

LANE EDUCATION SERVICE DISTRICT	BOARD MEETING
1200 Hwy 99 N	Tuesday, December 3, 2024
Eugene, Oregon 97402	Regular Meeting: 5:30 PM

**LANE ESD BOARD MEETING
AGENDA**

Tuesday, December 3, 2024

1. 5:30 p.m. Call Regular Meeting To Order

Board Chair

2. Welcome

Guests attending the meeting will be introduced.

Board Chair

3. Public Participation

This is an opportunity for the audience to address the Board on topics either on, or not on, the agenda. There will also be opportunities for the audience to comment on specific agenda items as the Board addresses them.

Comments Regarding Staff Members - Speakers may offer objective criticism of ESD operations and programs. The Board will not hear comments regarding any individual ESD staff member. The Board chair will direct the visitor to the procedures in Board policy KL - Public Complaints for Board consideration of a complaints involving a staff member. The association contract governing the employee's rights will be followed. A commendation involving a staff member should be sent to the superintendent, who will forward it to the staff member, his/her supervisor and the Board.

The Board requests that a public comment add information or a perspective that has not already been mentioned previously, and that the patron refrains from repeating a similar point. To make a comment or present a topic during public comment, if the opportunity is available on the Board agenda, please complete the Intent to Speak card and submit it to the Board secretary prior to the start of the meeting. An individual that has submitted an Intent to Speak card and has been invited to speak by the Board chair, will be allowed three minutes.

Any person, who is invited by the Board chair to speak to the Board during a meeting, should state his/her name and address and, if speaking for an organization, the name of the organization. A spokesperson should be designated to represent a group with a common purpose.

4. Agenda Review

Board Chair

5. Lane Education Service District Statement of Accountability: Land Acknowledgement

Lane ESD acknowledges that the lands we call Lane County - the lands that sustain our children, our future, and our collective well-being - are the traditional ancestral home of the Kalapuya, Siuslaw, Molalla, and other indigenous people who have lived in Lane County since time immemorial. Native children, families, and communities bear witness to a legacy of displacement and forced relocation. As an educational institutions we are accountable for addressing the current and former silencing, erasure and genocide of native people in Oregon and Turtle Island. We aim to join with indigenous people, honoring their resilience, courage, and self-determination in a purposeful pursuit of justice.

Today indigenous people -- alive, diverse, and vibrant -- live in and contribute to the culture of Lane County. We are all blessed by their presence.

1. We commit to support our own, Lane ESD staff, and student learning about indigenous peoples of Oregon, the history, culture, current concerns, and the role of educational institutions in the genocide of Native/Indigenous people and tribes and in the possibilities for repair and justice. As an ESD we will support and encourage the implementation of Tribal History/Shared History curriculum with all our educational partners.
2. The board also commits to building relationships that would help us understand the lived experiences of our native students' families and communities and how LESD impacts our students, in collaboration with the superintendent.
3. The board will review and update the spoken Statement of Accountability Land Acknowledgement annually during our annual organizational meeting or when needed.

Board Chair

6. Presentation: Youth Voice

Dr. Shareen Springer

Student Voice Presentation

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7. Action Items

Board Chair

A. Consent Agenda

The Lane ESD Board of Directors has agreed to implement a consent agenda. All items in the consent agenda are adopted by a single motion unless a member of the Board or the Superintendent requests that such item be removed from the consent agenda and acted upon separately.

Generally, consent agenda items are matters which members of the Board agree are routine in nature and should be acted upon in one motion to conserve time and to enable the Board to focus on the other matters on the agenda.

Back-up materials for consent agenda items are included in the agenda packet as needed. Minutes of this meeting will reflect action on each item.

If any board member wishes to withdraw any consent group item, it will be moved to the appropriate section of the agenda.

BE IT RESOLVED that the Board of Directors of Lane ESD adopts the consent group as submitted and listed below.

1. Lane ESD Board Meeting Minutes of November 12, 2024

2. Human Resource Report, dated November 26, 2024

Board Chair

HR Board Report - December 2024 27

LESD Board Minutes - November 12 2024 29

B. Accept Financial Report

EXAMPLE QUESTIONS ASKED BY BOARD MEMBERS OF A BUSINESS MANAGER DURING A FINANCIAL REVIEW SESSION:

- 1) Are the books balanced and reconciled?
- 2) Are all cash and investment accounts reconciled to the general ledger?
- 3) Does the adopted budget reflect expected expenditures?
- 4) Have payroll reports been filed and have all payroll liabilities been paid timely?
- 5) Have all federal and state reimbursement requests as well as required financial reporting forms been filed timely?
- 6) Are there any suspected cases of fraud that we need to be aware of?
- 7) Are there any suspected changes to the internal control system?
- 8) Have there been any significant changes to the internal control system?

- 9) Is the business office adequately staffed to allow for proper segregation of duties?
- 10) Have there been any changes to the accounting system or accounting policies that are significant?
- 11) Has the accounting software and related IT systems been subject to review by an IT professional to ensure seamless backup in the event of a malware, ransomware, or other compromise of computer security?
- 12) Are there any other financial-related matters we should be aware of?
- 13) Are there any new pronouncements on the horizon that may require additional staff time or disbursement of funds to properly implement?
- 14) Are all financial statements that have been provided to the Board accurate and complete to the best of your knowledge?
- 15) Have you been asked by the Superintendent to do anything that makes you uncomfortable or to present any information you feel is inaccurate?

BE IT RESOLVED that the Board of Directors of Lane ESD accepts the Financial Report for October 2024.

Board Chair

October 2024 Financial Report

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C. Approve Grant(s)

Lane ESD shall pursue federal, state or private grants or other such funds that will assist the ESD in meeting adopted Board and ESD goals. Proposals for external funds will be submitted to the Board for evaluation and approval. In the event an opportunity arises to submit a grant proposal and there is insufficient time to place it before the Board, the superintendent is authorized to use his/her judgment in approving it for submission.

The superintendent will review the proposal with the Board at its next regular meeting.

The Board reserves the right to reject funds associated with any grant which has been approved. The Board shall, before an acceptance of such funds, consider the district's obligations, expectations or encumbrances when the grant ceases.

BE IT RESOLVED that the Board of Directors of Lane ESD approves grants as submitted:

2. Behavioral Health Pathway Grant

Behavioral Health Pathway Grant

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D. OSBA Election

1. Resolution to Amend the OSBA 2023 Bylaws

This item was tabled at the November 2024 meeting of the Board.

WHEREAS, the Oregon School Boards Association (OSBA) was formed in 1946 as a volunteer association of locally elected public school boards;

WHEREAS, in 2017, through a vote of the OSBA membership, OSBA was incorporated under ORS chapter 65 as a public benefit non-profit corporation and the OSBA bylaws replaced the OSBA constitution;

WHEREAS, in 2018, through a vote of the OSBA membership, the OSBA bylaws were amended to expand the OSBA board of directors and legislative policy committee with representatives from the Oregon school board members of color caucus;

WHEREAS, in 2023, through a vote of the OSBA membership, the OSBA bylaws were amended to expand the OSBA board of directors and legislative policy committee with representatives from the Oregon rural school board members caucus and additional revisions to the bylaws;

WHEREAS, in 2024, the OSBA board of directors reviewed the OSBA bylaws and proposes to amend the OSBA bylaws as reflected in the attached draft OSBA bylaws with changes highlighted in the attached draft OSBA bylaws crosswalk document; and

WHEREAS, the substantive changes to the draft OSBA bylaws are the following:

- Allowing caucuses to have an additional director on the OSBA board of directors in the circumstance where the OSBA president or immediate past president is a director from a caucus. This revision is intended to provide the same opportunity for representation for caucuses as is currently provided to regionally elected directors.
- Clarify that OSBA board of directors must comply with the Oregon government ethics laws with respect to conflicts-of-interest.
- Require OSBA caucuses to submit an annual year end fiscal report to the OSBA board of directors.
- Create officer eligibility criteria that requires candidates for officer positions and directors in officer positions to be voting members of the OSBA board of directors.
- Expand the OSBA board of directors and legislative policy committee with representatives from the Oregon school board

members PRIDE caucus.

- Edits to grammar, punctuation, and language for readability.

THEREFORE, BE IT RESOLVED by the OSBA board of directors that the proposed draft OSBA bylaws be submitted to the membership for consideration during the 2024 OSBA election; and

BE IT FURTHER RESOLVED that the proposed draft OSBA bylaws, the draft OSBA bylaws crosswalk document and a copy of this resolution be forwarded to all OSBA member boards in accordance with the OSBA board of directors' adopted elections calendar

Board Chair

Resolution-2024-Bylaws-Amendments-Final

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2. Resolution to Amend Oregon School Boards Association's Bylaws Relating to Composition of the Board of Directors

This item was tabled at the November 2024 meeting of the Board.

WHEREAS, the Oregon School Boards Association (OSBA) was formed in 1946 as a volunteer association of locally elected public school boards and transitioned to a nonprofit public benefit corporation under Oregon Revised Statute Chapter 65 as of July 1, 2018;

WHEREAS, the Oregon LGBTQIA2S+ School Board Members Advisory Committee has been operating as an OSBA board appointed advisory committee since September 22, 2023; has a record of regular meetings; has draft bylaws; has identified goals that align with the mission, vision and goals of OSBA; has draft action plans; and a draft budget;

WHEREAS, the Oregon LGBTQIA2S+ School Board Members Advisory Committee is ready to elect officers and their Leadership Assembly;

WHEREAS, the Oregon LGBTQIA2S+ School Board Members Advisory Committee has articulated its mission as follows: "To promote quality education for all students with an emphasis on the unique needs of LGBTQIA2S+ students, staff and board members.";

WHEREAS, OSBA's Board of Directors recognizes the importance of the Oregon LGBTQIA2S+ School Board Members Advisory Committee's mission and goals; and

WHEREAS, the Oregon LGBTQIA2S+ School Board Members Advisory Committee has respectfully requested that the Board of Directors submit a resolution to the membership creating the Oregon School Board Members PRIDE Caucus (OSBM PRIDE) and designate a seat on the OSBA Board of Directors and Legislative Policy Committee.

THEREFORE, BE IT RESOLVED by the OSBA Board of Directors that the proposed bylaws amendment designating an Oregon School Board

Members PRIDE Caucus representative as a voting member of the OSBA Board of Directors and Legislative Policy Committee be submitted to the membership for consideration during the 2024 OSBA election; and BE IT FURTHER RESOLVED that the draft bylaws and a copy of this resolution be forwarded to all association member boards in accordance with OSBA's adopted elections calendar.

Board Chair

Resolution-osbmPRIDEc-Final

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E. OAESD Officer's Council Nomination - Chair Elect

The Officer Council consists of the officers of OAESD. These are the Chair, Chair-Elect, and Past Chair of the OAESD Board and President, President-Elect, and Past President of the OAESD Superintendents' Council. The term of office for the officers shall be one year in each role. Any officer may be elected to no more than two successive terms. The Chair-Elect and President-Elect succeed the Chair and President, respectively. Past practice has been for each ESD Board to have the opportunity to nominate a candidate for the position of Chair-Elect and for each member ESD superintendent to have the opportunity to nominate a candidate for President-Elect.

The nomination and election timeline for 2025 will be as follows:

November-December- Local Boards may nominate eligible members of their own or other ESD boards for Chair-Elect. Superintendents may nominate themselves or other ESD superintendents for President-Elect. Nominations will be turned in to the OAESD Executive Director no later than December 31.

January-February - Local Boards will cast their votes for Chair-Elect. Superintendents will cast their votes for President Elect. Results will be turned in to the OAESD Executive Director no later than February 28.

March - The results of the election(s) will be announced on March 7. Newly elected officers may join meetings and events in a non-voting capacity for the remainder of the 2024-25 year. Official duties will begin on July 1, 2025.

The Board of Directors will discuss making a nomination to the OAESD Officer's Council.

BE IT RESOLVED that the Board of Directors of Lane Education Service District nominate eligible members of their own or other ESD boards for Chair-Elect.

8. Discussion/Reports

A. Legislative Update

Superintendent Scurto will provide an update in legislative activities if there are any updates.

Superintendent Tony Scurto

B. Superintendent Report

Superintendent Tony Scurto

C. First Read: Policies

1. AC: Nondiscrimination and Civil Rights

The U.S. Department of Education recently released amendments to the Title IX regulations. These regulations went into effect on August 1, 2024, and made significant changes to complaint procedures for discrimination on the basis of sex. The previous version of these regulations primarily addressed sex-based harassment. With this change, AC-AR(2) ?? Discrimination Complaint Procedure has been created to provide additional guidance when handling sex-based discrimination under the Title IX regulations. Board policy GBN/JBA ?? Sexual Harassment still addresses sexual harassment under Oregon law, but GBN/JBA-AR(1) ?? Sexual Harassment Complaint Procedure and GBN/JBA-AR(2) ?? Federal Law (Title IX) Sexual Harassment Procedure are both recommended for deletion in lieu of revised AC-AR(1) ?? Discrimination or Civil Rights Complaint Procedures and new AC-AR(2) ?? Sex-Based Discrimination under Title IX.

Lane ESD existing policy AC ([click here](#))

Superintendent Scurto

AC Nondiscrimination and Civil Rights

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2. GBN/JBA and JBA/GBN: Sexual Harassment

The U.S. Department of Education recently released amendments to the Title IX regulations. These regulations went into effect on August 1, 2024, and made significant changes to complaint procedures for discrimination on the basis of sex. The previous version of these regulations primarily addressed sex-based harassment. With this change, AC-AR(2) ?? Discrimination Complaint Procedure has been

created to provide additional guidance when handling sex-based discrimination under the Title IX regulations. Board policy GBN/JBA ?? Sexual Harassment still addresses sexual harassment under Oregon law, but GBN/JBA-AR(1) ?? Sexual Harassment Complaint Procedure and GBN/JBA-AR(2) ?? Federal Law (Title IX) Sexual Harassment Procedure are both recommended for deletion in lieu of revised AC-AR(1) ?? Discrimination or Civil Rights Complaint Procedures and new AC-AR(2) ?? Sex-Based Discrimination under Title IX.

Lane ESD existing policies GBN/JBA and JBA/GBN ([click here](#)).

Superintendent Scurto

GBN_JBA Sexual Harassment 73

JBA_GBN Sexual Harassment 82

D. Administrative Rule Update: BBB Board Advisor and Liaison

The Board will review updates/edits to the Board Policy Administrative Rule BBB: Board Advisors and Liaisons.

Superintendent Scurto

Policy BBB-AR Board Liaisons DRAFT 88

9. Superintendent Discussion:

AC-AR(1) Discrimination or Civil Rights Complaint Procedure

AC-AR(2) Sex-Based Discrimination Under Title IX

Superintendent Scurto will discuss changes to the administrative rules related to the Nondiscrimination and Civil Rights policy updates.

Superintendent Scurto

10. Information from Administrative Staff

The directors of Human Resources and Title Programs, Special Education, Business Services, Technology and School Improvement will provide oral reports to the Board on matters of interest concerning his/her area of responsibility.

Administrative Staff

HR Board Report - December 2024 (summary).pdf 90

I Board Update_12_03_24 91

11. Board Member Reports and Comments/Agenda Planning

Lane ESD Board, Liaisons, Advisors

A. Agenda Planning

Board members are invited to send agenda items to be considered for the next board meeting. Please call or email to the Board Chair or Superintendent.

Board Chair

B. Board Member Reports

Board members are asked to submit their reports in writing to be attached to Boardbook. Reports can be sent to the Executive Assistant in advance of the meeting.

As Board Members prepare their reports, please consider the following questions:

1. What programs did I visit over the last month? What committees did I participate in?
2. What is the connection to the LESD services and programs to the component districts or community?
3. What significance or meaning does the activity have to the broader community?
4. What are the next steps or follow-up activities planned?

Sherry Duerst-Higgins

Linda Hamilton

Leslie Harris

Nora Kent

Sydney Kissinger

Vanessa Truett

Rose Wilde

Dave McGrath, Superintendents' Council Advisor

Erin Zygaitis, Community Advisor

Mike Anderson, Liaison, Creswell School District

Board, Advisors, Liaisons

Nora Kent Report Dec 24

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12. Announcements/Correspondence

Board Chair

A. Acknowledgements and Recognition

Superintendent Tony Scurto

B. Kudos

Thank you to those who took the time to acknowledge co-workers/staff with kudos. Employees and Board members can submit a "kudo" any time during the month. To submit a kudo visit:
www.lesd.k12.or.us/forms/kudos.html

Administrators

C. Announcements

Board Chair

1. **Lane ESD Board Member Activities and Opportunities**

December 4, 2024 - Oregon LGBTQIA2S+ School Board Members
Advisory Committee Meeting

December 10, 2024 - OSBA Exec

January 8, 2024 - Oregon LGBTQIA2S+ School Board Members
Advisory Committee Meeting

February 5, 2024 - Oregon LGBTQIA2S+ School Board Members
Advisory Committee Meeting

Board Chair

2. **Component District Board Meeting Dates**

Bethel: During the regular school year the school board meets on the 2nd and 4th Wednesdays of the month at 6pm for regular sessions.

The Board will conduct only one meeting in November, December, March and May, when the board meets on the 2nd Wednesday only.

Blachly: The District Board typically meets on the second Wednesday of each month at 6:00 pm, location TBD.

Creswell: Regular Board of Director meetings are typically held the second Wednesday of each month at 6:00 PM.

Crow-Applegate-Lorane: The Board of Directors for Crow-Applegate-Lorane School District #66 holds a regular meeting at 7:00 pm on the third Thursday of each month. The meetings are held at Applegate Elementary School and at the Lorane Grange.

Eugene: The Eugene School Board usually meets in regular public sessions on the first and third Wednesdays of each month at 7 p.m. This schedule sometimes varies, and additional meetings and work sessions are scheduled as necessary.

Fern Ridge: Third Monday of the month, unless otherwise noted. Time: 6:30 p.m.

Junction City:

Lowell: Regular Board Meetings are scheduled for the 4th Monday of the month, with the Meeting beginning at 4:00 pm

Mapleton: The Mapleton School Board meets on the third Wednesday of each month. There is no meeting during the month of July. The School Board meeting is held in the high school at 6:00pm, unless otherwise noted.

Marcola: Regular board meetings are scheduled for the 2nd Monday of each month at 6 PM.

McKenzie: McKenzie School Board meetings are held on the third Wednesday of each month unless noted otherwise.

