leave within five business days of receiving official notice of an impending call or order to active duty or of a leave from deployment.

Verification

Under FMLA, the district may require an eligible employee to provide medical certification, when appropriate[25], to support the stated reason for such leave. In most cases, the district will provide written notification to an employee of this requirement within five working days of the employee's request for leave. The employee is required to submit such medical certification no later than 15 calendar days after receipt of the district's notification that medical certification is required, unless not practicable. Any additional certifications, including second and third opinions, will be in accordance with applicable law.

Under OFLA, the district may require an eligible employee to provide medical verification, when appropriate[26], to support the stated reason for qualifying OFLA leave. The district will provide written notification to an employee of this requirement and state the consequences for failure to provide the requested medical verification. If the employee gives advance written notice of foreseeable leave, the district may require the employee to provide medical verification for OFLA leave before the leave starts. If the employee begins unforeseeable OFLA leave without prior notice, the employee is required to submit such medical verification within 15 calendar days after receipt of the district's request for medical verification. The employee may be subject to disciplinary action for not providing the requested medical verification.

For the purposes of OFLA qualified leave, costs associated with obtaining the medical verification shall be borne by the district or be paid as otherwise allowed by law. The district will not delay the use of

[23] See 29 CFR § 825.304.

[24] Notice may be given by any other person on behalf of the employee taking the leave.

[25] Medical verification is not allowed in every situation. Review current laws and guidance for more information.

[26] Medical verification is not allowed in every situation. Review current laws and guidance for more information. (OAR 839-009-0260)

qualifying OFLA leave when medical verification is not received before the commencement of unforeseeable leave. The district may not require an employee to obtain a second opinion.

Under OFLA, the district may request verification for the need for leave to care for a child who requires home care due to the closure of the child's school or child care provider as a result of a public health emergency. A request for verification may include a request for:

1. The name of the child requiring home care;

2. The name of the school or child care provider that is subject to the closure;

3. A statement from the employee that no other family member of the child is willing and able to care for the child; and

4. A statement that special circumstances exist that require the employee to provide home care for the child during the day, if the child is older than 14 years of age.

Posted Notice

The district will post the Bureau of Labor and Industries Family Leave notice in each building or worksite in an area that is accessible to and regularly frequented by employees.[27] The district will also post a notice explaining the provisions of FMLA and providing information concerning the procedures for filing complaints.[28]

Record Keeping

The district will maintain all records as required by federal and state laws including dates leave is taken by employees, identified separately from other leave; hours/days of leave; copies of general and specific notices to employees, including Board policy(ies) and regulations; premium payments of employee health benefits while on leave and records of any disputes with employees regarding granting of leave.

Medical documentation will be maintained separately from personnel files as confidential medical records.

Federal vs. State Law

Both federal and state law contain provisions for family and medical leave. Federal regulations state an employer must comply with all leave laws; that the federal law does not supersede any provision of state law that provides greater family or medical leave rights than those established pursuant to federal law; and if leave qualifies for FMLA and OFLA leave, the leave used counts against the employee's entitlement under both laws. State law requires that FMLA and state leave entitlements run concurrently when for the same purpose.

---

[27] https://www.oregon.gov/boli/employers/Documents/BOLI_Printable_FamilyMedLv.pdf {Electronic posting **is not** sufficient to satisfy this requirement but may be used to supplement the physical posting.}

[28] https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/fmlaen.pdf {Electronic posting **is** sufficient as long as it is posted prominently where it can be readily seen by employees and applicants for employees. The poster and the text must be large enough to be easily read and contain fully legible text.}

Code: GCBDA/GDBDA-AR(1)
Revised/Reviewed: 4/26/23; 12/18/24
Orig. Code(s): GCBDA/GDBDA-AR(1)

Family and Medical Leave

(Version 1)

See updated version.

Employee Eligibility

FMLA benefits are available to employees who have been employed by the district for at least 12 months, have worked at least 1,250 hours during the past 12-month period and work at a worksite that employs 50 district employees within 75 miles of the worksite.

An employee who has previously qualified for and has taken some portion of FMLA leave may request additional FMLA leave within the same leave year. In such instances, the employee may not need to requalify as an eligible employee.

Generally, in order for an employee to be eligible for the benefits under OFLA, the employee must work an average of 25 hours or more per week during the 180 calendar days[1] immediately prior to the first day of the start of the requested leave.[2]

An employee is eligible to take leave for any purposes of OFLA during a period of time covered by a public health emergency except:

1. An employee who has worked for the district for fewer than 30 days immediately before the date on which the family leave would commence; or

2. An employee who has worked for the district for an average of fewer than 25 hours per week in the 30 days immediately before the date on which the family leave would commence.

An employee of the district is eligible to take leave for purposes of OFLA if the employee:

1. Separates from employment with the district, irrespective of any reason:

    a. Is eligible to take leave OFLA at the time the employee separates; and
    b. Is reemployed by the district within 180 days of separation from employment; or

[1] Thirty days during a declared public health emergency.

[2] The requirements of OFLA do not apply to any employer offering eligible employees a nondiscriminatory cafeteria plan, as defined by section 125 of the Internal Revenue Code of 1986, which provides as one of its options employee leave at least as generous as the leave required by OFLA.

Delete

2. Is eligible to take OFLA leave:

    a. At the beginning of a temporary cessation of scheduled hours of 180 days or less; and
    b. Returns to work at the end of the temporary cessation of scheduled hours of 180 days or less.

Any OFLA leave taken by the employee within any one-year period continues to count against the length of time of OFLA leave the employee is entitled. The amount of time that an employee is deemed to have worked for the district prior to a break in service due to a separation from employment or a temporary cessation of scheduled hours shall be restored to the employee when the employee is reemployed by the district within 180 days of separation from employment or when the employee returns to work at the end of the temporary cessation of scheduled hours of 180 days or less.

When an employee requests OFLA leave, or when the district acquires knowledge that an employee's leave may be for a purpose that constitutes OFLA leave, the district will notify the employee of the employee's eligibility to take OFLA leave within five business days, absent extenuating circumstances. Whether an employee is an "eligible employee" as defined in OAR 839-009-0210 is determined, a notice must be provided, at the commencement of the first instance of each purpose for leave listed in OAR 839-009-0240 during the OFLA leave year. If an employee is an "eligible employee" as defined in OAR 839-009-0210 for the purpose listed in OAR 839-009-0240, the employee's eligibility for that purpose does not change during the applicable 12-month period. In addition:

1. An employee taking, in any order, some or all of 12 weeks of OFLA pregnancy disability leave and some or all of 12 weeks of OFLA leave for any other purpose, need not requalify each time the employee takes OFLA leave within the same leave year;

2. An employee who has taken 2 weeks of OFLA child placement leave need not requalify for up to an additional 12 weeks of leave within the same leave year when used for the purposes of OFLA sick child leave;

3. An employee unable to work because of a disabling compensable injury[3] need not requalify under OAR 839-009-0210 in order to use OFLA leave following a period the employee is off work due to the compensable injury.

In determining if an employee has been employed for the preceding 180 calendar days under OFLA, the district must consider days, paid or unpaid, an employee is maintained on payroll.

Leave under the Oregon Military Family Leave Act (OMFLA) applies to employees who work an average of at least 20 hours per week. There is no minimum number of days worked when determining employee eligibility for OMFLA.

