

Board of Directors Meeting
School District 4J, Lane County
Hybrid Meeting (virtual and
in-person)
200 North Monroe Street
Eugene, Oregon 97402
Wednesday, June 5, 2024

NOTICE: The Board Work Session will be open to the public to attend in person, via live broadcast on KRVM 1280-AM and 98.7 FM, on the internet at <https://icecast.4j.lane.edu/board> and via Zoom Webinar at <https://4j-lane-edu.zoom.us/j/91225128314>, Webinar ID 912 2512 8314

The board will not hear public testimony during the work session.

**Work Session to begin at close of the Executive Session, which convenes at 4:30 p.m.
Board Work Session**

- I. Call Work Session to Order, Roll Call
- II. Item for Information
 - 1. Review Work to Date on Policies Related to Classroom Displays 2
- III. Adjourn Work Session

THIS MEETING WILL BE BROADCAST OVER KRVM-AM (1280)

INFORMATION FOR THE DEAF AND HARD OF HEARING:
Closed Captioning is available during Board meetings through a zoom live feed
which is also displayed at in-person meetings.



ITEM FOR INFORMATION – WORK SESSION

Date of Meeting

June 5, 2024

Title

School Classrooms Displays and Relevant Policy and Law

Presenters

Colt Gill, Interim Superintendent; Judy Newman, Board Member; Morgan Munro, Board Member; Rick Hamilton, Board Member; Jill Cuadros, Director of Nutrition Services & Warehouse; Lisa Fjordbeck, Operations Coordinator for the Superintendent's Office; Talatou Maiga, District Ombuds

Background Information

On May 1, 2024, the Board directed that the Policy Work Group gather relevant policy and law that are relevant to classroom displays.

The Board was made aware that after hearing from a group of students and families that students felt unsafe and unwelcome in a learning space due to a classroom display, a 4J staff member was directed by the District to remove the display. Recognizing that while other students may not have felt unsafe, the District took this action in response to those students who did feel unsafe. The classroom display included a scarf that portrayed a Palestinian flag, with the word Palestine, and the statement, “one day we will return” written in Arabic.

The Board committed to conducting a review of the relevant policies that led to this decision.

At their Work Session on June 5th, Superintendent Gill will provide the Board with an update on their efforts. Members of the Policy Work Group will be present and available to respond to any questions.

Included in the agenda packet for review and discussion, is a PowerPoint presentation and a policy summary report. There are links to policy, law, the collective bargaining agreement and other relevant and informative references.



Classroom Displays: *Relevant Policy and Law*

Board Work Session - June 5, 2024

Outline

- Charge to the Work Group
- Context of School
- School Incident Brought up Important Issues
- Approaches of the District to Date
- Policy Review
- Intent vs Impact
- How to Address Controversial Content in the Classroom
- Educator Direction
- Next steps
- What questions, what did we leave out



Charge to the Work Group

Direction of the Board, May 1, 2024:

Policy work group gathers relevant policy and law; whole board reviews together in a work session on June 5th, 2024. 5



Context of School as a Part of Our Community...

- Events of the world impact individuals in our school community in different ways.
- Our community includes people with different perspectives on complex issues. Those divergent perspectives exist in the diversity of our school community.
- Local activities, activism, and even family discussions influence our school community.
- Especially in times of strife or discontent, it is important to take additional steps to ensure our public schools provide safe, inclusive, and welcoming spaces for care and continued, equitable access to learning for each and every student.