Oakridge

Pleasant Hill

Siuslaw: The board of directors meet the second Wednesday of each month with the exception of a regular meeting scheduled for August 21, 2024, and November 20, 2024 . The board normally meets in the district board room located at 2111 Oak Street in Florence, Oregon. The meetings are scheduled to begin at 6:00 p.m. with a work session and the regular meeting will begin at approximately 6:30p.m.

South Lane: The South Lane School Board usually meets in regular public sessions on the first Monday and third Monday of each month at 5:30 p.m. for a work session. Meetings normally are held at the South Lane School District Office, 455 Adams Ave in Cottage Grove.

Springfield: The Board of Directors generally meet on the second and fourth Mondays of each month. Regular business meetings begin at 7 p.m. on the second Monday and work sessions are generally held at 5:30 p.m. on the fourth Monday of the month. All meetings, unless

otherwise noted, are held in the Board Room of the Springfield Public Schools Administration Building

13. Adjournment

- The next regular meeting is scheduled to be held Tuesday, January 7, 2025, at the Lane ESD Main Campus, 1200 Highway 99 N, Eugene.

LANE ESD STUDENT VOICE

Dr. Shareen Rawlings Springer - Lane ESD Student Voice & Engagement Specialist
& Lane ESD Student Design Team Leaders!



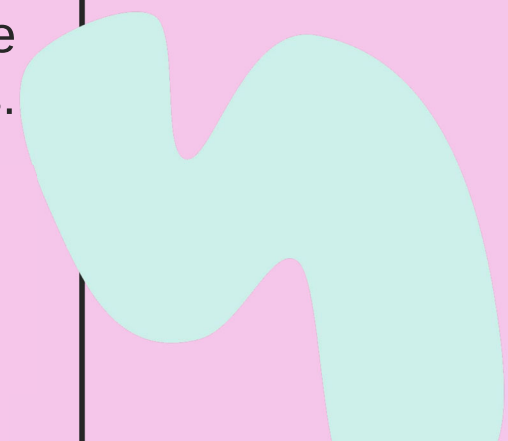
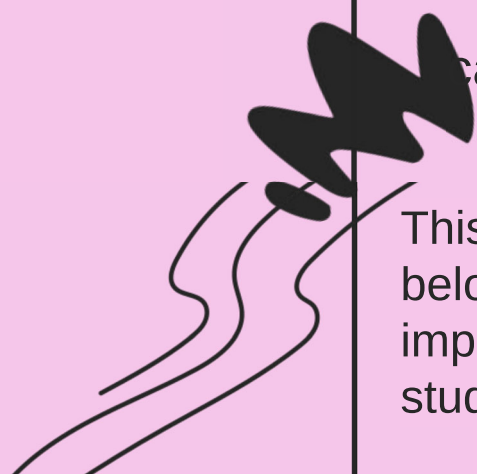
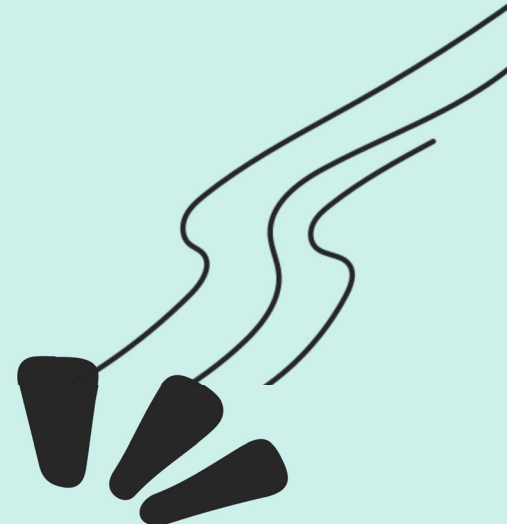
WHAT IS STUDENT VOICE?

Student voice is any expression of any learner anywhere, anytime focused on learning, schools or education.

Student Voice involves actively including students in decisions that shape their educational experiences.

By valuing their perspectives, schools can create more inclusive and supportive environments.

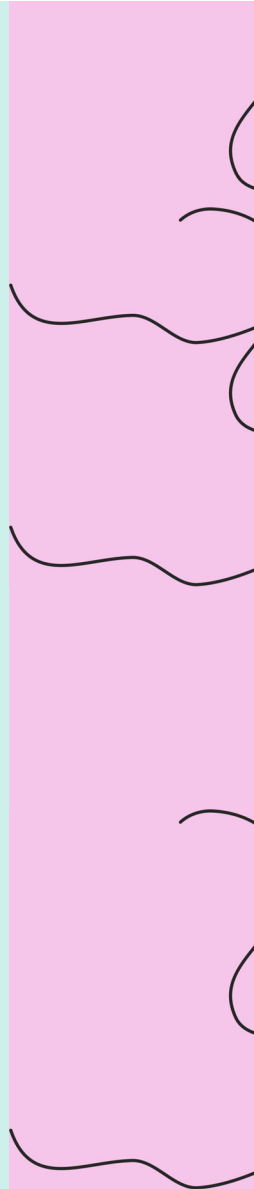
This approach fosters student agency, belonging, and engagement, ultimately improving educational outcomes for all students.





Student Voice Is....

The power of student voice is the unity of voice, a chorus rising, relentless, the kind of sound you can't turn down, can't mute, can't drown out, because when one speaks, it's a spark. But when we all speak? It's a wildfire. It's the kind of noise that echoes through halls and hearts, turns whispers into thunder, makes even the silence tremble. You can try to hush us, but unity is rebellion with a rhythm, a song too loud to unhear, a movement too strong to ignore. The power of student voice isn't just in what's said— it's in what can't be unsaid, a truth too bold to stay hidden, a force too fierce to be stopped





2023/24 Accomplishments



Student Panel: Focus on Student Identity & Belonging



Launch of Lane ESD Student Design Team: 4 students, 4 districts



Crated & Hosted return of Lane County BIPOC Town Hall



Community of Practice
k-12 Educators

....AND



Our First STUDENT SUMMIT!



- 15 school districts attended ●
- 200+ students, educators, and admin ●
- Student-led workshops ●
- Focus: Meaningful Student Voice ●
- Priorities & Action Planning ●
- Impromptu dance party ●



THE SCHOOLS WE DESERVE

Students at Design Team Hosted events (*and student voice listening across buildings*) were asked to respond to a series of prompts that asked them to share what schools would look like, feel like, what curriculum would be covered if schools



STUDENT PRIORITY AREAS 2024 QUICK GUIDE

INTRODUCTION

These priorities were established by students from across Lane County at Lane ESD Student Voice Summit in May, 2024.

This document presents the key themes and quick descriptions of the top 5 priorities named by students.

1 HANDLING BIAS & HARASSMENT SUPPORT FROM ADULTS

- Diverse staff who actively listen and advocate for students.
- Follow-through on reports of bias and harassment.
- Regular check-ins with students post-reports.
- Active resistance to bullying with compassion, empathy, and maturity.
- Staff should present a welcoming demeanor and genuine interest in student success.
- Staff training on mental health and trauma-informed practices.

CAMPUS CLIMATE

- Promoting a safe campus environment.
- Improved communication between staff and students.
- Increased visibility of LGBTQ+ support with more flags around campus.
- Making safe spaces well-known.
- No tolerance for body shaming.

2 TEACHER & STUDENT RELATIONSHIPS

SUPPORT FROM ADULTS

- Diverse staff who hear and advocate for students.
- Staff should follow through on student concerns.
- Compassionate, empathetic, and mature staff.
- More outreach and genuine interest in student success.
- Staff who are willing to change based on student feedback.
- Better communication and emergency counseling resources.

4 STUDENT SUPPORTS & RESOURCES

SUPPORT FROM ADULTS

- Diverse, compassionate, and engaged staff.
- Mental health support and trauma-informed staff.
- Better communication between students and staff.
- Emergency counseling and resources.

CAMPUS CLIMATE

- Creating a welcoming community with student engagement in campus events.
- More student recognition and school spirit.

3 PRACTICAL & DIVERSE EDUCATIONAL OPPORTUNITIES

SUPPORT FROM ADULTS

- Increased cultural awareness and reduced cultural appropriation.
- Active administrative promotion of change.
- Staff who are genuinely interested in promoting student success.
- Outreach to students regarding educational opportunities.

SYSTEMS CHANGE/GENERAL IMPROVEMENTS

- Different transportation options.
- Flex periods not during lunch.
- More opportunities for internships, extracurriculars, and CTE (Career and Technical Education) programs.
- Quiet work environments and reduction of homework.
- Expansion of club offerings.
- Designated safe spaces, calming rooms, and quiet rooms.
- Noise-canceling headphones in the library.

5 CLEANER & BETTER MAINTAINED PHYSICAL SPACES

- Cleaner bathrooms with proper ventilation, locks on stalls, and working sinks.
- Warm water and paper towels in bathrooms.
- Better-maintained school kitchens and lunches.
- New and updated sports/art spaces and instruments.
- Updated heating/AC systems and classroom windows.
- Lounges for students to relax.
- Separate bathrooms for middle and high school students.
- Equitable and calming spaces.
- Hallway directors to manage student traffic.
- Menstrual products in all bathrooms.
- Regular school clean-ups to keep spaces tidy and welcoming.



SCAN ME

2024/25: Goals



Expanded Outreach & Engagement (on Design Team & at Events)



Focus on Student Priorities 1 & 2: Safer Environments in Schools (for all students)



Model & Facilitate Meaningful Opportunities for Student Voice (buildings, district, county)



Inter-building & Cross-Building collaboration, listening, and action planning

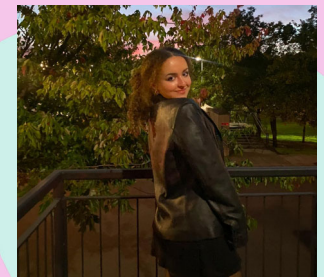
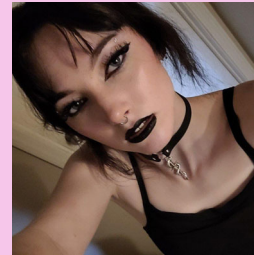
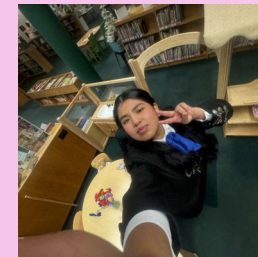


Our Design Team!



Goal: Design Team Expansion: Focal Group Student & Lane ESD Program Representation

- 11 members
- 6 districts & 9 schools
- ESD programs : Career & Technical Education, Migrant Education Program, Native Youth Wellness, Students with IEPs



"The Lane ESD Student Design team is literally magic, a force that can't be tamed, a movement that shows no signs of stopping. Proof that we can save us."

2024/25: Projects & Actions in Motion

Activities Centered on Student Priorities:

- Priority #1: Handling Harassment & Bias
- Priority #2: Teacher & Student Relationships

Student-Created/Led Trainings & Resources

For Educators/Admin:

- Community of Practice: Affinity Spaces
- McKinney-Vento Training (*from students with lived experience*)
- Community of Practice: Student & School Safety (For Building/District Teams)
- Educator Guides/Podcasts

For Students:

- Student Guides/Podcasts: Starting Affinity Spaces; Student Leadership, Collaboration across identities & student voice
- ODE Attendance Town Hall (winter 2025)
- Student Voice Summit (May 2025)
- Lane County youth leadership summit (2025)

Centered on Integrated Guidance: Focal Student/Community Engagement



- Integrated Guidance: Guides
- Student Guide (per district)
 - Admin Guide: Meaningful Student Voice & Community Accountability

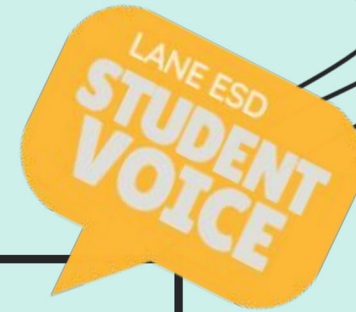


District/Building Student Listening Tour



Integrated Guidance Community Engagement Event:
Student Voice (Pre-Plan Submission)



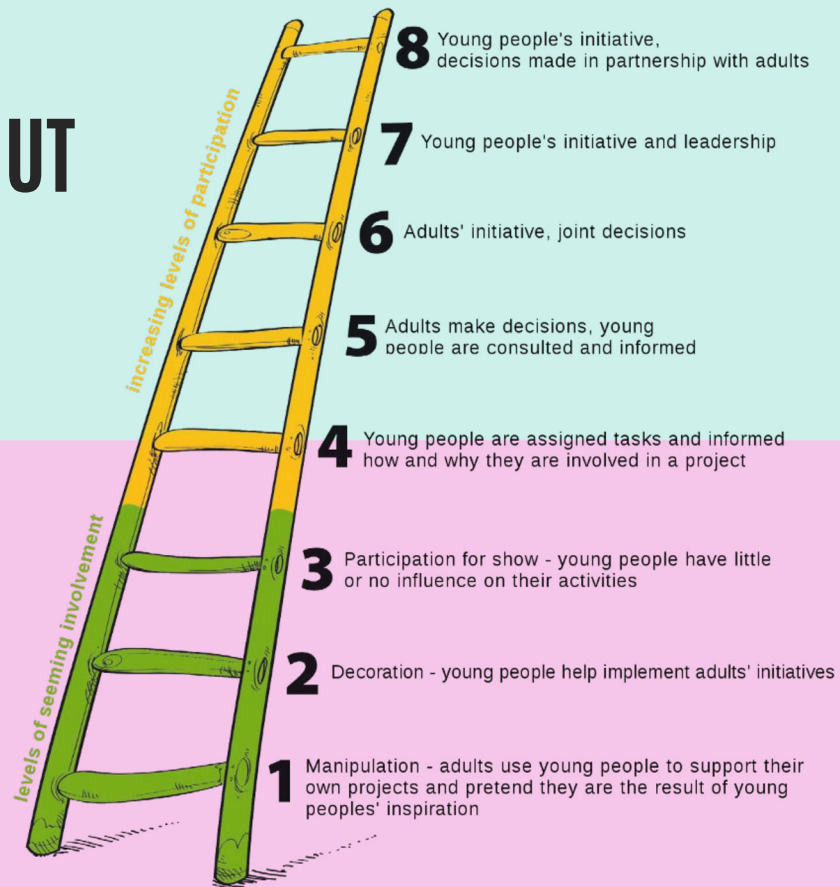


Questions? Appreciations?

Thanks for inviting us!



HOW DO WE THINK ABOUT AND INVITE STUDENT VOICE IN OUR WORK?



HUMAN RESOURCES REPORT TO LANE ESD BOARD

November 27, 2024

CLASSIFIED STAFF (Information)

	Employee Name	Position	Effective Date	Notes
<i>Appointments</i>	Metzger, Crystal	Instructional Assistant	11/19/2024	
	Keith, Marsha	Instructional Assistant	11/4/2024	
	Bracco, Travis	Instructional Assistant	11/4/2024	
	Medina Chanes, Evelyn	Instructional Assistant	11/19/2024	
	Eisele, Erin	Instructional Assistant	11/4/2024	
<i>Leaves of Absence</i>				
<i>Discontinuation of Employment</i>	Lanza, David	Accounting Specialist	12/31/2024	Retired
	Smith, Cady	Instructional Assistant	11/12/2024	Resignation
	Curtis, Christopher	Instructional Assistant	10/18/2024	Resignation
	Ayala, Alesandra	Instructional Assistant	11/12/2024	Resignation
	Heidbrink, Miranda	Instructional Assistant	11/29/2024	Resignation
	King, Heather	Instructional Assistant	11/25/2024	Resignation
	Nestler, Alyssa	Specialist, Continuous Improve Design/Implement	12/2/2024	Resignation
	Rodriguez, Mayzie	Instructional Assistant	12/20/2024	Resignation
<i>Change of Status</i>				

LICENSED STAFF (Action)

	Employee Name	Position	Effective Date	Notes
<i>Appointments</i>				
<i>Leaves of Absence</i>				
<i>Discontinuation of Employment</i>	Dummer, Mayana	Teacher, Life Skills	12/19/2024	Resignation
<i>Change of Status</i>				

PROFESSIONAL STAFF (Information)

	Employee Name	Position	Effective Date	Notes
<i>Appointments</i>				
<i>Leaves of Absence</i>				
<i>Discontinuation of Employment</i>				
<i>Change of Status</i>				

MANAGEMENT STAFF (Action)

	Employee Name	Position	Effective Date	Notes
<i>Appointments</i>				
<i>Leaves of Absence</i>				

<i>Discontinuation of Employment</i>			
<i>Change of Status</i>			
VACANCY NOTICES (Information)			
Posting #	Position	Closing Date	Notes
966	Speech Language Pathologist	6/12/2024	In process
992	Sign Language Interpreter	Open pool	In process
1006	Instructional Assistant, At-Large	Open pool	In process
1019	Instructional Assistant, Life Skills	Open pool	In process
1025	Lane ESD CTE Substitute Teacher	Open Pool	Filled
1053	Teacher, Life Skills (Middle School)	Open pool	In process
1059	Instructional Assistant, Life Skills	Open pool	In process
1061	Teacher, Life Skills (Transitions)	Open pool	In process
1062	Instructional Assistant, Life Skills	Open pool	Filled
1067	Instructional Assistant, Life Skills	Open pool	Filled
1068	Instructional Assistant, Life Skills	Open pool	
1069	School Nurse	Open pool	In Process
1071	Instructional Assistant, Life Skills	Open pool	In Process
1072	Instructional Assistant, Life Skills	Open pool	In Process
1085	Behavioral Health Pathway Specialist (Temporary 6/30/2026)	Open pool	In Process



LANE EDUCATION SERVICE DISTRICT

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EQUITY COMMITMENT LEADERSHIP COLLABORATION INTEGRITY

LANE EDUCATION SERVICE DISTRICT

1200 Hwy 99 N
Eugene, Oregon 97402

Board of Directors

November 12, 2024
Executive Session 5:00 PM
Work Session 5:30 PM
Regular Meeting 6:00 PM

1. Executive Session

The Board of Directors of Lane ESD conducted an Executive Session

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

Board members present: Chair Sherry Duerst-Higgins, Vice-Chair Leslie Harris, Linda Hamilton, Nora Kent (remote), Sydney Kissinger, Vanessa Truett, and Rose Wilde

Administrators present: Superintendent Tony Scurto, Assistant Superintendent Eric Anderson, recording secretary Julie Simmonds (remote)

2. Work Session

Chair Sherry Duerst-Higgins called the Work Session to order at 5:30 p.m.

