

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT 8R, HERMISTON**

**There will be a Regular Meeting of the
Board of Education of the Umatilla County School District 8R
at Hermiston School District Offices
Boardroom
305 S.W. 11th Street.
Hermiston, Oregon 97838
Monday, August 10, 2026, 6:00 PM**

Rosa Cerda-Diaz
Executive Assistant to the
Superintendent and Board of Education

AGENDA

- 1. CALL TO ORDER REGULAR MEETING** *Chair Hurst*
- 2. INTRODUCTORY ITEMS** *Chair Hurst*
 1. Pledge of Allegiance
 2. Adoption of Agenda 3
 3. Approval of Minutes 4
- 3. PUBLIC COMMENTS** *Chair Hurst* 14

Welcome. This is the time we reserve in our meeting for public comment.
According to Board Policy KL, any complaint regarding a specific employee of the Hermiston School District must be routed through the superintendent's office.
The Hermiston School District Board of Education accepts public comments virtually and in person. Members of the public wishing to address the board virtually submitted written statements or requests by 4:00 p.m. prior to this meeting.
Those wishing to address the board in person should stand and be recognized, then move forward to the microphone at the center table. Prior to making your comments, state your first and last name and school or topic. Please limit your comments to a maximum of three (3) minutes and address them to me.
Is there anyone here tonight who would like to address the board?
- 4. COMMUNICATIONS AND ANNOUNCEMENTS**
 1. Oregon School Employees Association *Ms. Chapman*
 2. Hermiston Association of Teachers *Ms. Andrade*
- 5. REPORTS**
 1. Board of Education *Chair Hurst*

Board of Education Goals

 1. Academic Achievement. Demonstrate continuous improvement in all measured areas for each student.
 2. Stewardship. Maintain sound fiscal stewardship of community resources consistent with board policy.
 3. Community. Engage our diverse community in creating opportunities to advance student achievement.
- 6. STUDY ITEMS** *Dr. Mooney*
 1. Policy 1st Read

* Timing of agenda is not meant to be time specific. Instead, the time identified is for pacing purposes only. The Board of Education may modify the agenda and the order in which items are taken for consideration. 15

** Consent agenda items are considered for action as an entire group. Details for these items are available for public inspection at the District Office.

*** Members of the public are invited to address the Board of Education during Public Comments.

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*** Members of the public are invited to address the Board of Education during Public Comments.

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

August 10, 2026

SUPERINTENDENT'S RECOMMENDATION

2.0. INTRODUCTORY ITEMS

2.2. TOPIC: Adoption of the Agenda

It is recommended.

RECOMMENDATION:

. that the Board of Education adopts the agenda as presented.

Regular Meeting Minutes
UMATILLA COUNTY SCHOOL DISTRICT #8, HERMISTON
July 13, 2026

1. CALL TO ORDER REGULAR MEETING

Chair Hurst called to order the regular meeting at 6:00 P.M.

Hermiston School Board members present: Mr. James Hurst, Ms. Bonnie Luisi, Ms. Teri Vander Stelt, Mr. Chris Elliott, Mr. Greg Jones, and Mr. Phillip Spicerkuhn. Also, in attendance were Superintendent Dr. Tricia Mooney, Assistant Superintendent Jake Bacon, Director of Business Services Katie Saul, and Executive Assistant to the Superintendent and Board Rosa Cerda-Diaz.

Absent Board Member: Ms. Lili Gomez

2. INTRODUCTORY ITEMS

2.1. Pledge of Allegiance

Chair Hurst led everyone to the Pledge of Allegiance.

2.2. Election of Board Chair

Board Chair Hurst opened the nominations for Board officers for the 2026-2027 school year.

Ms. Luisi nominated Mr. Hurst for the position of Board Chair. Motion was seconded by Mr. Elliott, which passed with a vote of 6-0. Mr. James Hurst was named Board Chair for the 2026-2027 school year.

2.2.1. Passing of the Gavel

The gavel continued with Mr. James Hurst.

2.3. Election of Board Vice Chair

Chair Hurst called for nominations for the Board Vice Chair. Ms. Vander Stelt nominated Ms. Luisi for the office of Board Vice Chair. The motion was seconded by Mr. Elliott, which passed with a vote of 6-0. Ms. Luisi was named Board Vice Chair for the 2026-2027 school year.

2.4. Election of Board Second Vice Chair

Chair Hurst called for nominations for Board Second Vice Chair. Mr. Elliott nominated Ms. Vander Stelt as a Second Board Vice chair, the motion was seconded by Ms. Luisi, which passed with a vote of 6-0. Ms. Vander Stelt was named Second Board Vice Chair for the 2026-2027 school year.

2.5. Adoption of Agenda

Mr. Spicerkuhn made a motion to adopt the agenda as presented. The motion was seconded by Ms. Luisi, which passed with a vote of 6-0.

2.6. Approval of Minutes

Ms. Bonnie Luisi made a motion to approve the minutes for June 8, 2026, Regular Meeting. The motion was seconded by Mr. Chris Elliott, which passed 6-0.

3. PUBLIC COMMENTS

One written comment was submitted by Charles Martin and was also in person to address the board about the Board of Governance.

Tammy Fisher addressed the board in person about Hermiston High School/Hermiston Wellness Aquatic Center (HWAC).

4. COMMUNICATIONS AND ANNOUNCEMENTS

4.1. Oregon School Employees Association

No representative was in attendance

4.2. Hermiston Association of Teachers

Ms. Andrade HAT President provided an update on teachers and activities that have taken place since the last board meeting. Past HAT presidents, Mr. and Mrs. Robledo will move to a new school district, and she acknowledges the time spent with the district. Ms. Andrade also thanks for guidance and support given to her from the past presidents and the team with great knowledge as she begins her new president role.

Regular meeting recessed at 6:23 P.M. for an Executive Session of the Superintendent Evaluation.

5. EXECUTIVE SESSION

5.1. Superintendent Evaluation - ORS 192.660(2)(i)

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.

Regular Meeting resumed at 8:00 P.M.

6. REPORTS

6.1. Board of Education

Mr. Chris Elliott gave a shoutout to UEC for having a great program for HHS Students. HHS student Peightin Zumwalt was selected to participate in the Electric Cooperative Youth Tour in Washington D.C. Zumwalt was selected to serve on the National Rural Electric Cooperative Association's (NRECA) Youth Leadership Council (YLC) representing the state of Oregon.