In determining average workweek, under FMLA and OFLA, the employer must count the actual hours worked using the Fair Labor Standards Act (FLSA) guidelines.

[3] As defined in ORS 656.005.

Qualifying Reason

Eligible employees may access FMLA leave entitlements for the following reasons:

1. Serious health condition of the employee or the employee's covered family member. "Serious health condition" means an illness, injury, impairment or physical or mental condition that involves inpatient care[4] or continuing treatment by a health care provider[5].

2. Parental leave[6] (separate from eligible leave as a result of a child's serious health condition):

    a. Bonding with and caring for the employee's newborn child (within 12 months following birth);
    b. Bonding with and caring for a newly adopted child or newly placed child in foster care under the age of 18 (within 12 months of placement);
    c. Caring for a newly adopted child or newly placed child in foster care 18 years of age or older who is incapable of self-care because of a mental or physical disability (within 12 months of placement);
    d. Time to effectuate the legal process required for placement of a child in foster care or the adoption of a child.

3. Military caregiver leave: leave for the care for spouse, child or next-of-kin who is a covered servicemember with a serious injury or illness;

4. Qualifying exigency leave: leave arising out of deployment to a foreign country of the employee's spouse, child or parent who is a military member on active duty or call to covered active duty status.

Eligible employees may access OFLA leave entitlements for the following reasons:

Pregnancy disability leave: leave taken by an employee for their own disability related to pregnancy, including pregnancy termination or childbirth, whether the disability occurs before, during or after the birth of the child or for prenatal care, including fertility or infertility treatment.

Sick child leave: leave taken to care for an employee's child suffering from an illness, injury, or condition that requires home care. Under OFLA, sick child leave includes leave to care for an employee's child whose school or child care provider has been closed[7] in conjunction with a statewide public health emergency declared by a public health official.[8]

---

[4] "Inpatient care" means an overnight stay in a hospital, hospice, or residential medical facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care. See 29 CFR § 825.114.

[5] "Continuing treatment" includes incapacity and treatment, pregnancy or prenatal care, chronic conditions, permanent or long-term conditions, conditions requiring multiple treatments, and absences attributable to incapacity. See 29 CFR § 815.115.

[6] Parental leave must be taken in one continuous block of time within 12 months of the triggering event.

[7] "Closure" (OAR 839-009-0210(5)) for the purpose of sick child leave during a statewide public health emergency declared by a public health official means a closure that is ongoing, intermittent, or recurring and restricts physical access to the child's school or child care provider as defined in OAR 839-009-0210(4).

[8] The district may request verification of the need for sick child leave under OFLA due to a closure during a statewide public health emergency. Verification may include:

1. The name of the child being cared for;
2. The name of the school or child care provider that has closed or become unavailable;

Delete

Bereavement leave: leave taken to deal with the death of a covered family member and includes leave taken to attend the funeral or alternative to a funeral of the family member, to make arrangements necessitated by the death of the family member, or to grieve the death of the family member.[9]

Child placement leave: leave taken under OFLA before January 1, 2025, to effectuate the legal process required for placement of a foster child or the adoption of a child.

Leave previously protected by OFLA[10]: 1) leave to which an eligible employee was entitled under ORS 659A.150 - ORS 659A.186 on June 30, 2024; and 2) leave to which an eligible employee would not be entitled under ORS 659A.150 - ORS 659A.186 on July 1, 2024 and may now be entitled leave under Paid Family Medical Leave (ORS 657B).

Eligible employees may also access OMFLA under OFLA for the purpose of spending time with a spouse or domestic partner who is in the military and has been notified of an impending call or order to active duty, or who has been deployed during a period of military conflict.

Definitions

1. Family member:

   a. For the purposes of FMLA, "family member" means:

      (1) Spouse[11];
      (2) Parent[12];
      (3) Child; or
      (4) Persons who are "in loco parentis."

   b. For the purposes of OFLA, "family member" means an eligible employee's:

      (1) Spouse or domestic partner;
      (2) Child or the child's spouse or domestic partner;
      (3) Parent or the parent's spouse or domestic partner;
      (4) Sibling or stepsibling, or the sibling's or stepsibling's spouse or domestic partner;
      (5) Grandparent or the grandparent's spouse or domestic partner;
      (6) Grandchild or the grandchild's spouse or domestic partner; or

3. A statement from the employee that no other family member of the child is willing and able to care for the child; and
4. With the care of a child older than 14, a statement that special circumstances exist requiring the employee to provide care to the child during daylight hours.

[9] Bereavement leave under OFLA must be completed within 60 days of the date the employee received notice of the death. The notice of the death of a family member may be by any means and from any source.

[10] OAR 839-009-0215. OFLA: Leave Previously Protected by OFLA.

[11] "Spouse" means individuals in a marriage, including "common law" marriage and same-sex marriage.

[12] "Parent" means a biological, adoptive, step or foster parent, or any other individual who stood "in loco parentis" to the employee when the employee was a child as defined herein. This does not include parents "in law."

Delete

(7) Any individual related by blood or affinity whose close association with an eligible employee is the equivalent of a family relationship.[13]

2. Child:

   a. For the purposes of FMLA, "child" means the eligible employee's biological or adopted child, a child the employee is fostering, a stepchild, a legal ward or a child of a person standing "in loco parentis", who is either under the age of 18, or who is 18 years of age or older and who is incapable of self-care because of a physical or mental disability.
   b. For the purposes of Military Caregiver Leave and Qualifying Exigency Leave under FMLA, "child" means the employee's child on covered active duty regardless of that child's age.
   c. For the purposes of OFLA, "child" means the eligible employee's biological or adopted child, a child the employee is fostering, a stepchild, the child of the employee's spouse or domestic partner, or a child with whom the employee is or was in a relationship of "in loco parentis."
   d. For the purposes of child placement leave and sick child leave only under OFLA, the child must be under the age of 18 or an adult dependent child substantially limited by a physical or mental impairment.

3. In loco parentis:

   a. For the purposes of FMLA, "in loco parentis" means persons with day-to-day responsibility to care for or financially support a child, or, in the case of an employee, who had such responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.
   b. For the purposes of OFLA, "in loco parentis" means person in the place of the parent, having financial or day-to-day responsibility for the care of a child. A legal or biological relationship is not required.

4. Next of kin:

   For the purposes of FMLA, "next of kin" means the nearest blood relative other than the covered servicemember's spouse, parent or child in the following order of priority (unless otherwise designated in writing by the servicemember):

   a. Blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions;
   b. Siblings;

---

[13] "Affinity" means a relationship for which there is a significant personal bond that, when examined under the totality of the circumstances, is like a family relationship. This bond may be demonstrated by, but is not limited to the following factors, with no single factor being determinative:

1. Shared personal financial responsibility, including shared leases, common ownership of real or personal property, joint liability for bills or beneficiary designations;
2. Emergency contact designation of the employee by the other individual in the relationship or the emergency contact designation of the other individual in the relationship by the employee;
3. The expectation to provide care because of the relationship or the prior provision of care;
4. Cohabitation and its duration and purpose;
5. Geographic proximity; and
6. Any other factor that demonstrates the existence of a family-like relationship.