Board members present: Chair Sherry Duerst-Higgins, Vice-Chair Leslie Harris, Linda Hamilton, Nora Kent (remote), Sydney Kissinger, Vanessa Truett, and Rose Wilde

Administrators present: Superintendent Tony Scurto, Assistant Superintendent Eric Anderson, Human Resources Executive Director Morgan Christensen, Business Services Executive Director Olivia Meyers Buch, recording secretary Julie Simmonds (remote)

Guests present: Heidi Brown (Superintendents' Council Liaison)

2.A. Strategic Plan—Purpose Statement - Local Service Planning

The Board of Directors and Superintendent discussed the development of the 2025-27 Local Service Plan.

2.B. Board Advisors and Liaisons

The Board of Directors and Superintendent discussed recruitment of Board Advisors and Liaisons.

3. Call Regular Meeting To Order

Chair Sherry Duerst-Higgins called the Regular Meeting of the Board to order at 6:02 p.m.

4. Welcome

Board members present: Chair Sherry Duerst-Higgins, Vice-Chair Leslie Harris, Linda Hamilton, Nora Kent (remote), Sydney Kissinger, Vanessa Truett, and Rose Wilde

Administrators present: Superintendent Tony Scurto, Assistant Superintendent Eric Anderson, Human Resources Executive Director Morgan Christensen, Business Services Executive Director Olivia Meyers Buch, recording secretary Julie Simmonds (remote)

Guests present: Heidi Brown (Superintendents' Council Liaison), Mike Anderson (Component District Board Liaison), Ally Richardson (LCEA), Beth Clarke (presenter)

5. Public Participation

There was no public comment.

6. Agenda Review

The agenda was reviewed.

Item 8G is added to the agenda, a Memorandum of Agreement with LCEA related to CTE salaries.

7. Presentation: Library Services

Lane ESD's librarian, Beth Clarke, presented to the Board on Library Services to the component school districts.

8. Action Items

8.A. Consent Agenda

The Lane ESD Board of Directors has agreed to implement a consent agenda. All items in the consent agenda are adopted by a single motion unless a member of the Board or the Superintendent requests that such item be removed from the consent agenda and acted upon separately.

Generally, consent agenda items are matters which members of the Board agree are routine in nature and should be acted upon in one motion to conserve time and to enable the Board to focus on the other matters on the agenda.

Back-up materials for consent agenda items are included in the agenda packet as needed. Minutes of this meeting will reflect action on each item.

If any board member wishes to withdraw any consent group item, it will be moved to the appropriate section of the agenda.

DIRECTOR HARRIS MOVED: BE IT RESOLVED that the Board of Directors of Lane ESD adopts the consent group as submitted and listed below.

1. Human Resource Report, dated November 4, 2024

Director Wilde seconded and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, KISSINGER, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-027)**

8.B. Accept Financial Report

Business Services Executive Director Olivia Meyers Buch provided comments on the September 2024 Financial Report.

DIRECTOR WILDE MOVED: BE IT RESOLVED that the Board of Directors of Lane ESD approves the Financial Report for September 2024. Director Kissinger seconded and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, KISSINGER, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-028)**

8.C. Declaration: Native American Heritage Month

During National Native American Heritage Month, we honor the history, rich cultures, and vast contributions of Native peoples. We celebrate the hundreds of Tribal Nations that are ushering in a new era in our Nation-to-Nation relationships. And we recommit to respecting Tribal sovereignty and self-determination and working in partnership with Tribal Nations to bring new prosperity and security to Native peoples.

Indigenous peoples' history in the United States is defined by strength, survival, and a deep commitment to and pride in their heritage, right to self-governance, and ways of life. Native peoples have built and sustained powerful Tribal Nations, and the knowledge they developed still benefits us today. However, our Nation's failed policies of the past subjected generations of Native peoples to cruelty, violence, and intimidation. The forced removal of Native peoples from their homes and ancestral homelands; attempts to assimilate entire generations; and stripping of Indigenous peoples of their identities, cultures, and traditions are some of the darkest chapters of our Nation's history. The trauma and turmoil fundamentally altered their communities.

Indigenous peoples have persisted and survived — a testament to their resilience and resolve. Today, Native communities are leading the way forward and continuing to strengthen the fabric of the United States. They have long served in the United States military and currently serve in the highest levels of government — including the Secretary of the Interior, Deb Haaland, America's first Native American Cabinet secretary. In every field and sector, Native peoples are pushing for progress and contributing to our shared prosperity.

While we recognize Native heritage throughout the year, this month reminds us to celebrate, honor, and learn from the legacy of Indigenous peoples, whose contributions shape and strengthen our nation.

DIRECTOR WILDE MOVED: BE IT RESOLVED

NOW, THEREFORE, the Board of Directors of Lane ESD do hereby proclaim November 2024 as National Native American Heritage Month. We urge all Americans, as well as their elected representatives at the Federal, State, and local levels, to observe this month with appropriate programs, ceremonies, and activities. Also, we urge all Americans to celebrate November 29, 2024, as Native American Heritage Day. Director Kissinger seconded and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, KISSINGER, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-029)**

8.D. Accept Transit Dollar Requests

Pursuant to ORS 334.177, as amended by 2013 House Bill 3401, a component school district board may request that a percentage of the state formula revenue received by Lane ESD be distributed to the school district for any purpose identified by the school district board. The request for these "Transit Dollars" will be distributed on an ADMw basis.

The ORS requires that the component school district Board submit the request to the Lane Education Service District Board no later than November 1, 2024. The percentage of funds requested may affect the school district's ability to participate in the formal governance of Lane Education Service District.

Withdrawal of Transit Funds: Districts electing to withdraw transit funds in excess of 50% will be assessed a fee on services ordered from the ESD as follows:

- 51%-80% 10% service fee
- 81%-100% 15% service fee

The following component school districts have submitted Transit Dollar Requests for the 2025-26 School Year, with no districts requesting more than 50% of transit dollars available to them:

- Bethel School District
- Crow-Applegate-Lorane School District

- Eugene 4J School District
- Fern Ridge School District
- Junction City School District
- McKenzie School District
- Pleasant Hill School District
- Springfield Public School District

DIRECTOR HARRIS MOVED: BE IT RESOLVED that the Board of Directors of Lane ESD accepts Transit Dollar Request from Component School Districts for the 2025-26 School Year, as presented. Director Truett seconded, and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, KISSINGER, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-030)**

8.E. Approve Grants

The Board of Directors approved grants or requests to apply for grants as follows:

- Health Care Workforce (HCWF) Pathways Scholarship Grant Opportunity
- Native Youth Wellness Program
- If You Can Dream It, You Can Build It In Our Maker Space Classroom: Becoming Real World Problem Solvers Through Hands-on Science, Technology, Engineering, Art and Math Exploration
- LatinX Success Grant
- Student Voice & Teacher Pathways: Youth & Communities Empowered
- Lane Career Academy: Behavioral Health
- SSA: LGBTQIA2S+
- OCF Career Connected Learning Grant to fund Elevate Program in CLC

DIRECTOR WILDE MOVED: BE IT RESOLVED that the Board of Directors of Lane ESD approves grants as presented. Director Harris seconded, and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, KISSINGER, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-031)**

8.F. OSBA Election

The Oregon School Boards Association is organized as one general state association with up to 24 regionally elected representatives established across [14 geographic regions](#) to support member participation and representation.

In odd-numbered years member boards vote to elect regional representatives for even-numbered positions on the OSBA Board of Directors. Member boards also vote to elect all regional representatives on the Legislative Policy Committee.

In even-numbered years member boards vote to elect regional representatives for odd-numbered positions on the OSBA Board of Directors. Member boards also vote on the OSBA Legislative Priorities and Principles. **Lane ESD does not vote for an OSBA Board of Directors member this year.**

Resolutions submitted to the membership are also on the ballot along with candidate elections.

Resolution Election

Date Action

Sept 27 All resolutions to be submitted to the membership for a vote must be received at the OSBA offices

Oct 15 Resolution details, along with an official ballot, will be sent to the membership

Nov 15 Voting period opens

Dec 15 Voting period closes

8.F.1. Resolution to Amend the OSBA Dues Schedule

DIRECTOR WILDE MOVED: BE IT RESOLVED WHEREAS, the Oregon School Boards Association (OSBA) dues revenue as a percentage of OSBA's total revenues is declining. OSBA's dues revenue as a percentage of OSBA's operating costs to support the services OSBA provides to members is also declining;

WHEREAS, the percentage of dues revenue as a proportion of total association revenue has fallen 19.1 percent since the 1996-97 fiscal year to 6.4 percent of total association revenue. If dues do not increase, this percentage of total association revenue will continue to decline;

WHEREAS, the OSBA dues schedule has not increased since the 1998-99 fiscal year;

WHEREAS, OSBA retained The Coraggio Group to do an in-depth analysis of the value of the programs and services OSBA offers to its members and develop a 3-5 year sustainable business plan with member engagement;

WHEREAS, based on the survey data obtained by The Coraggio Group, OSBA members overwhelmingly agree that they receive great service for what they currently pay. Current annual member dues are as low as \$250. Given the costs associated with providing no cost or highly subsidized services available to members, \$250 is very low in comparison.

WHEREAS, The Coraggio Group in collaboration with OSBA staff, has recommended a phased increase in the dues schedule. This approach aims to provide financial stability for the organization and align the dues with other state associations, thereby enabling the association to continue offering its high-quality programs and services.

WHEREAS, the proposed dues increase, which was reviewed by the OSBA Finance Committee, and approved by the OSBA Board of Directors on June 15, 2024, supports the recommendation to amend the OSBA Dues Schedule.

THEREFORE, BE IT RESOLVED in recognition of the current financial situation of Oregon districts and the need for an OSBA dues adjustment, the OSBA Board of Directors recommends that the dues schedule be amended in a manner so that OSBA member school districts and education service districts (ESDs) paying more than \$1,500 annually will experience a dues increase of 15% annually for five consecutive years beginning in the 2025-2026 fiscal year. Beginning in the 2030-31 fiscal year, the dues will increase annually as a percentage in alignment with the Consumer Price Index;

THEREFORE, BE IT FURTHER RESOLVED, the OSBA Board of Directors recommends a membership dues floor be established at \$1,500 and a maximum dues rate of \$25,000 per fiscal year. For OSBA member school districts, ESDs, and community colleges who are below this floor, dues will increase \$250 per year until the floor is reached. For school districts and ESDs that reach the floor before the 2030-31 fiscal year, dues will increase by 15% per year until the 2030-31 fiscal year. Beginning in the 2030-31 fiscal year, dues for all school districts, ESDs, and community colleges will increase annually as a percentage in alignment with the Consumer Price Index.

BE IT FURTHER RESOLVED by the OSBA Board of Directors that the proposed amendments to the OSBA Dues Schedule be submitted to the membership for consideration during the 2024 OSBA election; and

BE IT FURTHER RESOLVED by the OSBA Board of Directors that the proposed amendments to the OSBA Dues Schedule and a copy of this resolution be forwarded to all OSBA member boards in accordance with the OSBA Board of Directors' adopted elections calendar. Submitted by: OSBA Board of Directors.

Director Harris seconded, and the **MOTION FAILED WITH DIRECTORS DUERST-HIGGINS,**

HAMILTON, HARRIS, KENT, KISSINGER, TRUETT AND WILDE VOTING NO. (ESD Resolution #25-032)

8.F.2. Resolution to Amend Oregon School Boards Association's Bylaws Relating to Composition of the Board of Directors

8.F.3. Resolution to Amend the OSBA 2023 Bylaws

DIRECTOR WILDE MOVED: BE IT RESOLVED that the Board of Directors of Lane ESD table agenda item 8.F.2 and 8.F.3 to the December agenda. Director Harris seconded and **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, KISSINGER, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-033)**

8.G. Approve Memorandum of Understanding: CTE Salary Agreement

Superintendent Scurto provided comments and explanation in support of the Board's approval of the Memorandum of Understanding: CTE Salaries

DIRECTOR HARRIS MOVED: BE IT RESOLVED that the Board of Directors of Lane ESD approved and enter into the Memorandum of Understanding: CTE Salary Agreement, as presented. Director Wilde seconded and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, KISSINGER, AND TRUETT VOTING YES. (ESD Resolution #25-034)**

9. Discussion/Reports

9.A. Legislative Update

OAESD Legislative Committee

Chair Sherry Duerst-Higgins has been elected to the OAESD Legislative Committee. The OAESD Summit's focus was on advocacy. All are encouraged to know who our new legislators are and introduce ourselves to the new legislators. New Lane region legislators include Lisa Fragala and Darren Harbick. Superintendent Scurto will send congratulations notes to the legislative incumbents. At the OSBA Lane Region roundtable, the Lane Region discussed hosting a legislative gathering, inviting our local contingent of legislators.

COSA representative Boomer Wright has been reaching out asking about mentoring. Representative Wright serves on the Education Committee and is working to expand teacher mentoring.

OAESD Legislative Committee will announce legislative priorities in the next couple of weeks.

9.B. Superintendent Report

Superintendents' Council

The Superintendents' Council will review the Draft 2025-27 Local Service Plan at their November meeting, with Superintendent Scurto bringing it forward for approval.

ODE Educator Advancement Council Funds

ODE announced OEA will have \$8.9M for special educators. There are a lot of unknowns at this time, and Lane ESD expects to learn more in the next few weeks. The information at this time indicates that funding will be available for educators to receive stipends for working with students who are experiencing special needs. Once more information is available, Superintendent Scurto will communicate to staff.

9.C. OAESD Summit Report Out

The Board provided comments on their individual experiences at the Summit and Convention. Board members enjoyed the Summit and appreciated hearing about the Grow Your Own programs.

9.D. OSBA Annual Convention | Regional Roundtable Discussion Report Out

The Board of Directors of Lane ESD discussed potential topics and planning for the time set aside for a Regional Roundtable meeting during the OSBA Annual Convention.

9.E. Work Session Report Out

Superintendent Scurto agreed to bring a draft update of the Board Advisor and Liaison Administrative Rule to the next Board meeting.

10. Information from Administrative Staff

The directors of Human Resources and Title Programs, Special Education, Business Services, Technology Services, and School Improvement have submitted written reports to the Board on matters of interest concerning his/her area of responsibility.

11. Board Member Reports and Comments/Agenda Planning

11.A. Agenda Planning

Board members were invited to send agenda items to be considered for the next board meeting. Please call or email to the Board Chair or Superintendent.

11.B. Board Member Reports

Board members are asked to submit their reports in writing to be attached to Boardbook. Reports can be sent to the Executive Assistant in advance of the meeting.

As Board Members prepare their reports, please consider the following questions:

1. What programs did I visit over the last month? What committees did I participate in?
2. What is the connection to the LESD services and programs to the component districts or community?
3. What significance or meaning does the activity have to the broader community?
4. What are the next steps or follow-up activities planned?

Sherry Duerst-Higgins

Linda Hamilton

Leslie Harris

Nora Kent

Sydney Kissinger

Vanessa Truett

Rose Wilde

Heidi Brown, Superintendents' Council Advisor: Hired four new elementary teachers and a new high school principal this year. Superintendent Brown has reached her fifth year leading the district. The district transitioned to a four-day school week this year, and has observed improved attendance. In spite of not receiving a Preschool Promise grant, the district operates a preschool.

Mike Anderson, Liaison, Creswell School District: Creswell School District is going well. The gym and several buildings are undergoing renovations. The district has completed a football field upgrade and is adding new turf to the baseball field. All buildings have automatic locks installed and fencing is being erected around all school campuses.

Erin Zygaitis, Community Advisor - absent

12. Announcements/Correspondence

12.A. Acknowledgements and Recognition

12.B. Kudos

Kudos to: Jess Garnica Tapia

Reported by: IT Department

Reason: IT department staff voted to recognize Jess Garnica Tapia with our version of "employee

of the month" - comments were: Jess singlehandedly configured 74 new laptops and did maintenance on many more, working diligently through the end-of-summer heat (when the air conditioning wasn't working) prior to start of school. She is amazing at organizing and anticipating end user needs, which resulted in a smooth pick up of devices by staff. She is very much appreciated and respected!

Thank you to those who took the time to acknowledge co-workers/staff with kudos. Employees and Board members can submit a "kudo" any time during the month. To submit a kudo visit: www.lesd.k12.or.us/forms/kudos.html

12.C. Announcements

12.C.1. **Lane ESD Board Member Activities and Opportunities**

American Education Week, November 18-22, 2024
Education Support Professionals Day, November 20, 2024

November 12, 2024 - OSBA Executive Committee Meeting

November 20, 2024 - OSBA Policy Committee Meeting

December 4, 2024 - [Oregon LGBTQIA2S+ School Board Members Advisory Committee Meeting](#)

December 10, 2024 - OSBA Exec

January 8, 2024 - [Oregon LGBTQIA2S+ School Board Members Advisory Committee Meeting](#)

February 5, 2024 - [Oregon LGBTQIA2S+ School Board Members Advisory Committee Meeting](#)

12.C.2. **Component District Board Meeting Dates**

Bethel: During the regular school year the school board meets on the 2nd and 4th Wednesdays of the month at 6pm for regular sessions. The Board will conduct only one meeting in November, December, March and May, when the board meets on the 2nd Wednesday only.

Blachly: The District Board typically meets on the second Wednesday of each month at 6:00 pm, location TBD.

Creswell: Regular Board of Director meetings are typically held the second Wednesday of each month at 6:00 PM.

Crow-Applegate-Lorane: The Board of Directors for Crow-Applegate-Lorane School District #66 holds a regular meeting at 7:00 pm on the third Thursday of each month. The meetings are held at Applegate Elementary School and at the Lorane Grange.

Eugene: The Eugene School Board usually meets in regular public sessions on the first and third Wednesdays of each month at 7 p.m. This schedule sometimes varies, and additional meetings and work sessions are scheduled as necessary.

Fern Ridge: Third Monday of the month, unless otherwise noted. Time: 6:30 p.m.

Junction City:

Lowell: Regular Board Meetings are scheduled for the 4th Monday of the month, with the Meeting beginning at 4:00 pm

Mapleton: The Mapleton School Board meets on the third Wednesday of each month. There is no meeting during the month of July. The School Board meeting is held in the high school at 6:00pm, unless otherwise noted.