6.2. 2026-27 School Board Committee Appointments and Assignments

In the interest of time during the meeting, Chair Hurst will work with Dr. Mooney to send out the assignments. Most committee assignments will remain the same for the 2026-2027 school year.

6.3. Business Office

6.3.1. Financial Reports

Ms. Saul reviewed the revenue, expenditure, and ending fund balance reports for May 2026. The revenue reports are red, and the expenditure reports are

green with an ending fund balance of 9.63%.

6.4. Superintendent's Office

Dr. Mooney provided all Board Members a packet of policies for review. Policies will be reviewed for first read and adoption in upcoming meetings.

7. STUDY ITEMS

7.1. Strategic Plan

Dr. Mooney provided the Board Members with a strategic plan report from the stakeholder engagements. Further discussion will take place at the August meeting.

8. CONSENT ITEMS**

8.1. Human Resources Department

Ms. Bonnie Luisi made a motion to approve the consent items 8.1.1. through 8.4.1. The motion was seconded by Mr. Chris Elliott, which passed with a vote of 6-0.

8.1.1. Personnel Appointments

That the Board of Education approved the appointments of the following employees:

NAME	POSITION	BUILDING ASSIGNMENT
Isaiah Polhamus	Teacher	Armand Larive Middle School
Leidy Martinez-Mejia	Teacher	Hermiston High School
Meagan Barger	Teacher	Desert View Elementary
Rory Simpson	TOSA	Armand Larive Middle School
Lauren Thompson	Teacher	West Park Elementary
Deena Nelson	Teacher	West Park Elementary
Piper Kelm	TOSA	Rocky heights Elementary
Hector Ramirez	Teacher	Armand Larive Middle School
Kallee Meinert	Counselor	Hermiston High School
Ruben Araujo Saucedo	Counselor	Rocky Height Elementary
Nancy Garcia	TOSA	Highland Hills Elementary

8.1.2. Personnel Resignations

That the Board of Education approved the resignations of the following employees:

NAME	POSITION	BUILDING ASSIGNMENT
Philip Kurkinen	Speech Lang. Path.	District Office
Jennifer Arstein	Speech Lang. Path.	District Office
Mary Robinson	Teacher	Hermiston High School
Bailey Jones	Teacher	Highland Hills Elementary
Jonathan Robledo	Teacher	Hermiston High School
Stacey Robledo	Teacher	Hermiston High School
Nikita Van Damme	Teacher	Hermiston High School

8.1.3. Confidential Agreement

That the Board of Education approved the Confidential Agreement for the Hermiston School District 2026-2028.

- 8.2. West Umatilla County Enterprise Zone
That the Board of Education approved Resolution *No. 2026-27-01 West Umatilla County Enterprise Zone.*
- 8.3. Superintendent's Office
- 8.3.1. Designation of Chief Administrative Officer
Superintendent Tricia Mooney is designated Chief Administrative Officer and District School Clerk of Hermiston School District #8R for the fiscal year 2026-27. *ORS 332.515*
- 8.3.2. Designation of Business Manager/Deputy Clerk
Katie Saul is named Business Manager/Deputy Clerk for the 2026-27 fiscal year. *ORS 332.515*
- 8.3.3. Designation of Budget Officer
Superintendent Tricia Mooney is named Budget Officer of Hermiston School District #8R for the 2026-27 fiscal year, per board policy DB. *ORS 294.331*
- 8.3.4. Designation of Depositories of School Funds
That the Board of designates OR LGIP, and Umpqua Bank as depositories of school funds for Hermiston School District #8R for the 2026-27 fiscal year. *ORS 328.441, 294.805-294.895*
- 8.3.5. Custodian of Funds
Tricia Mooney, Superintendent/Clerk; Katie Saul, Director of Business Services to be authorized signers on fiscal, payroll, bond and debt service checks.
- 8.3.6. Authorization of Facsimile Signature
The Board of Education authorized the facsimile signature of Katie Saul, Director of Business Services, for use on disbursements for the Hermiston School District during the 2026-27 school year. *ORS 328.445*
- 8.3.7. Determination of Borrowing Amount
A borrowing limit of up to \$1,000,000 (one million dollars) was established for the 2026-27 fiscal year for the Custodian of Funds, to be used for operating purposes only.
- 8.3.8. Authorization of Interfund Loan Funds
The Board of Education authorizes short term, non-interest loans between funds, when necessary, due to the timing of receipts and expenditures for the fiscal year 2026-27.
- 8.3.9. Federal and State Grant Authorization
The Board of Education authorized the Superintendent/Clerk and Director of Business Manager to apply for appropriate Federal and State Grants for the 2026-27 school year and authorize either to execute all required documents.
- 8.3.10. Designation of Local Public Contract Review Board
The Board of Education approved themselves as the governing body to act as the Local Public Contract Review Board for the fiscal year 2026-27. *ORS 279A.060*

8.3.11. Substitute Teacher Rate of Pay

The Board of Education establishes a 2026-27 substitute teaching rate of pay no less as set by legislative action or Department of Education ruling. As a tool for recruiting substitutes the district will utilize the Department of Education's 2026-27 rates set for 4-day week districts without a salary schedule. Those rates are \$265.80 per day for the first ten (10) consecutive days in the same assignment and \$312.70 per day when working in the same assignment for more than ten (10) consecutive days. *ORS 342.610*

8.3.12. Designation of Legal Counsel

The Board of Education designates Corey, Byler & Rew, LLP; Hawkins Delafield & Wood LLP; and Hungerford Law Firm LLP as legal counsel for the Hermiston School District #8R for fiscal year 2026-27.

8.3.13. Designation of Financial Auditor

The Board of Education designates Anderson Boylan Ramos, PC, as the auditor for Hermiston School District #8R for the fiscal year 2026-27.
ORS 328.465, 327.137, 297.405

8.3.14. Designation of Newspaper of Record

The East Oregonian is designated as the district newspaper of record for the fiscal year 2026-27.

8.3.15. 2026-27 Organizational Chart

The Board of Education accepts the Organizational Chart for the 2026-2027 school year.