School Incident Brought up Important Issues

- School Safety
- Access to Education
- Free Speech
- Academic Freedom
- Political Activity in Schools
- Facilitating Discussion and Thinking about Controversial Issues
- Positional Power
- Responsibilities of Access to a Captive Audience
- District Responsibility and Educator Direction and Discipline

Approaches of the District to Date

1. Administrative action based on current policy, centering student perceptions of safety.
2. Restorative/Learning efforts through the district ombudsperson.
3. Board Policy review

Policy/Law Topic Areas For Review

- Every Student Belongs - Incidents of Bias
- Access to Education
- Academic Freedom - Relevance to Content
- First Amendment Rights
- Political Activities/Advocacy of Public Employees
- Studying Controversial Issues



Every Student Belongs - Incidents of Bias

- OAR 581-022-2312 Every Student Belongs:
 - (4) To comply with the prohibition on discrimination required by ORS 659.850, each education provider must adopt a policy to address bias incidents and displays of symbols of hate. The policy must:
 - (a) Affirm that all students are entitled to a high quality educational experience, free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability or national origin;

Every Student Belongs - Incidents of Bias

- OAR 581-022-2312 Every Student Belongs:
 - (e) Establishes procedures for addressing bias incidents and displays of symbols of hate. The procedures must:
 - (A) Apply broadly to include persons directly targeted by an act, as well as the community of students as a whole who are likely to be impacted¹¹ by the act.
 - (B) Require the education provider to prioritize the safety and well-being of all persons impacted by the act.
 - (C) Require the education provider to recognize the experience of all persons impacted by the act, acknowledge the impact, commit to taking immediate action and prevent further harm against those persons impacted.



Every Student Belongs - Incidents of Bias

- 4J ACB-AR Hate Symbol and Bias Incident Response
 - The term “bias incident” means a person’s hostile expression of animus toward another person, relating to the other person’s perceived race, color, religion, gender identity, sexual orientation, disability or national origin, of which criminal investigation or prosecution is impossible or inappropriate. Bias incidents may include derogatory language or behavior. ¹²
 - “Symbol of hate” or “hate symbol” means a symbol, image or object that expresses animus on the basis of race, color, religion, gender identity, sexual orientation, disability or national origin including the noose, confederate flag, swastika or symbol of neo-Nazi ideology, and whose display is reasonably likely to cause a substantial disruption or material interference with school activities or is reasonably likely to interfere with the rights of students by denying them full access to the service, activities and opportunities offered by a school or program.

Every Student Belongs - Incidents of Bias

- 4J ACB-AR Hate Symbol and Bias Incident Response
 - Upon a report or knowledge of a potential bias incident, hate crime or display of a hate symbol, the school administrator, department director or designee shall:
 - Recognize the experience of and impact of the incident on all persons impacted, and commit to immediate action;
 - Take interim actions necessary to maintaining a safe learning environment and preventing further harm against persons impacted by bias incidents;
 - For substantiated incidents, plan and ensure implementation of an appropriate remedial and/or corrective response designed to prevent the recurrence of the behavior and address its negative effects in the educational or work environment.

Every Student Belongs - Incidents of Bias

- U.S. Department of Education
 - The U.S. Department of Education's (Department's) Office for Civil Rights (OCR) today, May 7, 2024, released a Dear Colleague Letter to schools specifying with concrete examples the application of Title VI of the Civil Rights Act of 1964 to allegations of discrimination in schools based on shared ancestry or ethnic characteristics, including discrimination against students and school community members who are or are perceived to be Jewish, Israeli, Muslim, Arab, Sikh, South Asian, Hindu, or Palestinian.
 - Nothing in Title VI or regulations implementing it requires or authorizes a school to restrict any rights otherwise protected by the First Amendment to the U.S. Constitution. OCR enforces the laws within our jurisdiction consistent with the First Amendment.
 - The fact that harassment may involve conduct that includes speech in a public setting or speech that is also motivated by political or religious beliefs, however, does not relieve a school of its obligation to respond under Title VI as described below, if the harassment creates a hostile environment in school for a student or students.

Every Student Belongs - Incidents of Bias

- Key Documents:
 - [OAR 581-022-2312 Every Student Belongs](#)
 - [ODE ESBs FAQ](#) - History and intent are shared in this document
 - [ODE ESB Bias Incident Response Guide](#)
 - [Additional ODE ESB Information](#)
 - [4J Policy ACB](#)
 - [4J ACB-AR](#)
 - USDE [Press Release](#) and [Dear Colleague Letter](#)

Access to Education

- Oregon State Board of Education Resolution Encouraging Solidarity and Support for Student Identities
 - ...the Oregon State Board of Education: Renews its commitment to anti-racism, equity, student belonging, and access to education as a core value, manifested by a steadfast commitment to creating a welcoming environment for all students and families and direction of the supports and resources needed to eliminate barriers and promote student success...