Marcola: Regular board meetings are scheduled for the 2nd Monday of each month at 6 PM.

McKenzie: McKenzie School Board meetings are held on the third Wednesday of each month unless noted otherwise.

Oakridge

Pleasant Hill

Siuslaw: The board of directors meet the second Wednesday of each month with the exception of a regular meeting scheduled for August 21, 2024, and November 20, 2024. The board normally meets in the district board room located at 2111 Oak Street in Florence, Oregon. The meetings are scheduled to begin at 6:00 p.m. with a work session and the regular meeting will begin at approximately 6:30p.m.

South Lane: The South Lane School Board usually meets in regular public sessions on the first Monday and third Monday of each month at 5:30 p.m. for a work session. Meetings normally are held at the South Lane School District Office, 455 Adams Ave in Cottage Grove.

Springfield: The Board of Directors generally meet on the second and fourth Mondays of each month.

Regular business meetings begin at 7 p.m. on the second Monday and work sessions are generally held at 5:30 p.m. on the fourth Monday of the month. All meetings, unless otherwise noted, are held in the Board Room of the Springfield Public Schools Administration Building

13. Adjournment

- The next regular meeting is scheduled to be held Tuesday, December 2, 2024, at the Lane ESD Main Campus, 1200 Highway 99 N, Eugene.

Chair Sherry Duerst-Higgins adjourned the meeting at 7:50 p.m.

Minutes Approved:

Sherry Duerst-Higgins, Chairperson

Tony Scurto, Superintendent



LANE EDUCATION SERVICE DISTRICT

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EQUITY COMMITMENT LEADERSHIP COLLABORATION INTEGRITY

Prepared for: Lane ESD Board of Directors
Prepared by: Olivia Meyers Buch, Executive Director of Business Services
Meeting Date: December 3, 2024

October 2024 Financial Report (Unaudited)

The Financial Report for the General Fund for the period ending October 31, 2024 follows this report. Year-to-date operating revenues through October 31, 2024 total \$7,351,722 or 25.6% of total budgeted operating revenues as compared to \$7,136,930 or 25.4% through October 31, 2023. As usual, state school fund formula revenue (state school fund - general support) constitutes the majority of funds received. Total projected resources of \$28,757,635 is \$2,773 more than budgeted.

Year-to-date operating expenditures through October 31, 2024 total \$5,595,781 or 21.9% of total budgeted operating expenditures as compared to \$5,207,465 or 21.2% through October 31, 2023. Total projected operating expenditures of \$25,220,761 is \$339,889 less than budgeted. Total projected transfers and transits of \$3,458,149 is \$288,838 less than budgeted.

Projected resources and requirements through October 31, 2024 result in an ending fund balance of \$2,788,705, with \$1,253,831 assigned (reserved) for districts. The remaining ending fund balance of \$1,534,874 is unassigned and represents 5.3% of projected operating revenues. The projected ending fund balance reflects an increase, or operating surplus, of \$111,530.

Please contact me with questions or if you would like any additional information.

**Lane Education Service District
General Fund Financial Report (Unaudited)
For the Period Ending October 31, 2024**

	Fiscal Year 2023-24					Fiscal Year 2024-25					
	Final Budget	Actuals thru 10/31/23	% of Budget	Projected thru 6/30/24	% of Budget	Final Budget	Actuals thru 10/31/24	% of Budget	Projected thru 6/30/25	% of Budget	Budget Variance
RESOURCES											
State School Fund Formula Revenue											
State School Fund - General Support	\$ 15,532,800	\$ 6,742,503	43.4%	\$ 15,996,395	103.0%	\$ 16,240,313	\$ 6,852,385	42.2%	\$ 16,448,355	101.3%	\$ 208,042
Property Taxes Levied by District	8,688,000	20,732	0.2%	8,611,369	99.1%	9,038,376	23,549	0.3%	9,039,869	100.0%	1,493
Other Local Revenues	66,200	3,094	4.7%	87,771	132.6%	86,659	3,342	3.9%	72,000	83.1%	(14,659)
Services Provided to Districts	2,550,400	(1,640)	-0.1%	1,256,511	49.3% ⁽¹⁾	2,209,514	4,172	0.2%	1,895,710	85.8%	(313,804)
Fees Charged to Grants	670,000	42,889	6.4%	812,985	121.3%	600,000	178,983	29.8%	700,000	116.7%	100,000
Other Revenues	577,700	329,352	57.0%	765,427	132.5%	580,000	289,292	49.9%	601,701	103.7%	21,701
Total Operating Revenues	\$ 28,085,100	\$ 7,136,930	25.4%	\$ 27,530,458	98.0%	\$ 28,754,862	\$ 7,351,722	25.6%	\$ 28,757,635	100.0%	\$ 2,773
Beginning Fund Balance (District Reserves)	921,200	1,165,894	126.6%	1,165,894	126.6%	1,103,757	1,286,636	116.6%	1,286,636	116.6%	182,879
Beginning Fund Balance	2,050,000	2,080,746	101.5%	2,080,746	101.5%	1,514,860	1,423,343	94.0%	1,423,343	94.0%	(91,517)
TOTAL RESOURCES	\$ 31,056,300	\$ 10,383,570	33.4%	\$ 30,777,098	99.1%	\$ 31,373,479	\$ 10,061,702	32.1%	\$ 31,467,614	100.3%	\$ 94,135
REQUIREMENTS											
Salaries	\$ 10,981,145	\$ 2,481,600	22.6%	\$ 10,973,743	99.9%	\$ 11,436,471	\$ 2,533,531	22.2%	\$ 11,322,106	99.0%	\$ (114,365)
Associated Payroll Costs	7,372,689	1,456,111	19.8%	6,470,402	87.8% ⁽²⁾	7,495,703	1,439,165	19.2%	7,345,789	98.0%	(149,914)
Purchased Services	5,490,697	861,425	15.7%	5,713,478	104.1%	5,695,892	1,129,648	19.8%	5,638,933	99.0%	(56,959)
Supplies and Materials	446,550	213,665	47.8%	599,614	134.3%	662,884	240,540	36.3%	649,626	98.0%	(13,258)
Other Objects	230,100	194,665	84.6%	263,685	114.6%	269,700	252,897	93.8%	264,306	98.0%	(5,394)
Total Operating Expenditures	\$ 24,521,181	\$ 5,207,465	21.2%	\$ 24,020,922	98.0%	\$ 25,560,650	\$ 5,595,781	21.9%	\$ 25,220,761	98.7%	\$ (339,889)
Transfers											
Interfund Transfers	459,000	429,000	93.5%	448,198	97.6%	449,000	429,000	95.5%	449,000	100.0%	-
Transits to Districts	4,110,163	-	0.0%	3,597,999	87.5%	3,297,987	-	0.0%	3,009,149	91.2%	(288,838)
Other Uses of Funds											
Planned Reserve (District Reserves)	965,956	-	0.0%	-	0.0%	464,161	-	0.0%	-	0.0%	(464,161)
Planned Reserve	400,000	-	0.0%	-	0.0%	801,681	-	0.0%	-	0.0%	(801,681)
Reserved for Next Year	600,000	-	0.0%	-	0.0%	800,000	-	0.0%	-	0.0%	(800,000)
TOTAL REQUIREMENTS	\$ 31,056,300	\$ 5,636,465	18.1%	\$ 28,067,119	90.4%	\$ 31,373,479	\$ 6,024,781	19.2%	\$ 28,678,910	91.4%	\$ (2,694,569)
ENDING FUND BALANCE	-	\$ 4,747,105		\$ 2,709,979		-	\$ 4,036,921		\$ 2,788,705		
Assigned for Districts				\$ 1,286,636					\$ 1,253,831		
Unassigned Fund Balance				\$ 1,423,343	5.2% *				\$ 1,534,874	5.3% *	
<i>* Percent of Operating Revenues</i>				\$ 2,709,979					\$ 2,788,705		

(1) Variance is due to actual services ordered by districts being less than anticipated.

(2) Variance is due to savings as a result of implementing a new opt out incentive that has resulted in lower health insurance premium costs.

Response Summary:

Grant Report

Q2. Has this proposal been discussed and supported by your department's executive director?

- Yes

Q4. Details

Project Name	Behavioral Health Pathway (Work Based Learning)
Department Submitting Proposal	School Improvement
Person Submitting Proposal	Shareen Vogel
Potential Funder (please include link to RFP if available)	https://oregonbuys.gov/bs0/external/bidDetail.sdo?docId=S-44300-00008989&external=true&parentUrl=close
Requested Funding Amount	800,000
Person who will manage grant if funded	Shareen Vogel

Q5. Grant Period

Length of grant	3 years
Anticipated start date (mm/dd/yyyy)	06/16/2025
Anticipated end date (mm/dd/yyyy)	06/16/2028

Q9. Is a match required from Lane ESD or participating districts (direct funds, FTE, services)?

- No

Q10. Does the grant require any commitment from the ESD or districts beyond the term of the grant?

- No

Q13. Does the grant require a 501(c)3 to apply?

- No

Q46. Does the grant require "reporting" and/or updates?

- Yes

Q47. What kind of reporting is being asked for?

Grant Recipients will be asked to submit semi-annual (January and July) progress reports, financial reports, and invoices.

The progress reports will include broadly a description of activities, performance against goals described in the grant proposal, an explanation of steps taken if goals were not met, plans for the following period and any changes to budget expenditures in the upcoming period. Financial reports are expected to include detailed financial summaries of grant expenditures and include invoices.

c. After the last year of the grant, Recipient will be required to submit a final progress report summarizing the work achieved throughout the grant and the outcomes in relation to those initially described in the grant proposal. The final progress report will also describe how the program will be maintained following the end of the award.

Q48. Who will be doing the ongoing reporting (programmatic and fiscal responsibilities) within your department?

Shareen Vogel/Kathy Mayer

Q24. Have you discussed the data collection and reporting needs with your data coordinator?

- Yes

Q50. With which data coordinator did you speak?

- Coordinator X

Q51. When did you speak with your data coordinator about this project?

N/A

Q52. How often will you need their support for reporting, exports, and imports?

We will be hiring a 3rd party evaluator that will support all data and reporting.

Q17. Please, provide a brief overview of the grant, including the purpose and intended outcomes.

PROJECT GOAL: Develop a BHP for Lane County High School students (refer to recent/previously funded Future Ready grant) that is connected and relevant to community, higher education pathways, and workforce needs.

Objective #1: Behavioral Health Pathway (BHP) work experience pilot is designed and built.

Objective #2: Promote equity in student access Behavioral Health Career Technical Education Programs of Study, resources, and opportunity.

Objective #2: At least two (2) work experience sites prepared for Fall 2025

Objective #3: Work experience sites serve a minimum of 3 high school participants during pilot year who along with supervisory treatment providers serve a group of elementary school students and their families.

Q18. Describe how this proposal supports the equity vision and mission of Lane ESD.

Vision: Building a beloved community of learners.

Mission: Collaborating to empower all learners with justice- centered opportunities, equitable leadership, and a passion for lifelong learning.

This project promotes equity in student access to Career Technical Education Programs of Study, resources, and opportunities in a much needed Behavioral Health pathway. Plaza, Native Youth Wellness, Confederated Tribes of Coos, Lower Umpqua, and Siuslaw's Circles of Healing Program, Migrant Education Program, NAACP, LCBH, and most every other stakeholder in the community have shared experiences that declare high demand for services, vacant positions, high staff turnover, unprepared entry level practitioners, and related trends. We have intentionally partnered with culturally relevant community and industry partners that reflect these community groups and will bring culturally specific curriculum and training to students.

Q19. Indicate which of Lane ESD's Equity Goals this proposal will directly address.

- 1. All decisions and actions will reflect the guiding principles and affirmations in our Equity Lens document.
- 2. Lane ESD staff along with community partners will be equity leaders trained to dismantle systems of oppression through interrupting inequitable policies and practices by providing culturally specific curriculum that reflects the histories of our students.
- 3. All ESD staff and educators we serve will be provided the equity tools and training needed to inspire student learning, so all youth thrive.
- 4. Youth, from all backgrounds, will have access to highly engaging and culturally relevant learning opportunities connected to our communities and delivered by diverse, qualified, and passionate educators.
- 5. While amplifying youth voice, we will build trusted and inclusive relationships with our families and elevate the engagement of community partners that lead to improved equitable student outcomes.

Q20. Describe how the voices of diverse members of the community have been part of the design and implementation process of this proposal.

This proposal has the support of and plans to work closely with Plaza, Native Youth Wellness, Migrant Education Program, NAACP, LCC and Lane Workforce Partnership (to name a few).

Q21. How will this proposal dismantle systems of racism and oppression that might exist?

See previous answers.

Q22. Who might this proposal impact positively and who might it negatively impact?

Positively impact so many! Negatively impact nearly none.

Q23. How will you ensure that equitable outcomes are achieved and what data will be collected to measure success?

We are contracting with a 3rd party evaluator to measure success.

Q29. Will the purchase of computers, software, or other equipment be required for staff hired or assigned to the grant?

- No

Q31. What use of facilities are anticipated (workspace, training space, meeting space)? If applicable, please include use during weekends and break periods.

N/A

Q32. What other internal supports at Lane ESD will you need for the project to succeed?

None, as already in place with previous grant.

Q36. Does the project involve research that requires the human subjects' releases?

- Yes

By clicking the arrow you will be submitting the form.

Please ensure you have completed all sections before moving forward.

Embedded Data:

N/A



Resolution to Amend the OSBA 2023 Bylaws

WHEREAS, the Oregon School Boards Association (OSBA) was formed in 1946 as a volunteer association of locally elected public school boards;

WHEREAS, in 2017, through a vote of the OSBA membership, OSBA was incorporated under ORS chapter 65 as a public benefit non-profit corporation and the OSBA bylaws replaced the OSBA constitution;

WHEREAS, in 2018, through a vote of the OSBA membership, the OSBA bylaws were amended to expand the OSBA board of directors and legislative policy committee with representatives from the Oregon school board members of color caucus;

WHEREAS, in 2023, through a vote of the OSBA membership, the OSBA bylaws were amended to expand the OSBA board of directors and legislative policy committee with representatives from the Oregon rural school board members caucus and additional revisions to the bylaws;

WHEREAS, in 2024, the OSBA board of directors reviewed the OSBA bylaws and proposes to amend the OSBA bylaws as reflected in the attached draft OSBA bylaws with changes highlighted in the attached draft OSBA bylaws crosswalk document; and

WHEREAS, the substantive changes to the draft OSBA bylaws are the following:

- Allowing caucuses to have an additional director on the OSBA board of directors in the circumstance where the OSBA president or immediate past president is a director from a caucus. This revision is intended to provide the same opportunity for representation for caucuses as is currently provided to regionally elected directors.
- Clarify that OSBA board of directors must comply with the Oregon government ethics laws with respect to conflicts-of-interest.
- Require OSBA caucuses to submit an annual year end fiscal report to the OSBA board of directors.
- Create officer eligibility criteria that requires candidates for officer positions and directors in officer positions to be voting members of the OSBA board of directors.
- Expand the OSBA board of directors and legislative policy committee with representatives from the Oregon school board members PRIDE caucus.
- Edits to grammar, punctuation, and language for readability.

THEREFORE, BE IT RESOLVED by the OSBA board of directors that the proposed draft OSBA bylaws be submitted to the membership for consideration during the 2024 OSBA election; and

BE IT FURTHER RESOLVED that the proposed draft OSBA bylaws, the draft OSBA bylaws crosswalk document and a copy of this resolution be forwarded to all OSBA member boards in accordance with the OSBA board of directors' adopted elections calendar.

Submitted by: OSBA Board of Directors



BYLAWS

As Amended by the Membership: December 2023

Proposed Edits: September 14, 2024

SECTION 1 PURPOSE

The Oregon School Boards Association (the “Association” or “OSBA”) exists solely to perform essential governmental functions and all of its income accrues to the State of Oregon or its political subdivisions as required under IRC Section 115. In particular, the Association’s mission and purpose are as follows:

- A. To work for the general advancement and improvement of the education of all public school children of the State of Oregon.
- B. To gather and disseminate information pertinent to the successful operation of public schools.
- C. To work for the most efficient and effective organization of public schools of this state. “Public schools” include local school districts, education service districts, the State Board of Education, and community colleges classified as a political subdivision.
- D. To work for adequate and dependable financial support for the public schools of this state.
- E. To study all legislation which affects the public schools of Oregon and to support and work for that which appears to be desirable and to keep members informed thereof. To propose and work for the enactment of proper educational legislation.
- F. To encourage the establishment and maintenance of best practices and high standards in the conduct and operation of the public school educational system.
- G. To study and interpret educational programs and to relate them to the needs of pupils.
- H. To promote public understanding of the role of school boards and school board members in the improvement of education.
- I. To conduct seminars, conferences, and research projects in the various aspects of education for the benefit of members.
- J. To endeavor to implement the policies, beliefs, and resolutions of the Association members and board of directors.
- K. To do such other things as the member boards or board of directors may deem appropriate for the accomplishment of these and other purposes which tend to improve public education.
- L. To enter into such cooperative agreement with members for the pooling of resources and the provision of services as may result in the more efficient utilization of district resources and accrue to their financial advantage.

SECTION 2 MEMBERS

2.1 Admission. All members must qualify as (1) a “political subdivision” as defined under Treas Reg § 1.103-1(b) and Revenue Ruling 78-276, 1978-2 CB 256 and (2) as one of the following:

- 2.1.1 ~~Local~~ School District as defined under ORS Chapter 332;
- 2.1.2 Education Service District as defined under ORS Chapter 334;
- 2.1.3 Community College District as defined under ORS Chapter 341;
- 2.1.4 State Board of Education as defined under ORS Chapter 326; and

2.1.5 Any other governmental educational organization qualifying as a political subdivision, as approved by resolution of the board of directors.

2.2 Dues. Annual dues shall be set by majority vote of the members and shall be based on resident Average Daily Membership (ADMr) as of December 31 of the preceding year as reported to the Oregon Department of Education. Dues shall be payable on July 1 of each year and shall become delinquent on September 1 of each year. Member status shall automatically terminate for members failing to pay dues by September 1 unless an extension is requested and granted by the board of directors.

