

Mapleton School District #32
School Board Meeting
November 15, 2023

6:00 p.m. Mapleton High School and on YouTube <https://youtube.com/live/QTpq08UrxFg>

Our mission is to provide a supportive and safe learning environment where all students are encouraged and empowered to reach their educational and personal potential.

1. Opening Ceremony
2. Review of the Agenda
3. Public Comment on Agenda Items– Submit form [BDDH-AR](#) from Board Policy for prior approval
4. District Reports
 - 4.1. SIA Annual Report
 - 4.2. MS/HS Report
 - 4.3. Elementary Report
5. Finance/Tech/Maintenance Report/Documentation
 - 5.1. 2021-22 Audit Report
6. Consent Agenda
 - 6.1. Payroll Check Register
 - 6.2. Accounts Payable Check Register
 - 6.3. Prior Month's Minutes
7. Action Items
 - 7.1. Personnel
 - 7.1.1. Hiring Basketball Coaches: MS Boys Head- Zac Burt, Asst Caleb Lewis; MS Girls Head- Lou Burruss, Asst Kirsten Kelley; HS Girls Head- Vanessa Clemons, Asst Tucker Ford; HS Boys Head- Eric Wolgamott, Asst Jake Mathers
 - 7.2. Integrated Grant
 - 7.3. Policies
 - 7.3.1. AC-AR – Discrimination Complaint Procedure
 - 7.3.2. GCBDF/GDBDF – Paid Family Medical Leave Insurance
 - 7.3.3. GCBDF/GDBDF-AR – Paid Family Medical Leave Insurance
 - 7.3.4. IGBHD – Program Exemptions
 - 7.3.5. JFCF-AR – [Hazing,]Harassment, Intimidation, Bullying, [Menacing,]Cyberbullying, or Teen Dating Violence Reporting Procedures – Student
 - 7.3.6. JGE – Expulsion
 - 7.3.7. KL – Public Complaints
 - 7.4. OSBA Resolution 1
 - 7.5. OSBA Resolution 2
8. Discussion Items
 - 8.1. Parking Optional Overflow Location
 - 8.2. Tribal/Shared History
 - 8.3. Screen Time
 - 8.4. OSBA Training
 - 8.5. Restorative Justice and Practices
 - 8.6. Siuslaw Charter School
9. Public Comment on Items not on the agenda- Submit form [BDDH-AR](#) from Board Policy for prior approval
 - 9.1. The School Board is interested in hearing from the public and will do so at this time on the agenda. The Board requests that patrons limit their comments to five minutes. Please state your name and

physical address for the record. If a response to your concern requires action of the School Board or a gathering of information, it may be placed on a future agenda. Personnel matters may not be discussed in public at a Board meeting. Patrons who have personnel concerns should share them directly with the Superintendent.

10. Comments from the Board

11. Adjournment

Mapleton School Board Vision

- We strive to base all of our decisions on what is best for all students.
- We believe that all students can learn and must strive to attain high academic achievement and personal growth.
- We believe we must develop and nurture intellectual curiosity and a desire for discovery and achievement.
- We believe our curriculum must challenge, prepare and inspire all students to be successful at the next level of their lives; to work and live as contributing members in a diverse society.
- We believe that strong partnerships with parents and the broader community are essential to achieving the goals of education. As such, we exercise open and transparent district communication and provide opportunities for participation, dialogue and understanding.
- We believe it is essential to attract and retain the best staff members to serve the needs of our school community.
- We believe in supporting and empowering staff to continually improve instruction and student success in all modes of learning.
- We believe that adequate financial resources are essential for excellent outcomes.
- We believe in supporting and empowering our school community by treating everyone with dignity and respect.

Mapleton School District Monthly Enrollment

Enrollment	September	October	November	December	January	February	March	April	May	June
PK	8	11	11							
K	5	5	5							
1	9	10	10							
2	9	9	9							
3	13	13	13							
4	13	12	12							
5	14	14	14							
6	14	14	14							
7	9	10	10							
8	20	19	19							
9	11	11	12							
10	10	10	10							
11	9	9	9							
12	9	7	7							

Totals	September	October	November	December	January	February	March	April	May	June
2023-2024	153	154	155							
2022-2023	161	154	158	158	157	158	161	163	158	157
				Previous years did not include preschool count.						
2021-2022	140	135	134	133	133	135	132	128	130	129
2020-2021	146	145	137	137	138	138	129	126	127	127
2019-2020	157	154	153	154	149	147	146	146	146	146
2018-2019	158	156	157	151	149	148	149	149	149	145
2017-2018	142	141	136	135	138	142	143	144	145	145
2016-2017	152	154	148	146	140	138	134	138	139	140

MAPLETON SCHOOL DISTRICT 32
Revenue Expenditure Comparison
2023-2024 School Year

	July 1	August 2	September 3	October 4	November 5	December 6	January 7	February 8	March 9	April 10	May 11	June 12	End of Year 13	Total
REVENUES	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual
100- TAXES	-	1,639	1,156	1,051	-	-	-	-	-	-	-	-	-	3,847
100- INTEREST	11,142	12,142	11,155	12,091	-	-	-	-	-	-	-	-	-	46,530
100- SSF	376,311	187,977	188,043	187,977	-	-	-	-	-	-	-	-	-	940,308
100- COUNTY TIMBER	607	-	-	-	-	-	-	-	-	-	-	-	-	607
Other Fund 100	437	8,911	437	437	-	-	-	-	-	-	-	-	-	10,222
Fund 200	-	35,023	-	15,882	-	-	-	-	-	-	-	-	-	50,905
Fund 300	-	426	300	269	-	-	-	-	-	-	-	-	-	994
Fund 400	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Revenues	388,497	246,118	201,091	217,708	-	-	-	-	-	-	-	-	-	1,053,414

EXPENDITURES	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual
SALARIES	48,671	71,845	97,203	107,170	-	-	-	-	-	-	-	-	-	324,889
FRINGE	24,041	31,568	43,862	45,129	-	-	-	-	-	-	-	-	-	144,601
SERVICES	7,296	9,332	23,776	13,406	-	-	-	-	-	-	-	-	-	53,810
SUPPLIES	3,279	9,945	15,477	3,405	-	-	-	-	-	-	-	-	-	32,106
CAPITAL OUTLAY	-	-	-	-	-	-	-	-	-	-	-	-	-	-
FEES/DUES	778	128,553	10,011	5,506	-	-	-	-	-	-	-	-	-	144,847
TRANSFERS	-	-	-	-	-	-	-	-	-	-	-	-	-	-
RESERVE	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Fund 200	11,311	259,343	187,747	206,843	-	-	-	-	-	-	-	-	-	665,244
Fund 300	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Fund 400	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Expenditures	95,375	510,587	378,076	381,458	-	-	-	-	-	-	-	-	-	1,365,496

SUNGARD
 DATE: 11/01/2023
 TIME: 11:05:55

MAPLETON SCHOOL DISTRICT #32
 OUTSTANDING CHECKS

PAGE NUMBER: 1
 ACCTPA21
 ACCOUNTING PERIOD: 4/24

SELECTION CRITERIA: transact.yr='24' and transact.period='4'

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NUMBER	DATE ISSUED	DATE CLEARED	VENDOR	CLEARED	OUTSTANDING
A101	18815	10/02/2023	2941	ALPHA-BIT CAFE		607.50
A101	18816	10/02/2023	2727	CARRIE DEAN		85.12
A101	18817	10/02/2023	2878	VANESSA CLEMONS		9.99
A101	18818	10/02/2023	2908	STEPHANIE R GRIJALVA		205.28
A101	18819	10/02/2023	2364	JAMIE FOSTER		33.98
A101	18820	10/02/2023	2982	JENNIFER WALTER		300.00
A101	18821	10/02/2023	2948	JOY O'RENICK		29.99
A101	18822	10/02/2023	2981	KATHY ASQUITH		552.84
A101	18823	10/02/2023	2642	LIFETOUCH		703.66
A101	18824	10/02/2023	1496	MOUNTAIN WEST LEAGUE		1,030.00
A101	18825	10/02/2023	1494	OREGON SMALL SCHOOLS ASSO		200.00
A101	18826	10/02/2023	2983	PARENTSQUARE		4,100.00
A101	18827	10/02/2023	2641	SPECIAL DISTRICTS INSURAN		146.60
A101	18828	10/02/2023	2975	WILSON ARCHITECTURE		2,965.00
A101	18829	10/02/2023	1324	YOUNG ELECTRIC		1,330.08
A101	18830	10/03/2023	2984	LOLA BUCKWALD		800.00
A101	18831	10/03/2023	2890	MARILYN SMITH		400.00
A101	18832	10/11/2023	1956	FIDELITY INVESTMENTS		540.00
A101	18833	10/11/2023	2977	NW PROFESSIONAL JUDGMENT		841.52
A101	18834	10/11/2023	1060	OREGON EDUCATION ASSOCIAT		1,235.85
A101	18835	10/12/2023	2921	JOSHUA REID		184.47
A101	18836	10/12/2023	1145	MAPLETON WATER DISTRICT		1,391.05
A101	18837	10/12/2023	2974	OPEN UP RESOURCES		38,889.00
A101	18838	10/12/2023	2450	TERRI JOHNSTON		55.44
A101	18839	10/17/2023	2985	COAST ROAD CONSTRUCTION		352.20
A101	18840	10/18/2023	2985	COAST ROAD CONSTRUCTION		194.08
A101	90002031	10/31/2023	1431	ALSCO		333.06
A101	90002032	10/31/2023	1762	AMAZON.COM		2,839.20
A101	90002033	10/31/2023	2223	ARMOR ZONE		1,040.00
A101	90002034	10/31/2023	1492	CDW-G LLC		1,884.80
A101	90002035	10/31/2023	1030	CENTRAL COAST DISPOSAL IN		1,061.21
A101	90002036	10/31/2023	1031	CENTRAL LINCOLN PUD		4,260.98
A101	90002037	10/31/2023	2691	COASTAL PAPER & SUPPLY		609.88
A101	90002038	10/31/2023	1043	COSA		895.00
A101	90002039	10/31/2023	1044	COSTCO		166.54
A101	90002040	10/31/2023	1648	DICK BLICK		38.33
A101	90002041	10/31/2023	2792	DOLLAR TREE		25.05
A101	90002042	10/31/2023	1162	FERRELLGAS		65.00
A101	90002043	10/31/2023	2803	FIELDPRINT		25.00
A101	90002044	10/31/2023	2808	FLINN SCIENTIFIC		82.19
A101	90002045	10/31/2023	2832	FM SHEET METAL		1,651.50
A101	90002046	10/31/2023	1787	FRED MEYERS		91.05
A101	90002047	10/31/2023	1086	GOPHER SPORT		5,743.64
A101	90002048	10/31/2023	2330	HOME DEPOT		13.97
A101	90002049	10/31/2023	2784	HOTELS.COM		499.65
A101	90002050	10/31/2023	2962	KENDALL FORD OF EUGENE		119.83
A101	90002051	10/31/2023	2778	MISC CC TRAVEL CHARGES		88.54
A101	90002052	10/31/2023	2777	MISC FOOD VENDOR FOR TRAV		50.00
A101	90002053	10/31/2023	2815	MISC ONLINE VENDOR		2,695.00
A101	90002054	10/31/2023	2987	OREGON SCHOOL PSYCHOLOGIS		145.00
A101	90002055	10/31/2023	2614	O'REILLY AUTO PARTS		27.00
A101	90002056	10/31/2023	1242	PACIFIC OFFICE AUTOMATION		282.93
A101	90002057	10/31/2023	2804	PAYPAL		1,897.19
A101	90002058	10/31/2023	2159	PEARSON ASSESSMENTS		336.00