8.3.16. Pay-to-Play Fees & Tuition Rates

The Board of Education approves the following fees for the 2026-2027 school year, for students who are not fully enrolled in the Hermiston School District, but attend an online public charter school, and:

- Request to participate in an interscholastic activity
 - The charter school will be charged \$574.05 per year as per *ORS 339.460*

And/or;

- Request to take a course at the middle or high school level
 - The parent will be charged \$820.07 per semester as per *ORS 339.141*

8.4. Business Office

8.4.1. Acceptance of Gifts

That the Board of Education accepted the following gifts:

<u>School/Program</u>	<u>Gift</u>	<u>Value</u>	<u>Donor</u>
Desert View Elementary	5 Bikes	\$500	Herm. Masonic Lodge #138
Desert View Elementary	5 Helmets	\$100	HPD
Sunset Elementary Sch.	5 Bikes	\$500	Herm. Masonic Lodge #138
Sunset Elementary Sch.	5 Helmets	\$100	HPD
Highland Hills Elementary	5 Bikes	\$500	Herm. Masonic Lodge #138
Highland Hills Elementary	5 Helmets	\$100	HPD
Loma Vista Elementary	5 Bikes	\$500	Herm. Masonic Lodge #138
Loma Vista Elementary	5 Helmets	\$100	HPD

Rocky Heights Elementary	5 Bikes	\$500	Herm. Masonic Lodge #138
Rocky Heights Elementary	5 Helmets	\$100	HPD
West Park Elementary	5 Bikes	\$500	Herm. Masonic Lodge #138
West Park Elementary	5 Helmets	\$100	HPD
HSD Generation College	Scholarship	\$834.00	Ryan Dutli

9. ACTION ITEMS

9.1. Designation of Annuity Companies and Deferred Compensation Plan

Ms. Bonnie Luisi made a motion to approve the attached list of 103(b) Annuity Companies for Hermiston School District #8R for the fiscal year 2026-27 and the Oregon Savings Growth Plan as the District's 2026-27 457 Deferred Compensation Plan. The motion was seconded by Mr. Phillip Spicerkuhn, and passed with a vote of 6-0.

HERMISTON SCHOOL DISTRICT 8R APPROVED 403(b) ANNUITY COMPANIES

AMERICAN FIDELITY ASSURANCE COMPANY

2000 CLASSEN CNTR
OKLAHOMA CITY, OK 73106

NATIONAL LIFE GROUP

PO BOX 219139
MONTPELIER, VT 05604

AMERICAN FUND CAPITAL BANK & TRUST

PO BOX 6007
INDIANAPOLIS, IN 46206-6007

PENSELECT/FORESTERS FINANCIAL

9400 SW BEAVERTON HILLSDALE HWY,
SUITE 250
BEAVERTON, OR 97005-3302

FRANKLIN TEMPLETON BANK & TRUST, F.S.B.

PO BOX 997153
SACRAMENTO, CA 95899-7153

PUTNAM INVESTMENTS *(Employee

Cont. only)

PO BOX 219697
KANSAS CITY, MO 64121-9697

HORACE MANN INSURANCE CO

PO BOX 4657
SPRINGFIELD, IL 62708-4657

T ROWE PRICE

PO BOX 17479
KANSAS CITY, MO 64121-9139

KANSAS CITY LIFE

PO BOX 219139
KANSAS CITY, MO 64121-9139

9.2. Exchange Student Approval

Mr. Chris Elliott made a motion to approve a one-time exception to the age requirement for admission of a Foreign Exchange Student on J-1 visa to allow enrollment of the Rotary sponsored student who will turn 16 in December. The motion was seconded by Ms. Teri Vander Stelt, and passed with a vote of 6-0.

9.3. Retire/Rehire

Ms. Luisi made a motion to approve the August 31, 2026, retirement and September 1,

2026, rehire of Dr. Tricia Mooney as Superintendent. The motion was seconded by Ms. Vander Stelt and passed with a vote of 6-0.

10. CALENDAR AND FUTURE ITEMS

10.1. Future Agenda Item Discussion

Chair Hurst mentioned the Strategic Planning to start in August and continue with conversation on how it fits in with the directives and our customer service.

10.2. Calendar Review

Dr. Mooney reviewed future calendars and upcoming events, highlighting August 10 New Teacher Orientation, August 21 All Staff In-Service Day and Hermiston School District Kick-Off at the Hermiston High School Stadium, and August 26 First Day of School for all students.

With no further business, Chair Hurst recessed the regular meeting at 8:46 p.m.

11. EXECUTIVE SESSION

11.1. Negotiations - ORS 192.660(2)(d)

To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

12. ADJOURN

Chair Hurst adjourned the meeting at 9:03 p.m.

Date

Chairman

Superintendent/Clerk

Secretary

Executive Session – Regular Meeting Minutes
UMATILLA COUNTY SCHOOL DISTRICT #8, HERMISTON

July 13, 2026

1. EXECUTIVE SESSION

Chair Hurst called the Executive Session to order at **6:26 p.m.**

Hermiston School Board members present: Mr. James Hurst, Ms. Bonnie Luisi, Ms. Teri Vander Stelt, Mr. Chris Elliott, Mr. Greg Jones, and Mr. Phillip Spicerkuhn. Also, in attendance were Superintendent Dr. Tricia Mooney, Assistant Superintendent Jake Bacon (came in the meeting at 7:40pm) and Executive Assistant to the Superintendent and Board Rosa Cerda-Diaz

Absent Board Member: Ms. Lili Gomez

1.1. Superintendent Evaluation – ORS 192.660(2)(i)

The board convened in Executive Session at **6:26 p.m. ORS 192.660(2)(i)** 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.

Dr. Mooney provided an update on current district matters and was excused from the executive session for discussion of her evaluation. The board discussed the process and considerations related to a potential retire-rehire, including timelines, procedures following notice of intent to retire, and general timelines for a future superintendent search, with input from Assistant Superintendent Jake Bacon.

2. ADJOURN

With no further business, Chair Hurst adjourned the Executive Session meeting at **7:57 p.m.**

Date

Chairman

Superintendent/Clerk

Secretary

Executive Session – Regular Meeting Minutes
UMATILLA COUNTY SCHOOL DISTRICT #8, HERMISTON
July 13, 2026

1. EXECUTIVE SESSION

Chair Hurst called the Executive Session to order at 8:50 p.m.