2.3 Reserved Powers of the Members. The following corporate actions require the consent and approval of the members:

2.3.1 Election and removal of directors except as set forth in Section 3.8;

2.3.2 Election and removal of the Legislative Policy Committee (“LPC”) members except as set forth in Section 4.1.3(g);

2.3.3 Approval of resolutions to effectuate any of the following:

(a) Adoption, amendment, or restatement of the articles of incorporation or bylaws;

(b) Modification to the region descriptions set forth in Section 2.6.1; and ~~the~~

(c) Dissolution, merger, or the sale, pledge, or transfer of all or substantially all of the Association’s assets.

2.4 Voting Power.

2.4.1 Election of Directors and LPC Members. For the purposes of nominating and electing directors and LPC members, each member shall have one vote.

2.4.2 Resolution. For the purposes of approving a resolution, each member shall have one vote on all resolutions except as follows:

(a) K-12 Local Districts with an ADMr between 15,600 and 23,400 shall have two votes.

(b) K-12 Local Districts with an ADMr between 23,400.1 and 31,200 shall have three votes.

(c) K-12 Local Districts with an ADMr between 31,200.1 and 39,000 shall have four votes.

(d) K-12 Local Districts with an ADMr of 39,000.1 or more shall have five votes.

2.5 Process of Approval of Member Resolutions.

2.5.1 Generally, members shall approve resolutions annually by ballot vote. Members or the board of directors may submit a resolution for member approval. Such resolutions shall be submitted to the board of directors no later than September 30~~th~~. The board of directors shall distribute all timely submitted resolutions, together with an official ballot, to the members no later than October 15. Members shall vote by ballot submitted to the board of directors no later than December 15.

2.5.2 ~~The board of directors may call a special meeting of the members under Section 2.9, as necessary.~~

2.6 Regional Election of Directors and LPC Members.

2.6.1 Regional Voting. For the purposes of nominating and electing the board of directors and LPC members, the Association members shall be organized into and represented by region:

- (a) Eastern Region includes all of the members located in the counties of Baker, Grant, Malheur, Union, Wallowa, and Wheeler.
- (b) Gorge Region includes all of the members located in the counties of Gilliam, Morrow, Sherman, Umatilla, and Wasco.
- (c) Central Region includes all of the members located in the counties of Crook, Deschutes, and Jefferson.
- (d) Southeast Region includes all of the members located in the counties of Harney, Klamath, and Lake.
- (e) Southern Region includes all of the members located in the counties of Jackson and Josephine.
- (f) Lane Region includes all of the members located in the county of Lane.
- (g) Clackamas Region includes all of the members located in the counties of Clackamas and Hood River.
- (h) Douglas/South Coast Region includes all of the members located in the counties of Coos, Curry, and Douglas.
- (i) Linn, Benton, Lincoln Region includes all of the members located in the counties of Benton, Lincoln, and Linn.
- (j) Marion Region includes all of the members located in the county of Marion.
- (k) Yamhill, Polk Region includes all of the members located in the counties of Polk and Yamhill.
- (l) North Coast Region includes all of the members located in the counties of Clatsop, Columbia, and Tillamook.
- (m) Washington Region includes all of the members located in the county of Washington.
- (n) Multnomah Region includes all of the members located in the county of Multnomah.

2.6.2 Members shall be assigned to the region in which their main administrative office is located. If a member's district boundaries span more than one region, the member board must declare which region it intends to vote and shall vote only in that region.

~~2.6.23~~ Regional elections shall be determined ~~taken~~ by a majority of votes cast by members within of the members within the region.

- 2.7 Modification of Regions.** A formal review of the regional organizations described in Section 2.6.1 shall be conducted by the board of directors at least every three years commencing with 2017. Any recommended changes to the regional organization shall be submitted to the members in the form of a resolution in accordance with the provisions of Section 2. ~~115.~~
- 2.8 Annual Meetings.** An annual meeting of members shall be held in November of each year unless a different date or time is fixed by the board of directors and stated in the notice of the meeting. Failure to hold an annual meeting on the stated date shall not affect the validity of any corporate action. At the annual meeting, the president and secretary-treasurer of the board of directors, and any other officer or person whom the president may designate, shall report on the state of the Association, ~~the its~~ activities, and its financial condition ~~of the Association.~~
- 2.9 Special Meetings.** A special meeting of members shall be held upon the call of the president or 25 percent of the board of directors. All members shall be officially notified of a special meeting by written notice, mailed via U.S. mail or electronic mail, to all members at least 15 days prior to the date of the meeting. Such notice shall include a description of all agenda items and any matters to be voted upon by the members, the place and time of the meeting, and instructions describing the method by which members can participate by telephone or video. Notice shall also comply with all procedures and include any information as required by ORS Chapter 192.
- 2.10 Telephonic/Video Meetings.** The board of directors may permit any member to participate in any annual or special meeting of the membership, or conduct the meetings through, the use of any means of communication by which all persons participating may simultaneously hear each other during the meeting. A member participating in the meeting by this means is deemed to be present ~~in person~~ at the meeting.
- 2.11 Place of Meetings.** Meetings of the members shall be held at any place, in ~~or out of~~ Oregon, designated by the board of directors. If a meeting place is not designated by the board of directors, the meeting shall be held at the Association's principal office.
- 2.12 Action by Written Ballot.** Any action required of the members will be taken by written ballot, and the Association will deliver a written ballot to every member entitled to vote on the matter. Once delivered, a written ballot may not be revoked.
- 2.13 Quorum.** A quorum of the members shall consist of a majority of members in good standing at the time the ballots are to be returned to the association.
- 2. ~~13.114~~ Approval:** With the exception of approving amendments to the Association's bylaws, which is as outlined in Section 7.1 ~~of these bylaws~~, and with the exception of regional elections outlined in 2.6.3, approval by written ballot is effective ~~when~~ at the end of the voting period when:
- (a) The number of votes cast by ballot equals or exceeds a quorum of the members; and
 - (b) The number of approvals equals or exceeds a majority of the number of returned ballots.

SECTION 3 DIRECTORS

- 3.1 Powers.** Except as provided under Section 2. ~~23,~~ all corporate powers shall be exercised by or under the authority of ~~and the affairs of, are managed under the direction of~~ the board of

directors. The board of directors shall adopt policies defining specific obligations of the board of directors.

3.2 Qualifications. Directors must serve on the board of a member of the Association throughout the duration of their term, with the exception of the director serving as past president.

3.3 Number. The board of directors shall consist of not fewer than three nor more than 25 persons. The number of directors may be fixed or changed periodically, within the minimum⁷ and maximum² by the members.

3.4 Term. Directors shall take office on January 1 and shall serve for a term of two calendar years or until their successors are elected and qualified. Terms shall be staggered as per the election calendar.

3.4.1 Directors who took office prior to January 1, 2018, and are re-elected may serve for any number of terms as long as they continuously remain members of the board of directors.

3.4.2 Directors taking office on or after January 1, 2018, may serve five consecutive two-year terms and, if eligible, may rerun after a two-year hiatus.

3.4.3 If a director serving as immediate past president requires additional time beyond the term limits outlined above, the term limits will be held in abeyance to allow the director to complete their term as immediate past president.

3.5 Composition. The board of directors will be comprised of up to ~~23~~²² regionally elected directors, one designated director as defined in the bylaws of the Oregon School Board Members of Color Caucus, ~~and~~ one designated director as defined in the bylaws of the Oregon Rural School Boards Members Caucus, ~~and one designated director as defined in the bylaws of the -Oregon school board members PRIDE caucus and ex-officio nonvoting members advisors as delineated in Section 3.5.4.~~

3.5.1 Regional Elected Directors. Each region, as described under Section 2.6.1, shall elect one director except as follows:

(a) Clackamas Region shall elect two directors;

(b) Marion Region shall elect two directors;

(c) Washington Region shall elect three directors; and

(d) Multnomah Region shall elect three directors.

(e) ~~Provided, however, that i~~ If the president or immediate past president of the board of directors is a representative director from a region that elects only one director, that region shall elect an additional director or directors to serve for the duration of the president and/or the immediate past president's term.

3.5.2 Regional Election.

(a) The nomination and election of directors shall be in accordance with the elections calendar annually adopted by the board. The board of directors shall distribute notice of position vacancies, candidate information packets, and official nomination forms to all incumbent directors and members in electing regions.

(b) Each regional candidate for a director position shall be nominated by a member within the region by means of a nomination form. ~~The board of directors shall distribute notice of position vacancies, candidate information packets, and official nomination forms to all incumbent directors and members in electing regions.~~ To nominate a director candidate, one or more of the members in the region must timely submit to the board of directors a formal resolution or motion of the member and the completed nomination form(s). Nominations in regions where there is more than one open director position shall indicate the numbered position for which the nomination is being submitted.

(c) Each member in a region shall have one vote in the regional elections for the board of directors. The director candidate receiving a majority of the votes ~~cast by the~~ members within the region shall be elected.

~~(a)~~(d) In cases where there are more than two candidates nominated for any position, and none receives a majority of the votes cast, a second regional ballot shall be required between the two candidates receiving the highest number of votes; the one receiving a majority of the votes is elected.

3.5.3 ~~Designated-Caucus~~ Representatives. In accordance with their bylaws, caucuses of OSBA shall appoint a representative of the Caucus to serve as a director of the Association. The representative must be an elected or appointed member of any public board of education in Oregon ~~who that~~ is an active member in good standing with the Association. All Association bylaws and policies shall apply to the designated representative serving as the Caucus' director of the Association.

If the president or immediate past president of the board of directors is a representative director from a caucus, then the caucus shall elect an additional director to serve for the duration of the president and/or the immediate past president's term.

3.5.4 Ex-Officio. The following individuals or their designee may serve as ex-officio, nonvoting, advisors to the board of directors:

(a) Any director of the National School Boards Association elected from Oregon;

~~(b) Any officer of the National School Boards Association, National School Boards Advocacy Committee, or an officer of the NSBA Pacific Region.~~

~~(c) The immediate past president of the Oregon Association of School Executives;~~

(d) The ~~immediate past president~~ Executive Director of the ~~Confederation~~ Coalition of School Administrators;

(e) The ~~board section president~~ Chair-Elect of the Oregon Association of Education Service Districts;

(f) The board ~~section~~ president of the Oregon Community College Association;

(g) The chair of the State Board of Education; and

(h) Any other person ~~as that~~ the board of directors may appoint.

Ex-officio advisors do not attend executive sessions of the board of directors unless they hold a separate position that entitles them to attend executive session, or they are invited to attend by the board of directors.

Ex officio advisors are not eligible for travel reimbursement from OSBA unless they hold a separate position for which travel reimbursement is provided.

3.6 Vacancies. In the event that any director position, other than the president or immediate past president serving as a second director for a region as set out in Section 3.5.1(e), is vacant during the term of office, the remaining directors may appoint an interim director from the same region to serve until December 31 of the same year.

If the board of directors cannot recruit a candidate from the region, they may appoint a person from a contiguous region to serve as director representing the open region. An individual appointed as a director from a contiguous region is not eligible to serve as an officer of the board.

All appointed interim directors must run for regional election during the next election cycle following appointment in order to be eligible to continue service on the board of directors past December 31 of the election year. The members shall elect, using the procedures in Section 3.5.2, an interim director to serve from January 1 of the next year until the end of the remaining term.

If there is a vacancy in an OSBA caucus-designated director position, then the caucus shall, as set forth in Section 3.5.3, appoint a new caucus representative to serve the remaining term.

3.7 Resignation. A director may resign at any time by delivering written notice to the president or the secretary. A resignation is effective when notice is effective under ORS 65.034 unless the notice specifies a later effective date. Once delivered, a notice of resignation is irrevocable unless revocation is permitted by the board of directors.

3.8 Removal. A director may be removed for cause by vote of two-thirds majority of the directors. A director may be removed with or without cause by a majority vote of the members who elected the director. The board may provide guidance or adopt and amend policies regarding what types of actions the board considers to be sufficient cause for removal.

3.9 Regular Meetings. An annual meeting of the board of directors shall be held immediately after, and at the same place as, the annual meeting of members. The board of directors may schedule additional regular meetings to occur during a calendar year. ~~If the time and place of any other directors' meeting is regularly scheduled by the board of directors, the meeting is a regular meeting.~~ All other meetings are special meetings.

3.10 Special Meetings. A special meeting of the board of directors may be called by the president or the president-elect or 20 percent of the board of directors. All directors shall be officially notified of a special meeting by written notice delivered personally, by telephone, or electronic mail at least 48 hours prior to the date of the meeting. Such notice shall include a description of all agenda items and any matters to be voted upon by the directors, the place and time of the meeting, and instructions describing the method by which directors can participate by telephone or video. No matter may be considered at a special meeting other than the matter(s) specified in the notice.

3.11 Place of Meetings. The board of directors may hold annual, regular, or special meetings at any location in the State of Oregon.

3.12 Telephonic/Video Meetings. The board of directors may conduct meetings through the use of any means of communication by which all persons participating may simultaneously hear each other during the meeting. A director participating in the meeting by this means is deemed to be present at the meeting.

3.1013 Notice of Meetings. All ~~members~~ directors shall be officially notified of a special meeting by written notice delivered personally, by telephone or electronic mail to all directors at least 48 hours prior to the date of the meeting. Such notice shall include a description of all agenda items and any matters to be voted upon by the directors, the place and time of the meeting, and instructions describing the method by which directors can participate by telephone or video. Notice of meetings shall ~~also~~ comply with all procedures and include any information as required by ORS Chapter 192.

3.1114 Waiver of Notice. A director may at any time waive any notice required by these bylaws. A director's attendance at or participation in a meeting waives any required notice to the director of the meeting unless the director, at the beginning of the meeting or promptly upon the director's arrival, objects to holding the meeting or transacting business at the meeting and does not thereafter vote for or assent to any action taken at the meeting. Except as provided in the preceding sentence, any waiver must be in writing, must be signed by the director entitled to the notice, must specify the meeting for which the notice is waived, and must be filed with the minutes or the corporate records.

3.1215 Quorum. A quorum of the board of directors shall consist of a majority of the number of directors in office at the time the meeting begins.

3.1316 Voting. If a quorum is present when a vote is taken, the affirmative vote of a majority of the directors present when the action is taken is the act of the board of directors except to the extent that the articles of incorporation, these bylaws, or applicable law require the vote of a greater number of directors.

3.1417 Presumption of Assent. A director who is present at a meeting of the board of directors when corporate action is taken is deemed to have assented to the action taken unless:

- (a) The director objects at the beginning of the meeting, or promptly upon the director's arrival, to holding the meeting or transacting the business at the meeting; and
- (b) The director's dissent from the action taken is entered in the minutes of the meeting.

3.1518 Compensation. Directors and members of committees may receive reimbursement of such expenses as may be determined by resolution or policy of the board of directors to be just and reasonable. Directors shall not otherwise be compensated for service in their capacity as directors.

3.1619 Director Conflict of Interest. The Association shall maintain a Conflict of Interest policy, the terms of which comply with ORS 65.361 and ORS Chapter 244. The board of directors shall annually review and notify ~~its members and the~~ directors of the current Conflict of Interest policy. ~~Each director shall annually complete and return a Conflict of Interest statement.~~

SECTION 4 COMMITTEES AND CAUCUSES

4.1 **Standing Committees.** The board of directors shall maintain the standing committees described below:

4.1.1 Executive Committee. The executive committee shall consist of the five officers of the board of directors: the president as chairman ~~and as an ex-officio voting member pursuant to section 5.5.1 of the Bylaws~~, the president-elect, the vice president, the secretary-treasurer, and the immediate past president. The executive committee ~~may act, pursuant to its delegation delegated~~ of authority to ~~such committee by the board of directors, act~~ in place and instead of the board of directors between board meetings on all matters except those specifically reserved to the board under the terms of the bylaws. Actions of the executive committee shall be reported to the board ~~of directors by mail, email, on a timeframe consistent with the seriousness and urgency of the matter and within two weeks if practicable. Additionally, executive committee actions will be reported~~ ~~or~~ at the next regular board meeting.

4.1.2 Finance Committee. The finance committee shall be appointed by the president and shall be composed of members from Oregon public school districts, education service districts, and community colleges with boards that meet all criteria to be Association voting members. The members shall include, but are not limited to, the President as an ex-officio voting member pursuant to section 5.5.1 of the Bylaws, the Association secretary/treasurer and vice president, one ~~Association board director trustee~~ from the PACE board, one district business official, and one at-large board member.

~~Finance committee members serve for a term of two (2) years unless they are appointed to replace a member who left the committee before finishing their two-year term, in which case the member will serve the remainder of the two-year term. The trustee from the PACE board is recommended by the PACE Board of trustees, appointed by the President, subject to approval by the Board, and will serve a two-year term, with no term limits. The district business official and the at-large board member will be recommended by OSBA staff, appointed by the President, subject to approval by the Board, will serve two-year terms, with no term limits, and staggered start dates starting in January.~~

The finance committee shall operate within the corporation's investment guidelines and the Finance Committee ~~e~~Operating ~~g~~Guidelines.

4.1.3 Legislative Policy Committee. The board of directors shall maintain a Legislative Policy Committee ("LPC").

(a) Purpose. The LPC shall develop legislative policies which are recommended to and approved by the members as a resolution proposed by the board of directors and voted on by the membership in accordance with Section 2.4 and 2.5. The LPC also advises the executive director and staff during legislative sessions.

(b) Composition. The LPC shall be composed of the voting members of the board of directors, the President as an ex-officio voting member pursuant to section 5.5.1 of the Bylaws, ~~and the~~ regional representatives elected under the procedures defined in Section 4.1.3(c) and (d), ~~and~~ one designated voting member as defined in the bylaws of the Oregon School Board Members of Color Caucus, ~~and one designated~~

voting member as defined in the bylaws of the Oregon Rural School Boards Members Caucus, and one designated voting member as defined in the bylaws of the Oregon school board members PRIDE caucus. All committee members must be elected or appointed directors of a member as defined in Section 2.1. The vice president of the board of directors shall chair the LPC.

~~(b)~~(c) Qualifications. LPC representatives must serve on the board of a member of the Association throughout the duration of their term.

~~(c)~~(d) Nomination. The board of directors shall cause the nomination form to be distributed to all members in eligible regions. A member may To nominate a candidate to the LPC, and shall do so one or more of the members in the region must timely submit to the board of directors by a formal resolution or motion of the member and timely submission of the nomination form(s) to the office of the Association and the completed nomination form(s). Nominations in regions where there is more than one representative position shall indicate the numbered position for which the nomination is being submitted. The Nominations and election of the LPC representatives will be closed by a date identified in shall be in accordance with the elections calendar adopted by the board.