Delete

c. Grandparents;
d. Siblings of parents and their spouses; and
e. First cousins.

5. Covered servicemembers:

For the purposes of FMLA, "covered servicemember" means a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness; or a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

6. Covered veteran:

For the purposes of FMLA, "covered veteran" means an individual who was:

a. A member of the Armed Forces (including a member of the National Guard or Reserves);
b. Discharged or released under conditions other than dishonorable; and
c. Discharged within the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.

7. Public health emergency:

For OFLA a "public health emergency" means;

a. A public health emergency declared under ORS 433.441.
b. An emergency declared under ORS 401.165 if related to a public health emergency as defined in ORS 433.442.

Leave Period

For the purposes of calculating an employee's leave period for FMLA, the district will use a "rolling" 12-month period measured backward from the date the employee uses any FMLA leave.

For the purposes of calculating an employee's leave period for OFLA, the district will use a period of 52 consecutive weeks beginning on the Sunday immediately preceding the date on which family leave commences.

The methods for calculating the leave period for FMLA or OFLA leave entitlement shall be used for all employees.

The leave period for the purposes of Military Caregiver Leave under FMLA shall be dependent on the start of any such leave regardless of the district's designated leave period described above.

Leave Duration

Delete

For the purposes of FMLA, an eligible employee is generally entitled to a total of 12 weeks of qualified leave during the district's designated leave period (12-month period)[14]. Spouses who work for the district and are eligible for FMLA leave may be limited to a combined total of 12 weeks of FMLA leave during the district's designated leave period when the purpose of the leave is for:

1. Birth of a child or to care for a child after birth;

2. Placement of an adopted child or child in foster care, the care for an adopted child or child in foster care after placement; or

3. Care of the employee's parent with a serious medical condition.

Except in specific and unique instances, all qualified leave under FMLA counts toward an employee's leave entitlement within the designated leave period.

For the purposes of OFLA, an eligible employee is generally entitled to a total of up to 12 weeks of OFLA leave, for sick child leave and bereavement leave, during the designated leave period. An eligible employee is entitled to a total of two weeks of bereavement leave upon the death of each family member of the employee within a leave year, except that the eligible employee may not take more than four weeks of bereavement leave within a leave year.

An employee may also be entitled to take a total of 12 weeks of OFLA pregnancy disability leave within the same leave year.

Under OFLA, the employee may use all or part of the 12 weeks of sick child or bereavement leave and all or part of the 12 weeks of pregnancy disability leave in any order.

In addition to the 24 weeks of possible OFLA leave identified above, an eligible employee is entitled to a total of two weeks of child placement leave within an OFLA leave year until January 1, 2025. The adoption or foster placement of multiple children at one time entitles the employee to take only one two-week period of child placement leave.

Unlike FMLA, OFLA does not combine the leave entitlement when two or more family members work for the district. Under OFLA, family members who work for the district may be restricted from taking concurrent OFLA qualified leave.[15]

For the purposes of OMFLA, an eligible employee is entitled to 14 days of leave per call or order to active duty or notification of a leave from deployment. When an employee also meets the eligibility requirements of OFLA, the duration of the OMFLA leave counts toward that employee's leave entitlement during the designated leave period.

---

[14] An eligible employee taking Military Caregiver Leave under FMLA is entitled to up to 26 weeks of leave in the 12-month period beginning with the first day of such leave and regardless of any FMLA leave taken previously during the district's leave period. However, once the 12-month period begins for the purposes of Military Caregiver Leave under FMLA, any subsequent FMLA qualified leave, regardless of reason for such leave, will count toward the employee's 26-week entitlement under Military Caregiver Leave under FMLA.

[15] Exceptions to the ability to require family members to take OFLA qualified leave at different times are when one employee needs to care for a child for a purpose described in ORS 659A.159 (1)(a) while another employee is taking pregnancy disability leave or, one or more of the employees is taking bereavement leave.

Qualified leave under FMLA and OFLA for an eligible employee will run concurrently during the designated leave period if for the same qualifying reason. Qualified leave under FMLA will run concurrently with other qualified leave covered under Paid Family and Medical Leave Insurance (PFMLI) and/or available sick leave under ORS 653.601 - 653.661 for eligible employees. Qualified leave under OFLA may also run concurrently with leave taken under the sick leave law in ORS 653.601 - 653.661 if for the same qualifying reason, but not concurrent with PFMLI.

For the purpose of tracking the number of leave hours an eligible employee is entitled and/or has used during each week of the employee's leave, leave entitlement is calculated by multiplying the number of hours the eligible employee normally works per week by 12[16]. If an employee's schedule varies from week-to-week, a weekly average of the hours worked over the 12 months worked prior to the beginning of the leave period shall be used for calculating the employee's normal workweek[17]. If an employee takes intermittent or reduced work schedule leave, only the actual number of hours of leave taken may be counted toward the 12 weeks of leave to which the employee is entitled.

Holidays which occur within the week taken as FMLA may be counted against FMLA entitlement.[18] However, for leave taken in increments of less than one week, holidays in which employees generally are not expected to report do not count against the employees FMLA leave entitlement.

Under OFLA, days in which the district is not in operation, are not counted toward intermittent or reduced work schedule OFLA leave.

Intermittent Leave

With the exception of parental leave under FMLA which must be taken in one continuous block of time, an eligible employee is permitted under FMLA or OFLA to take intermittent leave for any qualifying reason.

Intermittent leave is taken in separate periods of time (i.e., hours, days, weeks, etc.), rather than in one continuous period of time, and/or requiring an altered or reduced work schedule. For OFLA this includes but is not limited to sick child leave taken requiring an altered or reduced work schedule because the intermittent or recurring closure of a child's school or child care provider due to a statewide public health emergency declared by a public health official.

When an exempt employee is eligible for both OFLA and FMLA leave, and the employee takes intermittent leave in blocks of less than one day, if done in accordance with 29 CFR § 825.206, the district may reduce the employee's salary for the part-day absence without the loss of the employee's exempt status in accordance with OAR 839-020-0004(32).

---

[16] For example, an employee normally employed to work 30 hours per week is entitled to 12 times 30 hours, or a total of 360 hours of leave.

[17] For example, an employee working an average of 25 hours per week is entitled to 12 times 25 hours, or a total of 300 hours of leave.

[18] See 29 CFR § 825.200(h).

Delete

When OFLA leave is not covered by FMLA leave, and the employee takes intermittent leave in blocks of less than one day, the district will jeopardize the employee's exempt status if the district reduces the employee's salary for the part-day absence.

An employee's FMLA and/or OFLA intermittent leave time is determined by calculating the difference between the employee's normal work schedule and the number of hours the employee actually works during the leave period. The result of such calculation is credited against the eligible employee's leave entitlement.

Alternate Work Assignment

Under FMLA, the district may transfer an employee taking intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment to an alternate position for which the employee is qualified and which better accommodates an employee's recovery from a serious health condition, a serious health condition of a spouse, parent, son, or daughter, or a serious injury of illness of a covered servicemember. However, the district may not transfer the employee to an alternative position in order to discourage the employee from taking leave or otherwise work a hardship on the employee.