Access to Education

- Key Documents:
 - [4J Resolution](#)
 - [State Board of Education BLM Resolution](#)
 - [Joint Letter on BLM Displays](#)
 - [State Board of Education Safe & Welcoming Schools Resolution](#)
 - [State Board Resolution Supporting Student Identity and Inclusion](#)



Academic Freedom - Relevance to Content

- 4J-EEA Collective Bargaining Agreement, P. 34, Article 12.5 discusses Academic Freedom:
 - Controversial Material: Unit members shall be guaranteed full freedom in classroom presentations and discussions and may introduce politically, religiously, or otherwise controversial material, provided only that said material is relevant to the course content and is not disruptive to the educational process.¹⁸
 - Personal Opinion: In performing their teaching function, unit members shall be guaranteed full freedom in expressing their personal opinions on all matters relevant to the course content provided when they do they shall indicate that they are speaking personally and not on behalf of the school, its administration, or the District.



Academic Freedom - Relevance to Content

- 4J-EEA Collective Bargaining Agreement, P. 34, Article 12.5 discusses Academic Freedom:
 - Controversial Material: Unit members shall be guaranteed full freedom in classroom presentations and discussions and may introduce politically, religiously, or otherwise controversial material, provided only that said material is relevant to the course content and is not disruptive to the educational process.¹⁹
 - Personal Opinion: In performing their teaching function, unit members shall be guaranteed full freedom in expressing their personal opinions on all matters relevant to the course content provided when they do they shall indicate that they are speaking personally and not on behalf of the school, its administration, or the District.



Academic Freedom - Relevance to Content

- 4J Policy IB - Freedom of Expression:
 - **Students** have a general right to freedom of expression within the school system. The district requires that students exercise their rights fairly, responsibly and in a manner not to disruptive to other individuals or to the educational process.

Academic Freedom - Relevance to Content

- TSPC Ethical Educator Standards
 - Ability to provide a climate for students that is conducive to learning and respects the rights of all persons without discrimination;
 - Creates a respectful and collaborative environment;
 - Ability to navigate conflicts around race, ethnicity, religion, class, and language in a safe and productive manner;
 - Ability to work collaboratively with students, staff, and parents from diverse racial, ethnic, religious, class and language backgrounds;
 - Demonstrates respectful and welcoming verbal and non-verbal interaction skills.



Academic Freedom - Relevance to Content

- 4J Policy IGACA - Recognition of Religious Beliefs and Customs
 - It is accepted that no religious belief or nonbelief should be promoted by the district or its employees, and none should be disparaged. Instead, the district should utilize its opportunity to foster understanding and mutual respect among students and parents, whether it involves race, culture, economic background or religious beliefs. Students will be excused from participating in practices which are contrary to their religious beliefs without penalty.

Academic Freedom - Relevance to Content

- Key Resources:
 - [4J-EEA Collective Bargaining Agreement](#)
 - [4J Policy IB - Freedom of Expression](#)
 - [TSPC Ethical Educator Standards FAQ](#)
 - [4J Policy IGACA - Recognition of Religious Beliefs and Customs](#)

First Amendment Rights

- NEA Legal & Employment Guidance:
 - Not all of educators' speech is protected.
 - The First Amendment generally protects the right to free speech, meaning your right to speak or not speak, your right to write, advertise or otherwise make your views known through words. The First Amendment also protects symbolic speech such as contributing money to political campaigns, choosing what to wear, and certain symbolic protest activities.
 - But when the government is acting as an employer, the opposite rule applies. When the government is a public school, it has broad authority to limit educators' speech on the job as well as to limit speech off the job that directly impacts the workplace.

