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, September 14, 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* **18**

    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. Student Board Representative *Miss Suerenidy McKenzie*
    2. Oregon School Employees Association *Ms. Melanie Hernderson*
    3. 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.

* 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.
** 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.

2. Business Office *Ms. Saul*
1. Financial Reports
3. Superintendent's Office *Dr. Mooney*
1. Enrollment Report 19
2. Presentation of the 2025-2026 Integrated Plan Annual Report 22
6. **STUDY ITEMS** *Dr. Mooney*
1. Policy Review 1st Read 25
Immigration Enforcement Policies
2. Policy Review 1st Read - CBA G1-JHC D1 36
7. **CONSENT ITEMS****
1. Human Resources Department
1. Personnel Appointments 92
2. Personnel Resignation 93
2. Business Office
1. Acceptance of Gifts 94
3. Superintendent's Office
1. Integrated Pest Management Plan 101
2. Policy Review - Second Read BBAA-BDDG 122
8. **CALENDAR AND FUTURE ITEMS**
1. Future Agenda Item Discussion *Chair Hurst*
2. Calendar Review *Dr. Mooney* 165
9. **EXECUTIVE SESSION**
1. Negotiations - ORS 192.660(2)(d) 169
2. Complaint - ORS 192.660(2)(b) 170
3. Supt Evaluation - ORS 192.660(2)(i) 171
10. **ADJOURN**

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** 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.

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

September 14, 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.

rcd

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 ASSIGNEMENT
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
Stacee 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:

School/Program	Gift	Value	Donor
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

Mr. James Hurst declared a potential conflict of interest.
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

AMERICAN FUND CAPITAL BANK & TRUST
PO BOX 6007
INDIANAPOLIS, IN 46206-6007

FRANKLIN TEMPLETON BANK & TRUST, F.S.B.
PO BOX 997153
SACRAMENTO, CA 95899-7153

HORACE MANN INSURANCE CO
PO BOX 4657
SPRINGFIELD, IL 62708-4657

KANSAS CITY LIFE
PO BOX 219139
KANSAS CITY, MO 64121-9139

NATIONAL LIFE GROUP
PO BOX 219139
MONTPELIER, VT 05604

PENSELECT/FORESTERS FINANCIAL
9400 SW BEAVERTON HILLSDALE HWY,
SUITE 250
BEAVERTON, OR 97005-3302

PUTNAM INVESTMENTS *(Employee Cont. only)
PO BOX 219697
KANSAS CITY, MO 64121-9697

T ROWE PRICE
PO BOX 17479
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

Regular Meeting Minutes
UMATILLA COUNTY SCHOOL DISTRICT #8, HERMISTON
August 10, 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, Ms. Lili Gomez, Mr. Greg Jones, and Mr. Phillip Spicerkuhn. Also, in attendance were Superintendent Dr. Tricia Mooney, Assistant Superintendent Jake Bacon, and Executive Assistant to the Superintendent and Board Rosa Cerda-Diaz.

Absent Board Member: Mr. Chris Elliott

2. INTRODUCTORY ITEMS

2.1. Pledge of Allegiance

Chair Hurst led everyone to the pledge of Allegiance.

2.2. Adoption of Agenda

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

2.3. Approval of Minutes

Ms. Bonnie Luisi made a motion to approve and accept the minutes with the addition to 9.1. The motion was seconded by Mr. Phillip Spicerkuhn, which passed 6-0.

July 13, 2026, Regular Meeting Minutes
July 13, 2026, Superintendent Executive Session
July 13, 2026, Negotiations Executive Session

3. PUBLIC COMMENTS

No written comments were provided in advance, and no requests were made to address the board virtually.

Jessica Marcum provided comment to the board in person regarding Hermiston High School.

4. COMMUNICATIONS AND ANNOUNCEMENTS

4.1. Oregon School Employees Association

No representative was in attendance.

4.2. Hermiston Association of Teachers

HAT President Ms. Alayna Andrade provided and on the start of the new school year, including Union Representative training and welcoming new teachers to the district.

5. REPORTS

5.1. Board of Education

Mr. Phillip Spicerkuhn attended the new teacher orientation. Also attended the youth play, it was great seeing kids performing.

6. STUDY ITEMS

6.1. Policy 1st Read

Dr. Mooney reviewed the policy list as presented to the Board.

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)

Chair Hurst recessed meeting for the *Executive Session ORS 192.660(2)(f)* reference to Student Records at ***6:33 p.m.***

Chair Hurst resumes regular meeting at ***7:03 p.m.***

6.2. Strategic Plan

Dr. Mooney provided an overview of the Strategic Plan with a printout. Further discussion is planned for board board retreat to be scheduled for September 21, 2026, at 5:00 p.m.

7. CONSENT ITEMS**

7.1. Human Resources Department

Ms. Teri Vander Stelt made a motion to approve the consent items 7.1.1. through 7.2.1. The motion was seconded by Ms. Bonnie Luisi, which passed with a vote of 6-0.

7.1.1. Personnel Appointments

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

NAME	POSITION	BUILDING ASSIGNMENT
Kevin	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
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 School
Hannah Clary	Teacher	Rocky Heights Elementary School
Isaiah Najera	Teacher	Sunset Elementary School
Jasmine Pedersen	Teacher	Sunset Elementary School
Trinity Price	Teacher	Sunset Elementary School
Suzette Talion	Teacher	West Park Elementary School

7.1.2. Personnel Resignation

That the Board of Education approved 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 School
Anthony Cruz	Teacher	Sunset Elementary School
Lyndsey Ellingsen	Teacher	Sunset Elementary School

7.2. Business Office

7.2.1. Acceptance of Gifts

That the Board of Education accepts the following gifts:

School/Program	**Gift**	**Value**	**Donor**
HSD Elem. Schools	$500 Ea Elem. School	$3,000	Hermiston Education Foundation

8. CALENDAR AND FUTURE ITEMS

8.1. Future Agenda Item Discussion

Chair Hurst addressed the strategic plan.

8.2. Calendar Review

Dr. Mooney reviewed future calendars and upcoming events, highlighting new

teachers, sports physical scheduled for August 11-12, the District Kickoff on August 21, Open House on August 24, and the first day of school August 26. She also noted athletics and activities listed on board members' calendar and the September 11 Salute to Service event recognize service members, veterans, and first responders.

9. EXECUTIVE SESSION

10.1. Student Records ORS 192.660(2)(f)

To consider information or records that are exempt by law from public inspection.

10. ACTION ITEMS

10.1. Action Item Placeholder

Chair Hurst clarified that Executive Sessions were confidential and were intended for discussion of matters permitted by law, which were not to be discussed publicly. He noted that Board action following an Executive Session was permitted only in matters involving expulsion.

Ms. Bonnie Luisi moved to uphold the Superintendent's decision in the matter. The motion was seconded by Ms. Teri Vander Stelt, which passed 6-0.

11. ADJOURN

Chair Hurst adjourned the meeting at 7:25 p.m.

_____
Date

_____
Chairman

_____
Superintendent/Clerk

_____
Secretary

Special Meeting Minutes
UMATILLA COUNTY SCHOOL DISTRICT #8, HERMISTON
August 24, 2026

1. CALL TO ORDER SPECIAL MEETING*

Vice Chair Luisi called to order special meeting at 7:00 P.M.

Hermiston School Board members present: Ms. Bonnie Luisi, Ms. Teri Vander Stelt, Ms. Lili Gomez, Mr. Chris Elliott, and Mr. Phillip Spicerkuhn (arrived at 7:02 p.m.). Also, in attendance were Superintendent Dr. Tricia Mooney, Assistant Superintendent Jake Bacon, and Executive Assistant to the Superintendent and Board Rosa Cerda-Diaz.

Absent Board Members: Mr. James Hurst and Mr. Greg Jones

2. INTRODUCTORY ITEMS

2.1. Pledge of Allegiance

Vice Chair Luisi led everyone to the pledge of Allegiance.

2.2. Adoption of Agenda.

Ms. Lili Gomez made a motion to adopt the agenda as presented. The motion was seconded by Mr. Chris Elliott, which passed with a vote of 4-0.

3. PUBLIC COMMENTS

No written comments were provided in advance, and no requests were made to address the board virtually. Additionally, no comments were made in person.

4. REPORTS

4.1. Board of Education

Board members reported on activities they participated in or attended since the last board meeting. Mr. Chris Elliott attended Sandstone Middle School and noted the school was very busy. Mr. Phillip Spicerkuhn visited Hermiston High School and several classrooms, also noting the high level of activity. Ms. Teri Vander Stelt visited Armand Larive Middle School and shared her appreciation for the relationship teachers had established with students. She also highlighted Proactive Coaching Training at the high school and positive feedback regarding the program. Ms. Lili Gomez noted that the back-to-school week would be busy and encouraged caution due to ongoing construction.

5. CONSENT ITEMS**

Ms. Teri Vander Stelt made a motion to approve the Consent items 5.1.1. through 5.3.1. The motion was seconded by Ms. Lili Gomez, which passed with a vote of 5-0.

5.1. Business Services

5.1.1. Meal Price Consideration

That the Board of Education declare Hermiston School District as district-wide

Community Eligibility Provision, offering free breakfast and lunch to all enrolled students. It is further recommended that the Board of Education set the following paid food service prices for the 2026-27 school year.

2026-2027 Recommended	
Lunch	**Prices**
Elem	$0.00
MS	$0.00
HS	$0.00
Adult	$5.40
Breakfast	
Elem	$0.00
MS	$0.00
HS	$0.00
Adult	$3.60

Each enrolled student is eligible for one (1) no-cost breakfast and one (1) no-cost lunch per day. Second meals may be purchased at the following rates: Student breakfast: $3.60; Elementary & middle school lunch $3.60; High school lunch $4.10.

5.2. Superintendent's Office

5.2.1. Declaration of Surplus Property and authority to sell Property

That the Board of Education declares the Fieldstone #12 home and Lot #13, located at 894 SW Fieldstone Ct, surplus property and authorized the Superintendent, the Director of Business Services and/or the Superintendent's designee to execute all applicable legal documents required to sell the property, in accordance with Board Policy.

5.3. Human Resources Department

5.3.1. Personnel Appointment

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

NAME	**POSITION**	**BUILDING ASSIGNMENT**
Jenna Clark	Temporary Teacher	Loma Vista Elementary
Anthony Duron	Temporary Teacher	Armand Larive Middle School

6. ACTION ITEM

6.1. Teaching and Learning

Mr. Chris Elliott made a motion to approve the adoption of Social Sciences Power Standards Units for grades K-5. The motion was seconded by Ms. Teri Vander Stelt, which passed with a vote of 5-0.

7. CALENDAR AND FUTUIRE ITEMS

7.1. Future Agenda Item Discussion

No future agenda items were discussed.

7.2. Calendar Review

Dr. Mooney reviewed future calendars and upcoming events, highlighting the Regional Meeting Conference October 26 in Pendleton, the Regular Board Meeting on September 14, and the Board Retreat scheduled for September 21 at 5:00 p.m.

8. ADJOURN

With no further business, Vice Chair Bonnie Luisi adjourned the meeting at 8:30 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.

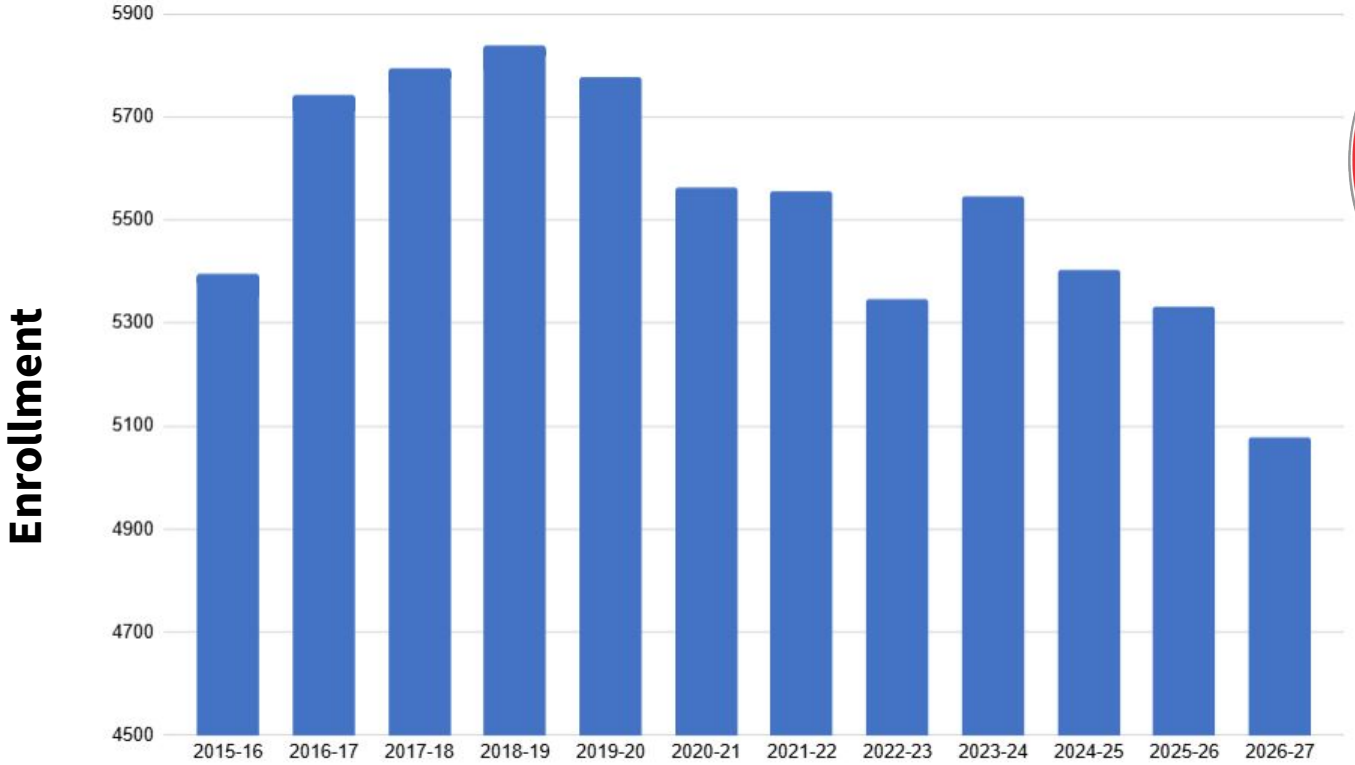
The Hermiston School District Board of Education accepts public comments virtually and in person. Members of the public wishing to address the board virtually submitted written statements or requests by 4:00 p.m. prior to this meeting.

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?

rcd

August


Enrollment
5900
5700
5500
5300
5100
4900
4700
4500
2015-16
2016-17
2017-18
2018-19
2019-20
2020-21
2021-22
2022-23
2023-24
2024-25
2025-26
2026-27

8/31/2026		HERMISTON SCHOOL DISTRICT 8R - ELEMENTARY ENROLLMENT BY TEACHER										
Desert View	**347**	**Highland Hills**	**285**	**Loma Vista**	**407**	**Rocky Heights**	**414**	**Sunset**	**342**	**West Park**	**368**	
Kinder												**Total**
McClanahan, Laura	**18**	Adams, Emily	**19**	Bartley, Renae	**20**	Chavez Lara, Areli	**21**	Brown, Jessica	**18**	Degan, Amanda	**23**	**365**
Ramirerz, Nichole	**18**	Koenig, Marian	**21**	Clark, Jenna	**18**	Merrifield, Kalei	**21**	Bruce, Madison	**19**	Kellison, Amber	**20**	
Spears, Elsy	**19**			Dowd, Abigail	**20**	Victorio, Daisy	**22**	Hunting, Kaitlyn	**19**	Searles, Eileen	**20**	
				Tomer, Jolee	**20**	Baker, Kennidy(BRITE)	**0**			Tallion, Suzette (SC)	**5**	
				Esqueda, Sierra (Life S)	**2**	Hatfield, Diana(BRITE)	**0**			Morris, Melissa (SC)	**0**	
				Vetsch, Haley (Life S)	**2**						**0**	**Avg,**
Total	**55**		**40**		**82**		**64**		**56**		**68**	**20.3**
1st grade												**Total**
Bennett, Jeannine	**15**	Liebe, Martha	**16**	Milligan, Amber	**16**	Badillo-Juarez, Ana	**16**	Hantke, Sonia	**21**	Schaefer, Stacy	**21**	**337**
Farley, Kelsey	**15**	Seibel, Carolina	**17**	Newton, Jammie	**17**	Downing, Jeanne	**15**	Mosher, Aimee	**21**	Wattenburger, Marci	**20**	
Lillie, Shelly	**15**	Schwirse, Dezi	**17**	Powell, Annette	**15**	Dunkel, Michelle	**15**	Shasteen, Anani	**21**	Zuniga, Mariana	**21**	
		Rosenberg, Sara	**1**	Esqueda, Sierra (Life S)	**1**	Godby, Katia	**15**			Tallion, Suzette (SC)	**1**	
				Vetsch, Haley (Life S)	**2**	Baker, Kennidy(BRITE)	**0**			Morris, Melissa (SC)	**0**	
						Hatfield, Diana(BRITE)	**3**					
Total	**45**		**51**		**51**		**64**		**63**		**63**	**17.7**
2nd grade												**Total**
Lowery, Jennifer	**19**	Johnston, Osieauna	**14**	Clayton, Nicole	**23**	James, Megan	**17**	Colbray, Delta	**18**	Johnston, Dawn	**17**	**350**
Rettkowski, Tiffany	**18**	Perez, Madison	**14**	Meade, Alesia	**23**	Phillips, Bobbi	**18**	Torres, Martha	**17**	Neddo, Tess	**17**	
Wells, Sarah	**18**	Phipps, Samantha	**15**	McConnell, Jennifer	**22**	Pitney, Courtnee	**16**	Trotter, Natalie	**18**	Springstead, Amy	**16**	
		Rosenberg, Sara	1	Esqueda, Sierra (Life S)	**1**	Putman, Brittanee	**17**			Tallion, Suzette (SC)	**4**	
				Vetsch, Haley (Life S)	**1**	Baker, Kennidy(BRITE)	**3**			Morris, Melissa (SC)	**3**	
						Hatfield, Diana(BRITE)	**0**					
Total	**55**		**44**		**70**		**71**		**53**		**57**	**18.4**
3rd grade												**Total**
Artz, Cristal	**21**	Juul, Mackenzie	**23**	Mulkey, Kaitlin	**22**	Basso, Caroline	**23**	Gonzalez, Gabriela	**21**	Morgan, Michelle	**16**	**368**
Cope, Lyndsey	**21**	Ranger, Kelsey	**24**	Wilson, Hannah	**22**	Cotterell, Emily	**24**	Maddox, Noelle	**22**	Purswell, Kim	**17**	
Smith, Debra	**22**			Verwold, Taylor	**22**	Rodriguez, Adriane	**24**	Smith, Monica	**21**	Thompson, Lauren	**17**	
				Esqueda, Sierra (Life S)	**2**	Baker, Kennidy(BRITE)	**0**			Tallion, Suzette (SC)	**0**	
				Vetsch, Haley (Life S)	**1**	Hatfield, Diana(BRITE)	**0**			Morris, Melissa (SC)	**3**	
Total	**64**		**47**		**69**		**71**		**64**		**53**	**21.6**
4th grade												**Total**
Kramer, Hailey	**20**	Cooke, Angie	**25**	Hamilton, Natalie	**21**	Clary, Hannah	**24**	Price, Trinity	**17**	Dopps, Kathy	**22**	**371**
Lomas, Sara	**20**	Plum, Deanna	**26**	McCann, Jessica	**22**	Combs, Heather	**24**	Rouska, Aaron	**16**	Madrigal, Jaime	**20**	
Wellsandt, Darci	**20**			Stuart, Eleanor	**22**	Thompson, Hannah	**25**	Scofe, Bailey	**17**	Young, Makaylee	**23**	
				Esqueda, Sierra (Life S)	**1**	Baker, Kennidy(BRITE)	**2**			Tallion, Suzette (SC)	**1**	
				Vetsch, Haley (Life S)	**3**	Hatfield, Diana(BRITE)	**0**			Morris, Melissa (SC)	**0**	
Total	**60**		**51**		**69**		**75**		**50**		**66**	**21.8**
5th grade												**Total**
Dynes, Kelly	**22**	Cook, Justine	**26**	Culligan, Tracy	**21**	Best, Sara	**23**	Byrd, Kayla	**18**	Childs, Michelle	**18**	**372**
McCormack, Janey	**23**	Hamann, Bonnie	**26**	Hinton, Kelsey	**21**	Herrera, Daniel	**23**	Najera, Isaiah	**18**	Nyzc, David	**20**	
Miller, Sydney	**23**			Roberts, Cailyn	**21**	Linn, Josh	**23**	Stephenson, Peyton	**20**	Simpson-Pina, Faith	**18**	
				Esqueda, Sierra (Life S)	**2**	Baker, Kennidy(BRITE)	**0**			Tallion, Suzette (SC)	**1**	
				Vetsch, Haley (Life S)	**1**	Hatfield, Diana(BRITE)	**0**			Morris, Melissa (SC)	**4**	
Total	**68**		**52**		**66**		**69**		**56**		**61**	**21.9**

