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**Policies Pertaining to the  
Organization and Management of the  
Oregon School Boards Association**

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# **Policies Pertaining to the Organization and Management of the Oregon School Boards Association**

## **Section A: Governance**

### *Policy Section: 100 Board and Executive Committee*

#### **Policy: 100.1 Association Board of Directors**

*Adopted - January 25, 2004; November 8, 2007; June 26, 2011; September 18, 2011; January 24, 2014; January 20, 2017*

As used in this policy, the name of the governing body of the association is the board of directors in accordance with the constitution.

The Board shall consist of up to 21 regionally elected directors including 2 members to represent the regions of the president and immediate past president when those officers come from regions that have only one representative and to include the following officers: president, president-elect, vice president, immediate past president and secretary-treasurer. Officers are nominated and elected by the Board. In the filling of any board vacancy by appointment, pursuant to Article 10, Section 4 of the OSBA constitution, the Board will consult with local boards in the affected region.

The following shall serve as ex-officio members of the Board with the same rights and privileges as elected members except to vote and/or hold an officer position:

1. Any director of the National School Boards Association elected from Oregon;
2. The past president of the Oregon Association of School Executives or designee;
3. The past president of the Confederation of Oregon School Administrators or designee;
4. The chair of the Oregon Board of Education or designee;
5. The president of the Oregon Association of Education Service Districts (OAESD) or designee, as specified in the constitution;
6. The president of the Oregon Community College Association or designee, as specified in the constitution; and
7. Such other members as shall provide balance to the Board.

The Board shall adopt a board member position description that includes the duties of the Board as follows:

1. It shall carry on the necessary business of the association between special and annual meetings thereof. The Board may adopt such rules and regulations as deemed necessary for the conduct of its business and may, in the execution of powers granted, delegate certain of its authority and responsibility to the Executive Committee.
2. It may employ a salaried executive director and shall determine this position's salary and duties.
3. It shall, at regularly called meetings thereof, fill all vacancies in any office until the next scheduled board member election.
4. It shall meet not less than twice annually and when called by the president, or upon written notice served on the members of the Board by not less than three members thereof, in accordance with the Public Meetings Law.

5. It shall determine the place, date and hour of regular meetings of the association and serve or cause to be served proper notice to all members as provided herein.
6. It shall adopt an annual budget for the association.
7. It shall pass upon appointments by the president to committees.
8. It shall require an annual audit of the books of the secretary-treasurer and any other officer or employee who handles association funds.
9. It shall determine the site of the head office of the association.
10. It shall authorize such special committees as it deems necessary for the proper conduct of the affairs of the association.
11. It shall formally review the establishment of the regional structure of the association at least every three years. Any recommended changes to the regional structure shall be submitted to the membership in accordance with the provisions of Article 12 of the constitution.
12. It shall promote the active involvement of member school boards in the regional structure of the association.
13. It shall prepare and distribute an impact statement for any resolution to be placed before the membership.

See Const. Article 1, 2, 5, 6 and 12

**Policy: 100.2 Executive Committee**

*Adopted - November 8, 2007; June 26, 2011; January 20, 2017*

The Executive Committee shall consist of five officers of the Board: the president as chair, the president-elect, the vice president, the immediate past president, and the secretary-treasurer. The Executive Committee may act, pursuant to delegation of authority to such committee by the Board, in place and stead of the Board between board meetings on all matters, except those specifically reserved to the Board by this constitution. Actions of the Executive Committee shall be reported to the Board by mail or at the next board meeting.

See Const. Article 5 & 7

**Policy: 100.3 President**

*Adopted - November 8, 2007; June 26, 2011; January 20, 2017*

The president, who presides at all OSBA functions, shall:

1. Consistent with the constitution, appoint all committees, subject to the approval of the Board;
2. Call all regular and special meetings;
3. Serve as an ex-officio member of all committees.

See Const. Article 5.

**Policy 100.4: Accepting of Sponsorships**

*Adopted - September 21, 2012; November 11, 2012; January 20, 2017*

OSBA applies the following policies when accepting sponsorships from corporations and other organizations:

1. Each sponsorship, whether providing a cash or in-kind contribution, must be approved by the OSBA executive director. The terms and conditions of each sponsorship must be set forth in a written agreement executed by the executive director and by a corporate officer of the sponsoring organization.
2. Sponsors will have no control over the association's decisions or policies.
3. Access to the OSBA's membership list and subscriber list will be controlled by the association. Any mailings to members/subscribers handled by the association itself. Membership and/or subscriber lists will not be provided directly to sponsors unless approved by the executive director. Sponsorship agreements will adhere to all other conditions of the association's information privacy and use terms.
4. Any sponsorship programs that utilize OSBA content or other member information will conform to the association's author rights and/or copyright agreement. All reprints and other content will be published as it appears in the original publication, except for corrections indicated and approved by the association.

OSBA will not accept sponsorships from the following types of organizations:

1. Companies that manufacture, sell, or promote tobacco, alcohol, or firearms, or organizations that advocate for such companies.
2. Companies or organizations that publicly or privately advocate messages or missions conflicting to the interests of the association, its members, and/or the association's mission. Partisan political, lobbying, advocacy, and/or cause organizations beyond those supportive of the association mission and approved by the association's executive director.

As part of each agreement, the association will reserve the right to prior review and approval for any sponsor materials, regardless of medium, that incorporate the associations name and/or marks. The association will also retain the right to cancel any sponsorship at any time.

All approved sponsorships accepted on behalf of the association shall be reported to the Board in a timely manner.

**Policy 100.6: Board Member Removal from Office**

*Adopted - November 11, 2012; January 20, 2017*

The Board may declare the office of a director vacant upon any of the following:

1. The death or resignation of an incumbent;
2. When an incumbent ceases to discharge the duties of office for two consecutive regularly scheduled board meetings, unless prevented by sickness or unavoidable cause;
3. When an incumbent ceases to discharge the duties of office for four regularly scheduled board meetings for any reason.



## Policy Section: 200 Secretary-Treasurer

### **Policy: 200.1 Elections and Duties**

*Adopted - November 8, 2007; June 26, 2011; September 18, 2011; January 20, 2017*

A secretary-treasurer shall be elected by the Board. The duties of the secretary-treasurer shall be to keep a suitable minute book of accurate minutes of all Board meetings; arrange for proper banking facilities; receive, account for and disburse funds in a businesslike manner as provided for by the Board; carry on official correspondence of the association; see that the minutes of the previous meetings are read; and 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. This person serves for one calendar year.

Keeping of minutes, carrying on official correspondence of the association, arranging for proper banking facilities, and receiving, accounting for and disbursing funds are delegated to the executive director.

See Const. Article 5 & 7.

### **Policy: 200.2 Auditor**

*Adopted - November 8, 2007; September 18, 2011; September 28, 2013; January 20, 2017*  
*Reviewed - June 26, 2011*

The Board shall provide for an annual audit of the association finances and recordkeeping by an independent auditing firm. Every five years the Board will review the contract with the audit firm and, if necessary, solicit request for proposals from qualified municipal auditors.

The Board, the Executive Committee and the Finance Committee, along with OSBA staff members, may meet with the auditors prior to the commencement of the audit.

The Board should meet with the auditors following the completion of the audit and the financial statements. This meeting should occur by the January board meeting. The OSBA staff may be excused and not be present during this meeting.

### **Policy: 200.3 Financial Statements**

*Adopted - September 28, 2013; January 20, 2017*

The Board shall receive monthly financial statements that include monthly profit or loss, balance sheet, and investment statements from the OSBA financial advisor and or custodial institution.

## Policy Section: 300 Responsibility of Staff

### **Policy: 300.1 Delegation of Authority**

*Adopted - June 26, 2011; January 20, 2017*

Upon establishing association policies and directives, the Board delegates to the executive director the responsibility for the operation of the association and to represent the association in external matters relevant to the association. Additionally, the executive director has the authority to delegate responsibility to staff to achieve effective operation of the association.

**Policy: 300.2 Executive Director Evaluation**

*Adopted - September 18, 2011; January 20, 2017*

*Reviewed - June 26, 2011*

The Board shall evaluate the executive director annually in accordance with personnel procedures appropriate for chief executive officers. The evaluation year shall cover the period July through June. The calendar of evaluation activity shall be mutually determined by the Board and executive director at the June meeting prior to the July beginning of the evaluation cycle and shall include a mid-year review. Goals for evaluation shall be identified by September 30 of the annual evaluation cycle.

**Policy: 300.3 Hiring & Dismissal Authorization**

*Adopted - May 18, 2003; June 26, 2011; January 20, 2017*

*Reviewed - March 12, 2016*

The Board delegates to the executive director the hiring of staff or the executive director's designee the responsibility for the selection and dismissal of staff.

**Policy: 300.4 Hiring of Staff**

*Adopted - June 24, 2001; June 26, 2011; September 18, 2011; March 12, 2016;*

*January 20, 2017*

OSBA believes that hiring qualified individuals to fill positions contributes to the overall strategic success of OSBA. Each employee, while employed, is hired to make significant contributions to OSBA. In hiring the most qualified candidates for positions, the guidelines set out in policy 3500.1 - Employee Ethics and Conflicts of Interest and the following hiring process is applicable.

**PROCEDURE:**

**Personnel Requisitions**

Personnel requisitions must be completed in order to fill OSBA positions. Requisitions must be initiated by the program director. All personnel requisitions require approval by the executive director or designee prior to being forwarded to human resources. Personnel requisitions should indicate the position's hours/shifts, status, reason for the opening, essential job functions and qualifications or a current job description may be attached, and any special recruitment advertising instructions. Compensation will be determined in conjunction with human resources.

**Job Postings**

All regular exempt and nonexempt job openings are posted internally and advertised externally simultaneously. Internal notice will be given via email and the application materials will be posted on the OSBA website. Vacancies will remain posted until the position is filled or at management's discretion.