~~(d)~~(e) Election. Each LPC member shall be elected by majority of member boards of a region. Each member in a region shall have one vote in the regional elections for the LPC representative. The LPC representative candidate receiving a majority of the votes cast by the members within the region shall be elected. Each region shall elect the number of LPC members as described in Section 3.5, without regard to Section 3.5.1 ~~(de)~~. Such elections shall be held using the procedures described in Section 3.5.2.

(f) Term. Each committee member shall take office on January 1 in even numbered years and serve for a term of two (2) years.

~~(e)~~(g) Vacancies. In the event that there is a vacancy on the LPC, the board of directors may appoint an interim LPC member from the same region to fill the unexpired term of office. If the board of directors cannot recruit an LPC member from the region, they may appoint a person from a contiguous region to serve to represent the open region to fill the unexpired term of office.

~~4.1.4 PACE Trustees. The board of directors shall appoint the trustees of the OSBA Property and Casualty Coverage for Education Trust ("PACE"). As per the PACE Restated Trust Agreement, the PACE trustees shall nominate trustee candidate(s) to the OSBA board of directors. If the list of candidates is not acceptable by the board of directors, the PACE trustees will continue to submit nominated candidate(s) for consideration until accepted by the board of directors.~~

~~PACE trustees taking office on or after January 1, 2023, may serve three consecutive three year terms and, if eligible, may return after a one year hiatus.~~

4.2 Other Board Committees. The board of directors may create one or more committees of the board of directors and appoint directors and representatives of members to serve on such committee. The creation of a committee and the appointment of directors and member representatives to the committee must be approved by a majority of all directors in office when the action is taken. The provisions of these bylaws governing meetings, action without meetings,

notice and waiver of notice, and quorum and voting requirements of the board of directors shall apply to committees and their members as well. Committees of the board of directors may, to the extent specified by the board of directors, exercise the authority of the board of directors; provided, ~~however,~~ that no committee of the board of directors may:

- (a) Authorize distributions, provided that this restriction does not apply to payment of value for property received or services performed or payment of benefits in furtherance of the Association's purposes;
- (b) Approve or recommend dissolution, merger, or the sale, pledge, or transfer of all or substantially all of the Association's assets;
- (c) Elect, appoint, or remove directors or fill vacancies on the board or on any of its committees; or
- (d) Adopt, amend, or repeal the articles of incorporation or bylaws.

4.3 Advisory Committees. The board of directors may create one or more other committees. Members of these committees need not be members or directors, but at least one director shall serve on each such committee. These committees shall have no power to act on behalf of, or to exercise the authority of, the board of directors, but may make recommendations to the board of directors.

4.4 Caucuses. Caucuses shall exist to enhance the work of the Association by addressing the unique needs of member districts. ~~Caucuses shall:~~

4.4.1 ~~Caucuses shall~~ clearly articulate the vision, mission, and goals of the Caucus.

4.4.2 ~~Caucuses shall~~ adopt bylaws for operating, programming, and governing within the context of the Association bylaws described herein.

4.4.3 ~~Caucuses shall~~ comply with Association policies and guidelines.

4.4.4 Caucuses shall be added or eliminated to this provision through the bylaw's amendment process described in Section 8.1 ~~these bylaws~~.

4.4.5 Caucuses shall submit an end of fiscal year report to the Board of Directors that includes the following:

4.4.5.1 The caucus is meeting regularly;

4.4.5.2 An accounting of the prior year's budget allocation;

4.4.5.3 Identified officers and current bylaws;

4.4.5.4 A summary of the Caucus current goals, the prior year's Caucus activities that support those goals, and how the Caucus goals align with the mission, vision, and goals of OSBA.

The end of fiscal year report will be submitted at the first regularly scheduled board of directors meeting following the end of the fiscal year.

4.4.56 The Oregon School Board Members of Color Caucus was established by a vote of the membership in 2018.

4.4.57 ~~With the adoption of this section, t~~The Oregon Rural School Boards Members Caucus ~~is~~
was established by a vote of the membership in 2023.

4.4.8 The Oregon school board members PRIDE caucus was established by a vote of the membership in 2024.

4.5 **Administration.** Each committee and caucus shall prepare minutes of each of its meetings, and such minutes shall be kept on file at the Association's principal office and made available on request to any member of the board of directors. Each committee and caucus shall also report on its activities at the regular meetings of the board of directors. Each committee and caucus shall comply with the public meetings laws requirements under ORS Chapter 192.

SECTION 5 OFFICERS OF THE BOARD OF DIRECTORS

5.1 **Eligibility.** Effective January 1, 2026, to hold an officer position on the Board of Directors other than the immediate past president, candidates and officers must be a voting member of the OSBA Board of Directors.

5.12 **Appointment.** The board of directors shall elect officers by majority vote ~~at least 10 days~~ prior to the November member meeting. In cases where there are more than two candidates nominated for any position, and none receives a majority of the votes, a second ballot shall be required between the two candidates receiving the highest number of votes. The one receiving a majority of the votes is elected.

5.23 **Designation.** The officers of the Association shall be a president, president-elect, past president, vice president, a secretary-treasurer, and such other officers as the board of directors may appoint.

5.34 ~~Compensation and~~ **Term of Office.** Officer terms are one calendar year. No officer, except the secretary-treasurer, shall serve two consecutive terms in the same office, unless the director ~~completed~~completes ~~at the~~ term ~~for of~~ another officer who was unable to complete ~~at their~~ term, and is then voted into the same position the following year. The secretary-treasurer may serve up to two consecutive one-year terms.

5.5 Compensation

~~Directors and members of committees~~Officers may receive reimbursement of such expenses as may be determined by resolution of the board of directors to be just and reasonable. ~~Directors~~
Officers shall not otherwise be compensated for service in their capacity as ~~directors~~officers.

5.46 **Removal and Resignation.** Any officer may be removed, either with or without cause, at any time by action of the board of directors. An officer may resign at any time by delivering notice to the board of directors, the president, or the secretary-treasurer. A resignation is effective when the notice is effective under ORS 65.034 unless the notice specifies a later effective date. If a resignation is made effective at a later date and the Association accepts the later effective date, the board of directors may fill the pending vacancy before the effective date if the board of directors provides that the successor does not take office until the effective date. Once delivered, a notice of resignation is irrevocable unless revocation is permitted by the board of directors. No removal or resignation shall prejudice the rights of any party under a contract of employment.

5.57 Officers. The officers of the Association are as follows:

- 5.57.1 President: The president shall preside at all member meetings of the Association and of the board of directors; shall appoint ~~any committees~~ positions not otherwise designated in these bylaws or OSBA adopted policy, subject to the approval of the board of directors; shall call all regular and special meetings as provided herein; shall be an ex-officio voting member of all committees established under sections 4.1 and 4.2 of these bylaws. The president shall automatically serve as immediate past president for the following term. The president serves for a term of one calendar year.
- 5.57.2 President-elect: In the absence of the president, the president-elect shall assume the powers and duties of the president, and when a vacancy occurs in the office of president, shall serve in that capacity for the remainder of the term. The president-elect shall automatically serve as president for the following term, even if required to fill an uncompleted term as president. In addition, the president-elect shall assume duties related to the oversight of Association member elections and resolutions processes and such other administrative duties as are assigned by the president. The president-elect serves for a term of one calendar year.
- 5.57.3 Vice president: In the absence of the president-elect, the vice president shall assume the powers and duties of the president-elect. The vice president shall also serve as the chair of the LPC. The vice president serves for one calendar year.
- 5.57.4 Secretary-treasurer: The secretary-treasurer shall be responsible for keeping ~~in a suitable minute book~~ accurate minutes of all board of director meetings in electronic format in accordance with OSBA's record retention schedule; shall carry on official correspondence of the Association; shall arrange for proper banking facilities; ~~and~~ shall receive, account for, and disburse funds in a businesslike manner as provided for by the board of directors; shall see that the minutes of the previous meetings are ~~read~~ approved by the board of directors; and shall give an itemized and detailed report of the financial condition of the Association at each annual meeting and at such other times as may be required by the board of directors. Such duties of the secretary-treasurer as may be specified by the board of directors may be delegated to the executive director or a designated member of the staff. The secretary-treasurer serves for a term of one calendar year.
- 5.57.5 Immediate past president: The immediate past president shall advise and counsel ~~with~~ other officers. The immediate past president chairs the officer succession planning process. The past president serves for one calendar year.
- ~~5.57.6 Assistants: The board of directors may appoint or authorize the appointment of an assistant to the secretary treasurer. Such assistant may exercise the powers of the secretary treasurer, as the case may be, and shall perform such duties as are prescribed by the board of directors.~~

SECTION 6 NONDISCRIMINATION

The Association shall not discriminate in providing services, hiring employees, or otherwise, upon the basis of gender identity, race, creed, marital status, sex, sexual orientation, religion, color, age, disability, or national origin.

SECTION 7 OSBA PROPERTY AND CASUALTY FOR EDUCATION TRUST

PACE Trustees. The board of directors shall appoint the trustees of the OSBA Property and Casualty Coverage for Education Trust ("PACE") as provided in As per the PACE Restated Trust Agreement. ,the PACE trustees shall nominate trustee candidate(s) to the OSBA board of directors. If the list of candidates is not acceptable by the board of directors, the PACE trustees will continue to submit nominated candidate(s) for consideration until accepted by the board of directors.

It is the policy of OSBA with respect to PACE trustees taking office on or after January 1, 2023, that such trustees will be appointed to no more than may serve three consecutive three-year terms and, if eligible, may return after a one-year hiatus.

SECTION ~~7~~8 GENERAL PROVISIONS

~~7~~8.1 Amendment of Bylaws.

~~7~~8.1.1 Amendments to the bylaws may be initiated by the board of directors or submitted by a member to the board of directors.

~~7~~8.1.2 The board of directors shall provide written notice to the members containing a statement that the members will be asked to approve the amendment and a copy of the proposed amended bylaws.

~~7~~8.1.3 Action by Written Ballot: The Association will deliver a written ballot to every member entitled to vote on the matter. The ballot shall set forth each proposed action and provide an opportunity to vote for or against each proposed action and specify a reasonable time by which a ballot must be received by the Association in order to be counted. Once delivered, a ballot may not be revoked.

~~7~~8.1.4 Approval: Approval by written ballot shall be valid only when the number of votes cast by ballot equals or exceeds a quorum of the members, and the number of approvals equals or exceeds two-thirds majority of the number of the returned ballots.

~~7~~8.1.5 Quorum: A quorum of the members shall consist of a majority of members in good standing at the time the ballots are to be returned to the Association.

~~7~~8.1.6 Whenever an amendment or new bylaw is adopted, it shall be ~~copied in the minute book~~saved in electronic format in accordance with OSBA's record retention schedule with the original bylaws in the appropriate place. If any bylaw is repealed, the fact of repeal and the date on which the repeal occurred shall be stated in such book and place.

~~7~~8.2 **Inspection of Books and Records.** All books, records, and accounts of the Association shall be open to inspection by the directors in the manner and to the extent required by law.

- 78.3 Checks, Drafts, Etc.** All checks, drafts, and other orders for payment of money, notes, or other evidences of indebtedness issued in the name of or payable to the Association shall be signed or endorsed by such person or persons and in such manner as shall be determined by resolution of the board of directors.
- 78.4 Deposits.** All funds of the Association not otherwise employed shall be deposited to the credit of the Association in those banks, trust companies, or other depositories as the board of directors or officers of the Association designated by the board of directors select, or be invested as authorized by the board of directors.
- 78.5 Loans or Guarantees.** The Association shall not borrow money and no evidence of indebtedness shall be issued in its name unless authorized by the board of directors. This authority may be general or confined to specific instances. Except as explicitly permitted by ORS 65.364, the Association shall not make a loan, guarantee an obligation, or modify a pre-existing loan or guarantee to or for the benefit of a director or officer of the Association.
- 78.6 Execution of Documents.** The board of directors may, except as otherwise provided in these bylaws, authorize any officer or agent to enter into any contract or execute any instrument in the name of and on behalf of the Association. Such authority may be general or confined to specific instances. Unless so authorized by the board of directors, no officer, agent, or employee shall have any power or authority to bind the Association by any contract or engagement, or to pledge its credit, or to render it liable for any purpose or for any amount.
- 78.7 Insurance.** The Association may purchase and maintain insurance on behalf of an individual against liability asserted against or incurred by the individual who is or was a director, officer, employee, or agent of the Association, or who, while a director, officer, employee, or agent of the Association, is or was serving at the request of the Association as a director, officer, partner, trustee, employee, or agent of another foreign or domestic business or nonprofit corporation, partnership, joint venture, trust, employee benefit plan, or other enterprise; provided, however, that the Association may not purchase or maintain such insurance to indemnify any director, officer, or agent of the Association in connection with any proceeding charging improper personal benefit to the director, officer, or agent in which the director, officer, or agent was adjudged liable on the basis that personal benefit was improperly received by the director, officer, or agent.
- 78.8 Fiscal Year.** The fiscal year of the Association shall begin on the first day of July and end on the last day of June in each year.
- 78.9 Severability.** A determination that any provision of these bylaws is for any reason inapplicable, invalid, illegal, or otherwise ineffective shall not affect or invalidate any other provision of these bylaws.

* * * * *

The foregoing bylaws were approved by the membership of the Oregon School Boards Association on December 15, 2023. The original bylaws were duly adopted by the Board of Directors of OSBA on September 15, 2017, and approved by the membership on December 15, 2017.



Resolution to Amend Oregon School Boards Association's Bylaws Relating to Composition of the Board of Directors

WHEREAS, the Oregon School Boards Association (OSBA) was formed in 1946 as a volunteer association of locally elected public school boards and transitioned to a nonprofit public benefit corporation under Oregon Revised Statute Chapter 65 as of July 1, 2018;

WHEREAS, the Oregon LGBTQIA2S+ School Board Members Advisory Committee has been operating as an OSBA board appointed advisory committee since September 22, 2023; has a record of regular meetings; has draft bylaws; has identified goals that align with the mission, vision and goals of OSBA; has draft action plans; and a draft budget;

WHEREAS, the Oregon LGBTQIA2S+ School Board Members Advisory Committee is ready to elect officers and their Leadership Assembly;

WHEREAS, the Oregon LGBTQIA2S+ School Board Members Advisory Committee has articulated its mission as follows: "To promote quality education for all students with an emphasis on the unique needs of LGBTQIA2S+ students, staff and board members.";

WHEREAS, OSBA's Board of Directors recognizes the importance of the Oregon LGBTQIA2S+ School Board Members Advisory Committee's mission and goals; and

WHEREAS, the Oregon LGBTQIA2S+ School Board Members Advisory Committee has respectfully requested that the Board of Directors submit a resolution to the membership creating the Oregon School Board Members PRIDE Caucus (OSBM PRIDE) and designate a seat on the OSBA Board of Directors and Legislative Policy Committee.

THEREFORE, BE IT RESOLVED by the OSBA Board of Directors that the proposed bylaws amendment designating an Oregon School Board Members PRIDE Caucus representative as a voting member of the OSBA Board of Directors and Legislative Policy Committee be submitted to the membership for consideration during the 2024 OSBA election; and

BE IT FURTHER RESOLVED that the draft bylaws and a copy of this resolution be forwarded to all association member boards in accordance with OSBA's adopted elections calendar.

Submitted by: OSBA Board of Directors

BYLAWS

OREGON SCHOOL BOARD MEMBERS PRIDE CAUCUS
OF THE OREGON SCHOOL BOARDS ASSOCIATION

DRAFT

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ARTICLE 1

CHARTER

The Oregon School Boards Association (the “OSBA”) exists solely to perform essential governmental functions and all its income must accrue to the State of Oregon or its political subdivisions as required under IRC Section 115. OSBA’s mission is to improve student success and education equity through advocacy, leadership and service to Oregon public school boards.

OSBA is aware and acknowledges that diversity is a core value of OSBA. OSBA desires to identify areas of concern and causation, convene a caucus of stakeholders, and create a plan to better promote and support the success of students, school staff and school board members who identify as part of the LGBTQIA2S+ communities.

To this end, The OSBA Board of Directors has formally recognized the Oregon School Board Members PRIDE Caucus (the “Caucus”) to serve as a resource and provide guidance and leadership for these initiatives to the OSBA Board of Directors.

The activities of the Caucus shall align with OSBA bylaws as well as complement, not duplicate, OSBA’s efforts on behalf of all local governing boards.

ARTICLE 2

NAME, MISSION AND GOALS

2.1 Name. This organization shall be known as the Oregon School Board Members PRIDE Caucus (OSBM PRIDE) of the Oregon School Boards Association (OSBA).

2.2 Mission. To promote quality education for all students with an emphasis on the unique needs of LGBTQIA2S+ students, staff and board members.

2.3 Goals.

2.3.1 The implementation of ODE’s “Oregon LGBTQ2SIA+ Student Success Plan.”

2.3.2 Promoting positive and effective relationships among LGBTQIA2S+ school board members, their communities, political leaders, partner organizations and OSBA.

2.3.3 Building and increasing capacity of LGBTQIA2S+ school board members and support a pipeline for LGBTQIA2S+ people to run for school board seats.

2.3.4 Serving as a resource.

2.3.5 Developing, promoting, and advancing legislation to improve educational opportunities and outcomes for LGBTQIA2S+ students, staff and families.

2.3.6 Equipping and advancing LGBTQIA2S+ board members to serve in the general OSBA leadership.

2.3.7 Building capacity of the general board membership in understanding the issues of LGBTQIA2S+ people and inclusion.

ARTICLE 3

MEMBERSHIP

3.1 Qualification. All members must support the purposes and goals of the Caucus as set forth in Article 2.

3.2 Members. The Caucus members may include any elected or appointed member of any public board of education in Oregon who are active members in good standing with the Oregon School Boards Association and identify as a member of the LGBTQIA2S+ communities. Caucus members may participate in all discussions, vote, and serve as an officer of the Caucus. Members must attend the meeting in person, via telephone, or via virtual meeting platform (e.g., Zoom) to vote. Voting by proxy shall not be permitted.

3.3 Attendees. The Caucus may, in its discretion, invite to participate in any meeting or event any other individuals who support the purpose and goals of the Caucus as set forth in Article 2.

3.4 Membership List. The Membership list shall be maintained by the Secretary.

ARTICLE 4

BUDGET

4.1 Budget. The Caucus shall submit an annual budget request as outlined under the OSBA budget process, including approval by the OSBA Board of Directors. The request shall set forth the areas of concern, recommended actions, and annual goals.