First Amendment Rights

- NEA Legal & Employment Guidance:
 - Schools may control what their employees say as part of their official duties. Common examples of where this is so include when educators are teaching a class, coaching a team, holding a parent-teacher conference, and driving a school bus. In those settings, the educator has much less freedom and must follow state and school district curriculum requirements.
 - Schools may also restrict educators' speech so that the school remains neutral on controversial topics, but such restrictions must be even-handed and may not silence only disfavored viewpoints.

First Amendment Rights

- American Bar Association - The Extent and Limitations of Teachers' Rights:
 - While America bestows upon teachers the freedom and wisdom to educate its youth, that freedom comes with significant responsibilities and some restrictions, largely because of the potential impact on impressionable children.
 - Speech on behalf of the public interest can include political activity, which is at the core of the First Amendment. Teachers do not lose their rights to campaign, circulate petitions, or conduct other types of political activity. What they cannot do is indoctrinate students through their teaching or offer generally inappropriate or disruptive political comments. In short, while an election may be an appropriate subject for a class lesson, the discussion must be balanced.



First Amendment Rights

- 4J Policy KJA - Materials Distribution:
 - No display by public posting or any substantial distribution of any newspapers, magazines, pamphlets, illustrations, or any other printed, duplicated, or written material shall be made upon school premises by any person if such items contain any of the following types of prohibited material:
 - The material is grossly insulting to any individual or group;
 - The material is likely to cause substantial disruption of or material interference with discipline or the education of students in the school in which the material is posted or distributed

First Amendment Rights

- Key Resources:
 - [NEA Legal & Employment Guidance](#)
 - [American Bar Association - The Extent and Limitations of Teachers' Rights](#)
 - [4J Policy KJA - Materials Distribution](#)
 - [4J Policy KJB - Public Conduct on District Property](#)



Political Activities/Advocacy of Public Employees

- Secretary of State - Restrictions on Political Advocacy by Public Employees:
 - State prohibitions on political activities and advocacy appear to apply to a limited of activities at the local, state, or national level²⁵ but not international matters. Public employees may generally have political stickers on their personal property or display political signs in their work area, as long as they do so on personal time and such action does not violate ORS 260.432 or any employer policy.
 - Public agencies may have policies that regulate the use of public property and/or other public resources.



Political Activities/Advocacy of Public Employees

- 4J Policy GBG - Political Activities of Employees:
 - All district employees are privileged within the limitations imposed by state and federal laws and regulations to choose any side of a particular issue and to support their viewpoints as they desire by vote, discussion or persuading others. Such discussion and persuasion, however, will not be carried on during the performance of district duties, except in open discussion during classroom lessons that consider various candidates for a particular office or various sides of a particular political or civil issue.



Political Activities/Advocacy of Public Employees

- 4J Policy GBG - Political Activities of Employees:
 - On all controversial issues, employees must designate that the viewpoints they represent on the issues are personal and are not to be interpreted as the district's official viewpoint.
 - No employee will use district facilities, equipment or supplies in connection with his/her political activities, nor will he/she use any time during the work day for such political activities.

Political Activities/Advocacy of Public Employees

- Key Resources:
 - [Secretary of State - Restrictions on Political Advocacy by Public Employees](#)
 - [4J Policy GBG - Political Activities of Employees](#)

Studying Controversial Issues

- 4J Policy - Studying Controversial Issues:
 - The presentation and discussion of controversial issues will be informative. The development of ability to meet issues without prejudice and to withhold judgments while facts are being collected, assembled and weighed and to see relationships before drawing inferences or conclusions are among the most valuable outcomes of a free educational system.
 - Teachers will present an overall view of controversial issues and will refrain from giving personal opinions.