Positions are advertised externally based upon need and budget requirements. Human resources is responsible for placing all recruitment advertising.

## **Internal Transfers**

Employees who have been in their current position for at least six months may apply for other open positions at OSBA. This required service period may be waived with the consent of the employee's manager and human resources. To obtain a waiver, employees must complete the Internal Job Opening Request Form. The form should be completed and turned into human resources within the first week the job is posted. All applicants for a posted vacancy will be considered on the basis of their qualifications and ability to perform the job successfully. Internal candidates who are not selected will be notified by human resources. Once transferred to a new position, employees will enter into an introductory period of six months for the new position.

## **Interview Process**

Human resources or the hiring director will screen application materials prior to scheduling interviews. Initial interviews are generally conducted by human resources and the hiring director. Team interviews will be conducted for all hires except internal transfers where team interviews may be used. Members of the interview team will be approved by the executive director. When a team interview is conducted, a structured interview process is required. Interview questions should be compiled by the interviewing team and reviewed by human resources.

After the team completes the interview process, the results of the interview should be forwarded to the hiring director for review. The hiring director will make a recommendation to the executive director. The executive director has ultimate responsibility for making a hiring decision.

All applications and resumes of applicants not selected will be forwarded to human resources for appropriate retention. Human resources will notify applicants who are not selected about the closing of OSBA positions.

## **Reference Checks, Criminal Background Checks, and Drug Testing**

Once a decision has been made regarding interest in hiring an applicant, an offer will be made contingent upon satisfactory completion of reference checks and, as appropriate, criminal background checks. The hiring director or human resources will check references for all candidates. As appropriate, human resources will contact final candidates to complete a pre-employment drug screen. Drug testing site maps and hours of operation information are available from human resources.

## **Job Offers**

Once human resources receives satisfactory results from the reference checks, criminal background check and the drug screen, as appropriate, human resources or the hiring director will notify the candidate and confirm the initial offer.

## **Initial Start Date and Orientation**

On the initial start date, new employees will complete required paperwork and orientation. Supervisors will complete the New Hire Checklist with new employees. All required paperwork should be returned to human resources, including the original application materials within one week of hire date.

**Policy: 300.5 Employee Compensation**

*Adopted - April 2, 2011; June 26, 2011; September 18, 2011; January 20, 2017*

OSBA strives to compensate its staff with salaries and other benefits comparable to those found in similar jobs located in the public and private labor markets.

The Board is responsible for setting the executive director's compensation. The Board will strive to do so at or near the national average for other state school boards associations with similar sized annual operating budgets, as well as within the range established by comparable nonprofit associations in Oregon and other comparators deemed appropriate by the Board.

The executive director is responsible for establishing salary, benefits and bonuses, where applicable, for staff. OSBA strives to establish compensation within three years of initial hire date that are at or near the national average for other state school boards associations with similar sized annual operating budgets, as well as within the range established by comparable nonprofit associations in Oregon and other comparators deemed appropriate by the executive director.

As part of the annual budgeting process the Board will receive information from the executive director or the executive director's designee documenting compensation ranges for all positions and a compensation report for positions with compensation of \$100,000 or more. The Board will review and approve, in the aggregate, funds to be allocated for total compensation, which would include aggregate amounts for salaries, bonuses and all other related expenses, including funds allotted for benefit plans, as recommended by the executive director.

**Policy: 300.6 National School Boards Association (NSBA) Relationships**

*Adopted - September 18, 2011; January 20, 2017*

Membership in the National School Boards Association (NSBA) is maintained by the Board. Continuous liaison with the NSBA is the responsibility of the executive director and an Oregon representative when one is serving on the NSBA board of directors. Officers of the association will serve as delegates and alternates to the delegate assembly during the annual NSBA convention. Officers of the association and the executive director will maintain relationships with the Pacific Regional Conference for state associations. The executive director will maintain OSBA's relationship with the executive directors' association comprised of the chief staff person of each of the state school board associations. The Board encourages participation in and, at the discretion of the Board, financially supports attendance at national caucuses and NSBA events.

**Policy: 300.7 Publishing of OSBA Materials**

*Adopted - January 20, 2017*

The Board delegates to the executive director, within budget limitations, the responsibility for the publishing and distribution of materials deemed necessary to carry on the work of the association.

The executive director may establish charges for published materials when deemed necessary.

**Policy: 300.75 Logos**

*Adopted - November 11, 2012; January 20, 2017*

The logos of the Oregon School Boards Association and its individual programs, divisions and departments are the sole and exclusive property of the association. No person, group, organization or association may use, in any manner whatsoever, any logo without the express written permission of the executive director or his/her designee specifying the nature, extent, purpose, and duration of such use.

In the event the use of any OSBA logo involves a profit-making venture, irrespective of the legal status of the user, the terms and conditions of such use shall be provided in a mutually acceptable written agreement between the parties.

**Policy: 300.8 Services to Member School Districts**

*Adopted - January 20, 2017*

The Board approves association services made available to member school boards. The fee structure for association services shall be reviewed and adopted by the Board. The Board delegates to the executive director responsibility for development and operation of said services. The executive director may adjust or establish fees to meet unique circumstances of particular school districts served.

**Policy: 300.9 Publications List Fee**

*Adopted - September 18, 2011; January 20, 2017*

The executive director will approve publication recipients. The executive director may elect to waive the fee for an individual deemed an essential recipient of the association's publications for outreach purposes.

**Policy Section: 400 Budget and Financial Administration**

**Policy: 400.1 Budget Policy**

*Adopted - June 26, 2011; September 28, 2013; January 20, 2017*

The Board, in its policy-making function, determines how the association's funds shall be spent when it considers the annual budget, as prepared and presented by the executive director and staff. The budget is presented first to the Budget Committee, consisting of the Executive Committee and the Finance Committee, then to the entire Board. Once the budget is authorized, it shall be the guide for the officers and the executive director in the expenditure of all funds. In the event that the total authorized budget is to be exceeded in any fiscal year, the executive director or staff shall request an amendment to the budget at the next available board meeting. The budget, presented by the executive director to the Board shall include an estimated ending cash balance (reserve) equal to at least 15 percent of the budgeted annual expenditures for the budget period.

**Policy: 400.2 Deposits of Revenue**

*Adopted - January 20, 2017*

*Reviewed - June 26, 2011*

Association revenue is to be deposited in an association checking account. Any balance not needed to cover current expenses or payments due shall be deposited with the Local Government Investment Pool in the state treasurer's office or as authorized under the investment policy. As funds are needed to cover additional expenses, transfers shall be made from the investment pool to the association's checking account.



**Policy: 400.3 Check Signators**

*Adopted - January 20, 2017*

*Reviewed - June 26, 2011*

The executive director shall designate, in writing, the signators authorized to sign association checks. The signators shall be listed in rank order of authority to sign. Checks may be signed by other than the executive director only in cases where the executive director is not available. No check shall be signed by the same person authorizing the voucher for payment.

**Policy: 400.4 Vouchers**

*Adopted - January 20, 2017*

*Reviewed - June 26, 2011*

A signed voucher shall be required in support of each authorized nonpayroll check.

**Policy: 400.5 Investment Procedures**

*Adopted - January 20, 1996; June 21, 2013; January 23, 2015; January 20, 2017*

*Reviewed - June 26, 2011*

Temporarily idle funds or reserves of the association and its trust shall be considered surplus funds of the association and shall be invested according to provisions of the OSBA Investment Policy Guidelines (Appendix I). The executive director is designated the custodial officer of these funds.

The primary objective of investments of surplus funds is protection of the principal. The second objective is to maintain the liquidity to meet projected or unexpected cash needs. The third is to attain the best possible total return (yield and market appreciation) while retaining liquidity and minimizing the risk.

The Board will review and adopt revisions, as appropriate, of specific investment policy guidelines to govern the investments of association surplus funds and trust reserves.

**Policy: 400.55 Endowment Spending**

*Adopted - June 19, 2016; January 20, 2017*

The Finance Committee shall recommend the amount of funds available for annual distribution from OSBA's investments endowment \$50,000,000, restricted reserve \$15,762,867 and unrestricted reserve (this amount changes each year). The investments are to be invested in keeping with the investment objectives described in the investment policy. The endowment (\$50,000,000) is only able to be expended by a two thirds vote of the general membership of OSBA and a two thirds vote of the Board. The restricted reserve (\$15,762,867) is not able to be expended except by two thirds vote of the Board.

A prudent portion of the annual earnings and/or realized gains of the investments may be expended each year for operations to provide services to OSBA members. A spending policy such as the following will be used.

1. Calculate the average investments value over a period of three years.
2. Calculate a percentage of that value - five percent.

3. The resulting dollar amount can be distributed at the beginning of the year or in installments throughout the fiscal year as needed.

This spending policy shall be reviewed annually by the Finance Committee to ensure that earnings and accumulated appreciation are adequate to sustain the distribution.

The Finance Committee may adjust the spending rate percentage, annually, as it deems appropriate in order to fulfill the association's purposes described in the budget, but in no event shall the spending rate percentage be lower than three percent or higher than six percent, unless specifically authorized by a vote of the Board. This calculation shall be completed and presented to the Finance Committee at their January meeting to determine the amount of distribution available to be included in the budget for the next fiscal year.

**Policy: 400.6 Bonding**

*Reviewed - June 26, 2011; January 20, 2017*

The executive director shall designate the association staff to be bonded. Minimally, the executive director, executive assistant, bookkeeper and all designated check signators shall be bonded.

**Policy: 400.7 Liability Insurance**

*Adopted - June 24, 2001; January 20, 2017*

*Reviewed - June 26, 2011*

The association shall purchase and pay the premiums for liability insurance for all officers, directors and staff while in performance of their association duties.

**Policy 400.8 Capital Assets**

*Adopted - June 20, 2014; January 20, 2017*

Capital assets, which include land and improvements, buildings and improvements, vehicles, equipment, and intellectual property such as software are reported in the basic financial statements.