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MAPLETON SCHOOL DISTRICT #32
 OUTSTANDING CHECKS

PAGE NUMBER: 2
 ACCTPA21
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SELECTION CRITERIA: transact.yr='24' and transact.period='4'

FUND - 100 - GENERAL FUND

CASH ACCT	CHECK NUMBER	DATE ISSUED	DATE CLEARED	VENDOR	CLEARED	OUTSTANDING
A101	90002059	10/31/2023	2879	PITNEY BOWES ONLINE		118.41
A101	90002060	10/31/2023	1179	QUILL CORPORATION		326.55
A101	90002061	10/31/2023	1686	RANDY'S RIVERVIEW MARKET		14.97
A101	90002062	10/31/2023	2986	REXIUS		1,650.00
A101	90002063	10/31/2023	2852	SANGOMA		146.19
A101	90002064	10/31/2023	1282	SILKE COMMUNICATIONS INC		915.15
A101	90002065	10/31/2023	2845	US DEPT OF TRANSPORTATION		62.50
A101	90002066	10/31/2023	2666	VEND WEST SERVICES, INC.		78.80
A101	90002067	10/31/2023	1150	VERIZON WIRELESS BELLEVUE		15.02
A101	90002068	10/31/2023	2820	VIKING PLUMBING		4,949.75
A101	90002069	10/31/2023	1988	WALMART		39.97
A101	90002070	10/31/2023	1227	WESTERN BUS SALES, INC.		303.55
A101	90002071	11/01/2023	2684	AMERICAN FIDELITY		1,650.00
A101	90002072	11/01/2023	2199	AMERICAN FIDELITY ASSURAN		1,480.00
A101	90002073	11/01/2023	2200	AMERICAN FIDELITY ASSURAN		593.10
A101	90002074	11/01/2023	1733	CIT TECHNOLOGY FIN SERV.		295.50
A101	90002075	11/01/2023	1057	HORACE MANN LIFE INS CO		1,236.22
A101	90002076	11/01/2023	1194	INTERNAL REVENUE SERVICE		45,991.03
A101	90002077	11/01/2023	2439	OEBB		23,118.16
A101	90002078	11/01/2023	1193	OREGON DEPARTMENT OF REVE		15,921.01
A101	90002079	11/01/2023	2802	POWERSCHOOL		837.86
A101	90002080	11/01/2023	1225	SYSCO FOOD SERVICES		6,851.51
A101	90002081	11/01/2023	1150	VERIZON WIRELESS BELLEVUE		62.53
TOTAL CASH ACCOUNT						190,808.97
TOTAL FUND						190,808.97
TOTAL REPORT						190,808.97

Mapleton School District #32
School Board Meeting Minutes
October 18, 2023

6:00 p.m. Mapleton High School and on YouTube <https://youtube.com/live/OLW7Uescl3M>

Our mission is to provide a supportive and safe learning environment where all students are encouraged and empowered to reach their educational and personal potential.

1. Opening Ceremony- In Attendance- Michelle, Andrea, Mizu, Maree, Abbie
2. Review of the Agenda
3. Public Comment on Agenda Items– Submit form [BDDH-AR](#) from Board Policy for prior approval
4. District Reports
 - 4.1. Division 22 Standards
 - 4.2. MS/HS Report
 - 4.3. Elementary Report
5. Finance/Tech/Maintenance Report/Documentation
6. Consent Agenda – Motion to approve by Andrea, second by Mizu, unanimous approval
 - 6.1. Payroll Check Register
 - 6.2. Accounts Payable Check Register
 - 6.3. Prior Month's Minutes
7. Action Items
 - 7.1. Approve opening a Business Savings account with Banner Bank- motion to approve by Mizu, second by Maree, unanimous approval
 - 7.2. Integrated Grant- not ready yet
 - 7.3. Policies- wait till next month
 - 7.4. AC-AR – Discrimination Complaint Procedure
 - 7.5. GCBDF/GDBDF – Paid Family Medical Leave Insurance
 - 7.6. GCBDF/GDBDF-AR – Paid Family Medical Leave Insurance
 - 7.7. IGBHD – Program Exemptions
 - 7.8. JFCF-AR – [Hazing,]Harassment, Intimidation, Bullying, [Menacing,]Cyberbullying, or Teen Dating Violence Reporting Procedures – Student
 - 7.9. JGE – Expulsion
 - 7.10. KL – Public Complaints
8. Discussion Items
 - 8.1. Thwack thwack thwack
 - 8.2. Tribal/Shared History
 - 8.3. Screen Time
 - 8.4. OSBA Training
 - 8.5. Restorative Justice and Practices
9. Public Comment on Items not on the agenda- Submit form [BDDH-AR](#) from Board Policy for prior approval
10. Comments from the Board
11. Executive Session per ORS 192.660(2)(d) Conduct labor negotiations
12. Adjournment- 8:41pm

Mapleton School Board Vision

- We strive to base all of our decisions on what is best for all students.

- We believe that all students can learn and must strive to attain high academic achievement and personal growth.
- We believe we must develop and nurture intellectual curiosity and a desire for discovery and achievement.
- We believe our curriculum must challenge, prepare and inspire all students to be successful at the next level of their lives; to work and live as contributing members in a diverse society.
- We believe that strong partnerships with parents and the broader community are essential to achieving the goals of education. As such, we exercise open and transparent district communication and provide opportunities for participation, dialogue and understanding.
- We believe it is essential to attract and retain the best staff members to serve the needs of our school community.
- We believe in supporting and empowering staff to continually improve instruction and student success in all modes of learning.
- We believe that adequate financial resources are essential for excellent outcomes.
- We believe in supporting and empowering our school community by treating everyone with dignity and respect.

OSBA Model Sample Policy

Code: AC-AR

Adopted:

Discrimination Complaint Procedure

{Required AR. OAR 581-022-2370 requires districts to have complaint procedures, including for complaints of discrimination. Federal law also requires discrimination complaint procedures.}

Any person, including students, staff, visitors and third parties, may file a complaint.

Complaints regarding discrimination or harassment, on any basis protected by law, shall be processed in accordance with the following procedures:

Step 1: ~~1~~ Complaints may be oral or in writing and must be filed with the [principal]. Any staff member that receives an oral or written complaint shall report the complaint to the [principal].

The [principal] shall investigate and determine the action to be taken, if any, and reply in writing, to the complainant within [10] school days of receipt of the complaint.

Step 2: If the complainant wishes to appeal the decision of the [principal], the complainant may submit a written appeal to the superintendent [or designee] within [five] school days after receipt of the [principal]'s response to the complaint.

The superintendent [or designee] shall review the [principal]'s decision within [five] school days and may meet with all parties involved. The superintendent [or designee] will review the merits of the complaint and the [principal]'s decision. The superintendent [or designee] will respond in writing to the complainant within [10] school days.

Step 3: If the complainant is not satisfied with the decision of the superintendent [or designee], a written appeal may be filed with the Board within [five] school days of receipt of the superintendent's [or designee's] response to Step 2. The Board may decide to hear or deny the request for appeal at a Board meeting. If the Board decides to hear the appeal, the Board may meet with the concerned parties and their representative [at the next regular or special Board meeting] [a Board meeting]. The Board's decision will be final and will address each allegation in the complaint and contain reasons for the Board's decision. A copy of the Board's final decision shall be sent to the complainant in writing or electronic form within [~~3~~+0] days of ~~this meeting~~ receipt of the appeal by the Board.

If the [principal] is the subject of the complaint, the individual may start at Step 2 and should file a complaint with the superintendent [or designee].

¹ For district information. The district's timeline established by each step of the district's complaint procedure must be within 30 days of the submission of the complaint at any step, unless the district and complainant have agreed in writing to a longer time period for that step. The district's complaint procedure should not exceed a total of 90 days from the initial filing of the complaint, regardless of the number of steps involved, unless the district and the complainant have agreed in writing to a longer time period. (OAR 581-002-0005)

If the superintendent is the subject of the complaint, the complaint may start at Step 3 and should be referred to the Board chair. [The Board may refer the investigation to a third party.]

Complaints against the Board as a whole or against an individual Board member, may start at Step 3 and should be submitted to the Board chair and may be referred to district counsel. Complaints against the Board chair may start at Step 3 and be referred directly to the [district counsel] [Board vice chair].