ARTICLE 5

MEETINGS

5.1 Annual Meetings. An annual meeting of the Caucus shall be in conjunction with the OSBA Annual Convention at which time the Caucus shall elect officers and shall conduct other business as may properly be brought before the meeting of the Caucus.

5.2 Regular and Special Meetings.

5.2.1 Regular Meetings. The Caucus shall meet as often as required to achieve the goals outlined in its annual Work Plan. These meetings shall be scheduled for the year at the Annual Meeting.

5.2.2 Special Meetings. Special meetings of the members for any purpose may be called, either in writing or by e-mail, by the President or by a majority of the Executive Committee. Such a request shall state the purpose or purposes of the proposed meeting.

5.2.3 Place of Meetings. Regular and special meetings of the Caucus shall be held at any location within Oregon, by virtual meeting platform, or a combination of the two, as designated by the President or the Executive Committee.

5.3 Notice.

5.3.1 Notice of every annual meeting of members, stating the time and place thereof, will be provided with an agenda no less than 15 days prior to such meeting.

5.3.2 Notice of every regular or special meeting of members, stating the time and place thereof, shall be provided with an agenda no less than 10 days prior to such meeting.

5.4 Quorum. Except as otherwise provided by law, the presence at any meeting of a majority of the Executive Committee shall constitute a quorum.

5.5 Organization. The President may determine in their sole discretion whether any meeting of the Caucus shall be held in accordance with Robert's Rules of Order.

5.6 Records. The President shall see that all correspondence, minutes, agendas, and Charter be sent to and kept on file with OSBA.

5.7 OSBA Staff Liaison. The Executive Director of OSBA shall designate a staff member to serve as a liaison representative to the Caucus. The designee shall not have voting rights.

5.8 Compliance with Open Meetings Laws. The Caucus shall comply with the open meetings law requirements of ORS chapter 192 at every convening of its membership in which a quorum is required in order to make a decision or to deliberate toward a decision on any matter.

ARTICLE 6

CAUCUS LEADERSHIP COUNCIL

6.1 Composition. The Leadership Council of the Caucus shall include the President(s), Vice President, Secretary, Treasurer, Regional Directors and two Members of the Caucus.

6.2 Term. Leadership Council members shall serve a two-year term. The President may only serve one consecutive term. The Vice President, Secretary, Treasurer, Regional Members, and Members-at Large may serve any number of consecutive terms. Each officer shall hold office until the term has expired or until a successor has been duly elected and qualified for the position, or until the officer can no longer hold the position because they no longer qualify to be a member of the Caucus as defined in Article 3 above, or because of removal or death.

6.3 Nomination and Election

6.3.1 Nomination. Leadership Council members may be nominated by either the nominating committee or a caucus member at the annual meeting.

6.3.2 Election. The members shall elect the Leadership Council by majority vote at the annual meeting in even numbered years.

6.4 Designations

6.4.1 President. The President shall preside at all meetings of the Caucus and the Executive Committee. The President shall appoint all standing and special committees and shall be an ex-officio member of all committees, except the nominating committee, with voting power. The President shall sign all official reports of the Caucus. Two persons may share the position of President, or one person may serve as President and another as Vice President.

6.4.2 Vice President. In the absence of the President, the Vice President shall have and perform all the powers and duties of the President.

6.4.3 Immediate Past President. The Immediate Past President shall advise and counsel with other officers. The Immediate Past President chairs the officer succession planning process. The past president serves for two calendar years.

6.4.4 Secretary. The Secretary shall keep the minutes and records, maintain a roster of the current membership, and shall see that all notices are duly given in accordance with the provisions of law and this Charter, and such other duties as from time to time may be assigned by the Executive Committee.

6.4.5 Treasurer. The Treasurer shall have the responsibility for receiving and disbursing all funds related to the Caucus in coordination with the OSBA liaison. The Treasurer shall report regularly to the Executive Committee, shall prepare a written yearly financial

report to be distributed to the members at each annual meeting, and shall perform other duties assigned by the Executive Committee.

6.4.6 Regional Caucus Directors. There shall be one Regional Director for each congressional district apportioned to Oregon for election at the Oregon general election held in the year of the Caucus' annual meeting. (For reference, there shall be six Regional Directors starting in 2025.) The Regional Directors shall live in the region which they represent. The Regional Directors shall report issues from their region to the Caucus and shall perform other duties assigned by the Executive Committee. The regions shall be based on Oregon's congressional districts.

Future positions:

6.4.7 At-Large Members. There shall be two At-Large Directors.

6.5 Resignation. A Leadership Council member may resign by filing a written resignation with the President or Secretary of the Caucus or the President of OSBA.

6.6 Vacancies. Any vacancy in any office may be appointed for the unexpired portion of the term by a majority of the officers at the next regular or special meeting.

6.7 Removal. Any member of the Caucus who misses more than two meetings out of any four consecutive meetings, unless they are excused by the board for a valid reason, may have their office vacated by action of the board.

ARTICLE 7

EXECUTIVE COMMITTEE

7.1 Composition. There shall be an Executive Committee made up of the President(s), Vice President, Immediate Past President, Secretary, and Treasurer.

7.2 Responsibilities. The Executive Committee shall have the following responsibilities and powers:

- (a) To respond to any inquiry or question from OSBA.
- (b) To act on behalf of the Caucus when deemed necessary by the President.
- (c) To review plans and programs to be presented to the Caucus at its meetings.
- (d) To give direction to the OSBA liaison on legislative action to come before the state legislature on which there is no formal Caucus policy or resolution.

(e) The Executive Committee shall act as the Nominating Committee and nominate a candidate for each office of the Caucus. A nominating committee report will be included in the notice of the annual meeting of the membership.

7.3 Ratification. Any actions by the President shall be reported to the Executive Committee as soon as the action has taken place. All actions of the Executive Committee shall be subject to ratification by the Caucus at the next meeting of the members.

7.4 Administration. The Executive Committee may use the guidance of Robert's Rules of Order for all procedures. The Executive Committee shall keep regular minutes of its proceedings and all actions by the Executive Committee shall be reported promptly to the membership. Such actions shall be subject to review by the membership, provided that no rights of third parties shall be affected by such review.

ARTICLE 8

COMMITTEES

The President or Executive Committee may establish committees of two or more members to serve at the discretion of the President or the Executive Committee. These committees may consist of such persons and perform such duties as the President designates from time to time. The committees may not act on behalf of the Caucus but may make recommendations to the Caucus for approval. The Chair of any such committee shall be a member of the Executive Committee.

ARTICLE 9

SEAT ON THE OSBA'S BOARD OF DIRECTORS

The Caucus shall appoint one officer from the Leadership Council to serve as liaison to the OSBA Board of Directors and to be a member of the OSBA Board of Directors. The appointee must be an elected or appointed member of any public board of education in Oregon and an active member in good standing with the Association.

ARTICLE 10

GENERAL PROVISIONS

10.1 Amendment of Bylaws

10.1.1 Bylaws may be altered, amended, or replaced by the members of Caucus as approved by voting members at the annual meeting by a majority vote.

10.1.2 Notice of proposed bylaws changes shall be in the annual meeting agenda and sent to all members 15 days prior to the annual meeting.

10.1.3 Omissions from this Charter shall be governed by Robert's Rules of Order when they do not conflict with the Charter.

10.2 Seat on OSBA'S Legislative Policy Committee (LPC)

10.2.1 The Caucus shall appoint one caucus member to serve as liaison to the OSBA Legislative Policy committee and to be a member of the LPC. The appointee must be an elected or appointed member of any public board of education in Oregon who is an active member in good standing with the Association.

The foregoing charter was adopted by the active membership of OSBM PRIDE on August 10, 2024.

OAESD Officer Council Election Information - 2025

General Description: The Officer Council consists of the officers of OAESD. These are the Chair, Chair-Elect, and Past Chair of the OAESD Board and President, President-Elect, and Past President of the OAESD Superintendents' Council. The term of office for the officers shall be one year in each role. Any officer may be elected to no more than two successive terms. The Chair-Elect and President-Elect succeed the Chair and President, respectively. Past practice has been for each ESD Board to have the opportunity to nominate a candidate for the position of Chair-Elect and for each member ESD superintendent to have the opportunity to nominate a candidate for President-Elect.

The nomination and election timeline for 2025 will be as follows:

November-December- Local Boards may nominate eligible members of their own or other ESD boards for Chair-Elect. Superintendents may nominate themselves or other ESD superintendents for President-Elect. **Nominations will be turned in to the OAESD Executive Director no later than December 31.**

January-February - Local Boards will cast their votes for Chair-Elect. Superintendents will cast their votes for President Elect. **Results will be turned in to the OAESD Executive Director no later than February 28.**

March - The results of the election(s) will be announced on March 7. Newly elected officers may join meetings and events in a non-voting capacity for the remainder of the 2024-25 year. Official duties will begin on July 1, 2025.

Bylaw Language Pertaining to the Officer Council: *The Officers Council is charged with implementing the purposes of OAESD, including but not limited to:*

- 1) *Creating a job description, recruiting, interviewing and hiring of the Executive Director to administer the effective implementation of the purposes of OAESD.*
- 2) *Entering into and administering the employment contract for the Executive Director.*
- 3) *Conducting an annual review of the Executive Director and report the results of the review to the Governance Council. The Past-President shall facilitate such annual review.*
- 4) *Dismissal or non-renewal of the contract for the Executive Director.*
- 5) *Interviewing and hiring of the Director of Government Relations.*
- 6) *Entering into and administering the employment contract for the Director of Government Relations.*
- 7) *Conducting an annual review of the Director of Government Relations. The Past-President shall facilitate such annual review.*
- 8) *Dismissal or non-renewal of the Director of Government Relations.*
- 9) *Advising the Executive Director in contracting with member ESDs for fiscal, website and executive secretary services, and other administrative services necessary to carry out the functions of OAESD.*
- 10) *Advising the Executive Director in developing an annual work plan, including communication strategies, for OAESD to provide priorities for the Association.*
- 11) *Advising the Executive Director in creating an annual schedule of meetings and other events.*
- 12) *Advising the Executive Director in creating a proposed annual budget for OAESD*
- 13) *Advising the Executive Director in planning Association conferences and workshops.*
- 14) *Advising the Executive Director in developing agendas, call, publicize, chair and arrange for minutes to be taken for all official OAESD meetings of the OAESD Governance Council.*
- 15) *The President-Elect shall serve as Chair of the Legislative Committee.*
- 16) *The Chair-Elect shall serve as OAESD Representative to the Ex-Officio position on the OSBA Board of Directors.*

OSBA Model ESD Sample Policy

Code: AC

Adopted:

Nondiscrimination and Civil Rights

{Required policy. 34 CFR § 106.45 requires grievance procedures for complaints of sex discrimination.}

The ESD does not discriminate on any basis listed below and prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual’s perceived or actual race¹, color, religion, sex², sexual orientation, gender identity, national or ethnic origin, mental or physical disability, pregnancy, familial status, economic status, veterans’ status, marital status or age, or because of the perceived or actual race, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, mental or physical disability, pregnancy, familial status, economic status, veterans’ status, marital status or age of any other persons with whom the individual associates.

The ESD prohibits discrimination and harassment in, but not limited to, employment, assignment and promotion of personnel; educational opportunities and services offered students; student discipline; location and use of facilities; educational offerings and materials; and accommodating the public at public meetings.

The Board encourages staff to improve human relations within the ESD, to respect all individuals and to establish channels through which patrons can communicate their concerns to the administration and the Board.

The superintendent shall appoint individuals at the ESD to contact on issues concerning the Americans with Disabilities Act and the Americans with Disabilities Act Amendments Act (ADA), Section 504 of the Rehabilitation Act, Title VI, Title VII, Title IX and other civil rights or discrimination issues, and notify students, parents, and staff with their names, office addresses, and phone numbers.

The ESD will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees and the public, and such procedures will be available at the ESD administrative office and available on the home page of the ESD website. Complaint procedures are published in administrative regulation AC-AR(1) – Discrimination or Civil Rights Complaint Procedure.

The ESD prohibits retaliation and discrimination against an individual who has opposed any discrimination act or practice; because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing; and further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under state and federal law.

¹ Includes discriminatory use of a Native American mascot pursuant to OAR 581-021-0047. Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001 ~~(as amended by House Bill 2935 (2021))~~.

² 34 CFR § 106.10 provides “discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.”

END OF POLICY

Legal Reference(s):

ORS 174.100	ORS 659A.006	ORS 659A.409
ORS 192.630	ORS 659A.009	ORAR 581-002-0001 - 002-0005
ORS 326.051(1)(e)	ORS 659A.029	OAR 581-021-0046
ORS 659.805	ORS 659A.030	OAR 581-021-0047
ORS 659.815	ORS 659A.040	OAR 581-022-2310
ORS 659.850 – 659.860	ORS 659A.103 – 659A.145	OAR 581-022-2370
ORS 659.865	ORS 659A.230 – 659A.233	OAR 581-024-0210
ORS 659.870	ORS 659A.236	OAR 581-075-0001 - 075-0005
ORS 659A.001	ORS 659A.309	OAR 581-075-0901
ORS 659A.003	ORS 659A.321	OAR 839-003

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

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018); 29 C.F.R. § 1601 (2019).

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-633 (2018); 29 C.F.R. Part 1626 (2019).

Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2018).

Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2018); 34 C.F.R. Part 104 (2019).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (~~2020~~2024).

Americans with Disabilities Act ~~of 1990~~/Americans with Disabilities Act Amendments Act, 42 U.S.C. §§ 12101-12112 (2012); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).

~~Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).~~

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (2018).

Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (2018); 29 C.F.R. Part 1635 (2019).

~~House Bill 2935 (2021).~~

~~House Bill 3041 (2021).~~

OSBA Model ESD Sample Policy

Code: GBN/JBA
Adopted:

Sexual Harassment

{ Required policy. The requirement for this policy comes from ORS 342.700 et. al. and OAR 581-021-0038. Review Board policy AC - Nondiscrimination and Civil Rights for consideration of Title IX and sex-based discrimination. }

¹The ESD is committed to eliminating sexual harassment. Sexual harassment will not be tolerated in the ESD. 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 ESD processes complaints^{2} 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 ESD, the ESD 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 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 ESD may also need to use other complaint procedures when the alleged conduct could meet the definitions for other complaint procedures.~~

The ESD processes complaints or reports of sexual harassment using administrative regulation AC-AR(1) - Discrimination or Civil Rights Complaint Procedure. Additional requirements for processing complaints are included in this policy.³

Direct complaints related to employment may be filed with the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries.

¹ Sexual harassment is generally considered a type of sex-based discrimination. Consequently, additional laws and complaint procedures may apply.

~~² {Some ESDs choose not to use the terms “complaint” and “complainant” because they feel the stigma associated with the terms discourage victims from reporting conduct. The terms used in this policy are consistent with those included in the law. If the ESD chooses to change these terms, new terms must be consistent and clear. Note, “complainant” is defined under federal law.}~~

³ Other complaint policies and administrative regulations that may apply include, but are not limited to: AC – Nondiscrimination and Civil Rights; ACB – Every Student Belongs; GBEA – Workplace Harassment, GBNA – Hazing, Harassment, Intimidation, Menacing, or Cyberbullying – Staff; GBNA/JHFF – Suspected Sexual Conduct with Students and Reporting Requirements; GBNAB/JHFE – Suspected Abuse of a Child Reporting Requirements; and JFCF – Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence or Domestic Violence - Students.

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.

Additional information regarding filing of a complaint or report may be obtained through the program administrator, Title IX Coordinator or superintendent.

All documentation related to sexual harassment complaints may become part of the student's education record or employee's personnel file, as appropriate. Additionally, a copy of all sexual harassment complaints or reports and documentation will be maintained as a confidential file and stored in the ESD central office.

The superintendent shall report the name of any person holding a teaching license or registered with Teacher Standards and Practices Commission (TSPC) or participating in a practicum under Oregon Administrative Rule (OAR) Chapter 584, Division 17, when, after appropriate investigation, there is reasonable cause to believe the person may have committed an act of sexual harassment. Reports shall be made to TSPC within 30 days of such a finding. Reports of sexual contact with a student shall be given to a representative from law enforcement or Oregon Department of Human Services, as possible child abuse.

OREGON DEFINITION AND PROCEDURES

Oregon Definition

{⁴} Sexual harassment of students, staff members or third parties⁵ 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 ESD staff member's ability to perform their job; or
 - c. Creates an intimidating, offensive, or hostile environment.
3. Assault when sexual contact occurs without consent⁶.

Sexual harassment does not include conduct that is necessary because of a job duty of a school or ESD staff member or because of a service required to be provided by a contractor, agent, or volunteer, if the

⁴ {The statutory definition (ORS 342.704) for sexual harassment includes separate definitions with slightly different language for students, staff members and third parties. The language used in this policy comes from OAR 581-021-0038(1). If the ESD would like to include the full statutory definition, it can do so.}

⁵ "Third party" means a person who is not a student or a school or ESD staff member and who is: 1) on or immediately adjacent to school grounds or ESD property; 2) at a school-sponsored activity or program; or 3) off school grounds or ESD property if a student or a school or ESD staff member acts toward the person in a manner that creates a hostile environment for the person while on school or ESD property, or at a school- or ESD-sponsored activity.

⁶ "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.

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, {⁷} 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)

{⁸} Morgan Christensen, Executive Director Human Resources, hr@lesd.k12.or.us, 541.461.8200

This individual is responsible for accepting and managing complaints of sexual harassment. Persons wishing to make a report should ~~contact them using~~ use the above contact information. The person designated will coordinate the report with the procedures in administrative regulation AC-AR(1) – Discrimination or Civil Rights Complaint Procedure. This person is also designated as the Title IX coordinator. {⁹} ~~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 an ESD official. The ESD 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 ESD official.

Any student or staff member who feels they are a victim of sexual harassment are encouraged to ~~immediately~~ report their concerns to ESD officials, this includes officials such as the principal,

⁷ {OAR 581-021-0038 requires that the policy include a “examples of harassing behaviors covered by policy”. The bracketed list in this policy reflects OSBA’s recommendations. The ESD has discretion in what is included in this list. If listing behaviors not reflected in OSBA recommendations, please have the list reviewed by the ESD’s legal counsel.}

⁸ {The ESD must designate person(s) to receive reports or complaints regarding sexual harassment. More than one staff member may be designated to receive reports or complaints of sexual harassment.}

⁹ {This must be communicated elsewhere, but it is a good reason to specify it here as well.}

compliance officer or superintendent. Students may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate ESD official.