Capital assets are defined as assets with an initial, individual cost in excess of \$5,000 and an estimated useful life of more than one year. Such assets are recorded at historical cost, or estimated historical cost if purchased or constructed. Donated capital assets are recorded at the estimated fair market value at the date of the donation. The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend asset's lives are not capitalized.

*Policy Section: 500 Board of Director Expenses*

**COMMITTEE WILL REVIEW ANNUALLY**

**Policy: 500.1 General**

*Adopted - January 19, 2007; June 20, 2014; January 24, 2014; January 23, 2015;*

*January 20, 2017*

*Reviewed - January 20, 2012*

OSBA board members who are appointed by the OSBA board through board action or authorized by the executive director to attend designated NSBA and OSBA meetings or other conferences/events will be reimbursed by OSBA as outlined in this policy. Reimbursement will only be for the assigned meeting or event, all other costs will be the responsibility of the board



member. Board members elected to positions by other entities will be responsible for their own expenses to participate in those entities meetings or events unless otherwise voted on by the Board. Board members who volunteer as OSBA liaisons to other organizations will also be responsible for their own expenses to those organization meetings and activities unless otherwise voted on by the Board.

1. Hotel and registration arrangements may be made through OSBA. Individual board members are responsible for making airfare reservations. Conference registration and hotel expenses are pre-paid by OSBA where possible. Travel reimbursement expense forms are available for qualified expenses not pre-paid by OSBA.
2. Board members are strongly encouraged to attend event meals paid for with a conference registration. Typically, no reimbursement will be given for meals off-site when an event meal has already been purchased. Exceptions should be cleared with the president or executive director. Reimbursement receipts must include a brief written explanation for the need to eat off-site.
3. The association issues checks on the 15th and 30th of each month after receiving receipts from board members. Reimbursement requests shall be submitted within 60 days of the event.
4. Receipts are required for all expense reimbursements. If a receipt has not been retained or issued then a written explanation of the expense is required for consideration of possible reimbursement.
5. Family members traveling or attending meetings with board members do so at the member's own expense (see policy 1000.1 pursuant to ORS 244.020(1)).
6. Personal entertainment and liquor expenses are the responsibility of the board member.
7. Meeting Conduct:
  - a. Professional conduct and appearance is expected while traveling on OSBA business.
  - b. Most meeting/conference apparel is business attire or business casual. Attire should be consistent with the purpose(s) and circumstances of the meeting.
  - c. Only members of the official OSBA delegation and staff shall attend OSBA sponsored appointments (e.g., NSBA Advocacy events, legislative appointments, etc.).

### **Policy 500.2 Automobile Expenses**

*Adopted - January 20, 2017*

Reimbursement for use of personal automobile for in-state association business shall be made at the IRS rate per mile.

### **Policy: 500.3 Other Expenses**

*Adopted - June 14, 2009; June 20, 2013; January 23, 2015; January 20, 2017*

1. Reimbursement of board members for expenses incurred for meals, lodging and incidental expenses while on association business will be made based on actual cost.
2. Meals, taxi, shuttle and other travel for professional events or transportation to and from the airport will be reimbursed upon submission of receipts. Tips will be covered by the association for up to 15 percent of these types of charges. There may be exceptions to the limit of 15 percent. An example of an exception would be a restaurant that has a minimum service charge. Reasonable tips for hotel staff may also be reimbursed.
3. Hotel room Internet fees shall be reimbursed when their use is specific to being an OSBA

- board member.
4. The president or the president's designee only will be reimbursed for actual expenses incurred while attending the OSBA Annual Convention and OSBA sponsored workshops.
  5. The officers and other Board appointed delegates of the association will be reimbursed for expenses incurred while attending the NSBA Convention, NSBA Summer Leadership Conferences, NSBA Advocacy Conference and NSBA Pacific Region meetings.

Policy Section: 600 Association Dues Structure

**Policy: 600.1 Dues Schedule**

*Adopted - September 15, 2007; January 20, 2017*

*Reviewed - January 20, 2012*

Each member district shall cause to be paid to the OSBA annual dues based on Average Daily Membership (ADM) according to the following schedule:

<b>District Size</b>	<b>Dues</b>
<b>K-12 Districts</b>	
Under 100 ADM	\$250.25
100-249 ADM	\$541.25
250-499 ADM	\$778.00
500-999 ADM	\$1,420.50
1,000-1,999 ADM	\$2,503.00
2,000-2,499 ADM	\$3,450.00
2,500-3,999 ADM	\$5,952.75
4,000-4,999 ADM	\$7,035.00
5,000-9,999 ADM	\$8,658.25
10,000-25,000 ADM	\$10,823.00
Over 25,000 ADM	\$18,940.00
<b>ESDs</b>	
Under 1,000 ADM	\$473.75
1,000-2,499 ADM	\$710.50
2,500-4,999 ADM	\$947.00
5,000-7,499 ADM	\$1,082.50
7,500-9,999 ADM	\$1,556.00
10,000-14,999 ADM	\$2,029.50
15,000-24,999 ADM	\$2,367.75
25,000-50,000 ADM	\$3,111.75
Over 50,000 ADM	\$4,667.50

Community Colleges	\$270.66
State Board of Education	\$67.75

**Policy: 600.2 Whole District Charter Schools**

*Adopted - January 20, 2017*

*Reviewed - January 20, 2012*

Where a member district has established itself as a charter school and all students enrolled in the member district are enrolled in the charter school, then that member district will still be considered a regular member and will receive all regular membership benefits.

**Policy: 600.3 Public Charter School Board Associate Membership**

*Adopted - November 8, 2007; March 16, 2012; January 20, 2017*

*Reviewed - January 20, 2012*

Public charter school boards of directors, established under ORS Chapter 338, Public Charter Schools, are eligible for an associate membership in the OSBA upon payment of dues. Individual members of an associate member charter school board may exercise the privileges of associate membership.

**Policy: 600.4 Associate Membership Dues**

*Adopted - June 18, 1999; November 8, 2007; March 16, 2012; January 20, 2017*

*Reviewed - January 20, 2012*

The dues for associate membership in the OSBA, as indicated below, shall be payable on July 1 of each year and shall become delinquent on November 1 of each year. Public charter school boards delinquent in payment of dues shall be dropped from associate membership unless an extension is requested and granted by the OSBA Board.

**Policy: 600.5 Associate Membership Dues Schedule**

*Adopted - November 8, 2007; March 16, 2012; January 20, 2017*

*Reviewed - January 20, 2012*

Each associate member charter school board shall cause to be paid to the OSBA annual dues based on Average Daily Membership (ADM) according to the following schedule:

<b>Charter School Size</b>	<b>Dues</b>
Under 100 ADM	\$250.25
100-249 ADM	\$541.25
250-499 ADM	\$778.00
500-999 ADM	\$1,420.50
1,000-1,999 ADM	\$2,503.00
2,000-2,499 ADM	\$3,450.00
2,500-3,999 ADM	\$5,952.75
4,000-4,999 ADM	\$7,035.00

5,000-9,999 ADM	\$8,658.25
10,000-25,000 ADM	\$10,823.00
Over 25,000 ADM	\$18,940.00

**Policy: 600.6 Associate Membership Dues Adjustments**

*Adopted - November 8, 2007; March 16, 2012; January 20, 2017*

*Reviewed - January 20, 2012*

Charter schools formed between January 1 and June 30 of a fiscal year that wish to join the OSBA as an associate member during that same period may do so on a pro-rated basis by paying half of the dues assessed for a charter school of their enrollment category.

**Policy: 600.7 Associate Members Voting**

*Adopted - November 8, 2007; March 16, 2012; January 20, 2017*

*Reviewed - January 20, 2012*

Associate members in the association are nonvoting members at membership meetings, in accordance with Article IV, Section 1, of the OSBA constitution.

**Policy: 600.8 Associate Member Privileges of Membership**

*Adopted - November 8, 2007; June 14, 2009; March 16, 2012; January 20, 2017*

*Reviewed - January 20, 2012*

Associate member charter school boards and individual board members may exercise the following privileges of membership:

1. Receipt of all free and purchased OSBA publications at the same rates as any other member of OSBA.
2. Receipt of all free and purchased OSBA services at the same rates as any other member of the OSBA.

OSBA Legal Services will represent charter boards in general legal matters not in conflict with other community colleges, school districts, educational service districts or the State Board of Education. OSBA does represent sponsoring district boards in the initial and renewal negotiations of charter school contracts.

3. Access to the following OSBA trust services subject to the requirements of the individual trust agreement's eligibility requirements and as specified below:

OSBA Property and Casualty Coverage for Education (PACE) Trust.

**Policy: 600.9 Enrollment Adjustments for Member Districts**

*Adopted - March 16, 2012; June 21, 2013; January 20, 2017*

*Reviewed - January 20, 2012; March 15, 2013*

Where a charter school has been established within the boundaries of a member district, that member district's ADMr shall be reduced by the charter school's December 31 ADMr provided by the Oregon Department of Education. The member district's dues shall be assessed based on the reduced enrollment figure.

**Policy: 600.10 Changes**

*Adopted - March 16, 2012; January 20, 2017*

*Reviewed - January 20, 2012*

The Board may recommend changes in the annual dues schedule. Approval for such changes requires a vote of the association membership.

**Policy Section: 700 Association Committees**

**Policy: 700.1 Association Committees Established by OSBA Constitution**

*Adopted - March 12, 2016; January 20, 2017*

The Board shall have the following committees as established by the OSBA Constitution:

1. Legislative Policy Committee;
2. Executive Committee;
3. Finance Committee.

Structure, function, membership and terms of office are established by the OSBA Constitution, unless otherwise specified in policy.

All meetings of board committees will follow Public Meeting Law.

The quorum of all subcommittees appointed by the Board shall consist of a majority of the total number of members of the committee. In the absence of a quorum, the only business that may be transacted is to adjourn, recess, or to take measures to obtain a quorum.