Studying Controversial Issues

- 4J Policy - Studying Controversial Issues:
 - By refraining from expressing personal views, the teacher will encourage students to search after truth and to think for themselves.
 - Before beginning a class in the study of an obviously controversial topic, a teacher will discuss with the principal:
 - Its appropriateness to the course and alignment to state standards;
 - Its appropriateness for the students' maturity level;
 - The approach to instruction;

Studying Controversial Issues

- Key Resources:
 - [4J Policy - Studying Controversial Issues](#)

Intent vs. Impact

- ADL - When it Comes to Bias, We Must Prioritize Impact Over Intent:
 - Intent is what we mean by our words or actions. Impact is how those words or actions are experienced, felt or understood by either the person they are directed to, or others.
 - When it comes to biased language or actions, we often prioritize intent over³⁶ impact. This means that when harm is caused, we tend to emphasize what we meant by our words or actions—rather than how our words made another person feel or the consequences of our behavior. We might also excuse, or brush under the rug, the offensive words or actions if we perceive them as unintentional. In discussing a biased incident, we might redirect the focus to a person’s intentions (i.e., “I didn’t mean it like that”), rather than focusing on the feelings of the person who has been harmed. In this way, we center intention rather than the impact on others.

Intent vs. Impact

- NEA - Seven Harmful Racial Discourse Practices To Avoid:
 - Focusing more on the intention of a policy or practice and far less, if at all, on its daily impact on people and communities of color.
 - Devalues the humanity of the people and communities of color that bear the brunt of a policy's implementation. Obscures the role of implicit bias in that policy's operation, and reinforces the power of white fear in policy and decision-making.

Intent vs. Impact

- ODE ESB Bias Incident Response Guide:
 - When considering the appropriate response to repeated bias incidents, staff should prioritize the safety and healing of the person(s) impacted by the harm *over* the intent of the person(s) who caused harm.

Intent vs. Impact

- Key Resources:
 - [ODE ESB Bias Incident Response Guide](#)
 - [NEA - Racial Justice in Education, including Seven Harmful Racial Discourse Practices To Avoid](#)
 - [ADL - When it Comes to Bias, We Must Prioritize Impact Over Intent](#)

How to Address Controversial Content

- Neither 4J or the State have consistent or complete guidelines for addressing controversial content in the classroom.
- Both have offered guidance in the past on specific topical issues.
- The guidance has included:
 - Creating a safe environment
 - Communicating with students and families
 - Allowing for different ways for students to participate or opt out
 - Selecting neutral resources to inform the discussion
 - Setting and implementing discussion expectations and protocols
 - Scripting statements
 - Providing availability to counseling and self-reflection activities

Employee Direction

- Employers may provide direction (also known as a clarification of expectations) to employees.
- A directive (or clarification of expectations) is not discipline. Discipline may be used if an employee failed to comply with a directive.
- In 4J the [collective bargaining agreement](#) with EEA recognizes several relevant district rights on page 41, article 15:
 - The maintenance of discipline and control and use of school system property and facilities;
 - The enforcement of rules and regulations now in effect and the establishment of new rules and regulations from time to time
 - Selection of textbooks, teaching aids and materials



Future Direction as Currently Determined by the Board on May 1, 2024

Create an ad hoc work group to incorporate community partners' input. This group would convene over the summer and report back to the Board at the second meeting in August. Selection of this work group would be based on board interest - if there are more than 3 board members interested in serving on a work group over the summer, selection would be based on a random draw.

Discussion...

Questions?

43

Missing Info?

Next Steps...