The timelines established in each step of this procedure may be extended upon mutual consent of the district and the complainant in writing[, but will not be longer than 30 days from the date of the submission of the complaint at any step]. The overall timeline of this complaint procedure may be extended beyond 90 days from the initial filing of the complaint upon written mutual consent of the district and the complainant.

The complainant, if a person who resides in the district[,] [or] a parent or guardian of a student who attends school in the district[or a student,] is not satisfied after exhausting local complaint procedures, the district fails to render a written decision within 30 days of submission of the complaint at any step or fails to resolve the complaint within 90 days of the initial filing of the complaint, may appeal² the district's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023.

Charter Schools of which the District Board is a Sponsor

[The district Board, [through its charter agreement with [name of charter school sponsored by the district board]] [through a board resolution] [through this administrative regulation], will review an appeal of a decision reached by the Board of [name of public charter school] on a complaint alleging violation of Oregon Revised Statute (ORS) 659.850 or Oregon Administrative Rule (OAR) 581-021-0045 or 581-021-0046 (Discrimination). A complainant may appeal will submit such appeal to the [superintendent] [Board chair] on behalf of the district Board within [30] days of receipt of the decision from the public charter school board. A final decision reached by this district Board may be appealed to the Oregon Department of Education under OAR 581-002-0001 - 581-002-0023.]

OR

[The district Board, [through its charter agreement with [name of public charter school sponsored by the district board]] [through a board resolution] [through this administrative regulation], will not review an appeal of a decision reached by the Board of the [name of public charter school] on a complaint alleging a violation of Oregon Revised Statute (ORS) 659.850 or Oregon Administrative Rule (OAR) 581-021-0045 or 581-021-0046 (Discrimination), for which the district Board has jurisdiction, and recognizes a decision reached by the Board of [name of public charter school] as the district Board's final decision. A final decision reached by this district Board may be appealed to the Oregon Department of Education under OAR 581-002-0001 - 581-002-0023.]

² An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

OSBA Model Sample Policy

Code: GCBDF/GDBDF
Adopted:

Paid Family Medical Leave Insurance * (Version 1)

{Highly recommended policy. This version is designed for districts who are participating in Paid Leave Oregon (PLO). If the district is using an approved equivalent plan, the district should not adopt this version or use the accompanying administrative regulation. Contributions for PLO begin on January 1, 2023 with benefits available starting September 3, 2023. There is a possibility the Oregon Legislature or the Oregon Department of Employment will change laws prior to the September start date, so the district may choose to wait on adoption. If there are new laws, OSBA will update this sample prior to the effective date. Many districts are bargaining aspects of this leave: policy language should not conflict with language in collective bargaining agreements.}

The district participates in Paid Family and Medical Leave Insurance (PFMLI) and Paid Leave Oregon (PLO)¹. This includes submitting employee and employer contributions to the Employment Department (“Department”) as required by state law.² The district does not administer PFMLI or PLO. All applications and questions should be directed to the Department.

Definitions

1. “Family leave” means leave from work taken by a covered individual:
 - a. To care for and bond with a child during the first year after the child’s birth or during the first year after the placement of the child through foster care or adoption; or
 - b. To care for a family member with a serious health condition.
2. “Family leave” does not mean:
 - a. Leave described in Oregon Revised Statute (ORS) 659A.159 (1)(d) (non-serious health condition of child or school or child care provider closure due to public health emergency);
 - b. Leave described in ORS 659A.159 (1)(e) (death of a family member); or
 - c. Leave authorized under ORS 659A.093 (leave for spouses of members of the military upon deployment or call to active duty).
3. “Family member” means:
 - a. The spouse of a covered individual;
 - b. A child of a covered individual or the child’s spouse or domestic partner;

¹ Paid Leave Oregon is the program developed by the Oregon Department of Employment to administer Paid Family and Medical Leave Insurance.

² The overall contribution will be determined by the Department director, and is initially set at 1 percent (up to \$132,900). *{For districts with 25 or more employees:}* The employer contribution is 40 percent and the employee contribution is 60 percent of this amount. *{For districts with fewer than 25 employees:}* The employee contribution is 60 percent of this amount and the employer contribution is waived. The amount will be set annually by November 15. See ORS 657B.150. *{Districts may agree to pay the employee contribution, see any applicable employment agreements.}*

- c. A parent of a covered individual or the parent’s spouse or domestic partner;
 - d. A sibling or stepsibling of a covered individual or the sibling’s or stepsibling’s spouse or domestic partner;
 - e. A grandparent of a covered individual or the grandparent’s spouse or domestic partner;
 - f. A grandchild of a covered individual or the grandchild’s spouse or domestic partner;
 - g. The domestic partner of a covered individual; or
 - h. Any individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship.
4. “Medical Leave” means leave from work taken by a covered individual that is made necessary by the individual’s own serious health condition.
5. “Safe leave” means related to domestic violence, harassment, sexual assault, stalking and relocation for health and safety reasons as provided in ORS 659A.272.
6. “Serious health condition” means an illness, injury, impairment, or physical or mental condition of a claimant or their family member that:
- a. Requires inpatient care in a medical care facility such as, but not limited to, a hospital, hospice, or residential facility such as, but not limited to, a nursing home or inpatient substance abuse treatment center;
 - b. In the medical judgment of the treating health care provider poses an imminent danger of death, or that is terminal in prognosis with a reasonable possibility of death in the near future;
 - c. Requires constant or continuing care, including home care administered by a health care professional;
 - d. Involves a period of incapacity. “Incapacity” is the inability to perform at least one essential job function, or to attend school or perform regular daily activities for more than three consecutive calendar days. A period of incapacity includes any subsequent required treatment or recovery period relating to the same condition. The incapacity must involve one of the following:
 - (1) Two or more treatments by a health care provider; or
 - (2) One treatment plus a regimen of continuing care.
 - e. Results in a period of incapacity or treatment for a chronic serious health condition that requires periodic visits for treatment by a health care provider, continues over an extended period of time, and may cause episodic rather than a continuing period of incapacity, such as, but not limited to, asthma, diabetes, or epilepsy;
 - f. Involves permanent or long-term incapacity due to a condition for which treatment may not be effective, such as, but not limited to, Alzheimer’s Disease, a severe stroke, or terminal stages of a disease. The employee or family member must be under the continuing care of a health care provider, but need not be receiving active treatment;
 - g. Involves multiple treatments for restorative surgery or for a condition such as, but not limited to, chemotherapy for cancer, physical therapy for arthritis, or dialysis for kidney disease that if not treated would likely result in incapacity of more than three calendar days;
 - h. Involves any period of disability due to pregnancy, childbirth, miscarriage or stillbirth, or period of absence for prenatal care; or
 - i. Involves any period of absence from work for the donation of a body part, organ, or tissue, including preoperative or diagnostic services, surgery, post-operative treatment, and recovery.

Eligibility

1. To be eligible for PLO benefits, an individual must:
 - a. Be an employee of the district³;
 - b. Earn at least \$1,000 in the base or alternate base year⁴;
 - c. Contribute to the PLO in accordance with state law;
 - d. Experience an event qualifying the employee for:
 - (1) Family leave;
 - (2) Medical leave; or
 - (3) Safe leave.
 - e. Submit an application to Department;
 - f. Have not exceeded maximum paid leave for the year; and
 - g. Have no current disqualifications⁵.

Leave

PLO can be used for family leave, medical leave or safe leave. Up to 12 weeks of paid leave can be taken per benefit year.⁶ Leave can be taken in one-day increments and can be consecutive or nonconsecutive.

Any family leave or medical leave taken under PLO must be taken concurrently with any leave taken by an eligible employee under ORS 659A.150 - 659A.186 (OFLA) or under the federal Family and Medical Leave Act of 1993 (P.L. 103-3, FMLA) for the same purposes.

The district will maintain an employee's existing health benefits while the employee is using leave. The employee will be required to pay the employee's contribution to premiums.

END OF POLICY

Legal Reference(s):

[ORS 657B](#)

[OAR 471-070](#)

³ PFMLI is a state-wide benefit, and not unique to the district. An eligible individual does not need to be an employee of the district in order to be eligible for PFMLI, but this policy only applies to employees of the district.

⁴ Pay could come from another Oregon employer.

⁵ Disqualifications may include eligibility for Workers' Compensation or Unemployment or determination of a willful false statement or failure to report a material fact in order to obtain benefits. See OAR 471-070-1010(1)(h).

⁶ In some pregnancy-related situations, employees may be able to take two additional weeks, for a total for 14 weeks.

OSBA Model Sample Policy

Code: GCBDF/GDBDF-AR
Revised/Reviewed:

Paid Family Medical Leave Insurance (PFMLI)

{Highly recommended administrative regulation. This administration regulation is for use only with Version 1 of policy GCBDF/GDBDF.}

Application

Employees may submit applications for Paid Leave Oregon (PLO) to the Oregon Employment Department (“Department”).¹ Applications may be submitted up to 30 days prior to the start of the leave and up to 30 days after the start of the leave.² The Department may require verification from the employee.³ The Department will make all decisions regarding acceptance and denial of an application, including determining the amount of the benefit.⁴ The district cannot accept, file, process or make decisions on applications.

An employee may appeal an approval or denial of claim, the amount of a weekly benefit or a disqualification from receipt of benefits to the Department in accordance with Oregon Revised Statute (ORS) 657B.010 and Oregon Administrative Rule (OAR) 471-070-2220.

Employee Notice to District

If the leave is foreseeable⁵, the employee must provide the district with written notice⁶ at least 30 calendar days prior to the leave.^{7} If the leave is not foreseeable⁸ the employee must give oral notice to the district

¹ For application requirements see ORS 657B.060 and Oregon Administrative Regulation (OAR) 471-070-1100. *{Include link to Department website once available.}*

² Exceptions may be granted when the applicant can demonstrate good cause for late submission.

³ See verification requirements in OAR 471-070-1110 - OAR 471-070-1130.