The Board and its committees may sit in executive sessions to discuss matters when such sessions are required or permitted by law.

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

A board committee may appoint, subject to Board approval, advisory members from the staff, other board members or other experts. Advisory members will be instructed in the committee's functions and their status. These members may not be included in considering whether a quorum of the committee is present, nor may they vote on recommendations to be made to the Board.

**Policy: 700.11 Legislative Policy Committee**

*Adopted - November 8, 2007; January 20, 2017*

*Reviewed - January 20, 2012; March 12, 2016*

1. The Legislative Policy Committee (LPC) shall be composed of the 19 voting members of the Board and 19 regional representatives elected by procedures outlined in Article IX and X. The Board vice president shall chair the committee. The term of office is 2 calendar years with election held in odd-numbered years in conjunction with OSBA board position elections. The LPC shall develop legislative policies which are recommended to and approved by the membership at the annual meeting and may act on behalf of the association in accordance

with those policies. The LPC also advises the executive director and staff during legislative sessions.

2. The Board shall adopt a position description describing the duties of a LPC member.

**Policy: 700.2 Association Committees Established by OSBA Policy**

*Adopted - March 12, 2016; January 20, 2017*

The Board shall have the following committees as established by policy:

1. Insurance Trust Committee;
2. Budget Committee;
3. Policy Committee;
4. Governance Committee.

Structure, function, membership and terms of office are established by the OSBA Constitution, unless otherwise specified in policy.

All meetings of board committees will follow Public Meeting Laws.

The quorum of all subcommittees appointed by the Board shall consist of a majority of the total number of members of the committee. In the absence of a quorum, the only business that may be transacted is to adjourn, recess, or to take measures to obtain a quorum.

The Board and its committees may sit in executive sessions to discuss matters when such sessions are required or permitted by law.

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

A board committee may appoint, subject to Board approval, advisory members from the staff, other board members or other experts. Advisory members will be instructed in the committee's functions and their status. These members may not be included in considering whether a quorum of the committee is present, nor may they vote on recommendations to be made to the Board.

**Policy: 700.21 Insurance Trust Committee**

*Adopted - November 8, 2007; June 21, 2013; January 20, 2017*

*Reviewed - January 20, 2012; March 15, 2013; March 12, 2016*

The association shall establish a property and casualty insurance pool which shall be known as Property and Casualty Coverage for Education (PACE). The purpose of such a trust is to assure there is available to members of the association an adequate market and/or options for obtaining appropriate coverage to meet the needs of member boards, their property and/or employees, through joint purchase pooled, self-insured, purchased, endorsement and/or other means that lawfully takes advantage of collective buying power and pooling of risk. PACE Board of Trustees will consist of nine members appointed by the association's Board. One of the trustee positions shall be filled by a member of the association's Board. The remaining eight trustee positions shall be filled by employees of PACE members. Trustees are responsible for submitting a list of nominees to fill vacant trustee positions for review and appointment by the association's Board. The purpose of such a trust committee is to assure there is available to members of the association

an adequate market and/or options for obtaining appropriate coverages to meet the needs of district boards, their property and/or employees, through joint purchase, pooled, self-insured, purchase, endorsement and/or other means that lawfully take advantage of collective buying power and pooling of risk. The insurance program of the association is the responsibility of such committee.

**Policy: 700.22 Budget Committee**

*Adopted - March 12, 2016; January 20, 2017*

The Budget Committee shall be comprised of the Executive Committee and Finance Committee. Their function is defined in the *Financial Manual*.

**Policy: 700.23 Policy Committee**

*Adopted - March 12, 2016; January 20, 2017*

The Policy Committee shall be a standing committee, appointed by the president, subject to approval by the Board. The committee shall be comprised of the president-elect who shall serve as chair and at least two board members. The board member terms of office shall be 2 years, with no term limits, and staggered start dates beginning in June. The function of the committee will be to bring policy recommendations to the Board for consideration and adoption, and every five years to complete a full *OSBA Policy Manual* review.

**Policy: 700.24 Governance Committee**

*Adopted - March 12, 2016; January 20, 2017*

Responsibilities of the committee include reviewing the regional structure of the association every three years, developing and overseeing the process for the executive director's evaluation, the Board's professional development, and strategic planning oversight for the association.

**Policy: 700.3 Additional Committees or Ad Hoc Committees**

*Adopted - November 8, 2007; January 20, 2017*

*Reviewed - January 20, 2012; March 15, 2013; March 12, 2016*

The Board may create other committees or administrative boards deemed necessary for the proper conduct of the affairs of the association.

An ad hoc committee may be created through Board appointment. Members shall be identified based on their interests and skills as it relates to the work of the committee. The function, structure and duration of the ad hoc committee shall be defined by the Board. The ad hoc committee will report directly to the Board.

**Policy: 700.4 Advisory to OSBA Staff Work Groups**

*Adopted - March 12, 2016; January 20, 2017*

Advisory work groups to the staff will be formed by the staff for specific purposes to serve until their assignment is completed.

The function of these work groups will be advisory to staff. The work group will make recommendations to the staff. Work group meetings will be called by the staff.

**Policy: 700.5 Committee Members as Association Representatives**

*Adopted - March 16, 2012; January 20, 2017*

*Reviewed - January 20, 2012*

Association members, when approved by the Board to serve as representatives of the association may, upon board approval, have reasonable costs associated with travel and participation in meetings covered by the association.

*Policy Section: 800 Local Government Center*

**Policy: 800.1 Local Government Center**

*Adopted - March 16, 2012; January 20, 2017*

*Reviewed - January 20, 2012*

The Local Government Center, located in Salem, operates under a trust agreement with the trustees being the current presidents of the League of Oregon Cities, the Association of Oregon Counties and the Oregon School Boards Association. The OSBA Board has delegated its trustee authorities to the OSBA executive director. Day-to-day management of the building is conducted under a management agreement which provides that the executive directors of the three organizations shall be responsible for the site, the facilities and their operation.

**Policy: 800.2 Related Agencies**

*Adopted - March 16, 2012; January 20, 2017*

*Reviewed - January 20, 2012*

Outside entities when hosted by the association, may be provided meeting space in the Local Government Center out of the association's space allocation.

*Policy Section: 900 Annual Convention and Other Training Meetings*

**Policy: 900.1 Annual Convention Fees and Costs**

*Adopted - January 20, 2017*

*Reviewed - January 20, 2012*

Registration fees for the Annual Convention are established by the Board. Fees for other conferences may be established by the executive director.

**Policy: 900.2 Other Workshops and Conferences**

*Adopted - March 16, 2012; January 20, 2017*

*Reviewed - January 20, 2012*

The executive director shall annually report to the Board the type and number of workshops and conferences offered and delivered in the previous year.



Policy Section: 1000 Board Ethics and Conflicts of Interest

**Policy: 1000.1 Board Ethics and Conflicts of Interest**

*Adopted - September 18, 2011; January 20, 2017*

*Reviewed - January 20, 2012; March 15, 2013*

No board member will use his/her official position or office to obtain personal financial benefit or to avoid financial detriment for him or herself, relatives, household members or for any business with which the board member, a household member or a relative is associated.

This prohibition does not apply to any part of an official compensation package, honorarium allowed by Oregon Revised Statute (ORS) 244.042, reimbursement of expenses, or unsolicited awards of professional achievement. Further, this prohibition does not apply to gifts from one without a legislative or administrative interest. Nor does it apply if the gift is under the annual \$50 gift limit from one who has a legislative or administrative interest in any matter subject to the decision or vote of the board member. Meals at board meetings are acceptable under the reimbursement of expenses exception.

**I. Conflicts of Interest**

“Business” means any corporation, partnership, proprietorship, enterprise, association, franchise, firm, organization, self-employed individual or any legal entity operated for economic gain. This definition excludes any income-producing tax exempt 501(c) not-for-profit corporation with which a public official or a relative of the public official is associated only as a member or board director or in a nonremunerative capacity.

“Business with which a board member or relative is associated” means any private business or closely held corporation of which a board member or relative is a director, officer, owner, employee or agent or any private business or closely held corporation in which a board member or relative owns or has owned stock, another form of equity interest, stock options or debt instruments worth \$1,000 or more at any point in the preceding year; any publicly held corporation in which a board member or relative owns or has owned \$100,000 or more in stock or another form of equity interest, stock options or debt instruments at any point in the preceding calendar year; or any publicly held corporation of which a board member or relative is a director or officer.

“Relative” means the spouse<sup>1</sup>, parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law of the Board member; or the parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law of the spouse of the Board member. Relative also includes any individual for whom the Board member has a legal support obligation, whose employment provides benefits<sup>2</sup> to the Board member, or who receives any benefit from the Board member’s public employment.

“Member of the household” means any person who resides with the public official.

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<sup>1</sup>The term spouse includes domestic partner.

<sup>2</sup>Examples of benefits may include, but not be limited to, elements of an official compensation package including benefits such as insurance, tuition or retirement allotments.

No board member will solicit or receive, either directly or indirectly, any pledge or promise of future employment based on any understanding that the board member's vote, official action or judgment would be thereby influenced.

No board member will attempt to use or use for personal gain any confidential information gained through his/her official position or association with the OSBA. A board member will respect individuals' privacy rights when dealing with confidential information gained through association with the OSBA.

If a board member participates in the authorization of a public contract, the board member may not have a direct beneficial financial interest in that public contract for two years after the date the contract was authorized.

Individual board members and the board as a public entity are bound by the ethics laws for public officials as stated in Oregon law.

### **Potential Conflict of Interest**

"Potential conflict of interest" means any action or any decision or recommendation by a board member that could result in a financial benefit or detriment for self or relatives or for a business with which the board member or relatives are associated, unless otherwise provided by law.