8/31/2026

CUMULATIVE SCHOOL ENROLLMENT -- HERMISTON SCHOOL DISTRICT 8R

	Part Time	Kg	1st grade	2nd grade	3rd grade	4th grade	5th grade	6th grade	7th grade	8th grade	9th grade	10th grade	11th grade	12th grade	Total
DESERT VIEW		55	45	55	64	60	68								347
HIGHLAND HILLS		40	51	44	47	51	52								285
Loma Vista		82	51	70	69	69	66								407
ROCKY HEIGHTS		64	64	71	71	75	69								414
SUNSET		56	63	53	64	50	56								342
WEST PARK		68	63	57	53	66	61								368
Elementary Total		365	337	350	368	371	372								2163
VLA students												2	1	3	6
ALMS								216	214	221					651
SMS								170	202	203					575
															0
HHS											469	402	404	410	1685
COMBINED TOTAL		365	337	350	368	371	372	386	416	424	469	404	405	410	5077

		Increase/ Decrease
Last month's total enrollment:	5053	24
Same month one year ago:	5332	-255

Hermiston School District

2026 Fall Update

The purpose of this update is to look backwards and forward. We will reflect on our district's progress on Year 1 of our biennial update to the Integrated Plan, which is a compilation of the goals and activities we have designed to meet the aspirations of Oregon's Student Success Act (SSA) and related initiatives. In the Summer of 2025 the Governor signed the legislature's Accountability Bill (SB141) which builds on the SSA to further leverage and direct state funds and priorities. In the year ahead, the district will balance implementing the final year of our Integrated Plan with new components from the Accountability Bill. As partners in this work, students, staff, parents and community members can expect the following:

- Planning will begin for a broader **Unified Grant Application**, encompassing additional funding sources and requirements, to replace our Integrated Plan in the next biennium.
- There will be a heightened emphasis on an expanded set of **Performance Growth Targets** which will trigger ODE intervention if not met for two years.
- In the Fall, Winter & Spring, we will present K-8 student growth on short **Interim Tests** that measure discrete skills in Reading and Math to support instructional decision-making and earlier interventions in student learning gaps.

2026-27 Integrated Plan & Initiative Allocations

The district continues to work toward the following Outcomes:

- ★ **Early Literacy:** All students in Hermiston will receive Early Literacy support to read on grade-level by the end of 3rd grade.
- ★ **Outcome A:** Implement systems to support students' physical, mental, emotional, behavioral, and safety needs.
- ★ **Outcome B**: Hermiston SD will implement systems PreK-12 to ensure graduation rates improve for all student subgroups.
- ★ **Outcome C:** Implement a future-focused approach to personalized learning and career development for students in grades K-12.
- ★ **Outcome D:** Empower and engage families of underserved or marginalized student populations.

Total allocations for 2026-27 are 6% higher than 2025-26.

Initiative	2026-27 Allocation
Student Investment Account	$5,893.155.66
High School Success	$1,648,804.75
Early Indicator & Intervention Systems	$21,470.96
Early Literacy Success	$426,143.90
Federal School Improvement	$321,333.04

2025-26 Annual Report on the Integrated Plan

Progress

Across the district, educators and students collaborated to support our Early Literacy Outcome. HSD has prioritized braiding funds to ensure they can continue to provide **KinderCamp**, a 2-week program that teachers report makes a significant difference transitioning to school, even for students who have been in HeadStart or other structured PreK programs. The program uses experiential learning to practice literacy skills (listening, speaking, visual and verbal cues to recognize key words) to learn routines and adapt to kindergarten. Because the 6-week Summer Program is especially important for high-risk students, the district uses Spring IEP meetings to encourage participation. Students in the high school's **Education CTE Program are trained High Dosage Tutors** and provided 25 minutes of before-school tutoring Monday-Thursday at the elementary schools from October through March. The students who participated in this program grew at two times the rate as measured by DIBELS and MAP.

To support Outcome A the district continues to contract with the **Cook Center** to provide anonymous counseling support for students and families. Usage patterns have remained steady and show that although a relatively small number of unique users, those users engaged multiple times which is to be expected for Tier 3 interventions.

The district also continues to refine and strengthen systems to produce better outcomes for all students (Outcome B). Our **Multi-Tiered Systems of Support** resulted in steady gains. At the elementary level, they used ECRI to pre-teach skills in small groups so that those students are familiar with the concepts when they receive a second dose during whole-group instruction. The middle schools have become more data-driven and their achievement has gone up; 45% of 6th graders grew over 80% and Math scores improved. As the buildings implemented academic systems and monitored progress, they focused on ensuring **curriculum and instruction is effective**. The high school worked with teachers to ensure daily instruction is rigorous and engaging enough that students prioritize coming to class. The elementary schools started building integrated instructional materials using their ELA curriculum as the base and supplementing with tribal history/shared history and other resources to address Science and Social Studies standards.

In support of our future-focused Outcome C, the elementary schools presented to the Board their **Portrait of a Graduate** work. In short they found it provides a district-wide north star that helps teachers think beyond their content areas, teach higher-level thinking and provides look-fors in observations. The middle and high schools expanded their use of **YouScience**, including using its Work-Based Learning and Careers curriculum to support the new graduation requirements. We also started updating the high school online and handbook versions of the course catalog to remove any unnecessary prerequisites or language that might create barriers to taking advanced courses. Last, the district has continued its work with family engagement specialists and Nuestra Futuro (Outcome D). Unlike other minority/majority districts around the state, Hermiston's attendance rate has remained steady, which is attributable to the trust established through these relationships. Likewise, the district's On-Track to English Language Proficiency rate is very strong. What we have learned over the years is If EL is growing, everyone is growing.

Challenges

In 2025-26 we continued to work on the barriers standing in our way of achieving our outcomes. The high school looked for data trends in their high risk students that point to solutions and found, encouragingly, that only about 10% were related to behavior. However, they discovered that 40% of their students were

practicing **selective attendance**, attending the classes where they liked the teacher and/or felt like they couldn't afford to miss and still pass. Both root causes point to strengthening Tier 1 practices around building relationships and increasing instructional rigor to support engagement. (Outcome A).

Our **Summer programming** remains a priority because it offers experiences (field trips, sports, etc.) that are not possible during the regular school year but are critical for supporting academic and social-emotional growth, building positive relationships between students and families and closing opportunity gaps. Despite its success, securing funds in a timely manner continues to be a significant challenge. (Outcome B)

Last, **High School Success eligibility requirements** remained a sticking point as the district struggled to translate the required monthly meetings of all 9th grade core team teachers into existing data team/PLC structures and calendars (Outcome C).

Performance Growth Target Snapshot

Common Measures *All Student/Focal Groups*	**23-24 Actual**	**23-24 State**	**24-25 Actual**	**24-25 State**
Four-year Graduation	80/74.4	83.08 / 77.41	**85**	83
Five-year Completion	84.8/81.1	87.81 / 83.26	**84.1**	84.1
Ninth Grade On-Track	81.4/77.9	85.26 / 80.01	81.9	84.7
Third Grade Reading	**40.5/36.1**	39.49 / 29.94	**43.9**	40.3
K-12 Regular Attenders	62.3/59.2	66.02 / 60.63	65.5	66.5
K-2 Regular Attenders	61.4	68.9	65.9	70.7
8th Grade Math	20.1	26.4	25	28.9

Beginning this year, the district will be measured using 8 statewide metrics, up from five. The new measures are K-2 Regular Attendance and 8th grade Math achievement plus one local measure we selected from a set of state-provided options: Career & Workforce Readiness. New targets based on the performance of similar districts have been set through the 2029-30 school year in accordance with the Accountability Act. The adjacent table provides performance for the most recent last two years of ODE-validated data compared to the State of Oregon. The first number represents *All Students* followed by students who represent *Combined Focal Groups* (students experiencing disabilities, poverty, homelessness, or foster care and students of color). Although official data for 2025-26 won't be available for several months, we anticipate continued steady growth in all of our performance indicators.

OSBA Model Sample Policy

Code: KNA
Adopted:

Immigration Enforcement on District Property

The district complies with state and federal law, including Oregon Revised Statute (ORS) 180.805 and ORS 181.826, and this policy and accompanying administrative regulations KNA-AR(1) – Interactions with Immigration Enforcement and KNA-AR(2) – Federal Immigration Enforcement Request Log when responding to requests from federal immigration authorities regarding immigration enforcement. [Absent a judicially authorized subpoena, warrant or court order, district staff must not allow federal immigration authorities access to the district's records or facilities not open to the public for the purposes of immigration enforcement and must verify the validity of any subpoena, warrant or court order involving immigration enforcement presented to them by federal immigration authorities to ensure it is judicially authorized. Examples of judicial and administrative warrants and subpoenas can be found in the Oregon Attorney General's Model Public School Policies.[1] The superintendent or designee must review and approve any response to a request involving immigration enforcement. The district will provide ongoing training to designated staff to ensure compliance with this policy.]

This policy will be made available in the student handbook and on the district's website.

Designation of Primary Point of Contact

The Superintendent is the primary point of contact for coordinating interactions with federal immigration authorities occurring in the district (immigration liaison). The Assistant Superintendent shall serve as an alternative point of contact during the immigration liaison's absence or unavailability (alternate immigration liaison).

The immigration liaison's responsibilities include:

1. Serving as the district's representative during encounters with federal immigration authorities;

2. Confirming when federal immigration authorities have entered school property for immigration enforcement purposes;

3. Ensuring federal immigration authorities engaging in enforcement activities at the district have notice of relevant district policies: JO/IGBAB – Education Records/Records of Students with Disabilities, JOA – Directory Information, JOB – Personally Identifiable Information and this policy;

4. Assisting staff in performing their duties in response to immigration enforcement efforts, including ensuring compliance with all district policies and procedures related to interactions with federal immigration authorities and immigration enforcement efforts;

[1] https://www.doj.state.or.us/wp-content/uploads/2026/06/Attorney-Generals-Model-Public-School-Policies-in-Compliance-with-SB-1538.pdf

5. Reviewing and responding to requests from federal immigration authorities, in coordination with, and under the direction of, the superintendent or designee;

6. Facilitating the district's compliance with lawful immigration enforcement efforts in a manner that does not unnecessarily disrupt the school environment or invade the privacy of students, staff, or volunteers;

7. Providing notice as required in this policy when a federal immigration authority has been confirmed to have entered school property for immigration enforcement.

Required Notice

When a federal immigration authority is reported to have entered school property for the purpose of immigration enforcement the immigration liaison shall confirm whether federal immigration authorities have entered school property for immigration enforcement and when confirmed, shall provide notice as follows:

1. Notice must be provided to:

    a. Students who attend the school where the federal immigration authority is confirmed to be on school property for immigration enforcement and who are in grades 9 and above;
    b. Parents or guardians of students attending the school where the federal immigration authority is confirmed to be on school property for immigration enforcement;
    c. Staff of the school where the federal immigration authority is confirmed to be on school property for immigration enforcement; and
    d. Community-based service providers that have requested to receive notice when a federal immigration authority is confirmed to be on school property for immigration enforcement. Community-based service providers can request to receive such notifications by contacting the immigration liaison at the district office.

2. Notice must include:

    a. The general location of the federal immigration authority; and
    b. Whether classes or school operations were affected by the presence of the federal immigration authority.

3. Notice must not disclose:

    a. Personally identifiable information;
    b. Other information that may not be legally disclosed; or
    c. Other information when the disclosure may threaten the health or safety of students or staff of the district or is prohibited by a court order.

The required notice will be provided as expediently as possible using existing methods used for providing electronic communications.

Unless otherwise prohibited by law or court order, the district will make reasonable efforts to provide notice to a student, or to the parent of guardian of a student, when the district has provided information related to the student to a federal immigration authority.

Confidentiality of School Records

Except when required by a judicially authorized warrant, subpoena, or order, Oregon law prohibits the district from disclosing protected information to federal immigration authorities for the purpose of enforcing federal immigration laws. Protected information includes information relating to a person's:

1. Address;

2. Workplace or hours of work;

3. School or school hours;

4. Contact information, including telephone number, electronic mail address or social media account information;

5. Known associates or relatives; and

6. Date, time or location of the person's hearings, proceedings or appointments with a public body that are not matters of public record.

Oregon law also prohibits sharing any of the above information about a person's relatives or known associates with federal authorities for immigration enforcement purposes.

Oregon law generally prohibits the district from sharing or disclosing citizenship or immigration status or country of birth information[6] that the district collects, unless one of the following exceptions applies:

1. The disclosure is required by state or federal law (other than federal immigration law);

2. The disclosure is required by a judicially authorized warrant, order, or subpoena;

3. The information being shared with a person concerns only that person or their dependents; or

4. The information is aggregated and not personally identifiable.

In addition to the prohibitions described above, federal and state laws make records and information related to students confidential and permit disclosure only in limited circumstances. The district's policies with respect to student records can be found in Board policies JO/IGBAB – Education Records/Records of Students with Disabilities, JOA – Directory Information and JOB – Personally Identifiable Information. To ensure compliance with applicable federal and state law, the district's staff shall not disclose any school records or information to federal immigration authorities except as provided in these policies.

Staff must also maintain the confidentiality of school records and other information about students, staff, and volunteers when communicating with other students, parents, or community members about immigration enforcement activities involving students, staff, or volunteers of the district or occurring on

PROPOSED

[6] Citizenship or immigration status or country of birth information is any information concerning:
1. Where a person was born; or
2. Whether a person is a citizen of the United States; or
3. Whether a person has lawful authority to be present in the United States.

district property. Staff should direct anyone with questions about immigration enforcement activities occurring on district property to the immigration liaison.

Training

The district will provide the immigration liaison and alternate immigration liaison with training as follows:

1. The training must include information on the requirements of House Bill 4079 (2026), any applicable model policies published by the Attorney General, and this policy; and

2. The training must be provided at the time of designation and at least once every two years thereafter.

END OF POLICY

Legal Reference(s):

ORS 180.810
ORS 180.805
ORS 181.826
OAR 581-021-0371

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).
Oregon Attorney General's *K12 School Model Policy*
Senate Bill 1538 (2026).
Senate Bill 1594 (2026).
House Bill 4079 (2026).

PROPOSED

OSBA Model Sample Administrative Regulation

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

Interactions with Immigration Enforcement

The Superintendent is designated as the "immigration liaison."

1. Staff, contractors and volunteers shall adhere to all district policies when interacting with federal immigration authorities and the following administrative regulations:

    a. Unless expressly authorized by the superintendent or designee, or by the immigration liaison on behalf of the superintendent or designee, staff shall not:

        (1) Provide federal immigration authorities with records or information about students, staff, or volunteers;
        (2) Confirm whether a student, staff member, or volunteer is present or make the student, staff member, or volunteer available;
        (3) Allow access to non-public areas of the district's facilities or property;
        (4) Sign documents presented by federal immigration authorities; or
        (5) Give consent to any immigration enforcement action.

    b. Staff may not interfere with lawful immigration enforcement actions or physically obstruct federal immigration authorities in any manner. However, staff should immediately report to the immigration liaison if they observe any conduct or enforcement activities by federal immigration authorities that violate state or federal law, or district policies, or that otherwise present a security threat or potential danger to students, staff, volunteers, or visitors.
    c. Staff who receive a request related to immigration enforcement must immediately notify the immigration liaison. The immigration liaison is responsible for interacting with the federal immigration authorities until the matter is concluded or the federal immigration authorities have been referred to the superintendent or designee.
    d. The immigration liaison or alternate immigration liaison should meet the federal immigration authorities at the school door or other area designated by the superintendent or designee for this purpose.
    e. The immigration liaison shall provide federal immigration authorities with a copy of this policy and explain that school staff are required to follow these steps in this policy. The immigration liaison should inform the immigration authorities that school staff must contact the office of the superintendent or designee for guidance before providing access to school facilities, records, or other information.
    f. The immigration liaison should direct another staff member to contact the superintendent or designee while the immigration liaison remains with the federal immigration authorities.
    g. The immigration liaison must document the request from federal immigration authorities to the fullest extent possible under the circumstances. At a minimum, the documentation shall include the following information, if available:

        (1) The name, badge number, and agency of the law enforcement officer making the request;
        (2) The number of officers present;

PROPOSED

(3) Time, date, and location of the request;
(4) The nature of the request;
(5) The source of authority for the request, including whether the request is administratively or judicially authorized;
(6) Whether the request requires an immediate response;
(7) The identification of witnesses present; and
(8) How the encounter concluded.

h. The immigration liaison shall direct another staff member to transmit copies, photos, or other documentation provided by federal immigration authorities to the superintendent or designee, along with other information documented pursuant to this policy. The superintendent or designee must approve any response to a law enforcement request related to immigration enforcement as provided in Section 3 of this administrative regulation.