Hermiston School Board members present: Mr. James Hurst, Ms. Bonnie Luisi, Ms. Teri Vander Stelt, Mr. Chris Elliott, Mr. Greg Jones, and Mr. Phillip Spicerkuhn. Also, in attendance were Superintendent Dr. Tricia Mooney and Assistant Superintendent Jake Bacon.

Absent Board Member: Ms. Lili Gomez

1.1. Negotiations ORS 192.660(2)(d)

The board convened in Executive Session at **8:50 p.m. ORS 192.660(2)(d)** To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

Dr. Mooney and Mr. Bacon provided board members with an update on OSEA negotiations and next steps since the contract was not ratified by OSEA.

2. ADJOURN

With no further business, Chair Hurst adjourned the Executive Session meeting at **9:03 p.m.**

Date

Chairman

Superintendent/Clerk

Secretary

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

PUBLIC COMMENT GUIDELINES

Welcome. This is the time we reserve in our meeting for public comment.

According to Board Policy KL, any complaint regarding a specific employee of the Hermiston School District must be routed through the superintendent's office.

The Hermiston School District Board of Education accepts public comments virtually and in person. Members of the public wishing to address the board virtually submitted written statements or requests by 4:00 p.m. prior to this meeting.

Those wishing to address the board in person should stand and be recognized, then move forward to the microphone at the center table. Prior to making your comments, state your first and last name and school or topic. Please limit your comments to a maximum of three (3) minutes and address them to me.

Is there anyone here tonight who would like to address the board?

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

August 10, 2026

SUPERINTENDENT’S RECOMMENDATION

6.0. STUDY ITEMS

6.1. TOPIC: Policy Review – First Read

It is recommended.

RECOMMENDATION:

. that the Board of Education adopts the list of policies under review, as included:

BBAA	Individual Board Member’s Authority and Responsibilities
BBAA	Board Member’s Authority and Responsibilities (Proposed)
BBE	Vacancies on the Board
BBE	Vacancies on the Board (Proposed)
BBE-AR	Board Member Vacancy Application (Proposed)
BCB	Board Officers
BCE	Board Committees
BCE	Board Committees (Proposed)
BCF	Advisory Committees to the Board
BD	Board Meetings, Notices and Communications (Proposed)
BD/BDA	Board Meetings
BDC	Executive Sessions
BDC	Executive Sessions (Proposed)
BDD	Board Meeting Procedures
BDD	Board Meeting Procedures (Proposed)
BDDC	Board Meeting Agenda
BDDC	Board Meeting Agenda (Proposed)
BDDG	Minutes of Board Meetings
BDDG	Recordings and Minutes of Board meetings (Proposed)

OSBA Model Sample Policy

Code: BBAA
Adopted:

Individual Board Member's Authority and Responsibilities

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:

1. 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.

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 Board Members

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.

4. 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.

5. 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 332.045](#)
[ORS 332.055](#)

[ORS 332.057](#)
[ORS 332.075](#)

38 OR. ATTY. GEN. OP. 1995 (1978)

S. Benton Educ. Ass'n v. Monroe Union High Sch. Dist., 83 Or. App. 425 (1987).

OSBA Model Sample Policy

Code:
Adopted:

BBAA

Board Member's Authority and Responsibilities

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^{1}

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

¹ {Consider how board members obtain legal advice and whether a cost is associated with that. Does the Board want individual board members to be able to contact attorneys at PACE or OSBA (no bill accrued) on their own, or does the Board want them to get Board approval first? Do you want individual Board members to be able to contact attorneys that will bill the district on their own, or do you want them to get board approval first?}

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 approved² training at least once during each term of office^{3}].

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 Services⁴ 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.

² Approved by the Oregon Government Ethics Commission.

³ {Training is only required for districts with annual fiscal expenditures of \$1M or more. See ORS 192.700.}

⁴ (855) 503-SAFE (7233)

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).

OSBA Model Sample Policy

Code:

BBE

Adopted:

Vacancies on the Board

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 [and a resident of the zone from which the vacancy has occurred. If the vacancy occurs in a zone, the Board shall advertise for a 20-day period to find an eligible resident from the same zone. If an eligible zone resident cannot be found, the Board shall appoint one of the eligible residents from the district].

[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 [] Education Service District 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 to -249.877](#)
[ORS 255.245](#)

[ORS 255.335](#)
[ORS 332.030](#)

[ORS 332.122](#)
[ORS 332.124](#)

OSBA Model Sample Policy

Code:
Adopted:

BBE

Vacancies on the Board

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

1. At a Board meeting, the Board will declare the vacancy¹;
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. [Be a resident of the zone of the vacant position, if the position is zoned;]
 - d. Not be an employee of the district or a charter school located within the district^{3}, except as a substitute bus driver in accordance with ORS 332.016].
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 votes⁴, 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 [or zone from which nominated (see exception for board members who move out of the zone, but remain residents of the district in ORS 332.030(2) - (3))];
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 {Include this bracketed language only if the district has an ADM or 50 or fewer.}

⁴ ORS 332.055 requires the affirmative vote of a majority of Board members to transact any business. Consequently [three] 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.

[If the vacancy occurs in a zone and an eligible zone resident cannot be found, the Board shall appoint one of the eligible residents from the district to serve in accordance with ORS 332.124.]

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 [] 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](#)

OSBA Model Sample Administrative Regulation

Code: BBE-AR
Revised/Reviewed:

Board Member 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. To be considered for appointment, this form must be submitted to the district office by the deadline communicated by the district. Submitted applications become public records and may be disclosable upon request.

Name: _____

Motivation and Experience

Why do you want to serve on the Board?

Which experiences or perspectives will help you represent and serve all students and families?

How will you help advance the district's mission and goals?

How will you engage respectfully with individuals whose viewpoints differ from your own?

Knowledge, Time Commitment and Governance

Availability: Board meetings, work sessions, and committee service often occur in the evenings and occasionally during the daytime. How will you balance Board obligations with other commitments?

Laws applying to public entities: Briefly share any familiarity you have with Oregon public meetings and public records laws: _____

Policy and Budget: What experience do you have with policy development, budgets, or strategic planning?