Under FMLA, when an employee who is taking leave intermittently or on a reduced leave schedule and has been transferred to an alternative position no longer needs to continue on leave and is able to return to full-time work, the employee will be placed in the same or equivalent job as the job they left when the leave commenced. An employee may not be required to take more leave than necessary to address the circumstance that precipitated the need for leave.

Under OFLA, the district may transfer an employee on intermittent OFLA leave or reduced work schedule into an alternate position with the same or different duties to accommodate leave, provided:

1. The employee accepts the position voluntarily and without coercion;

2. The transfer is temporary, lasts no longer than necessary to accommodate the leave and has equivalent pay and benefits;

3. The transfer is compliant with any applicable collective bargaining agreement, as well as with state and federal law;

4. The transfer to an alternate position is used only when there is no other reasonable option available that would allow the employee to use intermittent leave or reduced work schedule; and

5. The transfer is not used to discourage the employee from taking leave or to create a hardship for the employee.

Under OFLA, an employee transferred to an alternate position for the purpose of a reduced work schedule must be returned to the employee's former position when the employee notifies the employer that the employee is ready to return to the former position at the end of the alternate duty leave.

The district may transfer an eligible employee to an alternate position that accommodates OFLA pregnancy disability leave provided:

1. The employee accepts the transfer position voluntarily and without coercion;

Delete

2. The transfer is temporary, lasts no longer than necessary and has equivalent pay and benefits;

3. The transfer is compliant with any applicable collective bargaining agreements, as well as with state and federal law;

4. The transfer is not used to discourage the employee from taking OFLA leave or to create a hardship for the employee.

Under OFLA, if an eligible employee is transferred to an alternative position and as a result the employee works fewer hours than the employee worked in the original position, the employee's OFLA leave time is determined by calculating the difference between the number of hours the employee worked in the original position and the number of hours the employee actually works in the alternative position.

An employee is not on OFLA leave if the employee has been transferred – as provided for in OAR 839-009-0245 (5) – to an alternate position for the purpose of alternate work duties that the employee is able to perform within the limitations of the employee's pregnancy disability, but not requiring a reduced workweek. An employee working in an alternate position retains the right to return to the employee's original position at any time during the employee's OFLA leave. This does not impair the right of an employee to a reasonable accommodation or the application of any other state or federal law.

Special Rules for School Employees

For the purposes of FMLA, "instructional employee" means those whose principal function is to teach and instruct students in a class, a small group or an individual setting. Athletic coaches, driving instructors and special education assistants, such as interpreters[19] for the hearing impaired, are included in this definition. This definition does not include teacher assistants or aides who do not have as their principal job actual teaching or instructing, auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers or bus drivers.

FMLA leave that is taken for a period that ends with the school year and begins with the next semester is considered consecutive rather than intermittent. The period during the summer vacation when the employee would not have been required to report for duty is not counted against the employee's FMLA leave entitlement. In any such situation, the eligible instructional employee will receive any benefits during the break period that employees would normally receive if they had been working at the end of the school year.

1. Foreseeable Intermittent Leave Exceeding 20 Percent of Working Days

   When the qualified leave is foreseeable, will encompass more than 20 percent of the eligible instructional employee's regular work schedule during the leave period, and the purpose of such leave is to care for a family member with a serious medical condition, for a covered servicemember or for the employee's own serious medical condition, the district may require the eligible instructional employee to choose either to:

   a. Take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or

[19] 29 CFR 825.600(c) uses "signers."

b. Temporarily transfer to an available alternate position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave than the employee's regular position.

If an instructional employee does not give required notice of foreseeable FMLA leave to be taken intermittently or on a reduced leave schedule, the district may require the employee to take leave of a particular duration, or to transfer temporarily to an alternative position. Alternatively, the district may require the employee to delay the taking of leave until the notice provision is met.

2. Limitation on Leave Near the End of the Term[20]

When an eligible instructional employee requests leave near the end of the term, the district may require the following:

a. When the qualified leave begins more than five weeks before the end of the term, the district may require the employee to continue taking leave until the end of the term if:

(1) The leave will last at least three weeks; and
(2) The employee would return to work during the three-week period before the end of the term.

b. When the qualified leave begins during a five-week period before the end of the term and the purpose of such leave is parental leave, for the serious health condition of a family member or to care for a covered servicemember, the eligible instructional employee may be required by the district to remain on leave until the end of the term if:

(1) The leave will last more than two weeks; and
(2) The employee would return to work during the two-week period before the end of the term.

c. When the qualified leave begins within three weeks of the end of the term and the purpose of such leave is parental leave, for the serious health condition of a family member or to care for a covered servicemember, the eligible instructional employee may be required to remain on leave until the end of the term if the length of the leave will last more than five working days.

If the district requires an eligible instructional employee to remain on leave until the end of the term as described above, additional leave required by the district until the end of the school term shall not count against the eligible instructional employee's leave entitlement.

For the purposes of OFLA leave, if an employee[21] begins a period of bereavement leave during the three-week period before the end of the term and the duration of the leave is greater than five working days, the district may require the employee continue on family leave until the end of the term.

---

[20] "Academic term" means the school semester, which typically ends near the end of the calendar year and the end of spring each school year. In no case may a school have more than two academic terms or semesters each year for purposes of FMLA. 29 CFR § 825.602(b)

[21] Applies only to an employee who is employed principally in an instructional capacity by the district.

Delete

Paid/Unpaid Leave

FMLA and OFLA do not require the district to pay an eligible employee who is on a qualified leave. Paid Family and Medical Leave Insurance (PFMLI) leave taken via Paid Leave Oregon or an equivalent plan will run concurrently with FMLA and leave available under ORS 653.601 - 653.661 when taken for the same purpose. An employee may elect to use any available accrued paid leave including personal, sick or vacation leave during the leave period [to the extent that the total combined amount of accrued paid leave and benefits received from PFMLI does not exceed an amount equal to the employee's full wage replacement during the period of leave]. [The total combined amount received by using accrued leave and PFMLI may exceed the employee's full wage replacement during the period of leave.] The district will notify the eligible employee when the requested leave has been designated as FMLA or OFLA leave and ask the employee about the use of available accrued paid leave.

Eligible employees taking OMFLA leave are entitled to use available accrued paid time off during the OMFLA leave period.

Benefits and Insurance

When an eligible employee returns to work following a FMLA-, OFLA- or OMFLA-qualified leave, the employee must be reinstated to the same position the employee held when the leave commenced, or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

During an OFLA qualified leave an eligible employee does not accrue seniority or other benefits that would have accrued while the employee was working, unless the terms of a collective bargaining agreement, other agreement or other district policy provide otherwise.[22] The eligible employee is also subject to layoff to the same extent similarly situated employees not taking OFLA leave are subject unless the terms of an applicable collective bargaining agreement, other agreement or the district's policies provide otherwise.

For the purposes of FMLA and OFLA, the district will continue to pay the employer portion of the eligible employee's group health insurance contribution (if applicable) during the qualified leave period. The eligible employee is required to pay the employee portion of any such group health insurance contribution as a condition of continued coverage.

For the purposes of FMLA qualified leave, the district's obligation to maintain the employee's group health insurance coverage will cease if the employee's contribution is remitted more than 30 calendar days late. The district will provide written notice that the premium payment is more than 30 calendar days late. Such notice will be provided within 15 calendar days before coverage is to cease.