2. Determination of Validity of Judicial Warrant, Subpoena or Order

a. If presented with a warrant, subpoena or order by federal immigration authorities, the immigration liaison shall verify the validity of the warrant, subpoena or order by determining whether the warrant, subpoena or order is judicially authorized. An administrative warrant, subpoena, order or other legal process that has not been authorized by a judicial officer does not authorize the district to provide law enforcement with access to records or information, or facilities for purposes of immigration enforcement.

A judicially authorized warrant, subpoena or order contains the following key features:

(1) A caption, near the top of the document, identifying the court that issued the order (typically the federal district court for the District of Oregon);
(2) A signature block, near the end of the document, including the name of the person who signed the order, and identifying that individual as a judge, magistrate, clerk of court, or other person signing on behalf of a judge or magistrate, and the date of the signature; and
(3) An indication that the warrant, subpoena or order has not expired.

Examples of warrants and subpoenas are available in the Attorney General's model policies[1].

b. The immigration liaison shall notify the superintendent or designee of the warrant, subpoena or order and whether the warrant, subpoena or order appears on its face to be judicially authorized.
c. The immigration liaison should request a copy of the warrant, subpoena or order and transmit a copy of the warrant, subpoena or order for review by the superintendent or designee, or legal counsel.
d. The superintendent or designee shall make the final determination regarding the validity of any warrant, subpoena or order and whether, and to what extent, federal immigration will have access to district records or information, or facilities. If the superintendent or designee is uncertain as to the validity or scope of the warrant, subpoena or order, the superintendent or

[1] https://www.doj.state.or.us/wp-content/uploads/2026/06/Attorney-Generals-Model-Public-School-Policies-in-Compliance-with-SB-1538.pdf

designee should immediately consult legal counsel or a statewide or regional education organization.

3. Approval of Response by Superintendent

a. The immigration liaison shall notify the superintendent or designee of a request related to immigration enforcement prior to responding to the request. The superintendent or designee will only honor requests from immigration enforcement officers or other agencies enforcing federal immigration laws if the request is judicially authorized. If the superintendent or designee is uncertain as to the lawfulness or scope of the request, the superintendent or designee should immediately consult legal counsel or a statewide or regional education organization prior to approving a response.

b. If the superintendent or designee determines that a response is not authorized by a judicial subpoena issued as part of a court proceeding or by another compulsory court-issued legal process, such as a warrant, the superintendent or designee shall direct the immigration liaison to decline the request.

Upon direction of the superintendent or designee, the immigration liaison shall decline the request, refer the federal immigration enforcement authorities to the superintendent or designee, and request that they leave the premises.

The immigration liaison shall ensure that the information documented pursuant to this administrative regulation is submitted to the Oregon Criminal Justice Commission as provided in ORS 181A.826.

c. If the request is accompanied by a subpoena, warrant or order that appears on its face to be judicially authorized, the superintendent or designee must review and approve the immigration liaison of district's response to the request.

The superintendent or designee shall ensure that the district's response provides no greater access to records or information, or facilities, than that required by the subpoena, warrant or order.

d. If the request involves a warrant that appears to be valid and authorizes the arrest of a particular person, the superintendent shall direct the immigration liaison to request that the arrest be conducted in a manner that is the least disruptive to the school environment and to the person's wellbeing, which may include bringing the arrestee to the federal immigration authorities.

4. School-Sponsored Events

If federal immigration authorities appear at a school-sponsored event open to the general public (e.g., field trip, athletic event, band event), staff should document their observations, notify the immigration liaison and follow any guidance provided by the immigration liaison.

5. School Transportation/Buses

If federal immigration authorities request to board a school bus or other vehicle transportation, the driver should ask them to wait outside the bus/vehicle, close the doors, and immediately call the immigration liaison and follow any guidance provided by the immigration liaison.

PROPOSED

PROPOSED

OSBA Model Sample Administrative Regulation

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

Federal Immigration Enforcement Request Log

School site: _____

Person Receiving Request: _____ Title: _____

1. Requesting Officer Information

   Officer name: _____ Badge #: _____

   Agency: _____

   Contact information: _____

2. Number of officers present: _____

3. Time, date and location of request: _____

4. Nature of the request:

   ☐ Request to enter school property
   ☐ Request to access school facilities or buildings
   ☐ Request to interview a student
   ☐ Request to interview staff member
   ☐ Request to locate a student
   ☐ Request to obtain student records
   ☐ Request to detain or take custody of an individual
   ☐ Other (describe): _____

5. Source of Authority for the request

   Authority cited by officer(s):

   ☐ Administrative Warrant
   ☐ Administrative Subpoena
   ☐ Judicial Warrant
   ☐ Judicial Subpoena
   ☐ Court Order
   ☐ Other Authority (describe): _____

   Document Presented? ☐ Yes ☐ No

   If yes, identify the document and any identifying numbers: _____

   Copy obtained? ☐ Yes ☐ No

6. Does the request require an immediate response? ☐ Yes ☐ No

Superintendent or Designee Review and Approval

PROPOSED

The superintendent or designee must review the request and approve any response to a law enforcement request related to immigration enforcement.

Review Conducted By:

☐ Superintendent ☐ Superintendent's Designee

Name: _____

Title: _____

Date and Time of Review: _____

Response Authorized:

☐ Yes ☐ No ☐ Additional Legal Review Required ☐ Pending Further Information

Witnesses Present

Name	Title or Role	Contact Information
Name	Title or Role	Contact Information
Name	Title or Role	Contact Information

How the Encounter Concluded

☐ Access to school property granted
☐ Access denied pending legal review
☐ Referred to Superintendent or Designee
☐ Other (describe): _____
☐ Referred to School Administrator
☐ Officers left without further action

PROPOSED

Detailed summary of outcome:

Additional notes:

Follow-Up Actions

- ☐ Legal counsel notified
- ☐ Superintendent notified and copies, photographs, or other documentation transmitted to the superintendent or designee.
- ☐ Law enforcement documentation copied and retained

Completed By: _____ (print name)

Title: _____

Signature: _____

Date: _____

Time Completed: _____

PROPOSED

OSBA Model Sample Policy

Code: CBA
Adopted:

Qualifications and Duties of the Superintendent

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

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

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

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

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

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

The superintendent will have the following personal and professional qualities:

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

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

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

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

5. Knowledge of curriculum development, implementation and evaluation;

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

7. Experience in administering collective bargaining agreements;

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

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

General Functions

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

{[1] Please contact the Teacher Standards Practices Commission (TSPC) with questions regarding licensure.}

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

Specific Functions

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

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

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

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

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

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

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

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

8. Administer adopted Board policies;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26. Assign and control the promotion of students;

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

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

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

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

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

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

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

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

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

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

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

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

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

END OF POLICY

Legal Reference(s):

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

OSBA Model Sample Policy

Code: CBG
Adopted:

Evaluation of the Superintendent

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

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

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

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

END OF POLICY

Legal Reference(s):

ORS 192.660
ORS 332.107
ORS 332.505

OAR 199-040-0027
OAR 199-040-0030

OAR 581-022-2405

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

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

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

Hermiston School District 8R

Code: CEA
Adopted:

Educational Equity Advisory Committee

The duties of the district's educational equity advisory committee shall include:

1. Advising the superintendent about the educational equity impacts of policy decisions; and

2. Informing the superintendent when a situation arises in a district school that negatively impacts underrepresented students and advising the superintendent on how best to handle that situation.

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

The educational equity advisory committee may prepare an annual report that:

1. Contains the following information:

    a. The successes and challenges the district has experienced in meeting the educational equity needs of students in the district;
    b. Recommendations the committee made to the superintendent, and the actions that were taken in response to those recommendation; and
    c. Any other information required by the State Board of Education.

2. Is shared with the Board:

    a. By the superintendent; and
    b. If requested by the Board, by the committee as a presentation by the committee at a Board meeting.

3. Is made available by being:

    a. Distributed to the parents of district students;
    b. Posted on the district's website; and
    c. Sent to the State Board of Education.

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

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

2. Must ensure that membership is primarily representative of underserved student groups;

3. May not exclude or deny members based on language, immigration status or protected class, including age, disability, national origin, race, color, marital status, religion, sex, sexual orientation, or gender identity;

4. May not appoint a voting member of the Board or the superintendent to the educational equity advisory committee; and

5. Must ensure that the composition of an educational equity advisory committee elevates underrepresented parent, employee, student, and community member voices.

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

A member of the educational equity advisory committee will also serve on the school district budget committee.[2]

END OF POLICY

Legal Reference(s):

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

House Bill 4066 (2026)

PROPOSED

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

Hermiston School District 8R

Code: **DBEA**
Adopted: 11/12/13
Revised/Readopted: 7/10/17; 11/14/22
Orig. Code: DBEA

Budget Committee

By law, the budget committee is charged with making recommendations concerning financial priorities.

The budget committee will have the responsibility for reviewing the financial programs of the district, reviewing the proposed district budget as presented by the superintendent, and recommending an annual or biennial district budget in keeping with the provisions of applicable state laws.

Educational policy decisions are the responsibility of the Board, not the budget committee. The committee does not have the authority to add programs or to approve additional personnel or increase salaries. While the committee may, in effect, delete programs because of a fund decrease, the committee is charged primarily with a fiscal evaluation of programs. The committee may, alternatively, set an amount that changes the recommended budget and may request the administration make such changes in accordance with priorities set by the Board.

The following will govern the make-up and process of establishing the district's budget committee:

1. The budget committee consists of seven members appointed by the Board plus the elected Board members of the district. To be eligible for appointment, the appointive member must:

   a. Live and be registered to vote in the district;
   b. Not be an officer, agent or employee of the district.

2. At least one member of the budget committee must be a member of the district's educational equity advisory committee;[1]

3. No budget committee member may receive any type of compensation from the district;

4. At its first meeting in December, the Board will identify vacant budget committee positions which must be filled by appointment of the Board. The Board will announce the vacancies and receive applications from interested persons during the month of December. Such applications will include a signed statement that the applicant is willing to serve as a member of the budget committee and to adhere to the policies of the district. The Board may appoint budget committee members to as many consecutive terms as deemed appropriate;

5. At the first regular Board meeting in January, the Board will review the names of persons filing applications and names of those persons who have served previously and are willing to be

[1] The budget committee is not required to include a member of the educational equity advisory committee until a vacancy on the budget committee occurs by a member who is not also a member of the school district board. The district is not required to include a member of the educational equity advisory committee on the budget committee if no member of the committee is willing or able to serve on the budget committee.

reappointed. At the first regular meeting in September, the Board will appoint persons to fill the vacant positions;

6. The appointive committee members of a budget committee in a district that prepares an annual budget will be appointed for three-year terms. The terms will be staggered so that, as near as practicable, one-third of the appointive members' terms end each year;

7. If any appointive member is unable to complete the term for which the member was appointed, the Board will announce the vacancy at the first regular Board meeting following the committee member's resignation or removal. An appointment to fill the position for its unexpired term will be made at the next regular Board meeting.

Budget Committee Responsibilities

The following items explain the budget committee responsibilities:

1. At its first meeting after appointment, the budget committee will elect a presiding officer from among its members. It may also establish other ground rules as necessary for successful operation of the committee;

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

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

4. The budget committee may request any information used in the preparation of or for revising the budget document from the superintendent or business manager. The committee may request the attendance of any district employee at its meetings. The budget committee will approve the budget document as submitted by the superintendent or as subsequently revised by the committee;

5. After approval of the original or revised budget document, the budget committee's duties cease. The hearing on the approved budget is held by the Board.

END OF POLICY

Legal Reference(s):

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

House Bill 4066 (2026)

Hermiston School District 8R

Code: **EBB**
Adopted: 1/13/15
Revised/Readopted: 7/10/17
Orig. Code: EBB

Integrated Pest Management

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

The IPM plan is a proactive strategy that:

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

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

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

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

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

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

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

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

[1] See ORS 634.705(5).

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

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

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

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

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

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

The [facilities director] is designated as the Integrated Pest Management Plan Coordinator and has the authority for overall implementation and evaluation of the IPM plan.

Integrated Pest Management Plan Coordinator

The IPM Plan Coordinator shall:

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

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

3. Oversee pest prevention efforts;

4. Ensure identification and evaluation of pest situation;

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

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

7. Evaluate pest management results;

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

    a. A copy of the label;
    b. A copy of the Safety Data Sheet (SDS);
    c. The brand name and U.S. Environmental Protection Agency (USEPA) registration number of the product;
    d. The pest condition that prompted the application;
    e. The approximate amount and concentration of pesticide applied;
    f. The location and description of the area where the pesticide was applied;
    g. The type of application and whether the application was effective;
    h. The name(s) of the person(s) applying the pesticide;
    i. The pesticide applicator's license numbers and pesticide trainee or certificate numbers of the person applying the pesticide;
    j. The dates and times for the placement and removal of warning signs; and

k. Copies of all required notices given, including the dates the IPM Coordinator gave the notices.

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

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

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

END OF POLICY

Legal Reference(s):

ORS 634.116 ORS 634.700 - 634.750

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

Hermiston School District 8R

Code: EBBA
Adopted: 8/12/24
Orig. Code: JHC

Student Health Services**

Although the district's primary responsibility is to educate students, the students' health and general welfare is also an important Board responsibility. The Board believes school programs should be conducted in a manner that protects and enhances student and employee health and is consistent with good health practices. A health services plan shall be developed, implemented, and updated annually. The plan shall describe a health services program for all students at each facility that is owned or leased where students are present for regular programming.

The district shall maintain a written prevention-oriented health services plan for all students. The health services plan will[1]:

1. Explain available health care space that is appropriately supervised and adequately equipped for providing health care and administering medication or first aid;

2. Refer to available communicable disease prevention and management plan that includes school-level protocols[2];

3. Outline a district-to-school communication plan[3];

4. Provide information about health screenings, including immunizations and TB certificate requirements;

5. Describe how services for all students, including those who are medically complex, medically fragile or nursing dependent, and those who have approved 504 plans, individual education program plans, and individualized health care plans or special health care needs are managed[4];

6. Integrate school health services with school health education programs and coordinate with health and social service agencies, public and private;

7. Describe how hearing, vision and dental screenings are managed and/or verified for required students[5];

[1] For exact language and complete requirement, see OAR 581-022-2220(1).

[2] For specific protocol content requirements, see OAR 581-022-2220(1)(b).

[3] For requirements of this plan see OAR 581-022-2220(1)(c).

[4] For more information regarding these requirements see ORS 336.201 and 339.869, OARs 581-021-0037, 581-015-2040, 581-015-2045, 851-045-0040 – 0060, and 851-047-0010 – 0030.

[5] For vision screening or eye examination or dental screening information see ORS 336.211 and 336.213.

8. Include a process to assess and determine a student's health services needs, including availability of a nurse to assess student nursing needs upon, during, and following enrollment with one or more new medical diagnose(s) impacting a student's access to education, and implement a student's individual health plan prior to attending school[6];

9. Comply with OR-OSHA Bloodborne Pathogens Standards for all persons who are assigned to job tasks which may put them at risk for exposure to body fluids[7];

10. Refer to adopted policy and procedures for medications in accordance with Oregon law[8];

11. Include guidelines for the management of students who are medically complex, medically fragile, or nursing dependent as defined by ORS 336.201, including students with life-threatening food allergies and adrenal insufficiency while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before-school or after-school care programs on school-owned property, and in transit to or from school or school-sponsored activities[9].

Any nurse(s) employed by the district and providing services to students on behalf of the district shall be licensed in Oregon to practice as a registered nurse or nurse practitioner or be a licensed practical nurse (LPN) in alignment with LPN supervision requirements of OAR 851-045-0050 – 0060.

A nurse employed by the district shall follow all applicable requirements of ORS Chapter 678 and OAR Chapter 851. This includes, but is not limited to, delegation in accordance with OAR 851-047, which includes performing a nursing assessment of a student prior to delegation, providing adequate supervision during the delegation, and evaluating the skills, ability and willingness of the delegee.[10]

An administrator or other staff who is not a nurse may supervise, evaluate or direct a school nurse or registered nurse for purposes related to the nurse's role as a school employee, including but not limited to assigning the nurse's work hours, locations and workload and other matters addressed through a collective bargaining agreement. An administrator may not direct the school nurse or registered nurse in the practice of nursing.

A nurse employed by the district will function as an integral member of the instructional staff, serving as a resource person to teachers in securing appropriate information and materials on health-related topics.]

The district provides a menstrual product dispenser with a variety of products in every student bathroom[11] which meets the requirements of law.

END OF POLICY

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[6] For definitions for this policy see ORS 336.201.

[7] OAR 437-002-0360 lists various health and safety regulations that apply in the employment setting.

[8] Medication laws can be found in ORS 339.866 – 339.874 and OAR 581-021-0037; relevant Board policy includes JHCD/JHCDA - Medications.

[9] For guideline requirements see OAR 581-022-2220(1)(k).

[10] For additional delegation requirements see OAR 851-047-0030.

[11] "Student bathroom" means a bathroom that is accessible by students, including a gender-neutral bathroom, a bathroom designated for females, and a bathroom designated for males. (OAR 581-021-0587)

Legal Reference(s):

ORS 329.025
ORS 332.107
ORS 336.201
ORS 336.204
ORS 336.211 – 336.214
ORS 342.458
OAR 581-021-0017
OAR 581-021-0031
OAR 581-021-0587
OAR 581-021-0590
OAR 581-022-2050
OAR 581-022-2220
OAR 581-022-2515

Every Student Succeeds Act, 20 U.S.C. § 7928 (2024).
Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2024).

Hermiston School District 8R

Code: **GAA**
Adopted: 9/14/15
Revised/Readopted: 7/10/17
Orig. Code: GAA

Personnel: Definitions

"Licensed employees" are those holding a position that requires a license issued by the state Teacher Standards and Practices Commission (TSPC).

1. A "teacher" is an employee who holds a teacher's license or is registered to teach by TSPC.

2. A "contract teacher" is any teacher who has been regularly employed by a district for a probationary period of not more than three successive school years and who has been retained for the next succeeding school year.

3. A "probationary teacher" is one who is not a contract teacher and who is employed for at least 135 consecutive days in any school year as a teacher in the district. At least 30 consecutive days of employment in the district in a successive year shall be sufficient to keep the service intact, and the teacher shall not lose credit for previous probationary years served.

4. A "temporary teacher" is any teacher employed to fill a position designated as temporary or experimental or to fill a vacancy that occurs after the opening of school because of unanticipated enrollment or the death, disability, retirement, resignation, contract nonextension or dismissal of a contract or probationary teacher.