⁴ The benefit may be less than the employee’s salary. See ORS 657B.050.

⁵ Examples of foreseeable leave include, but are not limited to, an expected birth, planned placement of a child, or a scheduled medical treatment for a serious health condition of the eligible employee or a family member of the eligible employee. See OAR 471-070-1310(1).

⁶ Written notice includes, but it not limited to, handwritten or typed notices, and electronic communication such as text messages and email.

⁷ *{OAR 471-017-1310(5) states “An employer that requires eligible employees to provide a written notice before the eligible employee commences leave, must outline the requirement in the employer’s written policy and procedures.”}*

⁸ Leave circumstances that are not foreseeable include, but are not limited to, an unexpected serious health condition of the eligible employee or a family member of the eligible employee, a premature birth, an unexpected adoption, an unexpected foster placement by or with the eligible employee, or for safe leave.

within 24 hours of the start of the leave, and must provide written notice within 3 days after the start of leave.⁹ The district requests as much advanced notice as possible.

The notice must include:

1. The employee's first and last name;
2. Type of leave;
3. Explanation of the need for leave; and
4. Anticipated timing and duration of leave, including if it is continuous or intermittent.

Notice need only be given one time, but the employee shall notify the district as soon as practicable if dates of scheduled leave change, are extended, or were initially unknown. This notice does not need to mention PFMLI or PLO to satisfy the notice requirements.^{10}

Failure to comply with these notice requirements may result in a penalty imposed by the Department. The Department may reduce the amount of the benefit by 25 percent in accordance with OAR 471-070-1310(9)-(10).

Concurrent Use of District-Provided Paid Leave^{11}

The district [allows] [does not allow] employees to use employer-provided paid leave in addition to receiving PLO benefits to replace an employee's wages up to 100 percent of the eligible employee's average weekly wage. Example:

An employee applies and is approved for PLO for a personal serious medical condition. The Department determines that the rate of pay will be 75 percent of the employee's regular salary. [The employee will not be allowed to use district-provided paid leave (sick, vacation or otherwise) for days that PFMLI is received.] [The employee will be allowed to use available district-provided paid leave (sick, vacation or otherwise) for days that PLO is received, but is limited to only utilizing an amount that increases the employee paid leave to 100 percent of regular payment. In this example, the amount would be 25 percent.]

Return to Work

Upon completion of leave, the employee is entitled to return to the position held in the district prior to the leave, if that position still exists and if the employee had been employed in the district for 90 days prior to taking leave.¹² [*For districts with 25 or more employees:*] If the position no longer exists, the employee is

⁹ If other leave also applies (OFLA, FMLA, etc.), notice requirements for those types of leave may also apply.

¹⁰ {A district requiring written notice must outline the requirements in policy and procedures. A copy of the written policy and procedure must be provided to all eligible employees at the time of hire and each time the policy and procedure changes and in the language that the employer typically uses to communicate with the employee.}

¹¹ {Consider any bargaining requirements prior to adopting this language.}

¹² If the employee's leave also qualifies for OFLA/FMLA protection, see also Board policy GCBDA/GDBDA - Family Medical Leave and its accompanying administrative regulations.

entitled to a position equal to their previous position, with equal benefits, pay and other terms and conditions of employment.] [*For districts with fewer than 25 employees:*] If the position no longer exists, the employee may be placed in a different position with similar job duties and benefits and pay equal to the previous position.]

Communications Between the District and the Department

Upon receipt of an application or update in information from a district employee for PLO, the Department will notify the district. The district may provide additional information to the Department within 10 days. This information may include, but is not limited to, information about the employee's notice to the district or verification of the employee's continued employment with the district. If the district does not report such information to the Department, the Department will proceed using available information. The district can provide additional information to the Department as it becomes available.

If the Department requests additional information from the district, the district will respond within 10 calendar days.

Once the Department has issued a decision regarding an application submitted by an employee of the district, the Department will notify the district regarding the approval or denial and any applicable dates and periods of leave. The district cannot appeal a Department decision.

District Notice to Employees

At the time of hire and each time the policy or procedure changes, the district must provide notice to employees. This notice must be in the language that the employer typically uses to communicate with employees and will include:

1. The right of an eligible employee to claim and receive family and medical leave insurance benefits;
2. The procedure for filing a claim for benefits;
3. That an eligible employee must provide notice to the district before the employee commences leave, and a description of the penalties for failure to comply with the notice requirements;
4. The right of an eligible employee to job protection and benefits continuation;
5. The right of an eligible employee to appeal a decision or determination made by the Department director;
6. That discrimination and retaliatory personnel actions against an employee for inquiring about the PFMLI or PLO, taking leave under the program or claiming PFMLI or PLO benefits are prohibited;
7. The right of an employee to bring a civil action or to file a complaint for violation of ORS 657B.060 or 657B.070; and

8. That any health information related to family leave, medical leave or safe leave provided to an employer by an employee is confidential and may not be released without the permission of the employee unless state or federal law or a court order permits or requires disclosure.¹³

The district will display this notice in an area that is accessible to and regularly frequented by employees in each building or worksite. The district will provide this notice to employees working remotely by hand delivery, regular mail or through an electronic delivery method at the time of hire or assignment to remote work.

District Filings

The district will file the Oregon Quarterly Tax Report, the Oregon Employee Detail Report and any other reports required by law. If the district fails to submit required filings or report, or fails to pay all required contributions, the district may be penalized in accordance with OAR 471-070-8520.

{For districts with fewer than 25 employees:}[The district may apply for an assistance grant.¹⁴]

Employee Protections

No employee or prospective employee will be discriminated or retaliated against for inquiring about PFMLI or PLO, giving notification of leave under PLO, taking PLO leave or claiming PLO benefits. Eligible employees have a right to file a complaint and/or bring a civil action for violations of ORS 657B.060 or ORS 657B.070.

Any health information related to family leave, medical leave or safe leave provided to the district by an employee is confidential and may not be released without the permission of the employee unless state or federal law or a court order permits or requires disclosure.

¹³ Paid Leave Oregon will provide a model notice, <https://paidleave.oregon.gov/DocumentsForms/Paid-Leave-ModelNotice-Poster-EN.pdf>. This policy can also be used as the notice.

¹⁴ See OAR 471-070-3705 - 3710 for eligibility requirements and application.

OSBA Model Sample Policy

Code: IGBHD
Adopted:

Program Exemptions**

{Highly recommended policy. The content comes primarily from OAR 581-021-0009. If the district would like to add language regarding procedure or authority, it could be added to this policy or an AR could be created.}

The district ~~Board~~ ~~[may]~~ ~~[shall]~~ excuse students from a state-required program or learning activity for reasons of religion, disability¹ or other reasons deemed appropriate by the district. Requests for excusal or accommodation must be in writing and must include the reasons for the request and a proposed alternative for an individualized learning activity which substitutes for the period of time exempt from the program and meets the goals of the learning activity or course being exempt. Requests may be filed by the student's parent or guardian, or by a student who is 18 years of age or older or who is an emancipated minor. Requests must be submitted to the [teacher or principal].

~~An alternative education program for credit [may] [may not] be provided.~~ The district will determine if credit will be granted for any alternative activity.

~~[The procedures to establish an alternative education program and alternative credit shall be developed by the superintendent.]~~

END OF POLICY

Legal Reference(s):

[ORS 336.035\(2\)](#)
[ORS 336.465](#)
[ORS 336.615](#)
[ORS 336.625](#)

[ORS 336.635](#)
[OAR 581-002-0035](#)
[OAR 581-021-0009](#)

[OAR 581-021-0071](#)
[OAR 581-022-2050](#)
[OAR 581-022-2110](#)
[OAR 581-022-2505](#)

¹ If the district receives a request for a disability accommodation, the district should consider its obligations under the Individuals with Disabilities in Education Act and Section 504 of the Rehabilitation Act.

OSBA Model Sample Policy

Code: JFCF-AR

Revised/Reviewed:

[Hazing,]Harassment, Intimidation, Bullying, [Menacing,]Cyberbullying, or Teen Dating Violence Reporting Procedures – Student

{Required AR. ORS 339.256(2)(g) requires districts to have procedures outlining the response to reports of harassment, intimidation or bullying or an act of cyberbullying.}

The [employee position title(s)]^{1} [has] [have] responsibility for investigations concerning acts of [hazing,] harassment, intimidation or bullying, [menacing,] acts of cyberbullying, and incidents of teen dating violence. The investigator(s) shall be a neutral party having had no involvement in the report presented.

All reports will be investigated in accordance with the following procedures:

- Step 1 Any reports or information on acts of [hazing,]harassment, intimidation or bullying, [menacing,] acts of cyberbullying, or incidents of teen dating violence (e.g., complaints, rumors) shall be presented to the [employee position title]. Reports against the principal shall be filed with the superintendent. Reports against the superintendent shall be filed with the Board chair. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.
- Step 2 The [employee position title] receiving the report shall promptly investigate. Parents will be notified of the nature of any report involving their student. The [employee position title] will arrange such meetings as may be necessary with all concerned parties within [five] working days after receipt of the information or report. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the report will be reduced to writing. The [employee position title] conducting the investigation shall notify the person making the report within [10] working days of receipt of the information or report, and parents as appropriate, [in writing] when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

[A copy of the notification letter or the date and details of notification to the person making the report, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the superintendent.]

- Step 3 If the person making the report is not satisfied with the decision at Step 2, they may submit a written appeal to the superintendent or designee. Such appeal must be filed within [10] working days after receipt of the Step 2 decision. The superintendent or designee will arrange such meetings with the person making the report and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the appeal within [10] working days.

¹ {Required by ORS 339.356(2)(g). Other bracketed language regarding hazing and menacing exceeds the requirements of ORS 339.356 and is under Board authority ORS 332.107.}

[Step 4 If the person making the report is not satisfied with the decision at Step 3, a written appeal may be filed with the Board. Such appeal must be filed within [10] working days after receipt of the Step 3 decision. The Board shall, within [20] working days, conduct a hearing at which time the person making the report shall be given an opportunity to present the report. The Board shall provide a written decision to the person making the report within ~~[3+0]~~ working days ~~following completion of the hearing~~ of receipt of the appeal by the Board.]