POLICY SUMMARY
June 5, 2024 – Board Work Session

Policy ACB – Hate Symbols and Bias Incidents

- In September 2020, the Oregon Department of Education adopted an administrative rule requiring school districts to have policies that expressly prohibited symbols of hate whose display is reasonably likely to cause a substantial disruption of or material interference with school activities, or is reasonably likely to interfere with the rights of students by denying them full access to the services, activities and opportunities provided by a school. The administrative rule defines and prohibits hate symbols, and sets forth expectations for communication and restorative justice in responding to bias incidents. Policy ACB – Hate Symbols and Bias Incidents is intended to meet that requirement.
- **The policy** (LINK <https://policy.osba.org/eugene/AB/ACB%20D1.PDF>)
 - Defines hate symbols, bias incidents and hate crimes,
 - Prohibits them on district properties and in district programs,
 - Affirms that students and staff are entitled to work in discrimination and harassment-free educational environments, and
 - Directs the superintendent to develop rules necessary to implement the policy
- **Legal Reference(s):**
[ORS 174.100](#); [ORS 339.347](#); [ORS 659.850](#); [ORS 659.852](#); [OAR 581-002-0005](#); [OAR 581-022-2312](#); [OAR 581-022-2370](#); House Bill 2697 (2021); House Bill 3041 (2021) Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969). Dariano v. Morgan Hill Unified Sch. Dist., 767 F.3d 764 (9th Cir. 2014). State v. Robertson, 293 Or. 402 (1982).
NOTE: See policies GBL - Personnel Records (LINK), JOA - Directory Information (LINK) and JOB - Personally Identifiable Information (LINK) and district legal counsel for guidance in these situations. Possible laws include, but are not limited to, 34 C.F.R. § 99.31 and ORS 342.850. 4 For additional guidance, see Response to Hate and Bias at School (Teaching Tolerance 2017) at <https://www.tolerance.org/sites/default/files/2017-07/Responding%20to%20Hate%20at%20School%202017.pdf>

Policy GBG – Political Activities of Employees

- **The policy** (LINK <https://policy.osba.org/eugene/G/GBG%20D1.PDF>)
 - Defines employee participation within the law.
 - Establishes district employees are privileged within the limitations imposed by state and federal laws and regulations.
 - Employees must designate the viewpoints they represent on controversial issues are personal.
 - No district facilities, equipment or supplies may be used in connection with employee political activities.
 - Nor will the employee use any time during the work day for political activities. .
- **Legal Reference(s):**
[ORS Chapter 244](#); [ORS 260.432](#); OR. CONST., art. XV, § 8. Cross Reference(s): INB - Studying Controversial Issues

Policy IB – Freedom of Expression

- **The policy** (LINK <https://policy.osba.org/eugene//IB%20D1.PDF>)
 - Students have a general right to freedom of expression within the school system. The district requires that students exercise their rights fairly, responsibly and in a manner not disruptive to other individuals or to the educational process.
 - Publications K-8, Displays and Productions Materials may be reviewed by the administrator or may be restricted or prohibited pursuant to legitimate educational concerns. Such concerns include:
 - The material is or may be defamatory;
 - The material is inappropriate based on the age, grade level and/or maturity of the audience;
 - The material is poorly written, inadequately researched, biased or prejudiced;
 - Whether there is an opportunity for a named individual or named individuals to make a response;
 - Whether specific individuals may be identified even though the material does not use or give names;
 - The material is or may be otherwise generally disruptive to the school environment;
 - Students, parents and members of the public might reasonably perceive the materials to bear the sanction or approval of the district.
- **Legal Reference(s):**
[ORS 332.072](#); [ORS 332.107](#); [ORS 336.477](#); [ORS 339.880](#); [ORS 339.885](#); [OAR 581-021-0050](#); [OAR 581-021-0055](#); [Equal Access Act, 20 U.S.C. §§ 4071-4074](#) (2012). [Westside Cmty. Bd. of Educ. v. Mergens, 496 U.S. 226](#) (1990). [Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260](#) (1988). [U.S. CONST. amend. I](#); [U.S. CONST. amend. XIV](#). [OR. CONST., art. I, § 8](#). Cross Reference(s): IGDA - Student Organizations INB - Studying Controversial Issues