5. A "substitute teacher" is any teacher employed to take the place of a probationary or contract teacher who is temporarily absent. A substitute teacher is employed on a day-to-day basis, without contract, and does the work of the regularly assigned teacher during the latter's absence from duty. Substitutes will not be eligible for fringe benefits and will be paid at a rate established annually by the Board in accordance with the provisions of Oregon law.

6. An "intern teacher" is a regularly enrolled candidate of an approved educator preparation provider, who teaches under the supervision of the staff of the provider and of the employing district, in order to acquire practical experience in teaching.

7. An "administrator" is an employee who holds a valid Oregon administrative license or registration and who works in a position requiring an administrative license. An administrator includes but is not limited to all superintendents, assistant superintendents, principals and academic program directors in public schools or education service districts who have direct responsibility for supervision or evaluation of licensed teachers and who are compensated for their services with public funds.

8. A "specialist" is an employee who has a teaching license or a letter of authorization from the Oregon Department of Education and who is employed half-time or more.

"Classified personnel" are those employees in positions for which no teaching or administrative licenses are required by law.

1. "Regular classified employees" are those employed in positions established by the Board requiring 20 or more hours per week for at least a full school year.
2. "Temporary/Substitute classified employees" are those employed on an as-needed basis. These employees are not eligible for benefits.

"Supervisory employees" are those individuals having authority to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employees, or responsibly to direct them, or to adjust their grievances or effectively to recommend such action if the exercise of such authority is not of a merely routine or clerical nature but requires the use of independent judgment.

"Confidential employees" are designated in accordance with Oregon law (ORS 243.650(6)). Such employees will be excluded from any bargaining unit.

"Administrative employee" means an employee of the district who possesses authority to formulate and carry out administrative and/or program decisions, or who represents administration's interest by taking or effectively recommending discretionary actions that control or implement district policy, and who has discretion in the performance of these administrative and/or program responsibilities beyond the routine discharge of duties. An administrative employee need not act in a supervisory capacity in relation to other employees.

END OF POLICY

Legal Reference(s):

ORS 243.650(6), (23)
ORS 332.505
ORS 332.554(3)
ORS 342.120
ORS 342.125
ORS 342.420
ORS 342.610
ORS 342.815
ORS 342.835
ORS 342.840
ORS 342.845

OAR 584-020-0005

Job York v. Portland Sch. Dist., No. FDA 83-7 (August 1983).

Hermiston School District 8R

Code: **GBA**
Adopted: 11/14/11
Revised/Readopted: 7/10/17; 2/10/20; 1/24/22
Orig. Code: GBA

Equal Employment Opportunity

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

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

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

The superintendent will develop other specific recruitment, interview and evaluation procedures necessary to implement this policy. These procedures will seek to provide an equal employment opportunity and eliminate the effects of past and present discrimination, intended or unintended, on the basis of race, religion, national origin, age, sex, marital status or physical or mental disabilities.

END OF POLICY

Legal Reference(s):

ORS 174.100
ORS 243.305
ORS 326.051
ORS 332.505
ORS 408.225 – 408.237
ORS 652.210 - 652.220
ORS 659.850
ORS 659A.003
ORS 659A.006
ORS 659A.009
ORS 659A.029
ORS 659A.030
ORS 659A.082
ORS 659A.109
ORS 659A.112
ORS 659A.147
ORS 659A.820

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

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2024).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, et. seq. (2024).
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 (2024); 29 C.F.R Part 1626 (2025).

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

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

Hermiston School District 8R

Code: **GBA-AR**
Revised/Reviewed: 7/10/17; 4/11/22

Veterans' Preference
(Version 1)

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

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

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

Recruitment Procedures

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

Selection Procedures[4]

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

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

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

[4] If the district chooses not to use a scored system the law requires that the district give special consideration in the district's hiring decision to veterans and disabled veterans and the district will need to be able to demonstrate the method used for providing special consideration. ORS 408.230(2)(c).

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

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

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

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

Step 5: Following completion of the interviews, the human resource director shall complete the selection matrix and score the applicants based on the scoring sheets completed during interviews. Veterans' preference shall be applied by adding 5 percentage points to an eligible veteran and 10 percentage points to an eligible disabled veteran.

Step 6: The human resource director makes the offer to the applicant with the highest final score. The district is not obligated to hire or promote a qualified and eligible veteran or disabled veteran.

The district is obligated to hire or promote a qualified or eligible veteran or disabled veteran if they are equal or better than the top candidate after the veterans' preference has been applied.

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

Filing a Complaint

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

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

Hermiston School District 8R

Code: GBA-AR
Revised/Reviewed:

Veteran and State Servicemember Preference
(Version 2)

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

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

Recruitment Procedures

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

Selection Procedures

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

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

[2] See Oregon Revised Statute (ORS) 408.225 for definitions of veteran, disabled veteran, state servicemember and former state servicemember.

[3] An applicant claiming veteran's or disabled veteran's preference will submit a copy of their Certificate of Release or Discharge from Active Duty (DD Form 214 or 215) or a certification that the veteran is expected to be discharged or released from active duty under honorable conditions not later than 120 days after the submission of the certification. A disabled veteran may also submit a copy of their letter from the U.S. Department of Veterans Affairs, unless the information is included in the DD Form 214/215 or a certification that the veteran is expected to be medically separated from active duty under honorable conditions not later than 120 days after the submission of the certification. (OAR 839-006-0465) An applicant claiming to be a former state servicemember must meet the definition of "former state servicemember." An applicant is treated as a former state servicemember if they meet the definition, except for the requirement that the applicant was discharged or released under honorable conditions and submits certification that the individual is expected to be discharged or released from Oregon National Guard under honorable conditions no later than 120 days after the submission of the certification. (ORS 408.235)

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

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

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

Step 5: Following completion of the interviews, the human resources director or designee shall complete the selection matrix and score the applicants based on the scoring sheets completed during interviews. Preference shall be applied by adding 5 percentage points to an eligible veteran, state servicemember or former state servicemember and 10 percentage points to an eligible disabled veteran.

Step 6: The district will appoint an otherwise qualified applicant claiming preference to the position if the applicant's results of their application examination, when combined with the preference, are equal to or better than the results for the top candidate.

The district may base a decision not to appoint the applicant claiming preference solely on the applicant's merits or qualifications with respect to the position.

In the event the district chooses not to appoint an applicant covered by this administrative regulation, the district shall provide the reasons it chose not to appoint the applicant for the position upon a written request from the applicant.

Filing a Complaint

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

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

PROPOSED

Hermiston School District 8R

Code: **GBN/JBA**
Adopted: 11/10/14
Revised/Readopted: 7/10/17; 10/08/18; 7/13/20; 10/12/20; 8/12/24
Orig. Code: GBN

Sexual Harassment

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

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

General Procedures

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

OREGON DEFINITION AND PROCEDURES

Oregon Definition

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

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

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

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

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

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

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

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

Oregon Procedures

Reports and complaints of sexual harassment should be made to the following individual(s):

Jake Bacon, Director of Human Resources at 541-667-6000 or jake.bacon@hermistonsd.org

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

Response

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

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

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

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

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

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

Investigation

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

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

1. Interviews with those involved;

2. Interviews with witnesses;

3. Review of video surveillance;

4. Review of written communications, including electronic communications;

5. Review of any physical evidence; and

6. Use of third-party investigator.

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

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

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

2. Removal of third parties engaged in sexual harassment;

3. Additional supervision in activities;

4. Additional controls for district electronic systems;

5. Trainings and education for staff and students; and

6. Increased notifications regarding district procedures and resources.

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

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

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

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

4. Limiting attendance at district events; and

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

No Retaliation

Retaliation against persons who initiate complaint or otherwise report sexual harassment or who participate in an investigation or other related activities is prohibited. The initiation of a complaint,

reporting of behavior, or participation in an investigation, in good faith about behavior that may violate this policy may not adversely affect the:

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

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

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

Notices

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

1. Each reporting person;

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

3. Each reported person; and

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

The written notification must include[4]:

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

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

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

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

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

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

[4] Remember confidentiality laws when providing any information.

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

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

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

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

9. Prohibition of retaliation.

The notice must:

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

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

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

Additionally, notice must be provided to the person who initiated the complaint and, if applicable, the person's parents, when an investigation is initiated and when it is concluded. The notification at the conclusion of the investigation must include whether a violation of the policy was found to have occurred, to the extent allowable under state and federal student confidentiality laws.

Oregon Department of Education (ODE) Support

The ODE will provide technical assistance and training upon request.

FEDERAL DEFINITION AND PROCEDURES

Federal Definition

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

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

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

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

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

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

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

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

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

Federal Procedures

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

Reporting

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

The director of human resources is designated as the Title IX Coordinator and can be contacted at 541-667-6000. The Title IX Coordinator will coordinate the district's efforts to comply with its responsibilities related to this policy. The district prominently will display the contact information for the Title IX Coordinator on the district website and in each handbook.

Response

The district will promptly respond to information, allegations or reports of sexual harassment when there is actual knowledge of such harassment, even if a formal complaint has not been filed.[6] The district shall treat complainants and respondents equitably by providing supportive measures[7] to the complainant and by

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

[7] (Title 34 C.F.R. § 106.44(a)) Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access

following a grievance procedure[8] prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

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

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

Notice

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

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

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

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

No Retaliation

Neither the district or any person may retaliate[11] against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. The district must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act

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to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment.[7] The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures. (Title 34 C.F.R. § 99.30(a))

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

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

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

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

(FERPA), as required by law, or to carry out the proceedings herein. Complaints of retaliation may be filed using these procedures.

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

Publication

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

END OF POLICY

Legal Reference(s):

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

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).
Bartsch v. Elkton School District, FDA-13-011 (March 27, 2014).
Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).
Gebser v. Lago Vista Indep. Sch. Dist., 524 U.S. 274 (1998).

Hermiston School District 8R

Code: **GCBDA/GDBDA-AR(1)**
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Family and Medical Leave

Employee Eligibility

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

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

Generally, in order for an employee to be eligible for the benefits under OFLA, the employee must work an average of 25 hours or more per week during the 180 calendar days immediately prior to the first day of the start of the requested leave.[2] In determining if an employee has been employed for the preceding 180 calendar days under OFLA, the district must consider days, paid or unpaid, an employee is maintained on payroll.

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

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

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

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

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

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

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

2. An employee unable to work because of a disabling compensable injury[3] need not requalify under OAR 839-009-0210 in order to use OFLA leave following a period the employee is off work due to the compensable injury.

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

Qualifying Reason

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

1. Serious health condition of the employee or the employee's covered family member. "Serious health condition" means an illness, injury, impairment or physical or mental condition that involves inpatient care[4] or continuing treatment by a health care provider[5].

2. Parental leave[6] (separate from eligible leave as a result of a child's serious health condition):

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

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

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

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

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

[3] As defined in ORS 656.005.

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

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

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

2. Sick child leave: leave taken to care for an employee's child who is suffering from an illness, injury, or condition that requires home care; or leave taken to care for an employee's child whose school or child care provider has been closed[8] in conjunction with a statewide public health emergency declared by a public health official.[9]

3. Bereavement leave: leave taken to deal with the death of a covered family member and includes leave taken to attend the funeral or alternative to a funeral of the family member, to make arrangements necessitated by the death of the family member, or to grieve the death of the family member.[10] When such leave is used for a family member who is related by affinity, the district requires an attestation form signed and submitted by the employee.

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

Definitions

1. Family member:

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

      (1) Spouse[12];
      (2) Parent[13]; or
      (3) Child[14].

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

      (1) Spouse or domestic partner;
      (2) Child or the child's spouse or domestic partner;
      (3) Parent or the parent's spouse or domestic partner;
      (4) Sibling or stepsibling, or the sibling's or stepsibling's spouse or domestic partner;
      (5) Grandparent or the grandparent's spouse or domestic partner;
      (6) Grandchild or the grandchild's spouse or domestic partner; or

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

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

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

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

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

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

(7) Any individual related by blood or affinity whose close association with an eligible employee is the equivalent of a family relationship.[15]

2. Child:

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

3. In loco parentis:

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

4. Next of kin:

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

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

5. Covered servicemembers:

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

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[15] "Affinity" means a relationship for which there is a significant personal bond that, when examined under the totality of the circumstances, is like a family relationship. This bond may be demonstrated by, but is not limited to the following factors, with no single factor being determinative:

1. Shared personal financial responsibility, including shared leases, common ownership of real or personal property, joint liability for bills or beneficiary designations;
2. Emergency contact designation of the employee by the other individual in the relationship or the emergency contact designation of the other individual in the relationship by the employee;
3. The expectation to provide care because of the relationship or the prior provision of care;
4. Cohabitation and its duration and purpose;
5. Geographic proximity; and
6. Any other factor that demonstrates the existence of a family-like relationship.

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

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

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

6. Covered veteran:

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

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

7. Public health emergency:

For OFLA a "public health emergency" means;

a. A public health emergency declared under ORS 433.441.
b. An emergency declared under ORS 401.165 if related to a public health emergency as defined in ORS 433.442.

Leave Period

For the purposes of calculating an employee's leave period for FMLA, the district will use the 12-month period measured forward from the date the employee's leave begins.

For the purposes of calculating an employee's leave period for OFLA, the district will use a period of 52 consecutive weeks beginning on the Sunday immediately preceding the date on which family leave commences.

The leave period for the purposes of Military Caregiver Leave under FMLA shall be dependent on the start of any such leave regardless of the district's designated leave period described above.

Leave Duration

For the purposes of FMLA, an eligible employee is generally entitled to a total of 12 weeks of qualified leave during the district's designated leave period (12-month period)[16]. Spouses who work for the district and are eligible for FMLA leave may be limited to a combined total of 12 weeks of FMLA leave during the district's designated leave period when the purpose of the leave is for:

1. Birth of a child or to care for a child after birth;

[16] An eligible employee taking Military Caregiver Leave under FMLA is entitled to up to 26 weeks of leave in the 12-month period beginning with the first day of such leave and regardless of any FMLA leave taken previously during the district's leave period. However, once the 12-month period begins for the purposes of Military Caregiver Leave under FMLA, any subsequent FMLA qualified leave, regardless of reason for such leave, will count toward the employee's 26-week entitlement under Military Caregiver Leave under FMLA.

1. Placement of an adopted child or child in foster care, the care for an adopted child or child in foster care after placement; or

2. Care of the employee's parent with a serious medical condition.

Except in specific and unique instances, all qualified leave under FMLA counts toward an employee's leave entitlement within the designated leave period.

For the purposes of OFLA, an eligible employee is generally entitled to a total of up to 12 weeks of OFLA leave, for sick child leave and bereavement leave, during the designated leave period. An eligible employee is entitled to a total of two weeks of bereavement leave upon the death of each family member of the employee within a leave year, except that the eligible employee may not take more than four weeks of bereavement leave within a leave year.

An employee may also be entitled to take a total of 12 weeks of OFLA pregnancy disability leave within the same leave year.

Under OFLA, the employee may use all or part of the 12 weeks of sick child or bereavement leave and all or part of the 12 weeks of pregnancy disability leave in any order.

Unlike FMLA, OFLA does not combine the leave entitlement when two or more family members work for the district. Under OFLA, family members who work for the district may be restricted from taking concurrent OFLA qualified leave.[17]

For the purposes of OMFLA, an eligible employee is entitled to 14 days of leave per call or order to active duty or notification of a leave from deployment. When an employee also meets the eligibility requirements of OFLA, the duration of the OMFLA leave counts toward that employee's leave entitlement during the designated leave period.

Qualified leave under FMLA and OFLA for an eligible employee will run concurrently during the designated leave period if for the same qualifying reason. Qualified leave under FMLA will run concurrently with other qualified leave covered under Paid Family and Medical Leave Insurance (PFMLI) and/or available sick leave under ORS 653.601 - 653.661 for eligible employees. Qualified leave under OFLA may also run concurrently with leave taken under the sick time law in ORS 653.601 - 653.661 if for the same qualifying reason, but not concurrent with PFMLI.

For the purpose of tracking the number of leave hours an eligible employee is entitled and/or has used during each week of the employee's leave, leave entitlement is calculated by multiplying the number of hours the eligible employee normally works per week by 12[18]. If an employee's schedule varies from week-to-week, a weekly average of the hours worked over the 12 months worked prior to the beginning of the leave period shall be used for calculating the employee's normal workweek[19]. If an employee takes intermittent or reduced work schedule leave, only the actual number of hours of leave taken may be counted toward the 12 weeks of leave to which the employee is entitled.

[17] Exceptions to the ability to require family members to take OFLA qualified leave at different times are when one employee needs to care for a child for a purpose described in ORS 659A.159 (1)(a) while another employee is taking pregnancy disability leave or, one or more of the employees is taking bereavement leave.

[18] For example, an employee normally employed to work 30 hours per week is entitled to 12 times 30 hours, or a total of 360 hours of leave.

[19] For example, an employee working an average of 25 hours per week is entitled to 12 times 25 hours, or a total of 300 hours of leave.

Holidays which occur within the week taken as FMLA may be counted against FMLA entitlement.[20] However, for leave taken in increments of less than one week, holidays in which employees generally are not expected to report do not count against the employees FMLA leave entitlement.

Under OFLA, days in which the district is not in operation, are not counted toward intermittent or reduced work schedule OFLA leave.

Intermittent Leave

With the exception of parental leave under FMLA which must be taken in one continuous block of time, an eligible employee is permitted under FMLA or OFLA to take intermittent leave for any qualifying reason.

Intermittent leave is taken in separate periods of time (i.e., hours, days, weeks, etc.), rather than in one continuous period of time, and/or requiring an altered or reduced work schedule. For OFLA this includes but is not limited to sick child leave taken requiring an altered or reduced work schedule because the intermittent or recurring closure of a child's school or child care provider due to a statewide public health emergency declared by a public health official.

When an exempt employee is eligible for both OFLA and FMLA leave, and the employee takes intermittent leave in blocks of less than one day, if done in accordance with 29 CFR § 825.206, the district may reduce the employee's salary for the part-day absence without the loss of the employee's exempt status in accordance with OAR 839-020-0004(32).

When an exempt employee is eligible for OFLA leave but not FMLA leave, and the employee takes intermittent leave in blocks of less than one day, the district will jeopardize the employee's exempt status if the district reduces the employee's salary for the part-day absence.

An employee's FMLA and/or OFLA intermittent leave time is determined by calculating the difference between the employee's normal work schedule and the number of hours the employee actually works during the leave period. The result of such calculation is credited against the eligible employee's leave entitlement.

Alternate Work Assignment

Under FMLA, the district may transfer an employee taking intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment to an alternate position for which the employee is qualified and which better accommodates an employee's recovery from a serious health condition, a serious health condition of a spouse, parent, or child, or a serious injury of illness of a covered servicemember. However, the district may not transfer the employee to an alternative position in order to discourage the employee from taking leave or otherwise work a hardship on the employee.