Reports against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, ~~within [20] days,~~ in open session what action, if any, is warranted. A final decision will be made within [30] days of receipt of the report.

Reports against the Board as a whole or against an individual Board member should be made to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, ~~within [20] days,~~ in open session what action, if any, is warranted. A final decision will be made within [30] days of receipt of the report.

Reports against the Board chair may be made directly to the [district counsel] [Board vice chair] on behalf of the Board. The [district counsel] [Board vice chair] shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, ~~within [20] days,~~ in open session what action, if any, is warranted. A final decision will be made within [30] days of receipt of the report.

Timelines may be extended upon written agreement between both parties. This also applies to reports filed against the superintendent or any Board member.

Direct complaints of discriminatory harassment 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 Second Ave., Room 3310, Seattle, WA 98174-1099.

Documentation related to the incident may be maintained as a part of the student's education records. [Additionally, a copy of all reported acts of [hazing,]harassment, intimidation or bullying,[menacing,] or cyberbullying, or incidents of teen dating violence and documentation will be maintained as a confidential file in the district office.]

OSBA Model Sample Policy

Code: JGE
Adopted:

Expulsion**

{Required policy. ORS 339.250(2) and OAR 581-021-0070 require policies on expulsion.}

A principal, after reviewing available information, may recommend to the superintendent that a student be expelled. Expulsion of a student shall not extend beyond one calendar year.

A student may **only** be expelled for the following circumstances:

1. When a student's conduct poses a threat to the health or safety of students or employees;
2. When other strategies to change the student's ~~conduct~~ **behavior** have been ineffective, except that expulsion may not be used to address truancy; or
3. When required by law.

The use of expulsion for discipline of a student in fifth grade or lower is limited to:

1. Nonaccidental conduct causing serious physical harm to a student or employee;
2. When a school administrator determines, based on the administrator's observations or upon a report from an employee, the student's conduct poses a **direct** threat to the health or safety of students or employees; or
3. When the expulsion is required by law.

The age of the student and the past pattern of behavior will be considered prior to imposing the expulsion.

No student may be expelled without a hearing unless the student's parents, or the student if 18 years of age, waive the right to a hearing, either in writing or by failure to appear at a scheduled hearing. ~~By waiving the right to a hearing, the student and parent agree to abide by the findings of a hearings officer.~~

{Choose one of the following two options.} [The Board delegates the authority to decide on an expulsion to the superintendent. ^{1} The superintendent may designate another person to handle the potential expulsion, and the superintendent, a designee or another individual may act as the hearings officer. The district may contract with an individual who is not employed by the district to serve as the hearings officer. The hearings officer will not be associated with the initial actions of the building administrators. The hearings officer will conduct the hearing and make a final decision regarding the expulsion. A decision of the hearings officer may be appealed by the parent or the student if age 18 or over to the Board for review.]

^{1} The Board can retain authority for all expulsions. If the Board chooses not to delegate this authority, any recommendations for expulsion from administration would come to the Board for resolution. The Board would have to meet and determine next steps for all expulsions.

If the decision of the hearings officer is appealed to the Board for review, the findings as to the facts and the hearings officer's decision will be submitted to the Board, and will be available in identical form to the Board, the student and the student's parents at the same time. At a future meeting, the Board will review the hearings officer's decision and will affirm, modify or reverse the decision.]

OR

[When a recommendation for expulsion is made, the Board will meet and review the recommendation. The Board will hold or arrange for the expulsion hearing unless it has been waived.

If the Board is conducting the expulsion hearing, the Board may designate a Board member or a third party to run the hearing. The superintendent will provide relevant information to the Board, including the superintendent's recommendation and duration on disciplinary action.² This information will be available in identical form to the Board, the student if age 18 or over and the students' parents at the same time. The Board will make the final decision regarding the expulsion.]

When a recommendation for an expulsion is made and an ~~an expulsion~~ hearing is not waived, the following procedure is required:

1. Notice will be given to the student and the parent by personal service³ or by certified mail⁴ at least [five] days prior to the scheduled hearing. Notice shall include:

- a. The specific charge or charges and the specific facts that support the charge or charges;
- ~~b. The conduct constituting the alleged violation, including the nature of the evidence of the violation and reason for expulsion;~~
- ~~e-b.~~ A ~~recommendation for expulsion~~ statement of intent to consider the charges as reason for expulsion;
- ~~e-c.~~ The student's right to a hearing;
- ~~e-d.~~ When and where the hearing will take place; and
- ~~f.e.~~ The student may be represented by counsel or other persons ~~right to representation.~~

~~The Board may expel, or may delegate the authority to decide on an expulsion to the superintendent or superintendent's designee, who may also act as the hearings officer. The district may contract with an individual who is not employed by the district to serve as the hearings officer. The hearings officer designated by the Board will conduct the hearing and will not be associated with the initial actions of the building administrators;~~

~~2. Expulsion hearings will be conducted in private and will not be open to the general public unless the student or the student's parents request an open session;~~

~~3-2.~~ ~~If in case~~ the parent or student ~~has difficulty understanding~~ does not understand the English language ~~or has other serious communication disabilities~~, the district will provide an interpreter during the

² Evidence may include the relevant past history and student education records.

³ The person serving the notice shall file a return of service. (OAR 581-021-0070)

⁴ When "certified mail is given to a parent of a suspended student, the notice shall be placed in the mail at least five days before the date of the hearing." (OAR 581-021-0070)

hearing translator. All communications will be in a manner that is understandable to the parents and student;

- 4.3. The student shall be permitted to have representation present at the hearing to advise and to present arguments. The representation may be an attorney, and/or parent or other person. The district's attorney may be present;
- 5.4. The student shall be afforded the right to present their version of the events underlying the expulsion recommendation and to introduce evidence by testimony, writings or other exhibits;
- 6.5. The student shall be permitted to be present and to hear the evidence presented by the district;
- 7.6. The hearings officer or the student may record the hearing;
- 8.7. Strict rules of evidence shall not apply to the proceedings. However, this shall not limit the hearings officer's control of the hearing;

~~9. If the Board is conducting the expulsion hearing, the Board may designate the Board chair or a third party as the hearings officer. The hearings officer will determine the facts of each case on the evidence presented at the hearing. Evidence may include the relevant past history and student education records. The hearings officer will provide to the Board, findings as to the facts, the recommended decision and whether or not the student has committed the alleged conduct. This will include the hearings officer's recommended decision on disciplinary action, if any, including the duration of any expulsion. This material will be available in identical form to the Board, the student if age 18 or over and the student's parents at the same time. Following the review by the Board of the hearings officer's recommendation, the Board will make the final decision regarding the expulsion;~~

~~If the Board has delegated authority to the superintendent [or designee] to act as the hearings officer, the superintendent may designate himself, or a third party, as the hearings officer. The hearings officer's decision is final. However, a decision of the hearings officer may be appealed by the parent or the student if age 18 or over to the Board for review. If the decision of the hearings officer is appealed to the Board for review, the findings as to the facts and the hearings officer's decision will be submitted to the Board, and will be available in identical form to the Board, the student and the student's parents at the same time. At its next regular or special meeting the Board will review the hearings officer's decision and will affirm, modify or reverse the decision;~~

- 10.8. A Board-conducted hearing or a Board review of the hearings officer's decision will be conducted in executive session unless the student or the student's parent requests a public hearing. If an executive session is held by the Board or a private hearing held by the hearings officer, the following will not be made public:
 - a. The name of the minor student;
 - b. The issues involved, including a student's confidential records;
 - c. The discussion;
 - d. The vote of Board members, which may be taken in executive session when considering an expulsion.

~~Prior to expulsion, the district must propose alternative programs of instruction or instruction combined with counseling to a student subject to expulsion for reasons other than a weapons policy violation, the~~

district must notify the student and parents of alternative programs of instruction or instruction combined with counseling and document this notification. ~~The district must document to the parent of the student that proposals of alternative education programs have been made.~~

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END OF POLICY

Legal Reference(s):

[ORS 192.660](#)

[ORS 332.061](#)

[ORS 336.615 - 336.665](#)

[ORS 339.115](#)

[ORS 339.240](#)

[ORS 339.250](#)

[OAR 581-021-0050 - 021-0075](#)

[House Bill 2514 \(2019\)](#)

OSBA Model Sample Policy

Code: KL

Adopted:

Public Complaints */**

(Version 4)

(This version of sample policy KL does not need an accompanying administrative regulation, it is a stand-alone policy. If this policy is chosen by the Board, recommend delete any other existing complaint procedure.)

{Highly recommended policy. OAR 581-022-2370 requires districts to have a complaint procedure.}

Board members recognize that complaints about schools may be voiced by [employees,] [students,] parents of students who attend a school in the district[,], and persons who reside in the district. [When such complaints are made to a Board member, the Board member shall refer the person making the complaint to the superintendent or designee. A Board member shall not attempt to respond, review, handle or resolve such complaints as the individual board member has no authority to do so.]

A complaint of retaliation against a student who in good faith reported information that the student believes is evidence of a violation of state or federal law, rule or regulation, should be made to the superintendent.

A person may initiate a complaint by discussing the matter with the [administrator] [principal]. That [administrator] [principal] shall attempt to resolve the complaint within [10] working days of initiation of the complaint with the [administrator] [principal]. If the complainant is dissatisfied, the complainant may file a written complaint with the superintendent within [10] working days of the decision from the [administrator] [principal]. The superintendent will attempt to resolve the complaint. If the complaint remains unresolved after [10] working days of receipt of the complaint by the superintendent, the complainant may appeal to the Board. A written complaint referred to the Board may be considered[at the next regularly scheduled or special Board meeting]. A final written decision regarding the complaint shall be made by the Board within [20] days from receipt of the complaint. The written decision of the Board will be final and will address each allegation in the complaint and reasons for the district's decision. If the Board chooses not to hear the complaint, the superintendent's decision is final. The Board may hold the hearing in executive session if the subject matter qualifies under Oregon law.