For the purposes of OMFLA, the eligible employee is entitled to a continuation of benefits.

Fitness-for-Duty Verification

For purposes of FMLA, prior to the reinstatement of an employee following a leave which was the result of the employee's own serious health condition, the district may require the employee to obtain and present a Fitness-for-Duty Certification. If the district is going to require a Fitness-for-Duty Certification

[22] See also ORS 342.934(4)(d) in reduction force situations.

Delete

upon return to work, the district must notify the employee of such requirement when the leave is designated as FMLA leave and that failure to provide the certification may result in a delay or denial of reinstatement. Any costs associated with obtaining the certification shall be borne by the employee.

Application

For purposes of FMLA, an eligible employee requesting FMLA leave shall provide at least 30 days' notice prior to the leave date if the leave is foreseeable. The notice shall be written and include the anticipated start date, duration and reasons for the requested leave. When appropriate, the eligible employee must make a reasonable effort to schedule treatment, including intermittent leave and reduced leave, so as not to unduly disrupt the operation of the district. An eligible employee able to give advance notice of the need to take FMLA leave must follow the district's known, reasonable and customary procedures for requesting any kind of leave.

For purposes of OFLA, an eligible employee shall provide at least 30 days' written notice of the need for foreseeable leave before starting family leave. An employee may commence family leave without prior notice in the event of: an unexpected illness, injury or condition of a child of the employee that requires home care; the death of a family member; or an illness, injury or condition related to the employee's own pregnancy or childbirth that disables the employee from performing any available job duties offered by the district. If an employee commences leave without prior notice as allowed above, the employee must give oral notice[23] to the employer within 24 hours of the commencement of the leave and must provide the written notice within three days after returning to work. Failure of an employee to provide the required notice for leave may result in the district deducting up to three weeks from the employee's unused OFLA leave in that one-year leave period. The employee may be subject to disciplinary action for not following the district's notice procedures.

The district may request additional information[24] to determine the requested leave qualifies as FMLA or OFLA leave. The district may designate the employee as provisionally on FMLA or OFLA leave until sufficient information is received to properly make a determination. An eligible employee able to give advance notice of the need to take leave must follow the district's known, reasonable and customary procedures for requesting any kind of leave.

For the purposes of FMLA, if advance notice is not possible, an employee eligible for FMLA leave must provide notice as soon as practicable. "As soon as practicable," for the purpose of FMLA leave, means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case. In most situations, as soon as practicable will be within one business day of an employee becoming aware of the need. Failure of an employee to provide the required notice for FMLA leave may result in the district delaying the employee's leave up to 30 days after the notice is ultimately given.[25]

[23] Oral notice may be given by any other person on behalf of the employee taking the leave.

[24] Except in cases to verify OFLA bereavement leave unless the district requires the use of an attestation form for purposes of determining affinity.

[25] See 29 CFR § 825.304.

For the purposes of OFLA, if an eligible employee is taking leave in an unforeseeable situation, an employee must give oral or written notice[26] within 24 hours before or after commencement of the leave. In all cases, proper documentation must be submitted no later than three working days following the employee's return to work.

For purposes of OMFLA, an employee must provide the district with notice of the intention to take leave within five business days of receiving official notice of an impending call or order to active duty or of a leave from deployment.

Verification

Under FMLA, the district may require an eligible employee to provide medical certification, when appropriate[27], to support the stated reason for such leave. In most cases, the district will provide written notification to an employee of this requirement within five working days of the employee's request for leave. The employee is required to submit such medical certification no later than 15 calendar days after receipt of the district's notification that medical certification is required, unless not practicable. Any additional certifications, including second and third opinions, will be in accordance with applicable law.

Under OFLA, the district may require an eligible employee to provide medical verification, when appropriate[28], to support the stated reason for qualifying OFLA leave. The district will provide written notification to an employee of this requirement and state the consequences for failure to provide the requested medical verification. If the employee gives advance written notice of foreseeable leave, the district may require the employee to provide medical verification for OFLA leave before the leave starts. If the employee begins unforeseeable OFLA leave without prior notice, the employee is required to submit such medical verification within 15 calendar days after receipt of the district's request for medical verification. The employee may be subject to disciplinary action for not providing the requested medical verification.

For the purposes of OFLA qualified leave, costs associated with obtaining the medical verification shall be borne by the district, or be paid as otherwise allowed by law. The district will not delay the use of qualifying OFLA leave when medical verification is not received before the commencement of unforeseeable leave. The district may not require an employee to obtain a second opinion.

Under OFLA, the district may request verification for the need for leave to care for a child who requires home care due to the closure of the child's school or child care provider as a result of a public health emergency. A request for verification may include a request for:

1. The name of the child requiring home care;

2. The name of the school or child care provider that is subject to the closure;

[26] Notice may be given by any other person on behalf of the employee taking the leave.

[27] Medical verification is not allowed in every situation. Review current laws and guidance for more information.

[28] Medical verification is not allowed in every situation. Review current laws and guidance for more information. (OAR 839-009-0260)

3. A statement from the employee that no other family member of the child is willing and able to care for the child; and

4. A statement that special circumstances exist that require the employee to provide home care for the child during the day, if the child is older than 14 years of age.

Delete

Posted Notice

The district will post the Bureau of Labor and Industries Family Leave notice in each building or worksite in an area that is accessible to and regularly frequented by employees.[29] The district will also post a notice explaining the provisions of FMLA and providing information concerning the procedures for filing complaints.[30]

Record Keeping

The district will maintain all records as required by federal and state laws including dates leave is taken by employees, identified separately from other leave; hours/days of leave; copies of general and specific notices to employees, including Board policy(ies) and regulations; premium payments of employee health benefits while on leave and records of any disputes with employees regarding granting of leave.

Medical documentation will be maintained separately from personnel files as confidential medical records.

Federal vs. State Law

Both federal and state law contain provisions for family and medical leave. Federal regulations state an employer must comply with all leave laws; that the federal law does not supersede any provision of state law that provides greater family or medical leave rights than those established pursuant to federal law; and if leave qualifies for FMLA and OFLA leave, the leave used counts against the employee's entitlement under both laws. State law requires that FMLA and OFLA or other state leave entitlements run concurrently when for the same purpose.

Delete

[29] https://www.oregon.gov/boli/employers/Documents/BOLI_Printable_FamilyMedLv.pdf; electronic posting is not sufficient to satisfy this requirement, but may be used to supplement the physical posting.

[30] https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/fmlaen.pdf; electronic posting is sufficient as long as it is posted prominently where it can be readily seen by employees and applicants for employees. The poster and the text must be large enough to be easily read and contain fully legible text.

Reynolds School District

Code: GCBDD/GDBDD
Adopted: 1/18/17
Revised/Readopted: 4/26/23; 2/26/25
Orig. Code: GCBDD/GDBDD

Sick Time

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

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

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

~~The employee may carry up to 40 hours of unused sick time from one year to the subsequent year.~~

Sick time shall be taken in hourly~~one hour~~ increments and may be used for the employee's or a family member's[1] mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition, or need for preventive care, or for reasons consistent with qualifying Family and Medical Leave (FMLA), Paid Family and Medical Leave Insurance (PFMLI) or Oregon Family Leave (OFLA). Sick time earned by an employee may also be used for the following reasons:

1. In~~in~~ the event of a public health emergency compliant with Oregon Revised Statute (ORS) 653.616;

2. To donate accrued sick time to another employee if the other employee uses the donated sick time for a purpose consistent with ORS 653.616;

3. To donate blood in connection with a voluntary program for the donation of blood that is approved or accredited by the American Association of Blood Banks or the American Red Cross; or

For~~for~~ leave to address domestic violence, harassment, sexual assault, bias, or stalking under ORS 659A.272 (safe leave).