Under FMLA, when an employee who is taking leave intermittently or on a reduced leave schedule and has been transferred to an alternative position no longer needs to continue on leave and is able to return to full-time work, the employee will be placed in the same or equivalent job as the job they left when the leave commenced. An employee may not be required to take more leave than necessary to address the circumstance that precipitated the need for leave.

Under OFLA, the district may transfer an employee on intermittent OFLA leave or reduced work schedule into an alternate position with the same or different duties to accommodate leave, provided:

1. The employee accepts the position voluntarily and without coercion;

[20] See 29 CFR § 825.200(h).

2. The transfer is temporary, lasts no longer than necessary to accommodate the leave and has equivalent pay and benefits;

3. The transfer is compliant with any applicable collective bargaining agreement, as well as with state and federal law;

4. The transfer to an alternate position is used only when there is no other reasonable option available that would allow the employee to use intermittent leave or reduced work schedule; and

5. The transfer is not used to discourage the employee from taking leave or to create a hardship for the employee.

Under OFLA, an employee transferred to an alternate position for the purpose of a reduced work schedule must be returned to the employee's former position when the employee notifies the employer that the employee is ready to return to the former position at the end of the alternate duty leave.

The district may transfer an eligible employee to an alternate position that accommodates OFLA pregnancy disability leave provided:

1. The employee accepts the transfer position voluntarily and without coercion;

2. The transfer is temporary, lasts no longer than necessary and has equivalent pay and benefits;

3. The transfer is compliant with any applicable collective bargaining agreements, as well as with state and federal law;

4. The transfer is not used to discourage the employee from taking OFLA leave or to create a hardship for the employee.

Under OFLA, if an eligible employee is transferred to an alternative position and as a result the employee works fewer hours than the employee worked in the original position, the employee's OFLA leave time is determined by calculating the difference between the number of hours the employee worked in the original position and the number of hours the employee actually works in the alternative position.

An employee is not on OFLA leave if the employee has been transferred – as provided for in OAR 839-009-0245 (5) – to an alternate position for the purpose of alternate work duties that the employee is able to perform within the limitations of the employee's pregnancy disability, but not requiring a reduced workweek. An employee working in an alternate position retains the right to return to the employee's original position at any time during the employee's OFLA leave. This does not impair the right of an employee to a reasonable accommodation or the application of any other state or federal law.

Special Rules for School Employees

For the purposes of FMLA, "instructional employee" means those whose principal function is to teach and instruct students in a class, a small group or an individual setting. Athletic coaches, driving instructors and special education assistants, such as signers for the hearing impaired, are included in this definition. This definition does not include teacher assistants or aides who do not have as their principal job actual teaching or instructing, auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers or bus drivers.

FMLA leave that is taken for a period that ends with the school year and begins with the next semester is considered consecutive rather than intermittent. The period during the summer vacation when the employee would not have been required to report for duty is not counted against the employee's FMLA leave entitlement. In any such situation, the eligible instructional employee will receive any benefits during the break period that employees would normally receive if they had been working at the end of the school year.

1. Foreseeable Intermittent Leave Exceeding 20 Percent of Working Days

When the qualified leave is foreseeable, will encompass more than 20 percent of the eligible instructional employee's regular work schedule during the leave period, and the purpose of such leave is to care for a family member with a serious medical condition, for a covered servicemember or for the employee's own serious medical condition, the district may require the eligible instructional employee to choose either to:

a. Take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
b. Temporarily transfer to an available alternate position for which the employee is qualified, which has equivalent pay and benefits, and which better accommodates recurring periods of leave than the employee's regular position.

If an instructional employee does not give required notice of foreseeable FMLA leave to be taken intermittently or on a reduced leave schedule, the district may require the employee to take leave of a particular duration, or to transfer temporarily to an alternative position. Alternatively, the district may require the employee to delay the taking of leave until the notice provision is met.

2. Limitation on Leave Near the End of the Term[22]

When an eligible instructional employee requests leave near the end of the term, the district may require the following:

a. When the qualified leave begins more than five weeks before the end of the term, the district may require the employee to continue taking leave until the end of the term if:

(1) The leave will last at least three weeks; and
(2) The employee would return to work during the three-week period before the end of the term.

b. When the qualified leave begins during a five-week period before the end of the term and the purpose of such leave is parental leave, for the serious health condition of a family member or to care for a covered servicemember, the eligible instructional employee may be required by the district to remain on leave until the end of the term if:

(1) The leave will last more than two weeks; and
(2) The employee would return to work during the two-week period before the end of the term.

c. When the qualified leave begins within three weeks of the end of the term and the purpose of such leave is parental leave, for the serious health condition of a family member or to care for a covered servicemember, the eligible instructional employee may be required to remain on leave until the end of the term if the length of the leave will last more than five working days.

If the district requires an eligible instructional employee to remain on leave until the end of the term as described above, additional leave required by the district until the end of the school term shall not count against the eligible instructional employee's leave entitlement.

[22] "Academic term" means the school semester, which typically ends near the end of the calendar year and the end of spring each school year. In no case may a school have more than two academic terms or semesters each year for purposes of FMLA. 29 CFR § 825.602(b)

For the purposes of OFLA leave, if an employee[23] begins a period of bereavement leave during the three-week period before the end of the term and the duration of the leave is greater than five working days, the district may require the employee continue on family leave until the end of the term.

Paid/Unpaid Leave

FMLA and OFLA do not require the district to pay an eligible employee who is on a qualified leave. Paid Family and Medical Leave Insurance (PFMLI) leave taken via Paid Leave Oregon or an equivalent plan will run concurrently with FMLA and leave available under ORS 653.601 - 653.661 when taken for the same purpose. An employee may elect to use any available accrued paid leave including personal, sick or vacation leave during the leave period. The total combined amount received by using accrued leave and PFMLI may exceed the employee's full wage replacement during the period of leave. The district will notify the eligible employee when the requested leave has been designated as FMLA or OFLA leave and ask the employee about the use of available accrued paid leave.

Eligible employees taking OMFLA leave are entitled to use available accrued paid time off during the OMFLA leave period.

Benefits and Insurance

When an eligible employee returns to work following a FMLA-, OFLA- or OMFLA-qualified leave, the employee must be reinstated to the same position the employee held when the leave commenced, or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

During an OFLA qualified leave an eligible employee does not accrue seniority or other benefits that would have accrued while the employee was working, unless the terms of a collective bargaining agreement, other agreement or other district policy provide otherwise.[24] The eligible employee is also subject to layoff to the same extent similarly situated employees not taking OFLA leave are subject unless the terms of an applicable collective bargaining agreement, other agreement or the district's policies provide otherwise.

For the purposes of FMLA and OFLA, the district will continue to pay the employer portion of the eligible employee's group health insurance contribution (if applicable) during the qualified leave period. The eligible employee is required to pay the employee portion of any such group health insurance contribution as a condition of continued coverage.

For the purposes of FMLA qualified leave, the district's obligation to maintain the employee's group health insurance coverage will cease if the employee's contribution is remitted more than 30 calendar days late. The district will provide written notice that the premium payment is more than 30 calendar days late. Such notice will be provided within 15 calendar days before coverage is to cease.

For the purposes of OMFLA, the eligible employee is entitled to a continuation of benefits.

Fitness-for-Duty Verification

For purposes of FMLA, prior to the reinstatement of an employee following a leave which was the result of the employee's own serious health condition, the district may require the employee to obtain and present a Fitness-for-Duty Certification. If the district is going to require a Fitness-for-Duty Certification upon return to work, the district must notify the employee of such requirement when the leave is

[23] Applies only to an employee who is employed principally in an instructional capacity by the district.

[24] See also ORS 342.934(4)(d) in reduction force situations.

designated as FMLA leave and that failure to provide the certification may result in a delay or denial of reinstatement. Any costs associated with obtaining the certification shall be borne by the employee.

Application

For purposes of FMLA, an eligible employee requesting FMLA leave shall provide at least 30 days' notice prior to the leave date if the leave is foreseeable. The notice shall be written and include the anticipated start date, duration and reasons for the requested leave. When appropriate, the eligible employee must make a reasonable effort to schedule treatment, including intermittent leave and reduced leave, so as not to unduly disrupt the operation of the district. An eligible employee able to give advance notice of the need to take FMLA leave must follow the district's known, reasonable and customary procedures for requesting any kind of leave.

For purposes of OFLA, an eligible employee shall provide at least 30 days' written notice of the need for foreseeable leave before starting family leave. An employee may commence family leave without prior notice in the event of: an unexpected illness, injury or condition of a child of the employee that requires home care; the death of a family member; the closure of the school or child care provider of the employee's child due to a public health emergency unless the declaration of the emergency was issued by the Governor at least 30 days before commencement of the leave; or an illness, injury or condition related to the employee's own pregnancy or childbirth that disables the employee from performing any available job duties offered by the district. If an employee commences leave without prior notice as allowed above, the employee must give oral notice[25] to the employer within 24 hours of the commencement of the leave and must provide the written notice within three days after returning to work. Failure of an employee to provide the required notice for leave may result in the district deducting up to three weeks from the employee's unused OFLA leave in that one-year leave period. The employee may be subject to disciplinary action for not following the district's notice procedures.

The district may request additional information[26] to determine the requested leave qualifies as FMLA or OFLA leave as provided by law. The district may designate the employee as provisionally on FMLA or OFLA leave until sufficient information is received to properly make a determination. An eligible employee able to give advance notice of the need to take leave must follow the district's known, reasonable and customary procedures for requesting any kind of leave.

For the purposes of FMLA, if advance notice is not possible, an employee eligible for FMLA leave must provide notice as soon as practicable. "As soon as practicable," for the purpose of FMLA leave, means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case. In most situations, as soon as practicable will be within one business day of an employee becoming aware of the need. Failure of an employee to provide the required notice for FMLA leave may result in the district delaying the employee's leave up to 30 days after the notice is ultimately given.[27]

For the purposes of OFLA, if an eligible employee is taking leave in an unforeseeable situation, an employee must give oral or written notice[28] within 24 hours before or after commencement of the leave. In all cases, proper documentation must be submitted no later than three working days following the employee's return to work.

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[25] Oral notice may be given by any other person on behalf of the employee taking the leave.

[26] See OAR 839-009-0260 for OFLA and 29 CFR § 825.305 et. al. for FMLA.

[27] See 29 CFR § 825.304.

[28] Notice may be given by any other person on behalf of the employee taking the leave.

For purposes of OMFLA, an employee must provide the district with notice of the intention to take leave within five business days of receiving official notice of an impending call or order to active duty or of a leave from deployment.

Verification

Under FMLA, the district may require an eligible employee to provide medical certification, when appropriate[29], to support the stated reason for such leave. In most cases, the district will provide written notification to an employee of this requirement within five working days of the employee's request for leave. The employee is required to submit such medical certification no later than 15 calendar days after receipt of the district's notification that medical certification is required, unless not practicable. Any additional certifications, including second and third opinions, will be in accordance with applicable law.

Under OFLA, the district may require an eligible employee to provide medical verification, when appropriate[30], to support the stated reason for qualifying OFLA leave. The district will provide written notification to an employee of this requirement and state the consequences for failure to provide the requested medical verification. If the employee gives advance written notice of foreseeable leave, the district may require the employee to provide medical verification for OFLA leave before the leave starts. If the employee begins unforeseeable OFLA leave without prior notice, the employee is required to submit such medical verification within 15 calendar days after receipt of the district's request for medical verification. The employee may be subject to disciplinary action for not providing the requested medical verification.

For the purposes of OFLA qualified leave, costs associated with obtaining the medical verification shall be borne by the district or be paid as otherwise allowed by law. The district will not delay the use of qualifying OFLA leave when medical verification is not received before the commencement of unforeseeable leave. The district may not require an employee to obtain a second opinion.

Under OFLA, the district may request verification for the need for leave to care for a child who requires home care due to the closure of the child's school or child care provider as a result of a public health emergency. A request for verification may include a request for:

1. The name of the child requiring home care;

2. The name of the school or child care provider that is subject to the closure;

3. A statement from the employee that no other family member of the child is willing and able to care for the child; and

4. A statement that special circumstances exist that require the employee to provide home care for the child during the day, if the child is older than 14 years of age.

Posted Notice

The district will post the Bureau of Labor and Industries Family Leave notice in each building or worksite in an area that is accessible to and regularly frequented by employees.[31] The district will also post a notice

[29] Medical verification is not allowed in every situation. Review current laws and guidance for more information.

[30] Medical verification is not allowed in every situation. Review current laws and guidance for more information. (OAR 839-009-0260)

[31] https://www.oregon.gov/boli/employers/Documents/BOLI_Printable_FamilyMedLv.pdf {Electronic posting is not sufficient to satisfy this requirement but may be used to supplement the physical posting.}

explaining the provisions of FMLA and providing information concerning the procedures for filing complaints.[32]

Record Keeping

The district will maintain all records as required by federal and state laws including dates leave is taken by employees, identified separately from other leave; hours/days of leave; copies of general and specific notices to employees, including Board policy(ies) and regulations; premium payments of employee health benefits while on leave and records of any disputes with employees regarding granting of leave.

Medical documentation will be maintained separately from personnel files as confidential medical records.

Federal vs. State Law

Both federal and state law contain provisions for family and medical leave. Federal regulations state an employer must comply with all leave laws; that the federal law does not supersede any provision of state law that provides greater family or medical leave rights than those established pursuant to federal law; and if leave qualifies for FMLA and OFLA leave, the leave used counts against the employee's entitlement under both laws. State law requires that FMLA and state leave entitlements run concurrently when for the same purpose.

[32] https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/fmlaen.pdf {Electronic posting is sufficient as long as it is posted prominently where it can be readily seen by employees and applicants for employees. The poster and the text must be large enough to be easily read and contain fully legible text.}

Hermiston School District 8R

Code: **GCBDD/GDBDD**
Adopted: 6/13/16
Revised/Readopted: 7/10/17; 4/14/25

Sick Time

"Employee" means an individual who renders personal services at a fixed rate to the district if the district either pays or agrees to pay for personal services or permits the individual to perform personal services. The definition does not include volunteers, independent contractors or others excluded by law.

Employees covered by collective bargaining agreements, while not exempt from this policy, are provided similar leave rights as spelled out in their associated collective bargaining agreement.

Employees qualify to begin earning and accruing sick time on the first day of employment with the district and are eligible to use sick time beginning on the 91st calendar day of employment with the district and may use sick time as it is accrued.

The district employs 10 or more employees and therefore shall allow an eligible employee to access up to 40 hours of paid sick time per year. Paid sick time shall accrue at the rate of at least one hour of paid sick time for every 30 hours the employee works, or 1-1/3 hours for every 40 hours the employee works. Paid sick time of 40 hours shall be front-loaded to stipend employees at the beginning of their official duties.

The employee may carry up to 40 hours of unused sick time from one year to the subsequent year. An employee is limited to accruing no more than 80 hours of sick time and using no more than 40 hours of sick time in a year.

Sick time shall be taken in hourly increments and may be used for the employee's or a family member's[1] mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition, or need for preventive care, or for reasons consistent with qualifying Family and Medical Leave (FMLA), Paid Family and Medical Leave Insurance (PFMLI) or Oregon Family Leave (OFLA).

Sick time earned by an employee may also be used for the following reasons:

1. In the event of a public health emergency compliant with Oregon Revised Statute (ORS) 653.616;

2. To donate blood in connection with a voluntary program for the donation of blood that is approved or accredited by the American Association of Blood Banks or the American Red Cross; or

3. For leave to address domestic violence, harassment, sexual assault, bias, or stalking under ORS 659A.272 (safe leave).

When sick time is used to care for, or to deal with the death of, an individual related by blood or affinity whose close association with the district employee is the equivalent of a family relationship, the district requires an attestation form signed and submitted by the employee.

[1] "Family member" is defined in OAR 839-007-0000.

The use of sick time may not lead to, or result in, an adverse employment action against the employee. The district reserves the right, after an employee uses sick time for more than three consecutive scheduled workdays, to require verification or certification in accordance with law of the need for the sick time, including a medical verification or certification[3] paid for by the district. If an employee fails to provide verification or certification or fails to provide other evidence as required by the district, the employee shall be subject to appropriate disciplinary action, up to and including dismissal.

When the reason for sick time is consistent with FMLA, PFMLI or OFLA leave, sick time leave and qualifying FMLA, PFMLI or OFLA leave may run concurrently.

When the reason for sick time is consistent with ORS 332.507, sick time leave and leave pursuant to ORS 332.507 may run concurrently.

If the reason for sick time is a foreseeable absence, the district requires an employee to provide advance notice of the intention to use sick time 10 days prior to when the requested sick time is to begin or as soon as otherwise practicable. When an employee uses sick time for a foreseeable absence, the employee shall take reasonable effort to schedule the sick time in a manner that does not unduly disrupt the operations of the district (e.g., grading deadlines, inservice training, mandatory meetings).

The district may discipline an employee if the employee fails to make a reasonable effort to schedule leave in a manner that does not unduly disrupt the operations of the district.

If the reason for sick time is unforeseeable, such as an emergency, accident or sudden illness, the employee shall notify the district consistent with the reporting time established by the district, or when circumstances prevent the employee from providing notice as required, as soon as practicable.

The district may discipline an employee for violating workplace policies and procedures if the employee fails to provide notice as required.

The district shall establish a standard process to track the eligibility for sick time of a substitute.

END OF POLICY

Legal Reference(s):

ORS 332.507
ORS 342.545
ORS 342.610
ORS 653.601 - 653.661
ORS 659A.150 - 659A.186
OAR 839-007-0020 – 007-0065

Americans with Disabilities Act/Americans with Disabilities Act Amendments Act, 42 U.S.C. §§ 12101-12213 (2024); 29 C.F.R. Part 1630 (2025); 28 C.F.R. Part 35 (2025).
Family and Medical Leave Act, 29 U.S.C. §§ 2601-2654 (2024); Family and Medical Leave Act, 29 C.F.R. Part 825 (2025).

[3] In the case of need for leave under ORS 659A.272, the district may not require the verification or certification to explain the nature of the illness or details related to the domestic violence, sexual assault, harassment, bias, or stalking, which necessitates the use of sick time.