A board member must publicly declare a potential conflict of interest. A board member may, after declaring his/her potential conflict of interest, either vote or abstain on the issue. Abstaining from a vote does not meet the legal requirement of publicly stating a potential conflict.

### **Actual Conflict of Interest**

"Actual conflict of interest" means any action or any decision or recommendation taken by a board member that would result in a financial benefit or detriment to self or relatives or for any business with which the board member or relatives are associated, unless otherwise provided by law.

A board member must publicly declare an actual conflict of interest. The board member may not vote lawfully if an actual conflict of interest exists unless a vote is needed to meet a minimum requirement of votes to take official action. Such a vote does not allow the board member to participate in any discussion or debate on the issue out of which an actual conflict arises.

### **Class Exception**

It will not be a conflict of interest if the board member's action would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person's relative or business with which the person or the person's relative is associated, is a member or is engaged. For example, if a board member's spouse is a member of the collective bargaining unit, the board member may vote to approve the contract, as it will affect all members of that class to the same degree. However, if the collective bargaining unit is very small, the class exception may not apply. Similarly, if the contract contains special provisions that might apply only to particular persons, then the class exception may not apply. For example, if a board member's spouse is the only one in the bargaining unit that has a doctorate and there is a pay differential for employees with doctorates in the collective bargaining agreement, the board member should not vote on the contract.

## **II. Gifts**

Board members are public officials and therefore will not solicit or accept a gift or gifts with an aggregate value in excess of \$50 from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the board member. All gift related provisions apply to the board member, their relatives, and members of their household. The \$50 gift limit applies separately to the board member and to the board member's relatives or members of household, meaning that the board member, each member of their household and relative can accept up to \$50 each from the same source/gift giver. "Gift" means something of economic value given to a board member without valuable consideration of equivalent value, which is not extended to others who are not public officials on the same terms and conditions.

"Relative" means the spouse<sup>3</sup>, parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law of the Board member; or the parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law of the spouse of the Board member. Relative also includes any individual for whom the Board member has a legal support obligation, whose employment provides benefits<sup>4</sup> to the Board member, or who receives any benefit from the Board member's public employment.

"Member of the household" means any person who resides with the board member.

### **Determining the Source of Gifts**

Board members should not accept gifts in any amount without obtaining information from the gift giver as to who is the source of the gift. It is the board member's personal responsibility to ensure that no single source provides gifts exceeding an aggregate value of \$50 in a calendar year, if the source has a legislative or administrative interest in any matter subject to the decision or vote of the board member. If the giver does not have a legislative/administrative interest, the ethics rules on gifts do not apply and the board member need not keep track of it, although they are advised to do so anyway in case of a later dispute.

### **Determining Legislative and Administrative Interest**

A "legislative or administrative interest" means an economic interest distinct from that of the general public, in any action subject to the decision or vote of a person acting in the capacity of a board member. For example, everyone within a county has a general interest in the fire department, but the person who sells the uniforms to the fire department has a legislative/administrative interest in the fire department that is distinct from the general public.

### **Determining the Value of Gifts**

The fair market value of the merchandise, goods, or services received will be used to determine benefit or value.

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<sup>3</sup>The term spouse includes domestic partner.

<sup>4</sup>Examples of benefits may include, but not be limited to, elements of an official compensation package including benefits such as insurance, tuition or retirement allotments.

“Fair market value” is the dollar amount goods or services would bring if offered for sale by a person who desired, but was not obligated, to sell and purchased by one who is willing, but not obligated to buy. Any portion of the price that was donated to charity, however, does not count toward the fair market value of the gift if the board member does not claim the charitable contribution on personal tax returns. Below are acceptable ways to calculate the fair market value of a gift:

1. In calculating the per person cost at receptions or meals the payor of the board member’s admission or meal will include all costs other than any amount donated to a charity.

For example, a person with a legislative or administrative interest buys a table for a charitable dinner at \$100 per person. If the cost of the meal was \$25 and the amount donated to charity was \$75, the benefit conferred on the board member is \$25. This example requires that the board member does not claim the charitable contribution on personal tax returns.

2. For receptions and meals with multiple attendees, but with no price established to attend, the source of the board member’s meal or reception will use reasonable methods to determine the per person value or benefit conferred. The following examples are deemed reasonable methods of calculating value or benefit conferred:
  - a. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons whom the payor reasonably expects to attend the reception or dinner;
  - b. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons who actually attend the reception or dinner; or
  - c. The source calculates the actual amount spent on the board member.
3. Upon request by the board member, the source will give notice of the value of the merchandise, goods, or services received.
4. Attendance at receptions where the food or beverage is provided as an incidental part of the reception is permitted without regard to the fair market value of the food and beverage provided.

### **Value of Unsolicited Tokens or Awards: Resale Value**

Board members may accept unsolicited tokens or awards that are engraved or are otherwise personalized items. Such items are deemed to have a resale value under \$25 (even if the personalized item cost the source more than \$50), unless the personalized item is made from gold or some other valuable material that would have value over \$25 as a raw material.

### **Entertainment**

Board members may not solicit or accept any gifts of entertainment over \$50 in value from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the board member unless:

1. The entertainment is incidental to the main purpose of another event (i.e., a band playing at a reception). Entertainment that involves personal participation is not incidental to another event (such as a golf tournament at a conference); or

2. The board member is acting in their official capacity for a ceremonial purpose.

Entertainment is ceremonial when a board member appears at an entertainment event for a “ceremonial purpose” at the invitation of the source of the entertainment who requests the presence of the board member at a special occasion associated with the entertainment.

Examples of an appearance by a board member at an entertainment event for a ceremonial purpose include throwing the first pitch at a baseball game, appearing in a parade and ribbon cutting for an opening ceremony.

## Exceptions

The following are exceptions to the ethics rules on gifts:

1. Campaign contributions are not considered gifts under the ethics rules;
2. Gifts from “relatives” and “members of the household” to the Board member are permitted in an unlimited amount; they are not considered gifts under the ethics rules;
3. Informational or program material, publications, or subscriptions related to the recipient’s performance of official duties;
4. Contributions made to a legal expense trust fund if certain requirements are met;
5. Food, lodging, and travel generally count toward the \$50 aggregate amount per year from a single source with a legislative/administrative interest, with the following exceptions:
  - a. Organized planned events. Board members are permitted to accept payment for travel conducted in the board member’s official capacity, for certain limited purposes:
    - (1) Reasonable expenses (i.e., food, lodging, travel, fees) for attendance at a convention, fact-finding mission or trip, or other meeting do not count toward the \$50 aggregate amount IF:
      - (a) The board member is scheduled to deliver a speech, make a presentation, participate on a panel, or represent the OSBA; AND
        - (i) The giver is a unit of a:
          - 1) Federal, state, or local government;
          - 2) An Oregon or federally recognized Native American tribe; OR
          - 3) Nonprofit corporation.
        - (b) The board member is representing the OSBA:
          - (i) On an officially sanctioned trade-promotion or fact-finding mission; OR
          - (ii) Officially designated negotiations or economic development activities *where receipt of the expenses is approved in advance by the board.*

- (2) The purpose of this exception is to allow board members to attend organized, planned events and engage with the members of organizations by speaking or answering questions, participating in panel discussions or otherwise formally discussing matters in their official capacity. This exception to the gift definition does not authorize private meals where the participants engage in discussion.
6. Food or beverage, consumed at a reception, meal, or meeting If held by an organization and If the board member is representing the OSBA. Again, this exception does not authorize private meals where the participants engage in discussion;  
  
“Reception” means a social gathering. Receptions are often held for the purpose of extending a ceremonial or formal welcome and may include private or public meetings during which guests are honored or welcomed. Food and beverages are often provided, but not as a plated, sit-down meal;
7. Food or beverage consumed by board member acting in an official capacity in the course of financial transactions between the public body and another entity described in ORS 244.020(6)(b)(I)(i);
8. Waiver or discount of registration expenses or materials provided to board member at a continuing education event that the board member may attend to satisfy a professional licensing requirement;
9. A gift received by the board member as part of the usual or customary practice of the board member’s private business, employment or position as a volunteer that bears no relationship to the board member’s holding of public office.

### **Honoraria**

A board member may not solicit or receive, whether directly or indirectly, honoraria for the board member or any member of the household of the board member if the honoraria are solicited or received in connection with the official duties of the board member.

The honoraria rules do not prohibit the solicitation or receipt of an honorarium or a certificate, plaque, commemorative token or other item with a value of \$50 or less; or the solicitation or receipt of an honorarium for services performed in relation to the private profession, occupation, avocation or expertise of the board member or candidate.

### **Policy: 1000.2 Conflicts with Association Position**

*Adopted - September 18, 2011; January 20, 2017*

*Reviewed - January 20, 2012*

Board members or officers may, in their private or professional lives, find themselves in conflict with positions of the association. At such times, board members are to refrain from using their title as board member or officer in stating such position and, if necessary, to say publicly that they are not stating a position of the association.

*Policy Section: 1100 Requests for Legal Opinions*

**Policy: 1100.1 Retention of Association Attorney**

*Adopted - March 16, 2012; January 20, 2017*

*Reviewed - January 20, 2012*

The Board authorizes the retention of an association attorney at an annual fee.

**Policy: 1100.2 Requests for Legal Opinions**

*Adopted - June 21, 2013; January 20, 2017*

*Reviewed - January 20, 2012*

Any board member may request a legal opinion from outside counsel. Such request shall be made through the board chair and authorized by the Executive Committee. Authorization from the Executive Committee is required before committing OSBA funds to pay for the legal opinion.

*Policy Section: 1200 Consulting Insurance Broker*

**Policy: 1200.1 Insurance Trust Committee**

*Adopted - January 20, 2017*

*Reviewed - January 20, 2012*

Insurance Trust Committee is authorized by the Board to retain consulting insurance broker(s).