[1] "Family member" is defined in OAR 839-007-0000.

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

The district reserves the right, after an employee uses sick time for more than three consecutive scheduled workdays, to require verification or certification in accordance with law of the need for the sick time, including a medical verification or certification[2] paid for by the district. If an employee fails to provide verification or certification or fails to provide other evidence as required by the district, the employee shall be subject to appropriate disciplinary action, up to and including dismissal.

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

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

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

If the reason for sick time is unforeseeable, such as an emergency, accident or sudden illness, the employee shall notify the district consistent with the reporting time established by the district, or when circumstances prevent the employee from providing notice as required, as soon as practicable.

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

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

END OF POLICY

Legal Reference(s):

ORS 332.507
ORS 342.545
ORS 342.610
ORS 653.601 - 653.661
ORS 659A.150 - 659A.186
OAR 839-007-0020 – 007-0065

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

Cross Reference(s):

ACA - Americans with Disabilities Act

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

GBDA - Mother Friendly Workplace
GCBDA/GDBDA - Family Medical Leave
GCBD/GDBD - Sick Leaves and Absences

Code: IGBB
Adopted: 8/26/20
Revised/Readopted: 8/23/23
Orig. Code(s): IGBB/IGBBC

Talented and Gifted Program and/or Services**

The district is committed to an educational program that recognizes, identifies and serves the unique strengths and needs of students identified as talented and gifted. Talented and gifted students demonstrate a pattern of exceptional ability, performance, or achievement when compared with others of their age, experience, or environment nationally and in the local district community. ~~to applicable development or learning progressions, with consideration given to variations in student's opportunity to learn and culturally relevant indicators of ability.~~ The district is committed to ensuring that policies and procedures are developed to address ethnic, racial and socio-economic disproportionality in the identification of students as talented and gifted.

The district will develop a written plan of instruction for talented and gifted students that:

1. Includes a statement of the district policy on the education of talented and gifted students (this policy);

2. Identifies and assesses ~~special~~ talented and gifted programs and services available in the district;

3. States goals related to providing such programs and services, including timelines for achievement;

4. Describes the programs and services intended to accomplish stated goals;

5. Describes how the district provides parents/guardians an opportunity to discuss and to provide input on programs and services for their child;

6. Describes how the district will evaluate progress of the plan; and

7. States the name and contact information for the district's talented and gifted coordinator.[1]

District staff will include procedures to ensure access and equity in identifying gifted and talented students in grades K-12. This procedure aligns with Oregon Administrative Rule 581-022-2325 *Identification of Academically Talented and Intellectually Gifted Students*. ~~is published in the district's *Guidelines for Identifying Students as Gifted and Talented.*~~

The district may also identify and provide programs and services for students who demonstrate outstanding ability or potential in creative ability in using original or nontraditional methods in thinking and producing; leadership ability in motivating the performance of others in educational or noneducational settings; and/or ability in the visual or performing arts, such as dance, music or art.

The district shall submit such a plan to the Oregon Department of Education (ODE) as directed.

The superintendent will remove any administrative barriers that may exist which restrict a student's access to appropriate services and will develop program and service options.

All policies and procedures are available on the Talented and Gifted page of the Reynolds School District website, and includes the name and contact information of the district's coordinators of special education and programs for talented and gifted. The district will annually report the name and contact information of the district's TAG coordinator to ODE.

Complaints regarding programs and/or services can be filed in accordance with Board policy KL – Public Complaints, beginning at Step 2. The superintendent or designee may choose to convene a committee in making a decision.

END OF POLICY

Legal Reference(s):

ORS 343.391 - 343.401
ORS 343.407 - 343.413
OAR 581-022-2325
OAR 581-022-2330
OAR 581-022-2370
OAR 581-022-2500

[1] For the list of complete requirements of the plan, see ORS 343.397(1).

Reynolds School District

Code: IGBBA
Adopted: 8/26/20
Revised/Readopted: 8/23/23
Orig. Code(s): IGBBA/IGBBD

Talented and Gifted Students – Identification, Parent Notification and Participation**

In order to serve talented and gifted ("TAG") students in grades K through 12, the district directs the superintendent or designee to establish an identification process ~~which is referenced in the district's *Guidelines for Identifying Students as Gifted and Talented*~~ that aligns with Oregon Administrative Rule 581-022-2325 *Identification of Academically Talented and Intellectually Gifted Students.*

This process of identification shall include at a minimum:

1. Use of evidenced-based practices that include a variety of tools and procedures to determine if a student demonstrates a pattern of exceptional performance and/or achievement that is relevant to the identification of TAG students under ORS 343.395.

2. Testing of all students in Grade 2 to ensure equal access to the identification process ~~and multiple opportunities after Grade 2 for students to be considered for identification~~. In order to circumvent the cultural and linguistic bias of assessments with verbal and quantitative components, the District will use research-based nonverbal assessments for the identification of students in Grade 2. Students who are not in Grade 2 may be referred for TAG eligibility.

3. Collection and use of multiple modes and methods of qualitative and quantitative evidence to allow appropriate members of a student's identification team to make a determination about the identification and eligibility of the students for TAG services, supports and/or programs; with no single test or piece of evidence eliminating a student from eligibility.

4. Use of methods and practices that minimize or seek to eliminate the effects of bias in assessment and identification of students from historically underrepresented populations including, but not limited to:

    a. Students who are racially/ethnically diverse;
    b. Students experiencing disability;
    c. Students who are culturally and/or linguistically diverse;
    d. Students experiencing poverty; and
    e. Students experiencing high mobility.

5. Incorporate assessments, tools, and procedures that will inform the development of an appropriate plan of instruction for students who are identified as TAG and describe how information from the assessments, tools and procedures used in the identification for TAG students will be used to support development of the plan of instruction.

6. Identify how the educational record under ORS 326.565 of the student being considered will document and reflect the record of the team's decision and the procedures and data used by the team to make the decision.

The district will provide professional development for staff assigned the responsibility for identification of talented and gifted students.

The identification team may use sources of evidence described in OAR 581-022-2325~~(3)~~ to provide students with multiple opportunities to demonstrate a pattern or preponderance of evidence of talent or giftedness.

Academic evidence reviewed shall align to the full depth, breadth, and complexity of Oregon's content standards and benchmarks. Standardized assessments used for academic/achievement-based identification shall include technical documentation demonstrating alignment or documentation of intended use for the purpose of TAG identification. Standardized assessments used for intellectually gifted identification shall include technical documentation demonstrating alignment to research-based best practices inclusive of students from underrepresented populations.