Hermiston School District 8R

Code: **JBA/GBN**
Adopted: 11/10/14
Revised/Readopted: 7/24/17; 10/08/18; 7/13/20; 10/12/20; 8/12/24
Orig. Code: JBA/GBN

Sexual Harassment

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

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

General Procedures

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

OREGON DEFINITION AND PROCEDURES

Oregon Definition

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

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

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

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

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

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

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

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

Oregon Procedures

Reports and complaints of sexual harassment should be made to the following individual(s):

Jake Bacon, Director of Human Resources at 541-667-6000 or jake.bacon@hermistonsd.org

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

Response

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

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

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

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

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

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

Investigation

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

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

1. Interviews with those involved;

2. Interviews with witnesses;

3. Review of video surveillance;

4. Review of written communications, including electronic communications;

5. Review of any physical evidence; and

6. Use of third-party investigator.

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

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

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

2. Removal of third parties engaged in sexual harassment;

3. Additional supervision in activities;

4. Additional controls for district electronic systems;

5. Trainings and education for staff and students; and

6. Increased notifications regarding district procedures and resources.

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

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

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

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

4. Limiting attendance at district events; and

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

No Retaliation

Retaliation against persons who initiate complaint or otherwise report sexual harassment or who participate in an investigation or other related activities is prohibited. The initiation of a complaint,

reporting of behavior, or participation in an investigation, in good faith about behavior that may violate this policy may not adversely affect the:

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

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

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

Notices

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

1. Each reporting person;

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

3. Each reported person; and

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

The written notification must include[4]:

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

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

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

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

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

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

[4] Remember confidentiality laws when providing any information.

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

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

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

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

9. Prohibition of retaliation.

The notice must:

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

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

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

Additionally, notice must be provided to the person who initiated the complaint and, if applicable, the person's parents, when an investigation is initiated and when it is concluded. The notification at the conclusion of the investigation must include whether a violation of the policy was found to have occurred, to the extent allowable under state and federal student confidentiality laws.

Oregon Department of Education (ODE) Support

The ODE will provide technical assistance and training upon request.

FEDERAL DEFINITION AND PROCEDURES

Federal Definition

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

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

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

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

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

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

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

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

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

Federal Procedures

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

Reporting

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

The director of human resources is designated as the Title IX Coordinator and can be contacted at 541-667-6000. The Title IX Coordinator will coordinate the district's efforts to comply with its responsibilities related to this policy. The district prominently will display the contact information for the Title IX Coordinator on the district website and in each handbook.

Response

The district will promptly respond to information, allegations or reports of sexual harassment when there is actual knowledge of such harassment, even if a formal complaint has not been filed.[6] The district shall treat complainants and respondents equitably by providing supportive measures[7] to the complainant and by

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

[7] (Title 34 C.F.R. § 106.44(a)) Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access

following a grievance procedure[8] prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

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

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

Notice

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

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

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

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

No Retaliation

Neither the district or any person may retaliate[11] against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. The district must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act

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to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment.[7] The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures. (Title 34 C.F.R. § 99.30(a))

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

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

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

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

(FERPA), as required by law, or to carry out the proceedings herein. Complaints of retaliation may be filed using these procedures.

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

Publication

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

END OF POLICY

Legal Reference(s):

ORS 243.706
ORS 332.107
ORS 342.700
ORS 342.704
ORS 342.708
ORS 342.850
ORS 342.865
ORS 659.850
ORS 659A.006
ORS 659A.029
ORS 659A.030

OAR 581-021-0038
OAR 584-020-0040
OAR 584-020-0041

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).
Bartsch v. Elkton School District, FDA-13-011 (March 27, 2014).
Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).
Gebser v. Lago Vista Indep. Sch. Dist., 524 U.S. 274 (1998).

Hermiston School District 8R

Code: **JHC**
Adopted: 12/01/09
Revised/Readopted: 7/24/17; 11/14/22
Orig. Code: JHC

Student Health Services and Requirements

Replaced with new EBBA adopted 8/12/24

Although the district's primary responsibility is to educate students, the students' health and general welfare is also an important Board responsibility. The Board believes school programs should be conducted in a manner that protects and enhances student and employee health and is consistent with good health practices.

The district shall staff nursing services appropriate for students with medical needs and prevention-oriented health services per applicable requirements of Oregon Revised Statutes (ORS) 336.201 and Oregon Administrative Rule (OAR) 581-022-2220.

The district shall provide:

1. One registered nurse or school nurse for every 125 medically fragile students;

2. One registered nurse or school nurse or one licensed practical nurse under the supervision of a registered nurse or school nurse for each nursing-dependent student; and

3. One registered nurse or school nurse for every 225 medically complex students.

The district may use the most cost effective means available to meet the above requirements.

The district shall maintain a prevention-oriented health services program which provides:

1. Pertinent health information on the students, as required by Oregon statutes or rules;

2. Health appraisal to include screening for possible vision or hearing problems;

3. Health counseling for students and parents, when appropriate;

4. Healthcare and first-aid assistance that are appropriately supervised and isolate the sick or injured child from the student body;

5. Control and prevention of communicable diseases as required by Oregon Health Authority, Public Health Division, and the county health department;

6. Assistance for students in taking prescription and/or nonprescription medication according to established district procedures;

7. Services for students who are medically fragile or have special healthcare needs;

8. Integration of school health services with school health education programs.

The Board directs its district health staff to coordinate with health personnel from other public agencies in matters pertaining to health instruction or the general health of students and employees.

In accordance with the requirements of federal law, the district recognizes its responsibility to notify parents in advance of any nonemergency, invasive physical examination[1] or screening that is required as condition of attendance; administered and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students.

Notification will be provided at least annually at the beginning of the school year or when enrolling students for the first time in school and will include the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

Procedures shall be developed and implemented to carry out this policy. All district employees will be apprised of their responsibilities in this area. Parents shall have the opportunity to request their students be exempt from participation in vision or hearing screening. The district will abide by those requests.

END OF POLICY

Legal Reference(s):

ORS 329.025
ORS 336.201
ORS 336.211
OAR 581-022-2050
OAR 581-022-2220
OAR 581-022-2225

Protection of Pupil Rights, 20 U.S.C. § 1232h (2018); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2022).
Every Student Succeeds Act, 20 U.S.C. § 7928 (2018).
Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2018).

Cross Reference(s):

JHH - Student Suicide Prevention

[1] The term "invasive physical examination," as defined by law, means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening. The term does not include any physical examination or screening that is permitted or required by state law, including physical examinations or screenings that are permitted without parental notification.

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

September 14, 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
Scott Depew	Temporary Administrator	District Office

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

September 14, 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
Sarann Leon	Teacher	Armand Larive Middle School
Anne Jones	Teacher	West Park Elementary
Scott Depew	Administrator	District Office
Holly Kress	Teacher	Hermiston High School

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

September 14, 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:

School/Program	Gift	Value	Donor
Troy Benson, HSD Job Coach	Scholarship	$1,000	Educational Credit Management Corp.
HHS Athletics	Sports	$21,875.97	HHS Sports Boosters
Hermiston High School	Key Club & Girls Swim Team	$1,000	Schnitzer Cares Student Grantmaking
Sunset Elementary School	School Supplies	$352.29	Phillips Legacy Inc.
Hermiston School District	School Supplies	$1,543	American Online Giving Foundation
Hermiston High School	Drawing Winner	$500	Cloud Crest Homes/Monte Vista Homes

rcd

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: Troy Benson, HSD Job Coach

Name of Donor: Educational Credit Management Corp.

Donor Address: 111 Washington Ave S., Suite 1400, Minneapolis, MN 55401

Donor Telephone Number: 651-221-0566

Description of gift(s)/donation(s) including Serial #, purchase date, original purchase price and current cash value: Scholarship Program for administrator at HHS - Troy Benson, ECMC Scholars Program Administrator

Purpose of gift/donation: Stipend for the ECMC Scholars Program Administrator for the 25-26 school year

Signature of Donor: N/A

Date: 07/17/2026

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 $000 Date: 7/23/26

Recommendation of Business Manager Kris Dawson Date: 8/31/2026

Recommendation of Superintendent TJ Mooney Date: 9/10/26

Action of the Board of Education: Accepted _____ Not Accepted_____

Secretary to the Board of Education _____ Date: _____

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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 High School Athletics

Name of Donor: Hermiston HS Sports Boosters

Donor Address: PO Box 284

Donor Telephone Number: n/a

Description of gift(s)/donation(s) including Serial #, purchase date, original purchase price and current cash value: Check #4004 - $21,875.97

Purpose of gift/donation: $8,000 Cross Country - $5,315.97 Fast Pitch Softball - $2,240 B/G Swim - $3,313 Girls Wrestling - $3,007 Dance

Signature of Donor: N/A

Date: 08/18/2026

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 _____ Date: 8/18/26

Recommendation of Business Manager _____ Date: 9.1.2026

Recommendation of Superintendent _____ Date: 9-10-26

Action of the Board of Education: Accepted _____ Not Accepted_____

Secretary to the Board of Education _____ Date: _____

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305 SW 11TH Street, Hermiston, Oregon 97838-2103
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www.hermiston.k12.or.us

APPLICATION FOR ACCEPTANCE OF GIFT

Unit to be presented with Gift/Donation: Key Club adn Boys & Girls Swim Team

Name of Donor: Schnitzer Cares Student Grantmaking

Donor Address: 1121 SW Salmon St, Suite 500, Portland, OR 97205

Donor Telephone Number: 503-973-0232

Description of gift(s)/donation(s) including Serial #, purchase date, original purchase price and current cash value: $1000 check #284457

Purpose of gift/donation: $500 HHS Key Club / $500 Boys & Girls Swim Team

Signature of Donor: N/A

Date: 08/19/2026

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 _____ Date: 8.21.26

Recommendation of Business Manager Kari Sloan Date: 9.1.2026

Recommendation of Superintendent T Mooney Date: 9.10.26

Action of the Board of Education: Accepted _____ Not Accepted_____

Secretary to the Board of Education _____ Date: _____

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: Sunset Elementary School

Name of Donor: Phillips Legacy Inc.

Donor Address: 613 SW Emigrant Ave Pendleton, OR 97801-2042

Donor Telephone Number: _____

Description of gift(s)/donation(s) including Serial #, purchase date, original purchase price and current cash value: Check number 5660 $352.29

Purpose of gift/donation: Ashley Nicodemus-school supplies

Signature of Donor: N/A

Date: _____

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 E. Andreason Date: 8/26/26

Recommendation of Business Manager Kari Lane Date: 9.1.2026

Recommendation of Superintendent T J Mooney Date: 9.10.26

Action of the Board of Education: Accepted _____ Not Accepted_____

Secretary to the Board of Education _____ Date: _____

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 8R

Name of Donor: American Online Giving Foundation

Donor Address: 611 Meredith Rd NE #700 Calgary, AB T2E 2W5 Canada

Donor Telephone Number: _____

Description of gift(s)/donation(s) including Serial #, purchase date, original purchase price and current cash value: Check number 631370 $1,543.00

Purpose of gift/donation: General purpose for supplies

Signature of Donor: N/A

Date: _____

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 Kari L Dana Date: 9.1.2020

Recommendation of Business Manager Kari L Dana Date: 9.1.2020

Recommendation of Superintendent TJ Mooney Date: 9.10.20

Action of the Board of Education: Accepted _____ Not Accepted_____

Secretary to the Board of Education _____ Date: _____

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 High School

Name of Donor: CloudCrest Homes/MonteVista Homes

Donor Address: 389 SW Scalehouse Ct Ste 110 Bend, OR 97702

Donor Telephone Number: 541-699-4340

Description of gift(s)/donation(s) including Serial #, purchase date, original purchase price and current cash value: Check #22398 $500

Purpose of gift/donation: Drawing Winner - Funds to be used in building

Signature of Donor: N/A

Date: 09/01/2026

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 _____ Date: 09/01/2026

Recommendation of Business Manager _____ Date: 09/01/2026

Recommendation of Superintendent _____ Date: 9.10.26

Action of the Board of Education: Accepted _____ Not Accepted_____

Secretary to the Board of Education _____ Date: _____

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

September 14, 2026

SUPERINTENDENT'S RECOMMENDATION

7.0. CONSENT ITEM

7.3.1. TOPIC: Integrated Pest Management Plan

It is recommended. . . . .

RECOMMENDATION:

That the Board of Education approves the Integrated Pest Management Plan for the Hermiston School District.

Integrated Pest Management Plan Hermiston School District

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I. INTRODUCTION

Structural and landscape pests can pose significant problems in schools. Pests such as mice and cockroaches can trigger asthma. Mice and rats are vectors of disease. Many children are allergic to yellow jacket stings. The pesticides used to remediate these and other pests can also pose health risks to people, animals, and the environment. These same pesticides may pose special health risks to children due in large part to their still-developing organ systems. Because the health and safety of students and staff is our first priority – and a prerequisite to learning – it is the policy of Hermiston School District 8R to approach pest management with the least possible risk to students and staff. In addition, Senate Bill 637 (incorporated into ORS Chapter 634 upon finalization in 2009) requires all school districts to implement integrated pest management in their schools. For this reason, the Hermiston School District adopts this integrated pest management plan for use on the campuses of our district.

II. WHAT IS INTEGRATED PEST MANAGEMENT?

Integrated Pest Management, also known as IPM, is a process for achieving long-term, environmentally sound pest suppression through a wide variety of tactics. Control strategies in an IPM program include structural and procedural improvements to reduce the food, water, shelter, and access used by pests. Since IPM focuses on remediation of the fundamental reasons why pests are here, pesticides are rarely used and only when necessary.

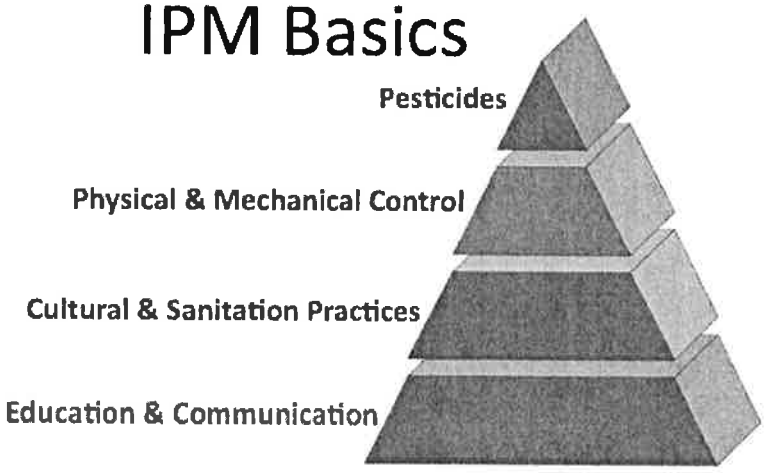
IPM Basics

Education and Communication: The foundation for an effective IPM program is education and communication. We need to know what conditions can cause pest problems, why and how to monitor for pests, proper identification, pest behavior and biology before we can begin to manage pests effectively. Communication about pest issues is essential. *A protocol for reporting pests or pest conducive conditions and a record of what action was taken is the most important part of an effective IPM program.*

Cultural & Sanitation: Knowing how human behavior encourages pests helps you prevent them from becoming a problem. Small changes in cultural or sanitation practices can have significant effects on reducing pest populations. Cleaning under kitchen serving counters, reducing clutter in classrooms, putting dumpsters further from kitchen door/loading dock, proper irrigation scheduling, and over-seeding of turf areas are all examples of cultural and sanitation practices that can be employed to reduce pests.

Physical & Mechanical: Rodent traps, sticky monitoring traps for insects, door sweeps on external doors, sealing holes under sinks, proper drainage and mulching of landscapes, and keeping vegetation at least 24 inches from buildings are all examples of physical and mechanical control.

Pesticides: IPM focuses on remediation of the fundamental reasons why pests are here; pesticides should be rarely used and only when necessary.



III. WHAT IS AN INTEGRATED PEST MANAGEMENT PLAN?

ORS 634.700 defines an IPM plan as a proactive strategy that:

(A) Focuses on the long-term prevention or suppression of pest problems through economically sound measures that:
a) Protect the health and safety of students, staff and faculty;
b) Protect the integrity of campus buildings and grounds;
c) Maintain a productive learning environment; and
d) Protect local ecosystem health;

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

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

(D) Includes regular monitoring and inspections to detect pests, pest damage and unsanctioned pesticide usage;

(E) Evaluates the need for pest control by identifying acceptable pest population density levels;

(F) Monitors and evaluates the effectiveness of pest control measures;

(G) Excludes the application of pesticides on a routine schedule for purely preventive

purposes, other than applications of pesticides designed to attract or be consumed by pests;

(H) Excludes the application of pesticides for purely aesthetic purposes;

(I) Includes school staff education about sanitation, monitoring and inspection and about pest control measures;

(J) Gives preference to the use of nonchemical pest control measures;

(K) Allows the use of low-impact pesticides if nonchemical pest control measures are ineffective; and

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

The above definition is the basis for Hermiston School Districts IPM plan as required by ORS 634.700 – 634.750.

Note: As mentioned above, ORS 634.700 allows for the routine application of pesticides designed to be consumed by pests. To avoid a proliferation of pests and/or unnecessary applications of pesticides, several steps must be taken before **any** "routine" applications are allowed:
1) Staff must be educated on sanitation, monitoring, and exclusion as the primary means to control the pest.
2) An acceptable pest population density level must be established.
3) The use of sanitation, structural remediation or habitat manipulation, or of mechanical or biological control methods must be incorporated into the management strategy of the pest.
4) Documentation that the above steps were ineffective.
5) The pesticide label must be read thoroughly to make sure the pesticide will be used in strict compliance with all label instructions.

IV. SCHOOL DISTRICT IPM PLAN COORDINATOR

The Hermiston School District designates Martie McQuain as the IPM Plan Coordinator. The Coordinator is key to successful IPM implementation, and is given the authority for overall implementation and evaluation of this plan. The Coordinator is responsible for:

A. Attending not less than six hours of IPM training each year

The training will include a general review of IPM principles and the requirements of ORS 634.700 – 634.750. It will also include hands-on training on updated exclusion practices, monitoring & inspection techniques, and management strategies for common pests.

B. Conducting outreach to the school community (custodians, maintenance, construction, grounds, faculty, and kitchen staff) about the school's IPM plan;
The IPM Plan Coordinator (or designee) will provide training as outlined in Section VII below.

C. Overseeing pest prevention efforts;
The Coordinator will work with custodians, teachers, and maintenance to reduce clutter and food in the classrooms, and seal up pest entry points.

D. Assuring that the decision-making process for implementing IPM in the district (section V) is followed;
The Coordinator will continually assess and improve the pest monitoring/reporting/action protocol.

E. Assuring that all notification, posting, and record-keeping requirements in section VI are met when the decision to make a pesticide application is made;

F. Maintaining the approved pesticides list as per section VIII; and

G. Responding to inquiries and complaints about noncompliance with the plan.
Responses to inquiries and complaints will be in writing and kept on record with the Coordinator.

V. IPM DECISION-MAKING PROCESS

A. Responsibilities of School District Employees

1. IPM Plan Coordinator Responsibilities
See Section IV above

2. Custodial Services Responsibilities
Custodial Services staff are responsible for the following:

1) Attending annual IPM training provided by the IPM Plan Coordinator (or designee).

2) Placing and checking sticky insect monitoring traps in staff lounge, cafeteria, and kitchen as per the IPM Plan Coordinator's instructions.

3) Keeping records of pest complaints using pest logs placed in the staff lounge, cafeteria, and kitchen.