*Policy Section: 1400 Regional Election Procedures*

**Policy: 1400.1 Elections Calendar**

*Adopted - January 20, 2017*

*Reviewed - January 20, 2012*

The Board shall adopt an elections calendar to establish a timetable for the elections of OSBA board positions and regional LPC members.

**Policy: 1400.2 Campaign Communications**

*Adopted - January 20, 2017*

*Reviewed - January 20, 2012*

Each region will have a section of the OSBA website for regional elections for OSBA board regional positions and regional LPC positions. Candidates may access regional mailing lists without a fee charge. The executive director shall waive the current fee system (see policy 300.8).

All candidates shall not defame through misinformation, gossip, or innuendo any other candidate in order to advance his/her position at the expense of another. Complaints of noncompliance shall be sent to the OSBA president-elect at [OSBAelections@osba.org](mailto:OSBAelections@osba.org).

**Policy: 1400.3 Board of Director Elections**

*Adopted - January 20, 2017*

*Reviewed - January 20, 2012*

1. Nominations

Any local board (e.g., school district, ESD, or community college) in a region may nominate an individual for a vacant position in their region via the official nomination form and in accordance with the timelines in the OSBA elections calendar and the following provisions:

- a. Candidates must be active members of a local board in the region;
- b. Candidates must certify that they are willing to serve, if elected, as a member of the OSBA board of directors;
- c. The nomination must be an official action of a local board in the region;
- d. Candidates must complete the OSBA Board of Directors Candidate Questionnaire; and
- e. Candidates must complete the Personal/Professional Resume forms.

2. Regional Elections

Each local board (e.g. school district, ESD, and community college) would cast a single vote to elect their region's representative. A majority of votes cast would be necessary to elect a candidate. A run-off election will be held if two or more candidates fail to achieve a majority vote. Boards may cast their votes by official board action and submit their votes either by mail or electronically. The term for board position is two years, with terms staggered.

3. Candidate Information

As part of the nomination process, candidates must complete a written OSBA Board of Directors Candidate Questionnaire form that shall be available to members from OSBA and shall request the following information:

- a. Describe in your own words the mission and goals of OSBA.
- b. What do you want to accomplish by serving on the OSBA board of directors?
- c. What leadership skills do you believe you bring to the board of directors? Give an example of a situation in which you demonstrated these skills.
- d. What do you see as the two most challenging issues faced by OSBA?
- e. What do you see as the two most challenging issues faced by your region?
- f. What is your plan to communicate with boards in your region? Candidates shall limit their responses to 50 words per question.

**Policy: 1400.4 Legislative Policy Committee (LPC) Elections**

*Adopted - June 29, 2012; January 20, 2017*

*Reviewed - January 20, 2012*

1. Nominations

Any local board (e.g., school district, ESD, or community college) in a region may nominate an individual for a vacant position in their region via the official nomination



form, and in accordance with the timelines in the OSBA elections calendar, and the following provisions:

- a. Candidates must be active members of a local board in the region;
- b. Candidates must certify that they are willing to serve, if elected, as members of the OSBA Legislative Policy Committee;
- c. The nomination must be an official action of the local board in the region;
- d. Candidates must complete an OSBA Legislative Policy Committee Candidate Questionnaire; and
- e. Candidates must complete the Personal/Professional Resume forms.

## 2. Regional Elections

LPC elections will be conducted every other year (in odd numbered years) in the same manner and at the same time as board position elections. The term of office shall be two calendar years. Each local board (e.g. school district, ESD, and community college) would cast a single vote to elect their region's representative. A majority of votes cast would be necessary to elect a candidate. A run-off election will be held if two or more candidates fail to achieve a majority vote. Boards may cast their votes by official board action and submit their votes either by mail or electronically.

## 3. Candidate Information

Candidates must complete a written form that shall be available to members from OSBA and shall request the following information:

- a. What do you want to accomplish by serving on the Legislative Policy Committee (LPC)?
- b. What leadership skills do you believe you bring to LPC? Give an example of a situation in which you demonstrated these skills.
- c. What do you see as the two most challenging legislative issues faced by OSBA?
- d. What do you see as the two most challenging legislative issues faced by your region?
- e. What is your plan to communicate with boards in your region? Candidates shall limit their responses to 50 words per question.

Candidate information, once submitted, is considered final and will be posted as received by the association.

## **Section B: Administrative Personnel Policies**

Note: The following policies and procedures have been established as guidelines for the day-to-day organization and operation of the association. They do not in any way constitute an employment contract between the association and any of its employees nor alter the at will employment relationship between the association and its employees.

### **Policy Section: 2000 Administration**

#### **Policy: 2000.1 Executive Director**

*Adopted - January 20, 2017*

*Reviewed - March 16, 2012*

The executive director shall be responsible to the Board for the operation and administration of the Oregon School Boards Association in accordance with the constitution of the association.

#### **Policy: 2000.2 Delegated Authority**

*Adopted - January 20, 2017*

*Reviewed - March 16, 2012*

The executive director may delegate a staff member to be in charge on a temporary basis for times of absence of the executive director.

#### **Policy: 2000.3 Automobile**

*Adopted - June 29, 2012; January 20, 2017*

The association may provide and maintain an automobile for the executive director. Stipulations for automobile use shall be determined based on the executive director's employment contract.

#### **Policy: 2000.4 Key Policy Designation and Review**

*Adopted - September 18, 2011; January 20, 2017*

All employees shall annually review OSBA's key policies. "Key policies" shall be designated by the executive director and shall include, but are not limited to, policies regarding ethics, harassment, whistleblower and nonretaliation. Upon completion of the key policy review, all employees will confirm that they have reviewed and understand OSBA's key policies.

### **Policy Section: 2100 Employment**

#### **Policy: 2100.1 Association Definitions**

*Adopted - June 14, 2009; January 20, 2017*

*Reviewed - March 16, 2012*

1. "Employee's employment year" is based on a 365 day year and shall begin the first day the employee is on the job and shall end 364 days thereafter.
2. "Full-time Employee" is an employee who works a minimum of 40 hours per week, 173.3 hours per month, or 2,080 hours per year.
3. "Regular employee" is an employee who works more than 1,040 hours within an uninterrupted calendar year.
4. "Part-time employee" is an employee who works more than 600 hours, but less than 1,040

- hours, within an uninterrupted calendar year.
5. “Start of service” is an employee’s term of service begins on the first scheduled working day of the first full month following his/her first day on the job. The term of service for employees starting on the first scheduled working day of a full month begins on that date.
  6. “Leave year” used by OSBA is the rolling 12-month period measured forward for OFLA military caregiver leave and uses the rolling 12-month period measured backward for all other OFLA leave.
  7. “Workweek” is the seven consecutive 24-hour days beginning on the Sunday of each week.

**Policy: 2100.2 Eligibility for Association Benefits**

*Adopted - January 20, 2017*

*Reviewed - March 16, 2012*

Any individual who is hired by the association and meets the definition of a regular employee, as defined in subset 3. of policy 2100.01, is eligible for benefits.

**Policy: 2100.3 Benefits Earned**

*Adopted - September 22, 1995; January 20, 2017*

All full-time and regular employees shall be credited with association benefits as specified in these policies. Regular employees working less than full-time shall be credited with benefits in relation to the percentage of their employment to full-time employment (i.e., a regular employee working the equivalent of three days a week would earn 60 percent of designated full-time benefits).

**Policy: 2100.4 Employment Terms**

*Adopted - September 22, 1995; June 29, 2012; January 20, 2017*

The terms and conditions of employment for all staff shall be determined by the executive director, with the approval of the board of directors. All employees are at will employees. The association or an employee may at any time for any reason terminate the employment relationship. (Consider: The executive director may offer an employment agreement to a full time employee with the concurrence of the Executive Committee. If an employment agreement is entered into with a full-time employee then the Board will be provided an update and a copy of the contract at its next regularly scheduled meeting. Currently, the executive director has a contract with the Board. No other full-time employees have employment agreements with the association.)

**Policy: 2100.5 Work Year**

*Adopted - September 22, 1995; June 29, 2012; January 20, 2017*

*Reviewed - March 16, 2012*

The fiscal year for all staff commences on July 1. The calculation of salaries and related matters will be prorated in the event of partial fiscal year employment. (e.g., an employee beginning work for the association on April 1 of a given year would have worked three months by June 30. The pro-rata calculations of annual salary and related matters would be 3/12ths (25 percent) of the annual stated benefits.)

**Policy: 2100.6 Paid Holidays**

*Adopted - September 22, 1995; June 29, 2012; January 20, 2017*

*Reviewed - March 16, 2012*

1. Regular employees of the association shall be granted nine paid holidays per year. The executive director shall review and communicate any changes to the holidays by July 1 of each fiscal year. Designated holidays are as follows: Independence Day, Labor Day, Thanksgiving Day, the day after Thanksgiving Day (recognition of Veteran’s Day), Christmas Day, New Year’s Day, Martin Luther King’s Birthday, President’s Day, and Memorial Day.
2. The executive director has the authority to reassign holiday dates for staff required to work on specified holidays, or in response to other organizational or staff needs requiring specific adjustment in the staff member’s holiday calendar.

**Policy: 2100.7 Overtime for Clerical and Support Staff**

*Adopted - September 22, 1995; June 29, 2012; January 20, 2017*

*Reviewed - March 16, 2012*

“Overtime” is time worked in excess of 40 hours per week, within the basic workweek covering the employee. The normal workday is eight hours; however, by agreement between the employee and employer, flextime arrangements may be made to accommodate variable association and client workload, under which hours worked per day may vary from the eight hour norm, but not to exceed 40 hours in a seven-day period. Time worked beyond their regular schedules by employees on schedules of less than eight hours per day or 40 hours per week is additional time worked rather than overtime, until it exceeds 40 hours per week, within the basic workweek covering the employee.

Overtime work shall be calculated at the rate of time and one-half and shall be taken as compensatory time off unless otherwise budgeted for and specifically approved by the executive director.

Overtime is calculated based on hours worked in excess of 40 hours per week, including holidays, within the basic workweek covering the employee.