When a student is identified for TAG, the district shall inform parents/guardians of the programs and services available to their student and provide an opportunity for parents/guardians to provide input to, and discuss TAG ~~instruction~~ services proposed for their student. The instruction provided shall be designed to accommodate the student's assessed levels of learning and accelerated rates of learning. Parents/Guardians may request the withdrawal of their student from TAG at any time by submitting a request in writing to the district TAG coordinator. ~~Written procedures for parent/guardian notification and participation are published in the district's *Guidelines for Identifying Students as Gifted and Talented*.~~

If a parent/guardian is dissatisfied with the identification process or placement of their student, they may submit an appeal through the accompanying administrative regulation, IGBBA-AR - Appeal Procedure for Talented and Gifted Student Identification and Placement**.

After exhausting the district's appeal procedure and receiving the district's final decision, a parent/guardian may appeal the decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rule (OAR) 581-002-0001 – 581-002-0023. The district shall provide a copy of the OARs upon request.

END OF POLICY

Legal Reference(s):

ORS 343.395
ORS 343.407
ORS 343.409
ORS 343.411
OAR 581-021-0030
OAR 581-022-2325
OAR 581-022-2330
OAR 581-022-2370
OAR 581-022-2500

Code: IICA-AR
Revised/Reviewed: 10/09/13; 8/28/24; 9/24/25
Orig. Code: IICA-AR

Field Trips and Special Events**

The Board recognizes the educational value of field trips and cocurricular activities involving transportation. The Board is also accountable for expenditures and the effective and legal use of district vehicles. Therefore, all trips and costs must be approved within the following regulations:

1. Principals, by delegation from the superintendent, may authorize the use of district vehicles for educational field trips and state-sanctioned cocurricular activities for which funds have been budgeted.

   Principals may also authorize the use of district vehicles for other school-related activities. Expenses for such activities shall be paid by the participants or student organizations;

2. Trips more than 150 miles from the district or trips that include an overnight stay must have approval from the principal, superintendent, and the Board ~~prior to departure~~. Such overnight trip requests shall be submitted through the superintendent or designee to have the approval of the Board. Parents shall be provided an itinerary and must give permission for student participation prior to the trip. Expenses for trips which are not budgeted must be paid by the participants or student organizations;

   Emergency procedure plans and itineraries for any trip or event must be filed with the principal prior to the trip;

   Chaperones will travel with students. More than one chaperone will be present at all times during overnight trips.

3. Scheduled departure times shall be maintained. Planned refreshment stops may be made on long trips. Discretion must be exercised in the duration of such stops. Refreshment stops must not unduly delay the return of the bus to the school;

4. Chaperones, coaches, or staff will maintain discipline and are responsible for the safety of students on educational field trips and cocurricular activity trips. However, bus drivers shall have the ultimate authority involving safety and disciplinary decisions relating to travel;

5. Students demonstrating unsafe behavior or whom do not abide by the code of conduct may be prohibited from participating in future field trips or cocurricular trips. Disciplinary action is the responsibility of the principal or designee;

6. Students attending school functions via school transportation will return by the same transportation. The only exception will be if a custodial parent requests, in person, that the supervisor allow their student return with the parent. Reasonable methods will be used to verify the parent's identity;

7. Any request for a meal or meals for a field trip or special event to the nutrition department shall be submitted not less than 10 school days prior to the event. Budget codes will be included with the request for any meals which cannot be claimed through Federal program regulations.

8. School nurse should be given list of students at least two weeks in advance of a field trip so that any supports needed for medication administration or other protocols can be arranged.

Code: JOD
Adopted: 9/12/07
Revised/Readopted: 6/09/10; 9/28/22
Orig. Code: JOD

Media Access to Students

The Board recognizes the important role the media serves in reporting information about the district's programs, services and activities. Therefore, the district will make ~~every~~ reasonable effort to provide media access to students.

Administrators should be notified whenever students ~~or staff members~~ acting on behalf of the District engage with members of the media regarding school, district, or district-sponsored activities. Notification should occur prior to the interaction. This does not apply to communications with media in students' ~~or staff members'~~ personal capacity.

School administrators shall be authorized to grant permission and set parameters for media access to students in their respective schools. The media may interview and photograph students involved in instructional programs and school-sponsored activities, including athletic events. Such media access shall not be unduly disruptive and shall comply with Board policies and district goals.

Media representatives shall be required to report to the administration for prior approval before accessing students involved in instructional programs and activities not attended by the general public. The district reserves the right to delay, restrict and/or deny access in order to maintain safety, manage emergencies and comply with state, federal, and/or local laws regarding privacy and rights of students and staff.

Information obtained by media representatives directly from students does not require parental approval prior to publication by the media. Parents who do not want their student interviewed or photographed by the media may direct their student accordingly.

District employees may release student information to the media only in accordance with applicable provisions of the education records law and Board policies governing directory information and personally identifiable information.

Parents will be advised of this policy at the time of the student's registration and each fall in the student/parent handbook.

END OF POLICY

Legal Reference(s):

ORS 30.864
ORS 107.154
ORS 326.565
ORS 326.575
OAR 581-021-0220 to -0440
OAR 581-022-2060

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

Cross Reference(s):

JOA - Directory Information
JOB - Personally Identifiable Information

Code: KBCA
Adopted: 1/04/07
Revised/Readopted: 1/12/11; 8/28/24
Orig. Code: KBCA

News Media and News Releases

The Board recognizes that information carried by the media is important for meeting the goal of informing the public about the district. The Board directs the superintendent to establish a cooperative relationship with the media, and to establish regular channels of communication between the district and the media.

Administrators should be notified whenever students or staff members acting on behalf of the District engage with members of the media regarding school, district, or district-sponsored activities. Notification should occur prior to the interaction. This does not apply to communications with media in students' or staff members' personal capacity.

When members of the media visit the schools to gather information or photographs for a news story, they shall first report to the administrator in charge. The administrator or designee may accompany the media representative during a visit. To allow for the safety and privacy of students and their families, the administrator may limit photographing or interviewing of specific students.

The procedures listed below will be followed in giving official information to the news media:

1. The Board chair will be the official spokesperson for the Board, unless this duty is delegated;

2. News releases that are of districtwide interest or that pertain to established district policy will be the responsibility of the superintendent or designee;

3. All communications will be approved by the ~~director of communications~~ superintendent or designee prior to release.

END OF POLICY

Legal Reference(s):
ORS 192.640 ORS 332.107

Reynolds School District

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To:	Board of Directors
From:	Shaunice Silas, Managing Human Resources Officer
Subject:	**Memorandum of Understanding: District Contribution to the REA Insurance Pool**
Type:	☑ Action Item ☐ Report / Presentation
Policy:	BBA: Board Powers and Duties
Date:	August 26, 2026

Summary / Background:
Reynolds School District No. 7, Multnomah County, Oregon (the "District"), and the Reynolds Education Association (the "Association") (collectively, "the Parties") hereby enter into this Memorandum of Understanding ("MOU") to formally document their mutual agreement for the purpose of setting forth the terms and conditions regarding the roll-up of District insurance contributions for each member of the bargaining unit.

Previous Board Action:
The Board approves all agreements with the district bargaining units.

Financial Implications:
Not Applicable.