Investigation

All reports and complaints about behavior that may violate this policy shall be investigated. The ESD 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 ESD will use a reasonable person standard when determining whether a hostile environment exists. ^{10}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 ESD may take, but is not limited to, the following procedures and remedial action to address and stop sexual harassment and prevent reoccurrence:

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 ESD electronic systems;
5. Trainings and education for staff and students; and
6. Increased notifications regarding ESD procedures and resources.

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

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

¹⁰ {OSBA strongly recommends the Board receive input from ESD administration prior to adopting a standard here. Of note, Title IX's definition of sexual harassment includes "unwelcome conduct determined by a reasonable person to be..." 34 CFR 106.30(a), emphasis added. It is important to consider the different definitions under Oregon law and Title IX when determining which standards will apply for the Oregon process.}

2. If the third party works for an entity that contracts with the ESD, communicating with the third party's employer;
3. If the third party is a student of another district, ESD or school, communicate information related to the incident to the other district, ESD or school;
4. Limiting attendance at ESD events; and
5. Providing for additional supervision, including law enforcement if necessary, at ESD 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 ESD 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 ESD'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.

Notice

When a person¹¹ who may have been affected by this policy files a complaint or otherwise reports behavior that may violate the policy, the ESD 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 include¹²:

¹¹ Student, staff member, or third party, or if applicable, the student or third party's parent. If the person is a minor, the ESD should consider when to contact the person's parent.

¹² Remember confidentiality laws when providing any information.

1. Name and contact information for all person designated by the ESD 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 ESD that the ~~[student, student's parents, staff member, person or person's parent]~~ [person] who filed the complaint may pursue, including the person designated for the school or ESD for receiving complaints and any timelines;
4. Notice that civil and criminal remedies that are not provided by the school or ESD 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 ESD, including any counseling services, nursing services or peer advising;
6. Information about the privacy rights of the person and legally recognized exceptions to those rights for internal complaint processes and services available through the school or ESD;
7. Information about, and contact information for, services and resources that are available to the person, including but not limited to:
 - d. For the reporting person, state and community-based resources for persons who have experienced sexual harassment; or
 - e. 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 ESD's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered as a result of a prohibited conduct report or investigation unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct; and
9. Prohibition of retaliation.

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

The notice must:

1. Be written in plain language that is easy to understand;
2. Use print that is of a color, size and font that allows the notification to be easily read; and
3. Be made available to students, students' parents, staff members and member of the public at each office, at the ESD office and on the website of the school or ESD.

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 ESD conditioning the provision of an aid, benefit, or service of the ESD 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 ESD's education program or activity¹³;~~
- ~~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 ESD'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 ESD 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) Title IX Sexual Harassment Grievance Procedures.~~

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.~~

¹³ "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))

[Person or position] is designated as the Title IX coordinator [and can be contacted at [insert phone number]]. The Title IX coordinator will coordinate the ESD's efforts to comply with its responsibilities related to this AR. The ESD prominently will display the contact information for the Title IX coordinator on the ESD website and in each handbook.¹⁴

Response

The ESD 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.¹⁵ The ESD shall treat complainants and respondents equitably by providing supportive measures¹⁶ to the complainant and by following a grievance procedure¹⁷ 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.¹⁸

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.¹⁹ The ESD 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 ESD 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 ESD of the following:

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

¹⁴-(Note the difference in requirements for Title IX and Oregon law. It makes sense to align these requirements.)

¹⁵-(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.

¹⁶-(Title 34 C.F.R. § 106.44(a)) Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the ESD's educational environment, or deter sexual harassment.¹⁶ The ESD 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))

¹⁷-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).

¹⁸-The Title IX Coordinator may also discuss that the Title IX Coordinator has the ability to file a formal complaint.

¹⁹-The ESD 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))

- 2.—~~That the ESD 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 ESD will respond.~~

~~[Inquiries about the application to Title IX and its requirements may be referred to the Title IX coordinator or the Assistant Secretary²⁰, or both.]~~

No Retaliation

~~Neither the ESD or any person may retaliate²¹ 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 ESD must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act (FERPA), as required by law, or to carry out the proceedings herein. Complaints of retaliation may be filed using these procedures.~~

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

Publication

This policy shall be made available to students, parents of students and staff members. This policy and contact information for the Title IX coordinator shall be prominently published in the ESD student handbook and on the ESD website. This policy shall also be made available at each school office and at the ESD office. The ESD 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 ~~[student, parent of a student, school or ESD staff member, or third party]~~ ~~[person]~~ upon request.

END OF POLICY

Legal Reference(s):

ORS 243.706	ORS 342.850	ORS 659A.030
ORS 334.125	ORS 342.865	
ORS 342.700	ORS 659.850	OAR 581-021-0038
ORS 342.704	ORS 659A.006	OAR 584-020-0040
ORS 342.708	ORS 659A.029	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~~2024).

Bartsch v. Elkton School District, FDA-13-011 (March 27, 2014).

²⁰~~Of the United States Department of Education~~

²¹~~Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.~~

OSBA Model ESD Sample Policy

Code: JBA/GBN

Adopted:

Sexual Harassment

{Required policy. The requirement for this policy comes from ORS 342.700 et. al. and OAR 581-021-0038. Review Board policy AC - Nondiscrimination and Civil Rights for consideration of Title IX and sex-based discrimination.}

¹The ESD is committed to eliminating sexual harassment. Sexual harassment will not be tolerated in the ESD. 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 ESD processes complaints or reports of sexual harassment using administrative regulation AC-AR(1) - Discrimination or Civil Rights Complaint Procedure. Additional requirements for processing complaints are included in this policy.³

Direct complaints related to employment may be filed with the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries.

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.

Additional information regarding filing of a complaint or report may be obtained through the program administrator, Title IX Coordinator or superintendent.

All documentation related to sexual harassment complaints may become part of the student's education record or employee's personnel file, as appropriate. Additionally, a copy of all sexual harassment complaints or reports and documentation will be maintained as a confidential file and stored in the ESD central office.

The superintendent shall report the name of any person holding a teaching license or registered with Teacher Standards and Practices Commission (TSPC) or participating in a practicum under Oregon Administrative Rule (OAR) Chapter 584, Division 17, when, after appropriate investigation, there is reasonable cause to believe the person may have committed an act of sexual harassment. Reports shall be made to TSPC within 30 days of such a finding. Reports of sexual contact with a student shall be given to a representative from law enforcement or Oregon Department of Human Services, as possible child abuse.

Oregon Definition

¹ Sexual harassment is generally considered a type of sex-based discrimination. Consequently, additional laws and complaint procedures may apply.

³ Other complaint policies and administrative regulations that may apply include, but are not limited to: AC – Nondiscrimination and Civil Rights; ACB – Every Student Belongs; GBEA – Workplace Harassment, GBNA – Hazing, Harassment, Intimidation, Menacing, or Cyberbullying – Staff; GBNA/JHFF – Suspected Sexual Conduct with Students and Reporting Requirements; GBNA/JHFE – Suspected Abuse of a Child Reporting Requirements; and JFCF – [Hazing,] Harassment, Intimidation, Bullying, [Menacing,] Cyberbullying, Teen Dating Violence or Domestic Violence - Student**.

{⁴} Sexual harassment of students, staff members or third parties⁵ 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 ESD staff member’s ability to perform their job; or
 - c. Creates an intimidating, offensive, or hostile environment.
3. Assault when sexual contact occurs without consent⁶.

Sexual harassment does not include conduct that is necessary because of a job duty of a school or ESD 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, {⁷} 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)

{⁸} Morgan Christensen, Executive Director Human Resources, hr@lesd.k12.or.us, 541.461.8200

This individual is responsible for accepting and managing complaints of sexual harassment. Persons wishing to **make a report** should **use** the above **contact information**. **The person[s] designated will**

⁴ {The statutory definition (ORS 342.704) for sexual harassment includes separate definitions with slightly different language for students, staff members and third parties. The language used in this policy comes from OAR 581-021-0038(1). If the ESD would like to include the full statutory definition, it can do so.}

⁵ “Third party” means a person who is not a student or a school or ESD staff member and who is: 1) on or immediately adjacent to school grounds or ESD property; 2) at a school-sponsored activity or program; or 3) off school grounds or ESD property if a student or a school or ESD staff member acts toward the person in a manner that creates a hostile environment for the person while on school or ESD property, or at a school- or ESD-sponsored activity.

⁶ “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.

⁷ {OAR 581-021-0038 requires that the policy include a “examples of harassing behaviors covered by policy.” The bracketed list in this policy reflects OSBA’s recommendations. The ESD has discretion in what is included in this list. If listing behaviors not reflected in OSBA recommendations, please have the list reviewed by ESD’s legal counsel.}

⁸ {The ESD must designate person(s) to receive reports or complaints regarding sexual harassment. More than one staff member may be designated to receive reports or complaints of sexual harassment.}

coordinate the report with the procedures in administrative regulation AC-AR(1) – Discrimination or Civil Rights Complaint Procedure. This person is also designated as the Title IX coordinator.^{9}

Response

Any staff member who becomes aware of behavior that may violate this policy shall report to an ESD official. The ESD 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 ESD official.

Any student or staff member who feels they are a victim of sexual harassment are encouraged to report their concerns to ESD 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 ESD official.

Investigation

All reports and complaints about behavior that may violate this policy shall be investigated. The ESD 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 ESD 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.¹⁰

⁹ {This must be communicated elsewhere, but it is a good reason to specify it here as well.}

¹⁰ {OSBA strongly recommends the Board receive input from ESD administration prior to adopting a standard here. Of note, Title IX's definition of sexual harassment includes "unwelcome conduct determined by a reasonable person to be..." 34 CFR R11/24 | SL

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

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 ESD electronic systems;
5. Trainings and education for staff and students; and
6. Increased notifications regarding ESD procedures and resources.

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

1. Removing that third party's ability to contract or volunteer with the ESD, or be present on ESD property;
2. If the third party works for an entity that contracts with the ESD, communicating with the third party's employer;
3. If the third party is a student of another district, ESD or school, communicate information related to the incident to the other district, ESD or school;
4. Limiting attendance at ESD events; and
5. Providing for additional supervision, including law enforcement if necessary, at ESD 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 ESD 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 ESD's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered because of the report

106.30(a), emphasis added. It is important to consider the different definitions under Oregon law and Title IX when determining which standards will apply for the Oregon process.}

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.

Notice

When a person¹¹ who may have been affected by this policy files a complaint or otherwise reports behavior that may violate the policy, the ESD 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 include¹²:

1. Name and contact information for all person designated by the ESD 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 ESD that the person who filed the complaint may pursue, including the person designated for the school or ESD for receiving complaints and any timelines;
4. Notice that civil and criminal remedies that are not provided by the school or ESD 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 ESD, including any counseling services, nursing services or peer advising;
6. Information about the privacy rights of the person and legally recognized exceptions to those rights for internal complaint processes and services available through the school or ESD;
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;

¹¹ Student, staff member, or third party, or if applicable, the student or third party's parent. If the person is a minor, the ESD should consider when to contact the person's parent.

¹² Remember confidentiality laws when providing any information.

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 ESD’s drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered as a result of a prohibited conduct report or investigation unless the student gave another person alcohol or drugs without the person’s knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct; and
9. Prohibition of retaliation.

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

The notice must:

1. Be written in plain language that is easy to understand;
2. Use print that is of a color, size and font that allows the notification to be easily read; and
3. Be made available to students, students’ parents, staff members and member of the public at each office, at the ESD office and on the website of the school or ESD.

Oregon Department of Education (ODE) Support

The ODE will provide technical assistance and training upon request.

Publication

This policy shall be made available to students, parents of students and staff members. This policy [and contact information for the Title IX coordinator] shall be prominently published in the ESD student handbook and on the ESD website. This policy shall also be made available at each school office and at the ESD office. The ESD 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 334.125](#)
[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 (2024).

Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).

Gebser v. Lago Vista Indep. Sch. Dist., 524 U.S. 274 (1998).

Board Advisor and Liaison

It is the interest of the Board to invite advisors to the board from the community and liaisons from component district boards and superintendents.

Community Advisor

The Board may recruit one or more advisors from the community. The Board seeks advisors from different community perspectives, including the social services sector, equity and diversity, workforce, higher education or early childhood education. The Board will recruit based on identified need for perspective. In the event that the Board seeks a community advisor, the Board will prepare an invitation to apply for advisory position. The Board will review applications and select candidates for interview. Selection will be made by Board vote. **When the Board seeks to recruit, it shall set the term of service as needed up to a maximum of two years.** ~~The term of Community Advisor is two years,~~ renewable based on the identified needs of the Board. The Community Advisor will bring an independent consumer voice, understand and communicate the community perspective, advocate for the community and share Lane ESD information with the community. The Community Advisor is not a member of the Board.

The Community Advisor is invited to all Board meetings and work sessions. The Community Advisor is expected to attend meetings on a regular basis. The Community Advisor will receive a Board Meeting Agenda packet. The Community Advisor is eligible for mileage reimbursement through Lane ESD.

Superintendents' Council Advisor

The Board will invite one advisor from the Superintendents' Council **to each Lane ESD Board Meeting annually.** ~~The Superintendents' Council Advisor is a permanent advisor position, that is not filled by an individual superintendent for more than a two year appointment. The schedule for component district Superintendents to serve as advisors during the year will be set at the August Superintendent Council meeting. Superintendents' Council Advisor position is filled by invitation at the August Superintendents' Council meeting each year. The Superintendents' Council appoints an advisor and back-up advisor.~~ The Superintendents' Council Advisor is not a member of the Board. The Superintendents' Council Advisor represents the Superintendents' Council. This Advisor communicates Superintendents' Council priorities, perspectives and activities, advocates for component districts, and shares Lane ESD information with the Superintendents' Council. ~~The Superintendents' Council Advisor is invited to all Board meetings and work sessions. The~~

~~The Superintendents' Council Advisor is expected to attend meetings on a regular basis.~~ The Superintendents' Council Advisor will receive a Board Meeting Agenda and packet. Any expenses incurred in the role of Superintendents' Council Advisor will be reimbursed by the component district.

Board Member Liaisons From Component School Districts

The Board intends to have three Board Member Liaisons from component school district Boards. The Board will recruit Board member representatives from a small, medium and large district. The Superintendents will be asked to extend an invitation to their board members in August of each year. The [Superintendents' Council/~~the Board~~] will appoint three representative Liaisons to the Board. ~~The typical term for a Board Member Liaison is for one year, renewable with mutual consent of the Liaison and the [Superintendent's Council/Board].~~ The Board Member Liaison is not a member of the Board. ~~Board Member Liaisons should not be from the same district as the Superintendent's Council Advisor.~~ The Board Member Liaison will bring component district perspectives to the Board, report component district activities, and share Lane ESD Board information with their district board. The Board Member Liaisons are invited to all Board meetings, and are expected to attend ~~regularly~~periodically. The Board Member Liaisons will receive a Board Meeting Agenda and packet.

11/27/24

To: Lane Education Service District School Board Members
From: Dr. Morgan Christensen - Executive Director of Human Resources

Re: December 2024 Update

Staffing

The HR and SpEd departments are continuing to work on hiring staff for the 2024-25 school year. Discussions regarding recruitment for the 2025-26 school year are underway with the months of January and February to begin listing additional open pool positions.

Lane ESD has 11 vacancies for Special Education. Changes to staffing include eight (8) resignations, one (1) retirement, and five (5) newly hired staff to Lane ESD.

(See Human Resources Report for details)

School Improvement



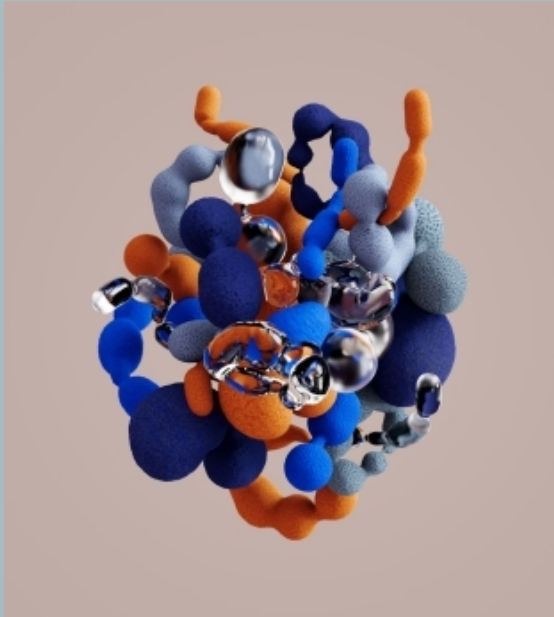
October: Sped Law Basics

November: Overidentification by race
in special education

December: People first terminology

Rest of the year: Understanding
IEP/504, Universal Design for
Learning/ Accommodations

School Improvement



Service Documentation: How are we telling the stories of our work?

Ruby Bridges Walk to School Day

I volunteered at two different Ruby Bridges Walk to School Day events. I went to Mapleton on November 13th to walk with elementary and middle school students. A few high school students, some parents and two Mapleton School Board members joined us at the Mapleton Food Share building. Vanessa Clemons, PE instructor(and former AABS navigator) did a fine job of organizing the event. A bus delivered most of the students and a few teachers. There were pastries and hot chocolate to warm up. Then we read the Ruby Bridges pledge before heading out. (The rain let up, gratefully). There was a banner and some signs for the kids to carry. They were excited to get trucks to honk encouragement.

On November 14th I just showed up for the Siuslaw Walk. No other parents or volunteers were there. A fair number of Elementary students came with three PE instructors and an IA to begin walking from Miller Park. Snacks were provided. There were no signs or banners and no recitation of the pledge. The children I walked with didn't know about Ruby Bridges. (Perhaps in their classrooms they learned more). Maybe Siuslaw can get some ideas from Mapleton next year?

Siuslaw Charter School

On November 21st I attended a board meeting for the Siuslaw Charter School .

They discussed a recent conference for Charter Schools that some of the Board members had attended. Then there was a reading and vote on many policies from OSBA. This was followed by a discussion about their grant writer.

The Charter School has hired a Head of Schools who will arrive in the area soon. At this time there are eighty seven students in grades K-4 who have filed an Intent to Enroll. There will eventually be 8 grades.