The executive director may exempt from overtime provisions those positions exempted by the Garcia ruling, i.e., professional employees, sales employees, and employees working variations of the five-day, 40-hour week, such as four 10-hour days.

**Policy: 2100.8 Payday**

*Adopted - September 22, 1995; June 29, 2012; January 20, 2017*

*Reviewed - March 16, 2012*

The executive director has the authority to adjust the pay schedule to meet the association’s needs, but in no case shall the payday for employees be later than the last work day before the end of the month or more than 35 days between pay periods.

*Policy Section: 2200 Elected School Board Service*

**Policy: 2200.1 Elected School Board Service**

*Adopted - September 22, 1995; September 21, 2012; January 20, 2017*

Because of the possibility of conflict of interest, staff members who choose to run for election to a local school board or serve on a local school board must comply with all aspects of the conflict of interest provisions as outlined in policy and the employee handbook. Staff members should not be a publicly visible campaigner for a school board candidate.

*Policy Section: 2300 Staff Expenses*

**Policy: 2300.1 Staff Expenses**

*Adopted - September 22, 1995; January 20, 2017*

The executive director shall set reimbursement rates and procedures for staff expenses to meet the association's needs.

**Policy: 2300.2 Association Automobiles**

*Adopted - September 22, 1995; January 25, 2004; January 20, 2017*

*Reviewed - March 15, 2013*

The executive director may authorize the assignment of an association automobile to employees who regularly travel on assigned association business. The executive director shall set procedures for use and assignment of automobiles.

**Policy: 2300.3 Credit Cards**

*Adopted - September 22, 1995; January 25, 2004; January 24, 2014; January 20, 2017*

The executive director shall have the authority to issue credit cards to directors and other staff. Individual cardholders shall be responsible for the safekeeping and prudent use for association business of the issued card(s).

See the Finance Committee Operating Manual Section XI-Internal Control.

**Policy: 2300.4 Loans**

*Adopted - June 26, 2011; January 20, 2017*

OSBA does not make personal loans to employees or board members.

*Policy Section: 2400 Insurance*

**Policy: 2400.1 Additional Program Options and Benefits**

*Adopted - September 22, 1995; June 29, 2012; January 20, 2017*

*Reviewed - March 16, 2012*

Additional program options and benefits may be offered by the association to its employees. These options shall be outlined in the employee handbook.

*Policy Section: 2500 Retirement*

**Policy: 2500.1 Social Security**

*Adopted - November 13, 1994; September 22, 1995; June 29, 2012; January 20, 2017*

*Reviewed - March 16, 2012*

Each employee is required to participate in the Old Age and Survivor's Insurance (Social Security

or FICA). The association contributes a like amount as prescribed by law.

**Policy: 2500.2 Pension Plan**

*Adopted - November 13, 1994; January 14, 1995; September 22, 1995; June 29, 2012; January 20, 2017*

*Reviewed - March 16, 2012*

The association is a member of the Public Employees Retirement System. All PERS-eligible employees, after serving a six-month probationary period, must participate.

The association shall “pick-up,” assume and pay the required employee contribution.

The full amount of the required employee contributions “picked-up” or paid by the association on behalf of employees pursuant to this agreement shall be considered as “salary” within the meaning of ORS 237.003 (8) for the purposes of computing an employee member’s “final average salary” within the meaning of ORS 237.003 (12) but shall not be considered as salary for the purposes of determining the amount of employee contributions required to be contributed pursuant to ORS 237.071. Such “picked-up” or paid employee contributions shall be considered to be employee contributions for the purposes of ORS 237.001 to 237.325.

**Policy: 2500.3 Re-employment of PERS-Retired Staff**

*Adopted - April 12, 2003; May 18, 2003; June 29, 2012; January 20, 2017*

*Reviewed - March 16, 2012*

In the event an OSBA employee retires and begins receiving benefits from the Oregon Public Employees Retirement System (PERS), he/she may continue OSBA employment subject to executive director approval, the provisions of ORS 238.082 and the provisions of any applicable OSBA policies and procedures. If the retiring employee is the executive director, the board of directors must approve.

*Policy Section: 2600 Vacation Leave*

**Policy: 2600.1 Vacation Leave Accrual**

*Adopted - September 22, 1995; January 25, 2004; June 25, 2006; January 20, 2017*

Regular employees shall accrue vacation leave as follows:

1. 0 - 1825 days from their start of service (0-5 years): 10 hours for each month worked (15 days annually).
2. 1826 - 3650 days from their start of service (5-10 years): 11.34 hours for each month worked (17 days annually).
3. 3651 - 5475 days from their start of service (10-15 years): 13.34 hours for each month worked (20 days annually).
4. 5476 - 7300 days from their start of service (15-20 years): 15.34 hours for each month worked (23 days annually).
5. After 7301 days from their start of service (After 20 years): 17.34 hours for each month worked (26 days annually).
6. An employee shall not accrue vacation leave in any month where his/her accrued vacation leave hours equals or exceeds 300 hours as of the first of that month.
7. The executive director shall have the discretion to assign new employees to the vacation level commensurate with their number of years of work experience or other factors.



**Policy: 2600.2 Eligibility for Scheduling and Taking Vacation Leave**

*Adopted - September 22, 1995; January 25, 2004; January 22, 2005; January 20, 2017  
Reviewed - March 16, 2012*

1. A regular employee shall have completed 6 months of service with the association to be eligible for vacation leave.
2. Employees shall mutually schedule the dates vacation leave is to be taken with the executive director or his/her designee.
3. Employees shall not be paid for unused vacation leave, except in highly unusual circumstances approved by the executive director or in cases of resignation or termination.

**Policy: 2600.3 Authority for Variance**

*Adopted - September 22, 1995; January 25, 2004; September 18, 2015; January 20, 2017*

The executive director shall have the authority to make exceptions to the vacation policy 2600 regarding the following elements:

1. Interpretation of dates vacation days are earned;
2. Requests for accelerated movement thru the vacation levels. Acceleration will be accomplished by adding a set number of years to the employees effective years of employment with OSBA and will not be more than one level from the employee's current placement;
3. Requests for one time grants of vacation beyond the employee's regular annual accrual. Grants of additional vacation cannot be more than 5 work days.
4. The executive director shall consider employee length of service, level of performance, rationale supporting the request for the policy variance and office workload.

Leaves increases granted under this policy will be reported to the board annually.

*Policy Section: 2700 Sick Leave*

**Policy: 2700.1 Accumulation**

*Adopted - September 22, 1995; June 29, 2012, June 19, 2016; January 20, 2017  
Reviewed - March 16, 2012*

Sick leave is earned by each regular employee at the rate of one working day for each full month of service and will be posted at the beginning of each month of service. Sick leave not taken shall accumulate for an unlimited number of days. The association will allow employees to transfer to 75 days sick leave accumulated with other Oregon public employers. The accumulation shall not exceed that carried by the most recent public employer. The transfer of sick leave from public employers shall be effective on the employee's start of service.

For purposes of determining retirement benefits under policy 2600.2 - Pension Plan, the association permits employees to transfer an unlimited number of days of unused accumulated sick leave from other Oregon public employers.



**Policy: 2700.2 Use of Sick Leave and Sick Time**

*Adopted - September 22, 1995; June 29, 2012, June 19, 2016; January 20, 2017*

*Reviewed - March 16, 2012*

Employees may use their accumulated sick leave for their or their “family member’s,” as defined by OFLA, illness or injury, necessary medical or dental care, or as approved by the executive director. Employees may also use sick leave to make arrangements for or provide initial assistance to an ill family member, but sick leave should not be used to provide extended household or child care.

Employees that are equal to or greater than .5 FTE shall have 40 hours of sick time front loaded each calendar year. Employees less than .5 FTE shall accrue paid sick time at one hour per 30 hours of time worked or 1 1/3 hours per 40 hours of time worked. Sick time can be used to care for themselves or “family members, “as defined in OFLA, for the following reasons outlined in the state sick time law:

1. Mental or physical illness;
2. Injury or health condition;
3. Need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition;
4. Need for preventive care; or
5. For reasons consistent with the Oregon Family Leave Act (OFLA).

In addition, in the event of a public health emergency, employees will be allowed to access their annual allocation of sick time, as needed.

New employees become eligible to use their sick time upon their 91st day of employment.

When the employee uses sick time for a foreseeable absence, the employee shall take reasonable effort to schedule the sick time in a manner that does not unduly disrupt the operations of the association (e.g., work deadlines, conference, mandatory activities/meetings).

If the reason for using sick time is unforeseeable, such as an emergency, accident or sudden illness, the employee shall notify the association as outlined in the employee handbook.

The association reserves the right, after three consecutive days of absence, to require proof of personal illness or injury from an employee, including a medical examination by a physician chosen and paid for by the association. An employee refusing to submit to such an examination or to provide other evidence as required by the association, shall be subject to appropriate disciplinary action, up to and including dismissal.

The appropriate use of sick time may not lead to, or result in, an adverse employment action against the employee.

If the employee does not use the full 40 hours of sick time by the end of the calendar year, the hours will not carry over to the next year. The employee will not be paid for unused sick time once the employee no longer works for the association. This does not impact or affect the carryover and accumulation of an employee’s standard sick leave.

**Policy: 2700.3 Unused Sick Leave**

*Adopted - September 22, 1995; June 29, 2012, June 19, 2016; January 20, 2017  
Reviewed - March 16, 2012*

No compensation for accrued sick leave shall be allowed to an employee who is separated from employment.

**Policy: 2700.4 Extended Sick Leave**

*Adopted - September 22, 1995; June 29, 2012, June 19, 2016; January 20, 2017  
Reviewed - March 16, 2012*

After earned sick leave has been exhausted and/or completion of any applicable family medical leaves under Oregon law, the executive director may grant sick leave without pay or benefits to any regular employee upon request for a period of up to one year. Regular employees may continue full-family hospital, medical, surgical, and dental coverage on a self-pay basis within the time limits of COBRA and subject to the rules of the insurance carrier.