4) Assuring floor under serving counters is kept free of food and drink debris.

5) Sealing up small cracks or holes when reported by teachers or noticed by custodian when this can be done in a short time 15 minutes or less.

6) Recording his/her pest management actions in the pest logs.

7) Reporting pest problems that he/she cannot resolve in less than 15 minutes to the IPM Plan Coordinator.

8) Reporting teachers to the IPM Plan Coordinator who need assistance to reduce clutter and other pest-conducive conditions in their classrooms.

9) Reporting pest-conducive conditions to the IPM Plan Coordinator if the custodian cannot fix them in less than 15 minutes.

10) Confiscating any unapproved pesticides (such as aerosol spray cans) discovered during inspections or regular duties and delivering them to the IPM Plan Coordinator.

11) Following up on issues found in annual inspection report as instructed by the IPM Plan Coordinator (IPM Plan Coordinator will determine which schools receive annual inspections based on pest and pesticide use history).

3. Maintenance/Construction Responsibilities

Staff involved in facilities maintenance and construction is responsible for working with the IPM Plan Coordinator to ensure their daily tasks, projects and operations enhance effective pest management. This includes:

1) Receiving training from the IPM Plan Coordinator (or designee of the Coordinator) on the basic principles of IPM, sealing pest entry points, and sanitation during construction projects.

2) Continually monitoring for pest conducive conditions during daily work, and sealing small holes and cracks when noticed.

3) Working with the Coordinator to develop a protocol and priority list with deadlines for sealing holes, installing external door sweeps, and other pest exclusion needs which cannot be done in a short period of time.

4) Developing protocols and provisions for pest avoidance and prevention during construction and renovation projects. The IPM Plan Coordinator has the authority to halt construction projects if these protocols and provisions are not being met.

4. Grounds Department Responsibilities

Grounds crews are responsible for:

1) Attending annual IPM training provided by the IPM Plan Coordinator (or designee).

2) Keeping vegetation (including tree branches and bushes) at least three feet from building surfaces.

3) Proper mulching in landscaped areas to reduce weeds.

4) Proper fertilization, over-seeding, mowing height, edging, drainage, aeration, and irrigation scheduling in turf areas to reduce weeds.

5) When the decision is made to apply a pesticide, following notification, posting, record-keeping and reporting protocols in Section VI.

5. Kitchen Staff Responsibilities

Kitchen staff are responsible for:

1) Attending annual IPM training provided by the IPM Plan Coordinator (or designee).

2) Assuring floor under serving counters is kept free of food and drink debris.

3) Promptly emptying and removing corrugated cardboard materials.

4) Keeping exterior kitchen doors closed.

5) Reporting pest conducive conditions that require maintenance (e.g., leaky faucets, dumpster too near building, build-up of floor grease requiring spray-washing, etc.) to proper staff either orally or using pest logs.

3) Participating in any inspections conducted by custodian or IPM Plan Coordinator.

4) Checking sticky trap monitors once per month for cockroaches or drain flies. Immediately reporting these pests and any sightings of rodents or rodent droppings to custodian and marking them in pest log.

6. School Faculty Responsibilities

School faculty are responsible for:

1) Attending annual basic IPM training provided by the IPM Plan Coordinator (or designee).

2) Keeping their classrooms and work areas free of clutter.

3) Making sure students clean up after themselves when food or drink is consumed in the classroom.

4) Reporting pests and pest conducive conditions to the custodian, either orally or via the pest logs.

5) Following first steps of protocol for ant management before notifying the custodian (clean up any food the ants are eating, kill visible ants, wipe down area where ants were with soapy water, notify custodian only if ants continue to be found after following these steps).

7. School Principal Responsibilities

The School Principal is responsible for:

1) Scheduling time for teachers to receive annual training provided by the IPM Plan Coordinator (or designee).

2) Attending annual IPM training for teachers.

3) Assuring that teachers keep their rooms clean and free of clutter in accordance with the IPM Plan Coordinator's instructions.

4) Assuring that all faculty, administrators, staff, adult students and parents receive the annual notice (provided by the IPM Plan Coordinator) of potential pesticide products that could be used on school property as per Section VI.

5) Working with the IPM Plan Coordinator to make sure all notifications of pesticide applications reach all faculty, administrators, staff, adult students and parents.

6) Assuring that all staff fulfill their role as outlined in the district's IPM plan (reducing pest conducive conditions, participation in monitoring and pest log recording, attendance at IPM training(s), cooperation with the district's IPM Plan Coordinator).

B. Monitoring – Reporting – Action Protocol

Monitoring is the most important requirement of ORS 634.700 – 634.750. It is the backbone of Hermiston School Districts IPM Program. It provides recent and accurate information to make intelligent and effective pest management decisions. It can be defined as the regular and ongoing inspection of areas where pest problems do or might occur. Information gathered from these inspections is always written down.

As much as possible, monitoring should be incorporated into the daily activities of school staff. Staff training on monitoring should include what to look for and how to record and report the information.

1. *Three levels of monitoring*

There are three levels of monitoring:

1) Casual observing/looking with no record keeping is not helpful
2) Casual observing/looking with written observations can be useful
3) Careful inspections with written observations is always useful

Level 2 monitoring (all staff)
All staff will be trained to improve their "casual observing/looking" to level 2, and to report any pests and pest-conducive conditions they observe. Level 2 monitoring is conducted by faculty, administration, maintenance/construction, kitchen staff, school nurses, etc.

After a brief (15 – 20 minute) training by the IPM Plan Coordinator (or designee) on pests and pest conducive conditions, staff will be expected to report pests or pest conducive conditions they observe during the normal course of their daily work. Reporting will be done by reporting them to the IPM Plan Coordinator (or designee) Custodial, maintenance, and kitchen staff are expected to set and/or check sticky monitoring traps as per the district's IPM plan.

Level 3 monitoring (Coordinator and Custodial staff)
The IPM Plan Coordinator (or designee) and Custodians will periodically conduct monitoring at level 3. Coordinator and Custodial staff will monitor structures:

- Pest conducive conditions inside and outside the building (structural deterioration, holes that allow pests to enter, conditions that provide pest harborage)
- The level of sanitation inside and out (waste disposal procedures, level of cleanliness inside and out, conditions that supply food and water to pests)
- The amount of pest damage and the number and location of pest signs (rodent droppings, termite shelter tubes, cockroaches caught in sticky traps, etc.)
- Human behaviors that affect the pests (working conditions that make it impossible to close doors or screens, food preparation procedures that provide food for pests, etc.)
- Their own management activities (caulking/sealing, cleaning, setting out traps, treating pests, etc.) and their effects on the pest population.

Grounds staff will monitor Turf and Landscape:

- The condition of the plants (vigor and appearance)
- The amount of plant damage
- pH, phosphorus, and potassium levels of turf (soil test every 3-4 years in all locations)
- Kind and abundance of pests (weeds, insects, mites, moles, etc.) as well as natural enemies (ladybugs, spiders, lacewing larvae, syrphid fly larvae, etc.)
- Weather conditions (record any unusually dry, hot, wet, or cold weather in the past few weeks)
- Proper drainage
- Human behaviors that affect the plants or pests (foot traffic that compacts the soil, physical damage to plants caused by people, insistence on having certain plants grow in inappropriate situations, etc.)
- Management activities (pruning, fertilizing, mulching, aeration, treating pests, etc.) and their effects on the plants and the pest population.

2. Sticky monitoring traps for insects

Sticky traps are neither a substitute for pesticides nor an alternative for reducing pest populations, but rather a diagnostic tool to aid in identifying a pest's presence, their reproductive stage, the likely direction pests are coming from, and the number of pests.

All staff will be made aware of the traps and their purpose so they don't disturb them. Custodians will be responsible for setting them out and checking them once per month (approximately 10 minutes), and replacing them once every four months (approximately 30 minutes). Kitchen staff will be responsible for checking those in the kitchen primarily for cockroaches and drain flies once per week (approximately 4 minutes).

After receiving training in the use of pest monitoring sticky traps by the IPM Plan Coordinator (or designee), custodial staff will be responsible for checking traps placed in pre-determined "pest-vulnerable areas" in the staff room, kitchen, and cafeteria, concession stands) on a monthly basis, and replacing them every four months. If custodial staff cannot interpret what they find in the traps, they will contact the IPM Plan Coordinator for assistance (E-mailing a close-up digital photo of the unfolded sticky trap would help!).

3. Reporting (pests, signs of pests, and conducive conditions)
When staff observe pests or pest conducive conditions they should jot them down in a Pest Log or report them to the custodian for him/her to write them down.

4. Reporting "Pests of Concern"
"A pest of concern" is a pest determined to be a public health risk or a significant nuisance pest. These include cockroaches (disease vectors, asthma triggers), mice & rats (disease vectors, asthma triggers), yellow jackets (sting can cause anaphylactic shock), cornered nutria, raccoons, cats, dogs, opossums, skunks (they can bite), and bed bugs (significant nuisance pest).

When pests of concern (or their droppings, nests, etc.) are observed, staff should immediately tell the building custodian. The custodian must contact the IPM Plan Coordinator immediately.

5. Action!
a) Structural
Any items (such as sealing up holes) that maintenance/construction staff or custodial staff observe (or see on Pest Logs) that they can resolve in less than 15 minutes should be taken care of and this follow up action should be noted in the Pest Log.

Custodial staff will review Pest Logs twice per week. Any items he/she cannot resolve in less than 15 minutes should be marked in order of priority.

Pest Logs will be faxed to the IPM Plan Coordinator once per week. The Coordinator will determine further actions to be taken and when.

If the actions needed are not something the Coordinator can accomplish alone or with minimal assistance, the Coordinator will meet with maintenance/construction and/or the Pest Management Professional (PMP) to develop a protocol and priority list with deadlines for sealing holes, installing external door sweeps, and other pest exclusion or pest management needs. The Coordinator will then generate a work order with a proposed deadline for completion based on the severity of the risk or nuisance

The Coordinator will keep records of time and money spent to manage the pest, including copies of original receipts.

Small Ants:

When staff observe a small number of ants (e.g. under 10 ants) they must:

1st) Spend two minutes trying to find out where the ants are coming from
2nd) Kill the ants with a paper towel or similar
3rd) Remove any food or liquid the ants were eating
4th) Wipe down the area with soapy water or disinfectant to remove pheromone trails
5th) Jot down the above in the Pest Log

If the ants come back or there are more than a small number (e.g. under 10 ants) of them:

1st) Spend two minutes trying to find out where the ants are coming from
2nd) Jot down the above in the Pest Log
3rd) Ask the custodian to come with vacuum and sealant as soon as he/she is able

The custodian will:

1st) Spend two minutes trying to find out where the ants are coming from

2nd) Vacuum up the ants and any food debris nearby (vacuum up a tablespoon of cornstarch to kill most of the ants in the vacuum bag, then put the vacuum bag inside plastic garbage bag, seal it, and dispose of it properly)
3rd) Seal up the crack or hole where the ants were coming from (do what can be done in less than 15 minutes)
4th) Wipe down the area with soapy water or disinfectant to remove pheromone trails
5th) Jot down the above in the Pest Log

To avoid a proliferation of small ants and/or unnecessary applications of pesticides, the routine use of ant baits is not permitted without first:

1st) Educating staff on sanitation, monitoring, and exclusion as the primary means to control the ants.
2nd) Establishing an acceptable pest population density (e.g. 10 ants).
3rd) Improving sanitation (e.g. cleaning up crumbs and other food sources) and structural remediation (sealing up cracks or holes where the ants are coming from).

b) Grounds
When pests on grounds reach a threshold established by the IPM Plan Coordinator, action will be taken as determined by the Coordinator.

6. Acceptable Thresholds (pest population density levels)
A threshold is the number of pests that can be tolerated before taking action. The acceptable threshold for cockroaches, mice, rats, raccoons, cats, dogs, opossums, skunks, and nutria is 0.

Acceptable thresholds for other pests will be determined by the IPM Plan Coordinator.

C. Inspections
1) Routine Inspections
The IPM Plan Coordinator will conduct routine inspections of different schools throughout the year. Site custodians are required to accompany the Coordinator during the inspections. The inspections will typically last one to two hours and will focus on compliance with this plan and an inspection of the kitchen, staff room, and any other place of concern. After each routine inspection the Coordinator will write a one-page report on findings and recommendations. The report will be submitted to the school principal and custodian.

2) Annual Inspections
The IPM Plan Coordinator will conduct annual inspections at individual schools. Site custodians are required to assist the Coordinator with the annual inspection. The annual inspections will be more thorough than the routine inspections, and will use the Annual IPM Inspection Form to guide the inspections. The specific schools to be inspected will be determined by the IPM Plan Coordinator and based on a review of the annual number of pest problems and pesticide applications reported in the Annual IPM Report and Annual Report of Pesticide Applications.

D. Pest Emergencies (see also Section VII. B. below)
IMPORTANT: If a pest emergency is declared, the area must be evacuated and cordoned off before taking any other steps. When the IPM Plan Coordinator, after consultation with school faculty and administration, determines that the presence of a pest or pests immediately threatens the health or safety of students, staff, faculty members or members of the public using the campus, or the structural integrity of campus facilities, he or she may declare a pest emergency. Examples include (but are not limited to) yellow jackets swarming in areas frequented by children, a nutria in an area frequented by children, a half a dozen mice or rats running through occupied areas of a school building.

E. Annual IPM Report (completed by IPM Plan Coordinator)
In January of each year, the IPM Plan Coordinator will provide to the OSU School IPM Program Coordinator an annual IPM report. The report will include a summary of data

gathered from Pest Logs, as well as costs for PMPs and pesticides (including turf and landscape pesticides). Costs for items such as sealants, fixing screens, door sweeps and other items that would not normally be considered part of pest control will not be recorded.

Prevention and management steps taken that proved to be ineffective and led to the decision to make a pesticide application will be copied and pasted or incorporated into the annual report of pesticide applications (see section VII. D)

VI. REQUIRED TRAINING/EDUCATION

ORS 634.700 (3) (i) requires staff education "about sanitation, monitoring and inspection and about pest control measures". All staff should have at least a general review of IPM principles and strategy as outlined in Sections II and III.

A. IPM Plan Coordinator Training

ORS 634.720 (2) requires that the IPM Plan Coordinator "shall complete not less than six hours of training each year. The training shall include at least a general review of IPM principles and the requirements of ORS 634.700 to 634.750."

Content should include health and economic issues associated with pests in schools, exclusion practices, pest identification and biology for common pests, common challenges with monitoring-reporting-action protocols, proper use of sticky monitoring traps for insects, and hands-on training on proper inspection techniques.

Contact your Education Service District or the OSU School IPM Program for information an OSU-approved training courses.

B. Training for Custodial Staff

The IPM Plan Coordinator (or a designee of the Coordinator) will train custodial staff at least annually on sanitation, monitoring, inspection, and reporting, and their responsibilities as outlined in Section V. A.

C. Training for Maintenance and Construction Staff

The IPM Plan Coordinator (or a designee of the Coordinator) will train maintenance staff at least annually on identifying pest conducive conditions and mechanical control methods (such as door sweeps on external doors and sealing holes under sinks), and their responsibilities as outlined in Section V. A.

D. Training for Grounds Staff

The head of grounds staff (or designee) will train grounds staff at least once per year. Each year before the training, the head of grounds staff will meet with the IPM Plan Coordinator to review the annual report of pesticide applications and plan training for all grounds staff. The annual training will review this IPM Plan (especially grounds department responsibilities outlined in Section V.A.) and data from the annual report related to pesticide applications by grounds crew. It will also review the OSU turf

management publications EC 1521, EC 1278, EC 1550, EC 1638-E, and PNW 299 (available free online at http://extension.oregonstate.edu/catalog/). Grounds staff will also be trained in basic monitoring for common pests on grounds.

E. Training for Kitchen Staff

The IPM Plan Coordinator (or a designee of the Coordinator) will train kitchen staff at least once per year on the basic principles of IPM and their responsibilities as outlined in Section V. A.

F. Training for Faculty and Principal

The IPM Plan Coordinator (or a designee of the Coordinator) will train faculty and principals at least once per year on the basic principles of IPM and their responsibilities as outlined in Section V. A. These short (15 – 20 minutes) training are arranged by the Coordinator with individual principals when openings in their school Faculty Meeting schedules permit.

G. Other Training

Basic training on the principals of IPM and the main points of this IPM Plan should also be provided to school nurses, administrative staff, superintendents, and students. Coaches who use athletic fields should be given an overview of basic monitoring and IPM practices for turf so they understand key pest problems to look out for and when to report them.

VII. PESTICIDE APPLICATIONS: REQUIRED NOTIFICATION, POSTING, RECORD KEEPING, AND REPORTING

Any pesticide application (this includes weed control products, ant baits, and all professional and over-the-counter products) on school property must be made by a licensed commercial or public pesticide applicator. At the beginning of each school year, all faculty, administrators, staff, adult students and parents will be given a list of potential pesticide products that could be used in the event that other pest management measures are ineffective. They will also be informed of the procedures for notification and posting of individual applications, including those for pest emergencies.

A. Notification and Posting for Non-emergencies

When prevention or management of pests through other measures proves to be ineffective, the use of a low-risk pesticide is permissible. *Documentation of these measures is a pre-requisite to the approval of any application of a low-risk pesticide. This documentation will remain on file with the IPM Plan Coordinator.*

No non-emergency pesticide applications may occur in or around a school until after 3:30 PM on a Friday while school is in session, unless the IPM Plan Coordinator authorizes an exception. If the labeling of a pesticide product specifies a reentry time, a pesticide may not be applied to an area of campus where the school expects students to be present before expiration of that reentry time. If the labeling does not specify a reentry time, a pesticide may not be applied to an area of a campus where the school

expects students to be present before expiration of a reentry time that the IPM Plan Coordinator determines to be appropriate based on the times at which students would normally be expected to be in the area, area ventilation and whether the area will be cleaned before students are present.

The IPM Plan Coordinator (or a designee of the Coordinator) will give written notice of a proposed pesticide application (via the method most likely to reach the intended recipients) at least 24 hours before the application occurs.

The notice must identify the name, trademark or type of pesticide product, the EPA registration number of the product, the expected area of the application, the expected date of application and the reason for the application.

The IPM Plan Coordinator (or a designee of the Coordinator) shall place warning signs around pesticide application areas beginning no later than 24 hours before the application occurs and ending no earlier than 72 hours after the application occurs.

A warning sign must bear the words "Warning: pesticide-treated area", and give the expected or actual date and time for the application, the expected or actual reentry time, and provide the telephone number of a contact person (the person who is to make the application and/or the IPM Plan Coordinator).

B. Notification and Posting for Emergencies

The declaration of the existence of a pest emergency is the only time a non low-impact pesticide may be applied.