Motion:

A. Motion Made by Board Member:
    a. I move that the Board approve the Memorandum of Understanding setting forth the terms and conditions regarding the roll-up of District insurance contributions for each member of the bargaining unit.
B. Motion Seconded by Another Board Member
C. Points of Clarification / Discussion
D. Call for Board Vote

Docusign Envelope ID: 834C9870-3A1C-88AA-82EE-D14EC38D0342

Memorandum of Understanding Between Reynolds School District and Reynolds Education Association

Reynolds School District No. 7, Multnomah County, Oregon (the "District"), and the Reynolds Education Association (the "Association") (collectively, "the Parties") hereby enter into this Memorandum of Understanding ("MOU") to formally document their mutual agreement for the purpose of setting forth the terms and conditions regarding the roll-up of District insurance contributions for each member of the bargaining unit.

The MOU shall replace Article 23, A, 1 until ratification of the 2026-2029 CBA. The 2026-2029 CBA will supersede and invalidate this MOU immediately upon ratification.

A. The District shall contribute to each employee of the bargaining unit, on a pro-rata basis, the following amount for the purchase of fringe benefits listed in Section B:

$1,547 per month, effective October 1, 2026

For the Association:

DocuSigned by:
548D0D8576624FC...
8/14/2026 | 2:12 PM PDT

Jeffrey Fuller — Date
REA President

Signed by:
7A22BBDCD33D43B...
8/14/2026 | 2:21 PM PDT

Brian Jay — Date
Bargaining Chair

For the District:

Signed by:
C59E84A8527D473...
8/14/2026 | 1:00 PM PDT

Dr. Frank Caropelo — Date
Superintendent

Reynolds School District

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To:	Board of Directors
From:	Shaunice Silas, Managing Human Resources Officer
Subject:	**Memorandum of Agreement: Restructure of Technology Department**
Type:	☑ Action Item ☐ Report / Presentation
Policy:	BBA: Board Powers and Duties
Date:	August 26, 2026

Summary / Background:
This Memorandum of Agreement ("MOA") is entered into by and between Reynolds School District ("District") and the Oregon School Employees Association Reynolds Chapter 37 ("Association"). The District and Association are parties to a collective bargaining agreement ("CBA") with effective dates of July 1, 2024 - June 30, 2027. The District has proposed a comprehensive restructure of the Information Technology ("IT") Department that will result in the elimination of certain positions and the creation of new positions. The purpose of this MOA is to set forth the terms and conditions agreed upon by the District and Association regarding the impacts of the proposed IT Department restructure

Previous Board Action:
The Board approves all agreements with the district bargaining units.

Financial Implications:
Not Applicable.

Motion:

A. Motion Made by Board Member:
    a. I move that the Board approve the Memorandum of Agreement regarding the restructure of the IT department between Reynolds School District and Oregon School Employees Association.
B. Motion Seconded by Another Board Member
C. Points of Clarification / Discussion
D. Call for Board Vote

MEMORANDUM of AGREEMENT
Between
Reynolds School District #7
And
Oregon School Employees Association Reynolds Chapter 37

This Memorandum of Agreement ("MOA") is entered into by and between Reynolds School District ("District") and the Oregon School Employees Association Reynolds Chapter 37 ("Association"). The District and Association are parties to a collective bargaining agreement ("CBA") with effective dates of July 1, 2024 – June 30, 2027.

RECITALS

The District has proposed a total restructure of the IT department, resulting in the elimination and creations of positions. The intent of this MOA is to bargain the impacts of the restructure.

TERMS OF MEMORANDUM OF AGREEMENT

1. Any employee whose position is eliminated shall be reviewed for any potential vacancies within the bargaining unit. Placement, if available, shall be in accordance with Article 8.F.

2. Consistent with Article 24.B, current employees in eliminated classifications shall be eligible for consideration for any newly created position . The District shall review and evaluate such employees' qualifications in accordance with the requirements of the position and the provisions of Article 24.B. For positions requiring demonstrated additional skills, employees shall be responsible for obtaining any required training or providing documentation of prior successful completion.

3. Employees (3) on the recall list for the technology department consistent with Article 24.B. Unfilled position notification shall be provided to employees on the technology recall list via email and posted externally. Employees on the technology recall list may apply for the position in accordance with Article 24.B.3. An employee on the recall list who is awarded a position shall have all former rights restored as if they were recalled, including, but not limited to, seniority, leave balances, and other applicable rights.
4. The parties recognize the following positions to be placed in the "technology" range in Appendix A and wage schedule placements:
    A. Systems Integrator, IIIC+$4
    B. Junior Systems Engineer, IIIC+$4
    C. Junior Systems Administrator, IIIC+$4
    D. Data Compliance and Documentation Specialist, IIIC
    E. Procurement and Data Privacy Specialist, IIIC
    F. Client Success Associate, IIIC
5. Any provision of the parties' CBA not expressly modified by this MOA shall remain in full force and effect.
6. Any disputes regarding an alleged violation or the interpretation or application of this agreement shall be resolved pursuant to the grievance procedure in the CBA between the parties.
7. This MOU shall become effective upon signature of the parties and ratification by OSEA members if OSEA requires ratification.

_____
Shaunice Silas, Managing HR Officer

_____
Corin Ahlberg, Director of Technology

_____
Christina Bederka, OSEA Vice President

_____
Cindy Brown, OSEA Treasurer

_____
Jennifer Lehr, Bargaining Representative

_____
, Bargaining Representative

Reynolds School District

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To: Board of Directors

From: Frank Caropelo, Superintendent

Subject: **Board Vacancy Appointments**

Type: ☑ Action Item ☐ Report / Presentation

Policy: BBC: Board Member Resignation; BBE: Vacancies on the Board

Date: August 26, 2026

Summary / Background:
Two Board positions were declared vacant at the July 1, 2026 meeting. An application to fill the vacancies opened July 2, 2026. The Board interviewed two applicants earlier in the meeting. They will now take action.

Previous Board Action:
The Board has followed a similar process to fill vacant seats in the past.

Financial Implications:
Not Applicable.

Motion:

A. Motion Made by Board Member:
    a. I move to appoint (Donell Morgan / Giovanni Vaz) as the position (1 / 4) RSD Board Director for the remainder of the 2026-27 school year.
B. Motion Seconded by Another Board Member
C. Points of Clarification / Discussion
D. Call for Board Vote

Reynolds School District

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To: Board of Directors

From: Frank Caropelo, Superintendent

Subject: **Board Discussion and Reports**

Type: ☐ Action Item ☑ Report / Presentation

Policy: BD/BDA: Board Meetings; BDDF: Conduct of Board Meetings

Date: August 26, 2026

Summary / Background:

A. Individual Board Member Reports or Announcements
B. Upcoming Board Meetings
    a. Board Work Session: September 9, 2026
    b. Board Business Meeting: September 23, 2026
C. Board Discussion

Previous Board Action:

Not Applicable

Financial Implications:

Not Applicable

Motion:

Not Applicable

Reynolds School District

As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To:	Board of Directors
From:	Frank Caropelo, Superintendent
Subject:	**Adjournment of Meeting**
Type:	☐ Action Item ☑ Report / Presentation
Policy:	BD/BDA: Board Meetings; BDDF: Conduct of Board Meetings
Date:	August 26, 2026

Summary / Background:
The Board Chair will adjourn the meeting.

Previous Board Action:
Not Applicable

Financial Implications:
Not Applicable

Motion:
Not Applicable