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Student-Centered Decision-Making: How will you ensure decisions reflect student outcomes, safety, and well-being?

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This page is intended for internal and verification purposes. It is not intended to be provided to the Board or discussed at a Board meeting. Once submitted, it is a public record and may be subject to disclosure.

Contact and Personal Information

Name (as it appears on voter registration): _____

Preferred name (if different): _____

Position applying for: _____

Note: Your address is used only to verify residency within the district/zone, as required by Oregon law. Verification may be required.

Home street address (as it appears on voter registration): _____

City: _____ State: OR

Primary phone: _____ Alternative phone: _____

Email: _____

Best way to contact you? ☐ Phone ☐ Email ☐ Text

Accessibility and Accommodations

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)?

☐ No ☐ Yes (please describe): _____

Attestations (Required)

- ☐ The information I have provided is true and complete to the best of my knowledge.
- ☐ I meet the statutory eligibility for appointment: registered elector and one-year residency (ORS 332.018).
- ☐ [I reside in the zone corresponding to this vacancy (ORS 332.030 and ORS 332.122).]
- ☐ I am not disqualified by employee status (ORS 332.016).
- ☐ I understand the appointment duration (through June 30 after the next regular district election) (ORS 332.030(4)).

Signature: _____ Date: _____

OSBA Model Sample Policy

Code: BCB
Adopted:

Board Officers

~~At~~ No later than the next regular ~~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. 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. ~~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. ~~[Work with the superintendent to]~~ ~~[Direct the superintendent or designee to]~~ establish Prepare the agenda for regular Board meetings in accordance with Board policy BDDC – Board Meeting Agenda;
2. Call special meetings ~~when required~~;
3. Preside at ~~all~~ 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 ~~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~~ Board members to committees ~~[and will be an ex-officio member of all such 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, ~~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.

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.

~~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~~

3/22/16 4/26 | RS PH

Board Officers – BCB

~~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. These duties will include, but not be limited to, the following:~~

- ~~1.——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;~~
- ~~3.——Maintain properly authenticated official copies of the minutes;~~
- ~~4.——Maintain the official record of Board policies;~~
- ~~5.——Properly post public notice for all Board meetings.~~

Board ~~or District~~ Spokesperson

The Board may designate the chair, vice chair or another Board member as the Board's 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.~~ 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 166-400](#)
[OAR 166-400](#)

[OAR 166-400-0010\(9\)](#)
[OAR 199-050-0050](#)

OSBA Model Sample Policy

Code: BCE
Adopted:

Board Committees

The Board [may] [will not] [does] have standing committees. Special committees may be appointed by the Board for specific purposes to serve until their assignment is completed. The entire Board may meet as a committee-of-the-whole.

The function of special committees will be fact-finding, deliberative and advisory, rather than legislative or administrative. The committee will make recommendations directly to the Board as a whole, which alone may take action. Committee meetings may be called by the Board chair, the committee chair or any committee member.

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 [two] Board members.

All meetings of special committees and of committees-of-the-whole will follow the Public Meetings Law. The Board or its committees may sit in an executive session to discuss matters when such session is required or permitted by law.

All matters referred to a committee will be thoroughly investigated. A committee will not have the power to act for the Board except as the Board has specifically authorized, but will make recommendations to the Board. Committee recommendations and reports will become an official part of Board minutes.

A Board committee may appoint advisory members from the staff, student body or community with approval of the Board. Advisory members will be instructed in the committee’s functions and their status. Advisory members may not be included in considering whether a quorum of the committee is present, nor may they vote on recommendations to be made to the Board. Either an advisory member or an ex-officio member may present a written minority report to the Board.

END OF POLICY

Legal Reference(s):

[ORS 192.610 to -192.690](#)

[ORS 332.045](#)

[ORS 332.105](#)

OSBA Model Sample Policy

Code:
Adopted:

BCE

Board Committees

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 Law¹, 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;
3. What resources are needed and will be provided to 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."

4. The length of time the committee will exist³;
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.

PROPOSED

OSBA Model Sample Policy

Code:

BCF

Adopted:

Advisory Committees to the Board

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

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.

END OF POLICY

Legal Reference(s):

[ORS 192.610](#)

[ORS 294.414](#)

[ORS 332.107](#)

[ORS 192.630](#)

[ORS 329.704](#)

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

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OSBA Model Sample Policy

Code:
Adopted:

BD

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 Board¹ 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 [three^{2}] 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 [three^{3}] 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

² {ORS 332.055 establishes the quorum as a majority. If the Board has five members, three constitute a quorum. If the Board has seven members, four constitute a quorum. If the Board has nine members, five constitute a quorum.}

³ {ORS 332.055 provides “the affirmative vote of the majority of members of the board is required to transact any business.” If the Board has five members, three votes are required. If the Board has seven members, four votes. If the Board has nine members, five votes.}

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 law⁴. 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. {⁵}]

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.

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.

⁵ {Districts are encouraged to evaluate translation needs and resources prior to adding this language. A district may decide that translating the agenda, minutes or other documents, or public comment is sufficient.}

[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.{⁶}]

Public Notice Requirements

The district posts public notice{⁷} 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.

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.

⁶ {ORS 166.670(1)(a) prohibits the possession of firearms or "any other instrument used as a dangerous weapon" on school grounds and in facilities occupied by the district, unless an exception applies. ORS 166.370(3)(g) provides an exception for persons "licensed under ORS 166.291 and 166.292 to carry a concealed handgun." ORS 166.377 allows districts to adopt a policy stating that this defense (the exception in ORS 166.670(3)(g)) does not apply "on the grounds of the schools controlled by the board." Some districts have adopted policy KGBB to do so.}

⁷ {The public notice must be displayed conspicuously on the district's website. If the district does not maintain a publicly accessible website, the district shall satisfy the public notice requirements through other means such as posting on the Oregon Transparency Website, community postings, bulletin boards, newspaper notice, or any other means reasonably calculated to provide actual notice to the general public. Modify this sentence to communicate how the district publishes its public notices.}

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.