The timelines may be extended upon written agreement between the district the complainant. ^{1}

[The district may offer mediation or another alternative dispute resolution process as an option if all parties to the complaint agree in writing to participate in such mediation or resolution.]

Complaints against the principal should be filed with the superintendent. The superintendent will attempt to resolve the complaint. If the complaint remains unresolved within [10] working days of receipt by the superintendent, the complainant may request to place the complaint on the Board agenda [at the next regularly scheduled or special Board meeting]. The Board may use executive session if the subject matter

¹ ^{1}For district information. The district's timeline established by each step of the district's complaint procedure for alleging a violation found in OAR 581-002-0003 must be within 30 days of the submission of the complaint at any step, unless the district and complainant have agreed in writing to a longer time period for that step. However, the district's complaint procedure should not exceed a total of 90 days from the initial filing of the complaint, regardless of the number of steps involved, unless the district and the complainant have agreed in writing to a longer time period. (OAR 581-002-0005)^{1}

qualifies under Oregon law. The Board shall decide, ~~within [20] days,~~ in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within [3+0] days of receipt of the request to place the complaint on a Board meeting agenda. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. The Board shall decide, ~~within [20] days,~~ in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within [3+0] days of receipt of the complaint. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the Board as a whole or against an individual Board member should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide, ~~within [20] days,~~ in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within [3+0] days of receipt of the complaint. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the Board chair should be made directly to [district counsel] [the Board vice chair] on behalf of the Board. The [district counsel] [Board vice chair] shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide, ~~within [20] days,~~ in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within [3+0] days of receipt of the complaint. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

[A complainant must file a complaint within the later of either time limit set below, in accordance with State law:

1. Within two years after the alleged violation or unlawful incident occurred or the complainant discovered the alleged violation or unlawful incident. For incidents that are continuing in nature, the time limitation must run from the date of the most recent incident; or
2. Within one year after the affected student has graduated from, moved away from or otherwise left the district.]

The district's final decision for a complaint processed under this Board policy that alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Division 22 Standards), ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation), will be issued in writing or electronic form. The final decision will address each allegation in the complaint and contain reasons for the district's decision. If the complainant is a [student,] parent or guardian of a student attending school in the district or a person that resides in the district, and the

complaint is not resolved through the complaint process above, the complainant may file an appeal² to the Deputy Superintendent of Public Instruction under OAR 581-002-0001 – 581-002-0023 [(See KL-AR(2) - Appeal to the Deputy Superintendent of Public Instruction)].

Charter Schools of which the District Board is a Sponsor

[The district Board, [through its charter agreement with [name of public charter school sponsored by the district board]] [through a board resolution] [through this policy], will review an appeal of a decision reached by the Board of [name of public charter school] on a complaint alleging a violation of ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint or Seclusion), ORS 659.852 (Retaliation), or applicable OAR Chapter 581, Division 22 (Division 22 Standards). A complainant may appeal and will submit such appeal to the [superintendent] [Board chair] on behalf of the district Board within [30] days of receipt of the decision from the public charter school board. A final decision reached by the district Board may be appealed to the Oregon Department of Education under OAR 581-002-0001 - 581-002-0023.]

OR

[The district Board, [through its charter agreement with [name of public charter school sponsored by the district board]] [through a board resolution] [through this policy], will not review an appeal of a decision reached by the Board of the [name of public charter school] on a complaint alleging a violation of ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint or Seclusion), ORS 659.852 (Retaliation), or applicable OAR Chapter 581, Division 22 (Division 22 Standards), for which the district Board has jurisdiction, and recognizes a decision reached by the Board of [name of public charter school] as the district Board’s final decision. A final decision reached by this district Board may be appealed to the Oregon Department of Education under OAR 581-002-0001 - 581-002-0023.]

¶³ Review Process for a Public School Board Complaint Decision

The appeal of a complaint from a public charter school to be reviewed by the district Board will be presented by the Board chair and reviewed by the Board at a Board meeting. The Board may use executive session if the subject matter qualifies under Oregon law. The Board will review the appeal and make a decision about appropriate action, which may include, but is not limited to, holding a hearing, requesting information, and recognizing the decision reached by the public charter school board. A decision will be reached, within [20] days, in open session, unless allowed in executive session. A final written decision regarding the appeal shall be issued by the district Board within [10] days. The written decision of the district Board will address each allegation in the complaint and include reasons for the district Board’s decision.]

END OF POLICY

Legal Reference(s):

² An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

¶³ [If the district Board elects to hear appeals on public charter school complaints for which the district Board has jurisdiction, as decided by statements in the charter agreement, Board policy, or a board resolution, this language is recommended for this policy to delineate the process.]

[ORS 192.660](#)
[ORS 332.107](#)

[ORS 659.852](#)
[OAR 581-002-0001 - 002-0005](#)

[OAR 581-022-2370](#)

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984).
Connick v. Myers, 461 U.S. 138 (1983).



**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 corporation under Oregon Revised Statute Chapter 65 as of July 1, 2018; and

WHEREAS, the Oregon Rural School Board Advisory Committee has been active and publicly supported by OSBA’s Board of Directors since April 22, 2022; and has developed a mission statement and goals; and has established bylaws; and

WHEREAS, the Advisory Committee is ready to elect officers and their Rural Leadership Assembly; and

WHEREAS, the Advisory Committee has articulated its mission as follows: “To build collaborative relationships and promote quality education for all students with emphasis on the unique needs of school boards and students in rural communities.”

WHEREAS, OSBA’s Board of Directors recognizes the importance of the Advisory Committee's value and mission; and

WHEREAS, the Advisory Committee has respectfully requested that the Board of Directors submit a resolution to the membership creating the Oregon Rural School Board Members Caucus 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 a 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 2023 OSBA election; and

BE IT FURTHER RESOLVED that the bylaws with the proposed amendments 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 RURAL SCHOOL BOARD MEMBERS 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 of 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 rural students.

To this end, The OSBA Board of Directors has formally recognized the Oregon Rural School Board Members 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 Rural School Board Members Caucus of the Oregon School Boards Association (OSBA).

2.2 Mission: To build collaborative relationships and promote quality education for all students with emphasis on the unique needs of school boards and students in rural communities.

2.3 Goals:

2.2.1 To elevate the voice of rural school districts and recognize their unique needs.

2.2.2 To build and maintain collaborative relationships between OSBA and rural school boards.

2.2.3 To develop, promote, and advance legislation supporting rural schools and understand the impact of statewide legislation to each rural community and district.

2.2.4 To build collaborative relationships and promote quality education for all students with emphasis on the unique needs of school boards and students in rural communities.

2.2.5 To support school boards in rural communities by prioritizing professional development of rural board members and bringing training and other resources to rural areas.

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 serve a school district with a population density of less than 200 people per square mile and/or total school district population less than 20,000 people.* All board members of Oregon Education Service Districts are eligible to participate in the Rural Caucus. If a school board member or district does not meet the aforementioned qualification but feels they are indeed a rural district, an appeal process will be available as outlined in policy. Caucus members may participate in all discussions, vote, and serve as an officer of the Caucus. Members must attend the meeting in person (or virtually) *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/Treasurer.

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 (or virtually) within Oregon as designated by the President or the Executive Committee.

5.3 Notice.

5.3.1 Notice and agenda of every annual meeting, regular or special meeting of members, stating the time and place thereof, shall be posted to the OSBA website, no less than 14 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. Minutes from each meeting shall be posted to the OSBA website.

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.

ARTICLE 6

Rural Leadership Assembly

6.1 Composition. The Rural Leadership Assembly of the Caucus shall consist of 9 members, and shall include *one representative from each OSBA district with 10 or more districts defined as rural (Regions 1, 2, 4, 6, 9, and 14), plus 3 at-Large* members. The executive committee (President, Vice-President, Secretary/Treasurer) shall be elected from the body of the Rural Leadership Assembly by the members of the Rural School Board Members Caucus.

6.2 Terms. **The Rural Leadership Assembly members shall each serve two-year terms. The President, Vice-President & Secretary/Treasurer shall each serve a one-year term. The President, 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. Rural Leadership Assembly members may be nominated by either (a) the nominating committee, or (b) 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. Positions 1, 4, 9, and at large #1 shall be elected in even numbered years, and positions 2, 6, 14, at large #2 and at large #3 shall be elected in odd 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.

6.4.2 Vice President. The Vice President shall have such duties as from time-to-time may be assigned by the Executive Committee, and in the absence of the President, the Vice-President shall have and perform all the powers and duties of the President.

6.4.3 Secretary/Treasurer. The Secretary/Treasurer shall keep the minutes and records 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. The Secretary/Treasurer shall maintain a roster of the current membership. The Secretary/Treasurer shall have the responsibility for receiving and disbursing all funds related to the Caucus in coordination with the OSBA liaison. The Secretary/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.

6.5 Resignation. A Leadership Assembly member may resign by filing a written resignation with the President or Secretary/Treasurer 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 Leadership Assembly at the next regular or special meeting.

6.7 Removal. Any member of the Leadership Assembly who misses more than two meetings out of any four consecutive meetings, *unless they are* excused by the Executive Committee for a valid reason, may *have their* position vacated by action of the Leadership Assembly.

ARTICLE 7

EXECUTIVE COMMITTEE

7.1 Composition. There shall be an Executive Committee made up of the President, Vice-President, and Secretary/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) Members of the Executive committee will be elected from the Rural Leadership Assembly.

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 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 may establish committees of 2 or more members to serve at the discretion of the President. These committees would consist of such persons and perform such duties as the President designates from time to time; provided, however, that 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 Leadership Assembly.

ARTICLE 9

SEAT ON THE OSBA’S BOARD OF DIRECTORS AND LEGISLATIVE POLICY COMMITTEE

9.1 The Caucus shall appoint one officer from the Rural Leadership Assembly to serve as liaison to the OSBA Board of Directors and to be a voting member of the OSBA Board of Directors for a two year term. That liaison shall hold all of the rights and responsibilities of a member of the OSBA Board of Directors.