Policy INB – Studying Controversial Issues

- **The policy** (LINK <https://policy.osba.org/eugene//INB%20G1.PDF>)
 - The development of ability to meet issues without prejudice and to withhold judgments while facts are being collected, assembled and weighed and to see relationships before drawing inferences or conclusions are among the most valuable outcomes of a free educational system.
 - The presentation of controversial issues will be informative, staff will refrain from giving personal opinions and will encourage students to search after truth and to think for themselves. Before beginning a class in the study of an obviously controversial topic, a teacher will discuss with the principal.
- **Legal Reference(s):**
[ORS 336.067](#); [OAR 581-021-0009](#); [U.S. CONST. amend. I](#). [OR. CONST., art. I](#). Cross Reference(s): GBG - Political Activities of Employees IIA - Instructional Resources/Instructional Materials IB - Freedom of Expression

Policy INDB – Flag Displays and Salutes

- **The policy** (LINK <https://policy.osba.org/eugene//INDB%20D1.PDF>)
 - Establishes Flag Displays and Salutes result from adoption of law to require public buildings to fly a National League of Families' POW/MIA flag in addition to their United States flag and Oregon State flag, if infrastructure is already present, and when the flags can be flown simultaneously. Available flag flying protocol information for the POW/MIA flag is available at Oregon from the Department of Administrative Services [LINK](#);

- Students shall receive instruction in respect for the national flag and be provided an opportunity to salute the U.S. flag at least once each week during the school year by reciting The Pledge of Allegiance, as required by state law;
- Upon request from an Oregon sovereign tribal government, a flag representing the sovereign tribal government must be displayed on, near or within a school building during school hours. The location of the flag will be determined by the district in consultation with the requesting sovereign tribal government;
- District flagpoles are under the control and management of the district for use as described herein.
- **Legal References:**
[ORS 186.110](#); [ORS 332.107](#); [ORS 336.067](#); [ORS 339.875](#); [OAR 581-021-0043](#)
 W. Va. St. Bd. of Educ. v. Barnette, 319 U.S. 624 (1943).

Policy IGAC – Religious Instruction

- **The Policy (LINK <https://policy.osba.org/eugene//IGAC%20D1.PDF>)**
 - Affirms that teachers shall be permitted to teach or present to students information concerning religions and religious beliefs, but teachers shall not promote or inhibit, openly or covertly or by subtlety, a particular religion, religious belief or nonreligious belief.
 - Students and staff members may be excused from participating in programs or activities which are contrary to their religious beliefs without penalty.
- **Legal Reference(s):**
[ORS 332.107](#); [ORS 336.035](#); U.S. Const. amend. I; OR. CONST., art. I; Kennedy v. Bremerton Sch. Dist., 142 S. Ct. 2407 (2022).

Policy IGACA – Recognition of Religious Beliefs and Customs

- **The Policy (LINK <https://policy.osba.org/eugene//IGACA%20G1.PDF>)**
 - The district recognizes that one of its educational goals should be to advance the students' knowledge and appreciation of the role that religious heritage has played in the social, cultural and historical development of civilization.
- **Legal Reference(s):**
[ORS 336.067](#); [ORS 339.420](#)

Policy KJA – Materials Distribution

- **The Policy (LINK <https://policy.osba.org/eugene/KL/KJA%20D1.PDF>)**
 - No display by public posting or any substantial distribution of any newspapers, magazines, pamphlets, illustrations, or any other printed, duplicated, or written material shall be made upon school premises by any person if such items contain any of the following types of prohibited material:
 - The material advocates or promotes illegal actions;
 - The material is obscene. Material is obscene if it depicts or describes sexual conduct in any patently offensive manner, if the average high school student applying contemporary high school or community standards would find the material, taken as a whole, appeals to prurient interest in sex and lacks serious literary, artistic, political, or scientific value;
 - The material is libelous. Material is libelous if it contains false and malicious statements about a person which subjects the person to public hatred, contempt or ridicule;
 - The material is grossly insulting to any individual or group;

- The material is likely to cause substantial disruption of or material interference with discipline or the education of students in the school in which the material is posted or distributed;
- The material is primarily commercial and does not meet the criteria established in school board policy KJ - Commercial Activities

- **Legal Reference(s):**

[ORS 332.107](#); 46 OR. ATTY. GEN. OP. 2