[8]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](#)

⁸ {Training is only required for districts with annual fiscal expenditures of \$1M or more. See ORS 192.700.}

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OSBA Model Sample Policy

Code: BD/BDA
Adopted:

Board Meetings

{School boards must follow public meeting law regardless of whether the board adopts this policy. This policy reflects public meeting law as amended by House Bill 2805 (2023).}

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 convening¹ of a quorum of the Board as the district’s governing body to make a decision² or to deliberate³ 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. [For information how to give or submit public comment [it is outlined in Board policy BDDH - Public Comment at Board Meetings⁴] [and/or] [posted on the district’s website].]

All Board meetings, including Board retreats and work sessions, will be held within district boundaries, except as allowed by law⁵. 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

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

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

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

[⁴ When telephone or other electronic means of communication is used during a meeting open to the public, the Board shall make at least one place available to the public where, or at least one electronic means by which, the public can listen during the meeting. At all meetings of the Board open to the public, the public will be provided an opportunity, to the extent reasonably possible, to access and attend the meeting by telephone, video or other electronic or virtual means. If in-person oral testimony (or public comment) is allowed, the public will be provided, to the extent reasonably possible, an opportunity to submit oral testimony during the meeting[, at the designated portion of the agenda,] by telephone, video or other electronic or other means. If in-person written testimony is allowed, the public will be provided, to the extent reasonably possible, an opportunity to submit written testimony including by email or other electronic means, so that the Board is able to consider the submitted testimony in a timely manner.]

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

on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, age or national origin is practiced.

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

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

[⁶] If requested to do so at least [72] hours before a meeting held in public, the Board will make a reasonable effort to provide translation services.]

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

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

1. Regular, Special and Emergency Meetings

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

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

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

⁶ {Districts are encouraged to evaluate translation needs and resources prior to adding this language. A district may decide that translating the agenda, minutes or other documents, or public comment is sufficient.}

2. Communications Outside of Board Meetings

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

Communications outside of a Board meeting may contain:

- a. Communications to, between or among members of a governing body that are:
 - (1) Purely factual or educational in nature and that convey no deliberation or decision on any matter that might reasonably come before the Board (including agendas and information concerning agenda items);
 - (2) Not related to any matter that, at any time, could reasonably be foreseen to come before the Board for deliberation and decision; or
 - (3) Nonsubstantive in nature, such as communication relating to scheduling, leaves of absence and other similar matters; or
- b. Individual responses to questions posed by community members, subject to other limitations in Board policy.

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

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

3. Private or Social Meetings

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

4. Work Sessions

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

5. Executive Sessions

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

Complaints regarding public meetings laws can be filed with the Board in accordance with Board policy KL – Public Complaints. The Board will respond and provide a copy of the complaint and response to the Oregon Government Ethics Commission within 21 days in accordance with state law.⁷

[⁸] **Mandatory Training**

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

END OF POLICY

Legal Reference(s):

[ORS Chapter 192](#)

[ORS 255.335](#)

[ORS 332.040 - 332.061](#)

[ORS 433.835 - 433.875](#)

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

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

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

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OSBA Model Sample Policy

Code:

BDC

Adopted:

Executive Sessions

{Optional policy. School boards can only meet in executive session when statute allows. This policy can be a helpful resource for Board members in determining whether executive session can be used.}

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 [in accordance with Board policy BDDC - Board Meeting Agenda] 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 officer², 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))
5. To consider information or records that are exempt by law from public inspection. (ORS 192.660(2)(f))

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.

6. To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. (ORS 192.660(2)(h))
7. To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing. (ORS 192.660(2)(i))
8. To consider matters relating to school safety or a plan that responds to safety threats made toward a school. (ORS 192.660(2)(k))
9. To consider matters relating to the safety of the governing body and of public body staff and volunteers and the security of public body facilities and meeting spaces. (ORS 192.660(2)(o))
10. To consider matters relating to cyber security infrastructure and responses to cyber security threats. (ORS 192.660(2)(p))
11. To review the expulsion of a minor student from a public elementary or secondary school. (ORS 332.061(1)(a))
12. To 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 332.045](#)

[ORS 332.061](#)

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

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Executive Sessions – BDC
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OSBA Model Sample Policy

Code:
Adopted:

BDC

Executive Sessions

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 following¹:

“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. 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

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.

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

(ORS 192.660(2)(a))

2. To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer³, employee, staff member or individual agent who does not request an open hearing⁴; 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))
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 hearing⁷; may not include a discussion or negotiation of compensation (including salaries and benefits or a general

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- 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 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.

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.

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](#)

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OSBA Model Sample Policy

Code:

BDD

Adopted:

Board Meeting Procedures

1. Quorum

A quorum will consist of the majority of the Board members.

2. Vote Needed for Exercise of Powers

The affirmative vote of a majority of Board members will be necessary for exercising any of the Board's powers.

3. Board Member Voting

Each member's vote on all motions will be recorded in the minutes.

4. Abstaining from Vote

If a Board member chooses to abstain from voting, and the abstention is due to a conflict of interest, the Board member will state the reason for the abstention and such abstention will be recorded.

5. Parliamentary Procedure

Official Board business will be transacted by motion or resolution at duly called regular or special 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" as modified by the Board will govern the Board in its deliberation. Modifications will 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.

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](#)

38 OR. ATTY. GEN. OP. 1995 (1978)

41 OR. ATTY. GEN. OP. 28 (1980)

OSBA Model Sample Policy

Code:
Adopted:

BDD

Board Meeting Procedures

1. Quorum

A quorum of the Board is [three^{1}] Board members.

2. Vote Needed for Exercise of Powers

The affirmative vote of [three^{2}] 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 noticed³ 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"⁴ as modified by the Board will govern the Board in its deliberation. Modifications include the following: Motions

¹ {ORS 332.055 establishes the quorum as a majority. If the Board has five members, three constitute a quorum. If the Board has seven members, four constitute a quorum. If the Board has nine members, five constitute a quorum.}

² {ORS 332.055 provides "the affirmative vote of the majority of members of the board is required to transact any business." If the Board has five members, three votes are required. If the Board has seven members, four votes. If the Board has nine members, five votes.}

³ 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.}

⁴ See *Robert's Rules of Order*, 12th Edition, § 49:21.

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.

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, with the assistance of the superintendent, will prepare an agenda for all regular meetings of the Board. Items of business may be suggested by any Board member, staff member, student or patron of the district by notifying the [superintendent] [Board chair] at least [three] working days prior to the meeting.