9.2 The Caucus shall appoint one member from the Rural Leadership Assembly to serve on the Legislative Policy Committee for a term of two years.

ARTICLE 10

GENERAL PROVISIONS

10.1 Amendment of Bylaws

10.1.1 Bylaws may be altered, amended, or replaced by a majority vote of the members of the Caucus who are present and voting at the annual meeting.

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.

The foregoing charter was adopted by the active membership of the OSBA Rural Caucus on (____)month (____) date (____) year.



Resolution

Resolution to Amend the OSBA's 2018 Bylaws

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

WHEREAS, in 2017, through a vote of the Membership, OSBA was incorporated under ORS Chapter 65 to nonprofit status and Bylaws replaced the Constitution.

WHEREAS, in 2018, through a vote of the Membership, the Bylaws were amended to expand the OSBA Board of Directors and the Legislative Policy Committee with representatives from the School Board Members of Color Caucus.

WHEREAS, The Bylaws have not been amended since 2018, the OSBA Board of Directors determined, based on its review of the proposed changes, that it was in the membership's best interest to amend the Bylaws; and

WHEREAS, the following only reflects a high-level overview of the proposed changes, all changes are reflected in the proposed bylaws.

- Clarification of the Membership voting process for both resolutions and bylaw amendments.
- Clarification of an exception to the term limits for the OSBA director serving as immediate past president.
- Clarification of the definition of a quorum for the OSBA Board of Directors.
- Combining the Finance and Budget Committees and outline the terms of the members.
- Adding a Rural School Boards Caucus representative to the Board of Directors and the Legislative Policy Committee (LPC).
- Adding language to reflect the School Board Members of Color Caucus representation on the LPC, which was inadvertently omitted during the 2018 amendment.
- Adding information regarding the PACE Board of Trustees under the Committees and Caucus section of the Bylaws.
- Adding language stating caucuses must comply with OSBA policies/guidelines and adding language to establish the Rural caucus.
- Edits to grammar, punctuation, and language for readability.

WHEREAS, after reviewing the recommended OSBA Bylaws as proposed by staff and legal counsel, the OSBA Board of Directors supports the recommendation to amend the Bylaws:

THEREFORE, BE IT RESOLVED by the OSBA Board of Directors that the proposed Bylaws be submitted to the membership for consideration during the 2023 OSBA election; and

BE IT FURTHER RESOLVED that the proposed Bylaws and a copy of this resolution be forwarded to all member boards of the Association in accordance with the OSBA Board of Directors adopted elections calendar.

Submitted by: OSBA Board of Directors



BYLAWS

As Amended by the Membership: December 2018

Suggested Revisions: September 23, 2023

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SECTION 1 PURPOSE

~~A.~~ The Oregon School Boards Association (the “Association”) 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:

~~B.A.~~ To work for the general advancement and improvement of the education of all public school children of the State of Oregon.

~~C.B.~~ To gather and disseminate information pertinent to the successful operation of public schools.

~~D.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.

~~E.D.~~ To work for adequate and dependable financial support for the public schools of this state.

~~F.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.

~~G.F.~~ To encourage the establishment and maintenance of best practices and high standards in the conduct and operation of the public school educational system.

~~H.G.~~ To study and interpret educational programs and to relate them to the needs of pupils.

~~I.H.~~ To promote public understanding of the role of school boards and school board members in the improvement of education.

~~J.I.~~ To conduct seminars, conferences, and research projects in the various aspects of education for the benefit of members.

~~K.J.~~ To endeavor to implement the policies, beliefs and resolutions of the Association members and board of directors.

~~L.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.

~~M.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;
- 2.3.2** Election and removal of the Legislative Policy Committee (“LPC”) members;
- 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 ~~between-of~~ 39,000.1 ~~and-above~~ 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 30th. 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 county 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.

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.

2.6.2 Regional elections shall be taken by majority vote 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 2.11.

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, any other officer or person whom the president may designate, shall report on the state of the Association, the activities and 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 an annual or special meeting, or conduct the meetings through, 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 or permitted to be taken at a members' meeting may be taken without a meeting if the Association will delivers a written ballot to every member entitled to vote on the matter. ~~A written ballot shall set forth each proposed action and provide an opportunity to vote for or against each proposed action. 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 the number of votes that would be required to approve the matter at a meeting at which the total number of votes cast is the same as the number of votes cast by ballot. A written ballot shall set forth each proposed action, indicate the number of responses needed to meet the quorum requirements, state the percentage of approvals necessary to approve each matter, and specify a reasonable time by which a ballot must be received by the Association in order to be counted. Once delivered, a written ballot may not be revoked.~~

~~**2.13 Unanimous Written Consent.** Any action required or permitted to be taken at a members' meeting may be taken without a meeting if the action is taken by all members entitled to vote on the matter. The action shall be evidenced by one or more written consents describing the action taken, signed by each member, and included in the minutes or filed with the corporate records reflecting the action taken. Action taken under this section is effective when the last member entitled to vote on the matter signs the consent, unless the consent specifies an earlier or later effective date.~~

~~**2.13 Quorum and Voting.** A quorum of the members shall consist of those votes represented at a meeting of the members. If a quorum is present when a vote is taken, the affirmative vote of a majority of the votes represented and voting when the action is taken is the act of the members except to the extent that the articles of incorporation, these bylaws, or applicable law require the vote of a greater number of members. 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.~~

~~**2.1.4 Approval:** With the exception of approving amendments to the Association's bylaws, which is outlined in Section 7.1 of these bylaws, approval by written ballot is effective when:~~

~~2.14.1 The number of votes cast by ballot equals or exceeds a quorum of the members;
and~~

~~2.1.4.2 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 2.2, all corporate powers shall be exercised by or under the authority of and the affairs of, are managed under the direction of a-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 24-25 persons. The number of directors may be fixed or changed periodically, within the minimum, and maximum 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 an officer~~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 regionally elected directors, one designated director as defined in the bylaws of the Oregon School Board Members of Color Caucus, one designated director as defined in the bylaws of the Oregon Rural School Boards Caucus and ex-officio nonvoting members 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 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. The nomination and election of directors shall be in accordance with the elections calendar annually adopted by the board. 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. 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 of the members shall be elected. In cases where there are more than two candidates nominated for any position, and none receives a majority of the votes cast, 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.

3.5.3 Designated Representative. ~~In accordance with their bylaws, caucuses of OSBA, The Oregon School Board Members of Color Caucus~~ shall appoint ~~an officer a representative~~ of the Caucus to serve as a director of the Association. The ~~appointee, as defined in the Caucus bylaws representative must, shall~~ 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. All Association bylaws and policies shall apply to the designated representative serving as the Caucus' director of the Association.

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 of the Confederation of School Administrators;
- (e) The board section president 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 the board of directors may appoint.

3.6 Vacancies. In the event that any director position₇ other than the immediate past president 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 region₂, 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. 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~~~~the Members of Color Caucus' director position~~, then the ~~Caucus-caucus~~ shall, as set forth in Section 3.5.3, appoint a new ~~Caucus caucus officer-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 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. 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. 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. The board of directors may hold annual, regular or special meetings at any location in ~~or out of~~ the State of Oregon.

3.10 Notice of Meetings. All members 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 shall also comply with all procedures and include any information as required by ORS Chapter 192.

3.11 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.

~~**3.12 Quorum and Voting.** A quorum of the board of directors shall consist of a majority of the number of directors in office immediately before at the time the meeting begins. 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.~~

~~**3.123.13 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.;~~

~~**3.133.14 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.~~

3.143.15 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.

3.153.16 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 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 five officers of the board of directors: the president as chairman, the president-elect, the vice president, the secretary-treasurer and the immediate past president. The executive committee may act, pursuant to delegation of authority to such committee by the board of directors, 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 by mail, email or at the next 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 Association secretary/treasurer and vice president, one Association board director from the PACE board, one district business official and one at-large board member. ~~The finance committee shall operate within the guidelines of the corporation's investment policy and the Finance Committee Operating Manual.~~

(a) 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.

(b) The finance committee shall operate within the guidelines of the corporation's investment policy guidelines and the Finance Committee Operating Manual Guidelines.

4.1.24.1.3 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. 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 and the regional representatives elected under the procedures defined in 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 the Oregon Rural School Boards Caucus. All committee members must be elected or appointed directors of a member. The vice president of the ~~board~~board of directors shall chair the LPC.

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

(d) Election. Each LPC member shall be elected by majority of member boards of a region. Each region shall elect the number of LPC members as described in Section 3.5, without regard to Section 3.5.1(d). Such elections shall be held using the procedures described in Section 3.5.2.

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

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 bylaws Restated Trust Agreement, the PACE trustees shall nominate trustee candidate(s) to the OSBA board of directors. The nominees shall be elected by 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.

(a) 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 Clearly articulate the vision, mission and goals of the Caucus.

4.4.2 Adopt bylaws for operating, programming and governing within the context of the Association bylaws described herein.

4.4.3 Comply with Association policies and guidelines.

4.4.34.4.4 Caucuses shall be added or eliminated to this provision through the amendment process described in these bylaws.

4.4.5 With the adoption of this section, the The Oregon School Board Members of Color Caucus is was established by a vote of the membership in 2018.

4.4.5 With the adoption of this sections, the Oregon Rural School Boards Caucus is established.

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 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.

5.2 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.

5.3 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 a term for another officer who was unable to complete a term and is then voted into the same position the following year. The secretary-treasurer may serve up to two consecutive one-year terms. Directors and members of committees may receive reimbursement of such expenses as may be determined by resolution of the board of directors to be just and reasonable. Directors shall not otherwise be compensated for service in their capacity as directors.

5.4 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.

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

5.5.1 President: The president shall preside at all member meetings of the Association and of the board of directors; shall appoint, committees subject to the approval of the board of directors; shall call all regular and special meetings as provided herein; shall be ex-officio voting member of all committees. The president shall automatically serve as immediate past president for the following term. The president serves for a term of one calendar year.