<u>If a pest emergency is declared, the area must be evacuated and cordoned off before taking any other steps.</u>

If a pest emergency makes it impracticable to give a pesticide application notice no later than 24 hours before the pesticide application occurs, the IPM Plan Coordinator shall send the notice no later than 24 hours after the application occurs.

The IPM Plan Coordinator or designee shall place notification signs around the area as soon as practicable but no later than at the time the application occurs.

Note: ORS 634.700 also allows the application of a non-low-impact pesticide "by, or at the direction or order of, a public health official". If this occurs, every effort must be made to comply with notification and posting requirements above.

C. Record Keeping of Pesticide Applications

The IPM Plan Coordinator or designee shall keep a copy of the following pesticide product information on file at the office of the IPM Plan Coordinator:

- A copy of the label
- A copy of the MSDS
- The brand name and USEPA registration number of the product
- The approximate amount and concentration of product applied
- The location of the application
- The pest condition that prompted the application
- The type of application and whether the application proved effective
- The pesticide applicator's license numbers and pesticide trainee or certificate numbers of the person applying the pesticide
- The name(s) of the person(s) applying the pesticide
- The dates on which notices of the application were given
- The dates and times for the placement and removal of warning signs
- Copies of all required notices given, including the dates the IPM Plan Coordinator gave the notices

The above records must be kept on file at the office of the IPM Plan Coordinator, for at least four years following the application date.

D. Annual Report of Pesticide Applications

In January of each year, the IPM Plan Coordinator will provide the OSU School IPM Program Coordinator an annual report of all pesticide applications made the previous year. The report will contain the following for each application:

- The brand name and USEPA registration number of the product applied
- The approximate amount and concentration of product applied
- The location of the application
- The prevention or management steps taken that proved to be ineffective and led to the decision to make a pesticide application
- The type of application and whether the application proved effective

VII. APPROVED LIST OF LOW-IMPACT PESTICIDES

Note: All pesticides used must be used in strict accordance with label instructions.

According to ORS 634.705 (5), the governing body of a school district shall adopt a list of low-impact pesticides for use with their integrated pest management plan. The governing body may include any product on the list except products that:

> (a) Contain a pesticide product or active ingredient that has the signal words "warning" or "danger" on the label;

(b) Contain a pesticide product classified as a human carcinogen or probable human carcinogen under the United States Environmental Protection Agency 1986 Guidelines for Carcinogen Risk Assessment; or
(c) Contain a pesticide product classified as carcinogenic to humans or likely to be carcinogenic to humans under the United States Environmental Protection Agency 2003 Draft Final Guidelines for Carcinogen Risk Assessment.

As a part of pesticide registration under the Federal Insecticide Fungicide and Rodenticide Act (FIFRA) and re-registration required by the Food Quality Protection Act (FQPA), EPA Office of Pesticide Programs (OPP) classifies pesticide active ingredients (a.i.) with regards to their potential to cause cancer in humans. Depending on when a pesticide active ingredient was last evaluated the classification system used may differ as described above.

The National Pesticide Information Center (http://npic.orst.edu/) can be contacted at 1.800.858.7378 or npic@ace.orst.edu for assistance in determining a pesticide a.i. cancer classification.

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

September 14, 2026

SUPERINTENDENT'S RECOMMENDATION

7.0. CONSENT ITEM

7.3.2. TOPIC: Policy Review – Second Read BBAA - BDDG

It is recommended. . . . .

RECOMMENDATION:

That the Board of Education adopts the list of policies as included.

BBAA G1 (2)	Board Member's Authority and Responsibilities
BBAA G1 **delete** (1)	Individual Board Member's Authority and Responsibilities
BBEE G1 (1)	Vacancies on the Board
BBE G1 **delete** (1)	Vacancies on the Board
BBEE R G1 (1)	Board Member Vacancy Application
BCB G1 (1)	Board Officers
BCE G1 (1)	Board Committees
BCE G1 **delete** (1)	Board Committees
BCF G1 **delete** (1)	Advisory Committees to the Board
BD/BDA G1 **delete**	Board Meetings
BD G1 (1)	Board Meetings, Notices and Communications
BDC G1 (1)	Executive Sessions
BDC G1 **delete** (1)	Executive Sessions
BDD G1 (1)	Board Meeting Procedures
BDD G1 **delete** (1)	Board Meeting Procedures
BDDC G1 (1)	Board Meeting Agenda
BDDC G1 **delete** (1)	Board Meeting Agenda
BDDG G1 (1)	Recordings and Minutes of Board Meetings
BDDG G1 (1)	Minutes of Board Meetings

OSBA Model Sample Policy

Code: BBAA
Adopted:

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

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

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

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

4. Board Member's Communication with Administration

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

5. Contracts or Agreements

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

6. Visits to Schools

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

7. Public Meetings Law

All Board members will comply with Public Meetings Law.

8. Mandatory Reporting

A Board member having reasonable cause to believe that any child with whom the Board member comes in contact has suffered abuse or that any person with whom the Board member comes in contact has abused a child shall immediately make an oral report or cause an oral report be made to Department of Human Services[4] or local law enforcement.

9. Oregon Ethics Laws

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

10. Confidential Information

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

11. Other Laws, Policies, Agreements and Procedures

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

END OF POLICY

Legal Reference(s):

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).

[4] (855) 503-SAFE (7233)

OSBA Model Sample Policy

Code: BBAA
Adopted:

DELETE

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).

DELETE

OSBA Model Sample Policy

Code: BBE
Adopted:

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 vacancy[1];

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

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

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

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

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

6. During an open Board meeting, the Board will vote to appoint one of the applicants. In the event that no applicant receives a majority of votes[4], the Board may re-vote or vote to re-open the application period;

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.

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[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.

[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.

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 InterMountain 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

PROPOSED

OSBA Model Sample Policy

Code: BBE
Adopted:

DELETE

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

DELETE

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 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: _____

_____

_____

PROPOSED

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

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

PROPOSED

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 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: _____

PROPOSED

OSBA Model Sample Policy

Code: BCB
Adopted:

Board Officers

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

The Board chair will:

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

2. Call special meetings;

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

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

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

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

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

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

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

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

Board Spokesperson

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

END OF POLICY

Legal Reference(s):

ORS 255.335
ORS 332.040
ORS 332.045
ORS 332.057
OAR 166-400
OAR 166OAR 199-050-0050

OSBA Model Sample Policy

Code: BCE
Adopted:

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

When establishing a Board committee, the Board will determine:

1. Committee membership and appointment process;

2. The task of the committee;

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 exist[3];

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

END OF POLICY

Legal Reference(s):

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

PROPOSED

[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.

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: 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 192.630
ORS 294.414
ORS 329.704
ORS 332.107

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

DELETE

OSBA Model Sample Policy

Code: BD/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 convening[1] of a quorum of the Board as the district's governing body to make a decision[2] or to deliberate[3] toward a decision on any matter. This includes meeting for the purpose of gathering information to serve as the basis for a subsequent decision or recommendation by the Board, i.e. a work session. "Meeting" does not include any on-site inspection of any project or program or the attendance of members of the Board at any national, regional or state association to which the Board or its members belong.

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

All regular, special and emergency meetings of the Board will be open to the public except as provided by law. Access to and the ability to attend all meetings (excluding executive sessions) by telephone, video or other electronic or virtual means will be made available when reasonably possible. All meetings will be conducted in compliance with state and federal statutes. [For information how to give or submit public comment [it is outlined in Board policy BDDH - Public Comment at Board Meetings[4]] [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 law[5]. 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

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[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

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.

DELETE

[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."}

OSBA Model Sample Policy

Code: BD
Adopted:

Board Meetings, Notices and Communications

Definitions

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

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

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

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

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

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

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

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

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

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

[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.

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

Board Authority at Meetings

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

Types of Meetings

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

1. Regular Meetings

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

2. Special Meetings

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

3. Emergency Meetings

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

4. Work Sessions

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

5. Executive Sessions

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

Communications Outside of a Board Meeting (Serial Meetings Prohibited)

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

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

1. In-person;
2. Telephone calls;
3. Videos, videoconferencing, or electronic video applications;
4. Written communication, including electronic written communications, such as email, texts, and other electronic applications;
5. Use of one or more intermediaries to convey information among members; and
6. Any other means of conveying information.

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

1. Purely factual or educational in nature and that convey no deliberation or decision on any matter that might reasonably come before the Board;
2. Not related to any matter that, at any time, could reasonably be foreseen to come before the Board for deliberation and decision; or
3. Nonsubstantive in nature, such as communication relating to scheduling, leaves of absence and other similar matters.

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

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

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

Meeting Location, Public Accommodations and Logistical Requirements

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

PROPOSED

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

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

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

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

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

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

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

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

Public Notice Requirements

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

The public notice shall identify the following:

PROPOSED

[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.

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

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

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

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

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

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

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

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

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

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

Complaints

Complaints regarding Public Meetings Laws can be filed in accordance with Public Meetings Law complaint procedures outlined in Board policy KL – Public Complaints. Complaints must be filed within 30 days of the alleged violation.

PROPOSED

END OF POLICY

Legal Reference(s):

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

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

PROPOSED

OSBA Model Sample Policy

Code: BDC
Adopted:

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.

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] (ORS 192.660(2)(a))

2. To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer[3], employee, staff member or individual agent who does not request an open hearing[4];

[2] This provision does not apply to the filling of a vacancy in elective office or on any public committee, commission or other advisory group; or for the consideration of general employment policies. It also does not apply to the employment of the chief executive officer, other public officers, employees and staff members of the district unless:
   a. The vacancy has been advertised;
   b. Regular hiring procedures have been adopted;
   c. If hiring an officer, the public has had the opportunity to comment on the employment of the officer; and
   d. If hiring a chief executive officer, the Board has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

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

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

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

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 hearing[7]; may not include a discussion or negotiation of compensation (including salaries and benefits or a general evaluation of an agency, goal, objective or operation or any directive to personnel concerning agency goals, objectives, operations or programs.
(ORS 192.660(2)(i))

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

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

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

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

PROPOSED

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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.

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

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

PROPOSED

OSBA Model Sample Policy

Code: BDC
Adopted:

DELETE

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 officer[2], employee, staff member or individual agent who does not request an open hearing. (ORS 192.660(2)(b))

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

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

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.


DELETE

OSBA Model Sample Policy

Code: BDD
Adopted:

Board Meeting Procedures

1. Quorum

   A quorum of the Board is four Board members.

2. Vote Needed for Exercise of Powers

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

3. Board Member Voting

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

4. Abstaining from Vote

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

5. Parliamentary Procedure

   Official Board business will be transacted by motion or resolution at properly noticed[3] 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 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.

PROPOSED

[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.

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)

PROPOSED

OSBA Model Sample Policy

Code: BDD
Adopted:

DELETE

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: BDDC
Adopted:

Board Meeting Agenda

The Board chair will direct the preparation of an agenda for all meetings of the Board. The Board chair may seek assistance from the superintendent or another Board member. Items of business may be suggested by any Board member, staff member, student or patron of the district by notifying the Board chair or superintendent at least 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

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).

PROPOSED

OSBA Model Sample Policy

Code: BDDC
Adopted:

DELETE

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

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.

DELETE

OSBA Model Sample Policy

Code: BDDG
Adopted:

Recordings and Minutes of Board Meetings

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

A video or audio recording of a meeting can be kept as the official record as long as all required content is included and it is kept in an allowable format[3]. Alternatively, the district may create written minutes. Written minutes do not need to be a verbatim transcript and can be kept in hard copy or electronic form[4].

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

1. All members of the Board present;
2. All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;
3. The results of all votes and the vote of each member by name for all actions taken[5];
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 timeafter the meeting. These minutes will be published to the district website and may be requested from the district office.

Recordings or minutes[7] 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

PROPOSED

[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.

[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)

332.061 shall contain only material not excluded under ORS 332.061(2) and information[8] will not be disclosed in accordance with ORS 332.061.

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

END OF POLICY

Legal Reference(s):

ORS 192.610 - 192.705
ORS 332.061

OAR 166-017-0005 - 0095
OAR 166-400-0010(9)

OAR 199-050-0060

Attorney General's PUBLIC RECORDS AND MEETINGS MANUAL.

PROPOSED

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

OSBA Model Sample Policy

Code: BDDG
Adopted:

DELETE

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 copy[1] 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

Letter Opinion, Office of the OR Attorney General (Nov. 20, 1970).

DELETE

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

BOARD MEMBERS CALENDAR

Tue Sept 15, 2026

4:00pm – 5:30pm Girls Varsity Softball-Slow Pitch vs Sageview HS
Where: Hermiston High School
Calendar: Board Members
Created by: Rosa Cerda-Diaz

5:00pm – 5:30pm Girls Varsity Swimming vs Kamiakin HS
Where: Kenneth Serier Memorial Pool; 315 W 6th Ave, Kennewick, WA
Calendar: Board Members
Created by: Rosa Cerda-Diaz

5:00pm – 7:00pm Girls Varsity Swimming vs Southridge HS
Where: 3520 Southridge Blvd, Kennewick, WA
Calendar: Board Members
Created by: Rosa Cerda-Diaz

5:30pm – 7:00pm Girls Varsity Softball-Slow Pitch vs Sageview HS
Where: Hermiston High School
Calendar: Board Members
Created by: Rosa Cerda-Diaz

7:00pm – 9:00pm Girls Varsity Soccer vs Southridge HS
Where: Kennison Field, HHS; 600 S 1st St, Hermiston, OR
Calendar: Board Members
Created by: Rosa Cerda-Diaz

7:00pm – 9:00pm Girls Varsity Volleyball vs Chiawana HS
Where: Main Gym, HHS; 600 S 1st St, Hermiston, OR
Calendar: Board Members
Created by: Rosa Cerda-Diaz

Thu Sept 17, 2026

5:00pm – 6:30pm Girls Varsity Softball-Slow Pitch @ Walla Walla HS
Where: Murr Sports Park, 994 Abbott Rd, Walla Walla, WA 99362
Calendar: Board Members
Created by: Rosa Cerda-Diaz

6:30pm – 8:00pm Girls Varsity Softball-Slow Pitch @ Walla Walla HS
Where: Murr Sports Park, 994 Abbott Rd, Walla Walla, WA 99362
Calendar: Board Members
Created by: Rosa Cerda-Diaz

7:00pm – 8:30pm Girls Varsity Soccer @ Kennewick HS
Where: Lampson Stadium, 505 S. Garfield St, Kennewick, WA
Calendar: Board Members
Created by: Rosa Cerda-Diaz

7:00pm – 9:00pm Girls Varsity Volleyball vs Kamiakin HS
Where: Hermiston High School
Calendar: Board Members
Created by: Rosa Cerda-Diaz

Fri Sept 18, 2026

4:00pm – 5:00pm Girls Varsity Cross Country @ College Place HS
Where: College Place HS, 1755 S. College Ave, College Place, WA
Calendar: Board Members
Created by: Rosa Cerda-Diaz

4:00pm – 6:00pm Boys Varsity Cross Country @ College Place HS
Where: College Place HS, 1755 S. College Ave, College Place, WA
Calendar: Board Members
Created by: Rosa Cerda-Diaz

7:00pm – 10:00pm Boys Varsity Football vs Pasco HS
Where: Kennison Field, Hermiston High School
Calendar: Board Members
Created by: Rosa Cerda-Diaz

Mon Sept 21, 2026

8:00am-12:00pm DO Staff Pictures
Where: DO Boardroom B
Calendar: Board Members
Created by: Rosa Cerda-Diaz

5:00pm-7:00pm Board Retreat Meeting
Where: DO Boardroom
Calendar: Board Members
Created by: Rosa Cerda-Diaz

Tue Sept 22, 2026

4:00pm – 5:00pm Girls Varsity Softball-Slow Pitch vs Chiawana HS
Where: Varsity Softball Field, Hermiston High School
Calendar: Board Members
Created by: Rosa Cerda-Diaz

5:00pm – 8:00pm Girls Varsity Swimming @ Walla Walla HS
Where: Harvey Pool, 345 Boyer Ave, Walla Walla, WA
Calendar: Board Members
Created by: Rosa Cerda-Diaz

5:30pm – 6:30pm Girls Varsity Softball-Slow Pitch vs Chiawana HS
Where: Varsity Softball Field, Hermiston High School
Calendar: Board Members
Created by: Rosa Cerda-Diaz

7:00pm – 9:00pm Girls Varsity Soccer vs Sageview HS
Where: Kennison Field, Hermiston High School
Calendar: Board Members
Created by: Rosa Cerda-Diaz

7:00pm – 9:00pm Girls Varsity Volleyball vs Sageview HS
Where: Main Gym, Hermiston High School
Calendar: Board Members
Created by: Rosa Cerda-Diaz

Wed Sept 23, 2026

3:30pm – 6:45pm Boys/Girls Varsity Cross Country @ Walla Walla HS
Where: FT Walla Walla, 755 NE Myra Rd, Walla Wall, WA
Calendar: Board Members
Created by: Rosa Cerda-Diaz

Thu Sept 24, 2026

7:00am-8:00am HAT Morning Meeting
Where: DO
Calendar: Board Members
Created by: Rosa Cerda-Diaz

4:00pm – 5:30pm Girls Varsity Softball-Slow Pitch vs Grandview HS
Where: Varsity Softball Field, Hermiston High School
Calendar: Board Members
Created by: Rosa Cerda-Diaz

6:00pm – 7:30pm Girls Varsity Softball-Slow Pitch vs Grandview HS
Where: Varsity Softball Field, Hermiston High School
Calendar: Board Members
Created by: Rosa Cerda-Diaz

7:00pm – 8:00pm Girls Varsity Soccer vs Hanford HS
Where: Falcon Field, 450 Hanford St, Richland, WA
Calendar: Board Members
Created by: Rosa Cerda-Diaz

7:00pm – 9:00pm Girls Varsity Volleyball vs Southridge HS
Where: Main Gym, 3520 Southridge Blvd., Kennewick, WA
Calendar: Board Members
Created by: Rosa Cerda-Diaz

Fri Sept 25, 2026

7:00pm – 10:00pm Boys Varsity Football @ Hanford HS
Where: Football Stadium, 450 Hanford St, Richland, WA
Calendar: Board Members
Created by: Rosa Cerda-Diaz

BOARD MEMBERS CALENDAR

Mon Sept 28, 2026

Homecoming Week September 28 – October 3
Where: Hermiston 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

OSBA 2026 FALL REGIONAL MEETING IN PENDLETON

MONDAY, OCTOBER 26, 2026

PENDLETON CONVENTION CENTER ROOMS 1, 2, & 3
1601 WESTGATE
PENDLETON, OR 97801

OSBA 80TH ANNUAL CONVENTION IN PORTLAND
NOVEMBER 12 - 14, 2026
REGISTRATION OPENS SEPTEMBER 15

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

September 14, 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
X	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
	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

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

September 14, 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?
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	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
	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
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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

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

September 14, 2026

EXECUTIVE SESSION

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	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
X	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

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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

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