[A consent agenda may be used by the Board for noncontroversial business. The consent agenda will consist of routine business that requires action but not necessarily discussion. These items may all be approved at the same time. A Board member may ask that any item be removed from the consent agenda. The removed item will then be placed on the regular agenda.]

The agenda will follow a general order established by the Board. Opportunities for the audience to be heard may be included on the agenda. The Board will follow the order of business set up by the agenda unless the order is altered by a consensus of the Board.

Items of business not on the agenda may be discussed and acted upon if the majority of the Board agrees to consider them.

The agenda, together with supporting materials, will be distributed by the district office or superintendent to Board members at least [three] full working days prior to the meeting. The agenda will be available to the press and to interested patrons through the superintendent's office at the same time it is available to the Board members. Copies of the agenda for the press and public will not contain any confidential information included in the Board members' packets.

A copy of the agenda will be posted [on the district website] [in each district facility] on the day of the meeting. [Members of the public may request a copy of the agenda through the superintendent's office.]

The district will ensure equally effective communications are provided to qualified persons with disabilities, upon request, as required by the Americans with Disabilities Act.

Appropriate auxiliary aids and services may include, but are not limited to, qualified interpreters, assistive listening systems, note takers, large print, Braille materials, audio recordings and readers. Primary consideration will be given to the request of the person with a disability in the selection of the appropriate auxiliary aid and/or service. Should the Board demonstrate such a request would result in a fundamental alteration in the service, program or activity or an undue financial and administrative burden, an alternate, equally effective communication will be used.

Auxiliary aids and services for persons with disabilities will be available at no charge to the individual.

END OF POLICY

Legal Reference(s):

10/08/15 | PH

Board Meeting Agenda – BDDC

[ORS 192.630](#)

[ORS 192.640](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2012); 29 C.F.R. Part 1630 (2015); 28 C.F.R. Part 35 (2015).
Americans with Disabilities Act Amendments Act of 2008.

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OSBA Model Sample Policy

Code:
Adopted:

BDDC

Board Meeting Agenda

{¹} 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 [five] 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 [two] 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](#)

¹ {The Board is encouraged to review current practices for agenda preparation and Public Meetings Law.}

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).

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OSBA Model Sample Policy

Code:

BDDG

Adopted:

Minutes of Board Meetings

The Board secretary will take written minutes of all Board meetings. The written minutes will be a true reflection of the matters discussed at the meeting and the views of the participants. The minutes will include, but not be limited to, the following information:

1. All members of the Board who were present;
2. All motions, proposals, resolutions, orders and measures proposed and their disposition;
3. The results of all votes and the vote of each member by name;
4. The substance of any discussion on any matter;
5. Any other information required by law.

All minutes shall be available to the public within a reasonable time. The public and patrons of the district may receive, upon request, copies of minutes from the [administration office]. A copy of the minutes of each regular and special Board meeting as they are drafted for approval will be distributed after such meeting to each Board member and administrator.

The district will maintain a hard copy¹ of the meeting minutes and make them available to staff and other interested patrons.

Minutes of executive sessions will be kept in accordance with the requirements of Oregon's Public Meetings Law with essentially the same level of detail as for public sessions. If disclosure of material in the executive session 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.

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 a student's confidential records; the discussion; and each Board member's vote on the issue.

END OF POLICY

Legal Reference(s):

[ORS 192.610 - 192.710](#)
[ORS 332.061](#)

¹ Oregon Administrative Rule 166-400-0010(9)

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OSBA Model Sample Policy

Code:
Adopted:

BDDG

Recordings and Minutes of Board Meetings

[^{1}] The Board will ensure a [^{2}] 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 format³. 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 form⁴.

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 taken⁵;
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^{6} after the meeting. These minutes [will be published to the district website and] may be requested from the district office.

¹ {ORS 192.655 requires districts with an ADMr of 50 or more to record board meetings, and post the recording within seven days. Districts with fewer than 50 ADMr are exempt from this requirement and do not need to adopt this language.}

² {If the district lacks broadband internet, an audio recording is sufficient. See ORS 192.655.}

³ Oregon Administrator Rule (OAR) 166-017-0045(4) requires moving images or audio recordings be kept in MP2, MP3, MP4, or WAVE formats.

⁴ 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.

⁵ 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.

⁶ {The Oregon Attorney General's *Public Records and Meetings Manual* says, "three weeks arguably is within the reasonable time allowed by statute."}

Recordings or minutes⁷ 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 332.061 shall contain only material not excluded under ORS 332.061(2) and information⁸ 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](#)

⁷ “...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)

⁸ORS 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.

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**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

August 10, 2026

ASSISTANT SUPERINTENDENT'S RECOMMENDATION

7.0. CONSENT: Human Resources Department

7.1.1. TOPIC: Personnel Appointment

It is recommended. . . .

RECOMMENDATION:

. that the Board of Education approves the appointment of the following employees:

NAME	POSITION	BUILDING ASSIGNMENT
Kevin Benfield	TOSA	District Office
Tyler Dahl	Teacher	Hermiston High School
Luis De La Paz	Teacher	Hermiston High School
Kimberly Garcia	Teacher	Hermiston High School
William Maddox III	Teacher	Hermiston High School
Serena Nozawa-Hoffman	Teacher	Armand Larive Middle School
Tricia Silva	Teacher	Armand Larive Middle School
Meagan Gear Sims	Teacher	Sandstone Middle School
Sierra Esqueda	Teacher	Loma Vista Elementary
April Lopez	Teacher	Loma Vista Elementary
Haley Vetsch	Teacher	Loma Vista Elementary
Areli Chavez Lara	Teacher	Rocky Heights Elementary
Hannah Clary	Teacher	Rocky Heights Elementary
Isaiah Najera	Teacher	Sunset Elementary
Jasmine Pedersen	Teacher	Sunset Elementary
Trinity Price	Teacher	Sunset Elementary
Suzette Talion	Teacher	West Park Elementary

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

August 10, 2026

ASSISTANT SUPERINTENDENT'S RECOMMENDATION

7.0. CONSENT: Human Resources Department

7.1.2. TOPIC: Personnel Resignation

It is recommended. . . .