5.5.2 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.

5.5.3 Vice president: In the absence of the president-elect 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.

5.5.4 Secretary-treasurer: The secretary-treasurer shall be responsible for keeping in a suitable minute book accurate minutes of all board of director meetings; 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, 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.

5.5.5 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.

5.5.6 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, race, creed, marital status, sexual orientation, religion, color, age, disability, or national origin.

SECTION 7 GENERAL PROVISIONS

7.1 Amendment of Bylaws.

7.1.1 Amendments to the bylaws may be initiated by the board of directors or submitted by a member to the board of directors. ~~Amendments must be approved by a vote of two-thirds majority of the members at any regular or special meeting. 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. Such notice shall be provided by US mail or email at least 15 days prior to the member meeting at which the vote will take place.~~

7.1.2 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.

7.1.3 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.

7.1.4 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.

7.1.5 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.

7.1.27.1.6 Whenever an amendment or new bylaw is adopted, it shall be copied in the minute book 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.

7.2 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.

7.3 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.

7.4 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.

7.5 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.

7.6 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.

7.7 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.

7.8 Fiscal Year. The fiscal year of the Association shall begin on the first day of July 1 and end on the last day of June in each year.

7.9 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 14, 2018. 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.

DRAFT

Crosswalk for OSBA Proposed Bylaw changes
 New language is underlined; deleted language is ~~struck through~~; and moved language is **highlighted**.

Section	Proposed Language	What changed
2.12	<p>Action by Written Ballot. Any action required <u>of the members will be taken by written ballot and</u> or permitted to be taken at a members' meeting may be taken without a meeting if the Association will deliver a written ballot to every member entitled to vote on the matter. A written ballot shall set forth each proposed action and provide an opportunity to vote for or against each proposed action. 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 the number of votes that would be required to approve the matter at a meeting at which the total number of votes cast is the same as the number of votes cast by ballot. A written ballot shall set forth each proposed action, indicate the number of responses needed to meet the quorum requirements, state the percentage of approvals necessary to approve each matter, and specify a reasonable time by which a ballot must be received by the Association in order to be counted. Once delivered, a written ballot may not be revoked.</p>	<p>This is a major edit that clarifies the process for membership voting. The current language assumed voting by the membership might take place in a face-to-face meeting, which will never occur as we consider our members to be school boards, esd board and community college boards and not individuals board members. This change clarifies the process of action of the membership by written ballot.</p>
2.13	<p>Unanimous Written Consent. Any action required or permitted to be taken at a members' meeting may be taken without a meeting if the action is taken by all members entitled to vote on the matter. The action shall be evidenced by one or more written consents describing the action taken, signed by each member, and included in the minutes or filed with the corporate records reflecting the action taken. Action taken under this section is effective when the last member entitled to vote on the matter signs the consent, unless the consent specifies an earlier or later effective date.</p>	<p>Language removed as the organization only allows membership voting via a written ballot. (See above).</p>
2.1.4 <u>2.1.3</u>	<p>Quorum and Voting. A quorum of the members shall consist of those votes represented at a meeting of the members. If a quorum is present when a vote is taken, the affirmative vote of a majority of the votes represented and voting when the action is taken is the act of the members except to the extent that the articles of incorporation, these bylaws, or applicable law require the vote of a greater number of members. <u>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.</u></p>	<p>Edited to clarify the definition of a quorum.</p>
2.1.4	<p>Approval: <u>With the exception of approving amendments to the Association's bylaws, which is outlined in Section 7.1 of these bylaws, approval by written ballot is effective when:</u></p> <p><u>2.14.1 The number of votes cast by ballot equals or exceeds a quorum of the members; and</u></p>	<p>Edited to clarify what is needed for approval when the membership is voting by ballot.</p>

Crosswalk for OSBA Proposed Bylaw changes
 New language is underlined; deleted language is ~~struck through~~; and moved language is **highlighted**.

Section	Proposed Language	What changed
	<u>2.1.4.2</u> The number of approvals equals or exceeds a majority of the number of returned ballots.	
3.2	Qualifications. Directors must serve on the board of a member of the Association <u>throughout the duration of their term, with the exception of the director serving as past president.</u>	Edit to specify an exception for the past president position only.
3.3	Number. The board of directors shall consist of not fewer than three nor more than 24 <u>25</u> persons. The number of directors may be fixed or changed periodically, within the minimum, and maximum by the members.	Edit to account for Rural Caucus appointee to the Board of Directors.
3.4.3	If a director serving as an officer 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 <u>immediate</u> past president.	New language added to specify an exception for the past president position only.
3.5	Composition. The board of directors will be comprised of up to 23 regionally elected directors, one designated director as defined in the bylaws of the Oregon School Board Members of Color Caucus, <u>one designated director as defined in the bylaws of the Oregon Rural School Boards Caucus</u> and ex-officio nonvoting members as delineated in Section 3.5.4.	Edit to correct grammar and new language added to add the Rural Caucus appointee to the Board of Directors.
3.5.3	Designated Representatives. <u>In accordance with their bylaws, caucuses of OSBA, The Oregon School Board Members of Color Caucus shall appoint an officer</u> a representative of the Caucus to serve as a director of the Association. The appointee, as defined in the Caucus bylaws representative must, shall 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. All Association bylaws and policies shall apply to the designated representative serving as the Caucus' director of the Association.	Edit to account for Rural Caucus appointee to the Board of Directors and any future Caucus.
3.6	Vacancies. In the event that any director position, other than the immediate past president 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. 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 <u>an OSBA caucus-designated director position,</u> Members of Color Caucus' director position,	Edit to account for Rural Caucus appointee to the Board of Directors and any future Caucus.

Crosswalk for OSBA Proposed Bylaw changes
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	then the C caucus shall, as set forth in Section 3.5.3, appoint a new C caucus officer-representative to serve the remaining term.	
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Section	Proposed Language	What changed
3.12	Quorum and Voting. A quorum of the board of directors shall consist of a majority of the number of directors in office <u>at the time</u> the meeting begins. 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.	Edited to clarify the definition of a quorum for the OSBA Board of Directors. Highlighted text was moved to section 3.13.
3.13	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.	Language moved from section 3.12 but there is no change to current language.
2.1.2	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 Association secretary/treasurer and vice president, one Association board director from the PACE board, one district business official and one at-large board member. The finance committee shall operate within the guidelines of the corporation’s investment policy and the Finance Committee Operating Manual. (a) <u>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.</u> (b) The finance committee shall operate within the guidelines of the corporation’s investment policy guideline(s) and the Finance Committee Operating Manual guideline.	Highlighted struck out language moved to (b). New language added related to the terms finance committee members. Language moved from 2.1.2 and edited language to reflect the committee’s use of guidelines and not policies.
4.1.3 (b)	<u>Composition.</u> The LPC shall be composed of the voting members of the board of directors and the regional representatives elected under the procedures defined in 4.1.3(c) and (d) <u>and one designated voting member as defined in the bylaws of the Oregon School Board Members of Color Caucus and the</u>	Added language to add the School Board Members of Color caucus, which was inadvertently omitted during the previous amendment. Added language to include the Rural School Boards Caucus.

Crosswalk for OSBA Proposed Bylaw changes
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	<u>Oregon Rural School Boards Caucus.</u> All committee members must be elected or appointed directors of a member. The vice president of the board <u>of directors</u> shall chair the LPC.	
Section	Proposed Language	What changed
4.14	<p><u>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.</u></p> <p><u>(a) 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.</u></p>	This is new language to add PACE Trustees under the Committees and Caucus section and to outline the process for appointment as well as the terms of the members.
4.4	Caucuses	New language stating caucuses must comply with OSBA policies/guidelines.
4.4.3	<u>Comply with Association policies and guidelines.</u>	
4.4.5	<u>The Oregon School Board Members of Color Caucus is was established by a vote of the membership in 2018.</u>	Edited language outlining when the OSBMCC was established.
4.4.6	<u>With the adoption of this sections, the Oregon Rural School Boards Caucus is established.</u>	New language to establish the Rural caucus.
Section 7.1	Amendment to bylaws	
7.1.1	<p>Amendments to the bylaws may be initiated by the board of directors or submitted by a member to the board of directors. Amendments must be approved by a vote of two thirds majority of the members at any regular or special meeting. 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. Such notice shall be provided by US mail or email at least 15 days prior to the member meeting at which the vote will take place.</p>	This section was edited for clarity and readability. No substantial change to content. The highlighted language was moved to the next paragraph but there was no change to the language.

Crosswalk for OSBA Proposed Bylaw changes
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7.1.2	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.	This language was moved from the section above with no changes.
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Section	Proposed Language	What changed
7.1.3	<u>Action by Written Ballot:</u> 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.	This is new language to outline the process of voting on bylaw changes.
7.1.4	<u>Approval:</u> 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.	Language added to clarify approval of the membership on bylaw changes.
7.1.5	<u>Quorum:</u> 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.	Language added to clarify the definition of a quorum for action on bylaw changes.

Minor Edits

Section	Proposed Language
1	Purpose: No change to language – formatting change only
2.4.2	Voting Power/Resolution: (d) K-12 Local Districts with an ADMr between of 39,000.1 and above or more shall have five votes.
3.1	Powers. Except as provided under Section 2.2, all corporate powers shall be exercised by or under the authority of and the affairs of, are managed under the direction of a <u>the</u> board of directors. The board of directors shall adopt policies defining specific obligations of the board of directors.
3.5.2	Regional Election. The nomination and election of directors shall be in accordance with the elections calendar <u>annually</u> adopted by the board.
3.9	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. 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. A special meeting of the

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	board of directors may be called by the president or the president-elect or 20 percent of the board of directors. The board of directors may hold annual, regular or special meetings <u>at any location in or out of</u> the State of Oregon.
4.1.3	Legislative Policy Committee. The board of directors shall maintain a Legislative Policy Committee (<u>LPC</u>).