RECOMMENDATION:

. that the Board of Education approves the resignation of the following employees:

NAME	POSITION	BUILDING ASSIGNMENT
Emilee Strot-Smith	Teacher	Hermiston High School
Frances Hall	Teacher	Armand Larive Middle School
Hector Ramirez	Teacher	Armand Larive Middle School
Jill Miller	Teacher	Sandstone Middle School
Alexander Bell	Teacher	Sunset Elementary
Anthony Cruz	Teacher	Sunset Elementary
Lyndsey Ellingsen	Teacher	Sunset Elementary

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

August 10, 2026

SUPERINTENDENT'S RECOMMENDATION

7.2. Business Office

7.2.1. TOPIC: Acceptance of Gifts

It is recommended. . .

RECOMMENDATION:

. that the Board of Education accepts the following gifts:

<u>School/Program</u>	<u>Gift</u>	<u>Value</u>	<u>Donor</u>
HSD Elem Schools	\$500 Ea Elem. School	\$3,000	Herm. Educ. Foundation



Hermiston School District 8R

305 SW 11TH Street, Hermiston, Oregon 97838-2103

Phone: (541) 667-6000 Fax: (541) 667-6050

www.hermiston.k12.or.us

APPLICATION FOR ACCEPTANCE OF GIFT

Unit to be presented with Gift/Donation: Hermiston School District Elementary Schools

Name of Donor: Hermiston Education Foundation

Donor Address: PO BOX 1096 Hermiston, OR 97838

Donor Telephone Number: _____

Description of gift(s)/donation(s) including Serial #, purchase date, original purchase price and current cash value: Check #2570 \$3,000

Purpose of gift/donation: \$500 for each elementary school to use to support family engagement opportunities during the 2026-2027 school year.

Signature of Donor: _____

Date: 07/09/2026

Authority to accept a gift, donation, emolument, favor, or gratuity to the School District is vested in the Board of Education. All such gifts shall become property of the School District.

Gifts will be considered for acceptance, with full District responsibility for maintenance, if they are of a type appearing on approved standard equipment lists or are closely related in instructional value.

Recommendation of Unit Administrator *[Signature]* Date: 07/09/2026

Recommendation of Business Manager *[Signature]* Date: 07/09/2026

Recommendation of Superintendent *[Signature]* Date: 8/04/2026

Action of the Board of Education: Accepted _____ Not Accepted _____

Secretary to the Board of Education _____ Date: _____

BOARD MEMBERS CALENDAR

Mon Aug 10, 2026

- [New Teacher In-Service Week August 10 – 14](#)
Where: DO Boardroom A/B
Calendar: Board Members
Created by: Rosa Cerda-Diaz
- [7:30am – 12:00pm DO Teacher Orientation](#)
Where: DO Boardroom A/B
Calendar: Board Members
Created by: Rosa Cerda-Diaz

Mon Aug 17, 2026

- [All Staff In-Service Week August 17 - 21](#)
Where: DO Boardroom A/B
Calendar: Board Members
Created by: Rosa Cerda-Diaz
- [11:00am – 4:00pm DO Classified Orientation](#)
Where: DO Boardroom A
Calendar: Board Members
Created by: Rosa Cerda-Diaz

Tue Aug 18, 2026

- [5:00pm – 9:00pm Back to School coaches In-Service Week 8/10 – 8/14](#)
Where: Hermiston High School
Calendar: Board Members
Created by: Rosa Cerda-Diaz

Wed Aug 19, 2026

- [6:00pm – 7:00pm Back to School Parent Meeting](#)
Where: Hermiston High School
Calendar: Board Members
Created by: Rosa Cerda-Diaz

Thu Aug 20, 2026

- [4:00pm – 6:00pm OEBC Informational Session](#)
Where: Hermiston High School
Calendar: Board Members
Created by: Rosa Cerda-Diaz
- [6:00pm – 8:00pm Athletics Back to School BBQ](#)
Where: Kennison Stadium, HHS
Calendar: Board Members
Created by: Rosa Cerda-Diaz

Fri Aug 21, 2026

- [7:00am – 10:00am All Staff In-Service /2026-2027 SY District Kick Off](#)
Where: Hermiston High School Stadium
Calendar: Board Members
Created by: Rosa Cerda-Diaz

BOARD MEMBERS CALENDAR

- 10:00am – 3:30pm HR Benefits Fair/Open Enrollment
Where: HHS Library/Old Commons
Calendar: Board Members
Created by: Rosa Cerda-Diaz

Mon Aug 24, 2026

- 5:30pm – 7:30pm Open House Night
Where: Elementary School, Middle School, and High School
Calendar: Board Members
Created by: Rosa Cerda-Diaz
- 6:00pm – 8:00pm Special Board Meeting
Where: DO Boardroom
Calendar: Board Members
Created by: Rosa Cerda-Diaz

80TH OSBA ANNUAL CONFERENCE NOVEMBER 12-14
REGISTRATION OPENS September 15, 2026

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

August 10, 2026

EXECUTIVE SESSION

The board of education will now meet in executive session pursuant to the following Oregon Revised Statute(s):

	Statutory Citation	Subject	Media Permitted?
	ORS 192.660(2)(a)	To consider the employment of a public officer, employee, staff member or individual agent.	Yes
	ORS 192.660(2)(b)	To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.	Yes
	ORS 192.660(2)(d)	To conduct deliberations with persons designated by the governing body to carry on labor negotiations.	No
	ORS 192.660(2)(e)	To conduct deliberations with persons designated by the governing body to negotiate real property transactions.	Yes
X	ORS 192.660(2)(f)	To consider information or records that are exempt by law from public inspection.	Yes
	ORS 192.660(2)(h)	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.	No
	ORS 192.660(2)(i)	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.	Yes
	ORS 192.660(2)(k)	To consider matters relating to school safety or a plan that responds to safety threats made toward a school.	Yes
	ORS 332.061(1)	To conduct a hearing to expel minor students or to examine confidential medical records	No

The Hermiston School District Board of Education will now meet in executive session pursuant to ORS **(per above)**. 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, except for a student expulsion. At the end of the executive session, the board will return to open session and welcome the audience back into the room.

Attorney General's Public Records and Meetings Manual, p. K-9.

Board Policy BDC-AR: Executive Sessions – News Media
<http://policy.osba.org/hermiston/AB/BDC%20R%20G1.PDF>