**Policy: 2700.5 Parental Leave**

*Adopted - September 22, 1995; January 20, 1996; June 29, 2012, June 19, 2016; January 20, 2017  
Reviewed - March 16, 2012*

The association shall provide parental leave in accordance with state law. Employees must use accumulated vacation leave or accumulated sick leave, if available, during such leave. If accumulated vacation and/or sick leave time is unavailable, the leave shall be without pay.

**Policy: 2700.6 Maternity Leave**

*Adopted - January 20, 2017*

Regular employees who have been employed with the association a minimum of 181 consecutive work days are eligible to request up to 20 working days paid maternity leave due to the employee's pregnancy. When applicable, this leave will run concurrent with any other leave the association is required by statute to provide the employee.

**Policy: 2700.7 Family Illnesses and Medical Leave**

*Adopted - September 22, 1995; January 20, 1996; June 29, 2012, June 19, 2016; January 20, 2017  
Reviewed - March 16, 2012*

The association shall provide family illness and medical leave in accordance with state law. Employees must use accumulated vacation leave, if available, and accumulated sick leave, if available, during such leave. If accumulated vacation and/or sick leave is unavailable, the leave shall be without pay. Employees may choose the order in which they use vacation and sick leave time.

**Policy: 2700.8 Coordination of Leave Benefits**

*Adopted - September 22, 1995; June 29, 2012, June 19, 2016; January 20, 2017  
Reviewed - March 16, 2012*

When the employee's reason for leave is consistent with the requirements of any leave laws or leave policies, the leave will run concurrently.

## Policy Section: 2800 Other Leaves of Absence

### **Policy: 2800.1 Executive Director Granted Leaves of Absence with Pay**

*Adopted - September 22, 1995; June 29, 2012; January 20, 2017*

*Reviewed - March 16, 2012*

The executive director may grant leaves of absence with pay for the following:

1. Service with a Jury. The employee shall turn over to the association any money received for such service;
2. Appearance before a court, legislative committee or judicial or quasi-judicial body as a witness in response to a subpoena or other direction by proper authority, or for matters connected with the employee's officially assigned duties. The employee shall turn over to the association any money received for such service;
3. Other authorized duties or assignments in connection with official business; or
4. Up to five days' leave in the event of the death of any member of the employee's immediate family. Immediate family includes mother, father, spouse, son, daughter, brother, sister, grandparents, mother- or father-in-law and any other relative living in the same household. The executive director may grant additional bereavement leave, without pay.

### **Policy: 2800.2 Executive Director Granted Leaves of Absence Without Pay**

*Adopted - September 22, 1995; June 29, 2012; January 20, 2017*

*Reviewed - March 16, 2012*

The executive director may grant employees leaves of absence without pay and/or benefits, or educational leave without pay and/or benefits, not to exceed one year. Requests for such leave must be in writing and shall provide reasonable justification for the request.

### **Policy: 2800.3 Association Short-Term Payment of Benefits**

*Adopted - June 29, 2012; January 20, 2017*

*Reviewed - March 16, 2012*

The executive director has the authority to authorize the association's payment of the employee's benefits for a period of time not to exceed 30 days of leave of absence without pay.

### **Policy: 2800.4 Personal Leave Days**

*Adopted - January 25, 2004; June 29, 2012; January 20, 2017*

*Reviewed - March 16, 2012*

Regular employees shall be granted 2 personal days on the first of January each year. New employees shall be granted 2 personal leave days on their start of service date. Use of personal leave is to be mutually scheduled with the executive director or his/her designee. Personal leave days do not accumulate. Employees shall not be paid for unused personal leave.

### **Policy: 2800.5 Inclement Weather**

*Adopted - January 25, 2004; January 22, 2005; June 29, 2012; January 20, 2017*

*Reviewed - March 16, 2012*

The executive director or designee may close the OSBA office due to inclement weather. Procedures regarding office closure are outlined in the employee handbook.

Policy Section: 2900 Military Leave

**Policy: 2900.1 Military Leave**

*Adopted - January 20, 2017*

*Reviewed - September 22, 1995; March 16, 2012*

A regular employee who has been employed for six months or more immediately preceding an application for military leave and who is a member of the National Guard or any reserve component of the armed forces of the United States, is entitled to leave of absence from duties for a period not exceeding 15 calendar days or 11 work days in any calendar year. If the training time for which the employee is called to active duty is longer than 15 calendar days, the employee may be paid for the first 15 days only if such times served are for the purpose of discharging the obligation of annual active duty for training in the military reserve or National Guard.

Policy Section: 3000 Misuse of Leave

**Policy 3000.1 Misuse of Leave**

*Adopted - January 20, 2017*

Any misuse or fraudulent use of any leave may result in discipline up to and including dismissal.

Policy Section: 3100 Workers' Compensation

**Policy: 3100.1 Workers' Compensation**

*Adopted - September 22, 1995; June 29, 2012; January 20, 2017*

*Reviewed - March 16, 2012*

When an employee is absent due to illness or injury compensable under Workers' Compensation Law (ORS Chapter 656), the employee may:

1. Elect receive only workers' compensation benefits and use his/her accumulated sick leave; or
2. Elect to receive workers' compensation benefits and use his/her accumulated sick leave to make up the difference between the amount of the workers' compensation benefits received and his/her normal salary or hourly wage. Accumulated sick leave may be used in this manner until depleted, at which time the employee will be eligible to receive only workers' compensation benefits, if any remain available, but the association's obligation to pay sick leave is limited to the difference between any payment received for time loss under the association's long-term disability insurance coverage and the employee's regular salary.

Policy Section: 3200 Notice of Layoff or Dismissal

**Policy: 3200.1 Notice of Layoff or Dismissal**

*Adopted - September 22, 1995; June 29, 2012; January 20, 2017*

*Reviewed - March 16, 2012*

The executive director shall give written notice of a pending layoff or dismissal to any employee at least 15 calendar days before the effective date.

## Policy Section: 3300 Notice of Resignation

### **Policy: 3300.1 Notice of Resignation**

*Adopted - September 22, 1995; June 29, 2012; January 20, 2017*

*Reviewed - March 16, 2012*

Employees shall give the executive director at least 14 calendar days' written notice of resignation, unless the executive director agrees to a shorter period of time. With the approval of the executive director, an employee may withdraw the employee's resignation. Withdrawal of resignation shall not be approved if it will result in the layoff of an employee appointed to fill the position made vacant by the resignation.

## Policy Section: 3400 Staff Evaluation

### **Policy: 3400.1 Staff Evaluation**

*Adopted - January 20, 2017*

The supervisor shall be responsible for the annual evaluation of each staff member. The evaluation year shall be July through June. Goals on which an employee will be evaluated must be approved by the supervisor no later than September 30. Staff shall be evaluated by their supervisor within 180 days of employment with the association. Thereafter, staff shall be evaluated annually by their supervisor.

## Policy Section: 3500 Employee Ethics and Conflicts of Interest

### **Policy: 3500.1 Employee Ethics and Conflicts of Interest**

*Adopted - June 23, 2002; September 18, 2011; January 24, 2014; January 20, 2017*

*Reviewed - January 20, 2012*

Employees are allowed financial benefits, such as their official compensation package, reimbursed expenses, limited honoraria and unsolicited awards for professional achievement. Employees are prohibited from using or attempting to use their position to obtain a financial gain or to avoid a financial detriment for the employee, a relative or member of the household of the employee, or any business with which the employee, relative, or member of the household of the employee is associated, if the opportunity for financial gain or avoidance of a financial detriment would not otherwise be available but for the employee's position with OSBA. Specifically, this means that:

1. Employees must pay for any personal use of OSBA equipment. See the *OSBA Employee Handbook* for personal use of OSBA equipment and price list.
2. OSBA's supplies, facilities, equipment, employees, records or any other public resources are not to be used to engage in private business interests. For example, an OSBA-owned computer cannot be used to commercially sell products or services.
3. Employees may not use discounts offered by private companies for the employee's personal benefit if the discount is only offered because of the employee's OSBA position. For example, the employee may use the discount to purchase items for OSBA. Employees can also accept the discount if it is also available to a substantial segment of the population who are not employees of OSBA.
4. The employee's position is not to be used to take official action that could have a financial impact on a private business with which the employee or a relative are associated. For example, if an employee's brother owns a pest-control business which is seeking a contract

with OSBA, the employee must declare an actual conflict of interest in writing, describing the nature of the conflict, and provide this to the human resources department.

5. Confidential information gained as an employee is not to be used to obtain a financial benefit for the employee, a relative or a business with which any are associated.
6. During a calendar year an employee or a relative may not solicit or receive, directly or indirectly, any gift or gifts with an aggregate value in excess of \$50 from any single source that could reasonably be known to have a legislative or administrative interest.

Definitions:

- a. A “legislative or administrative interest” means an economic interest, distinct from that of the general public in any matter where an employee would make a decision or vote. Example: Purchase or leasing of a copy machine. Purchase of a service for OSBA. Purchase of a product for OSBA.
  - b. A “relative” means the spouse<sup>5</sup>, parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law of the employee; or the parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law of the spouse of the employee. Relative also includes any individual for whom the employee has a legal support obligation, whose employment provides benefits<sup>6</sup> to the employee, or who receives any benefit from the employee’s public employment.
  - c. "Member of household" means any person who resides with the employee.
7. An employee may not solicit or receive, whether directly or indirectly, honoraria for the employee or relative if the honoraria are solicited or received in connection with the official duties of the employee.

Definitions:

“Honorarium” means a payment or something of economic value given to a public official in exchange for services upon which custom or propriety prevents the setting of a price. Services include, but are not limited to, speeches or other services rendered in connection with an event.

8. If an employee authorizes a public contract, the employee may not have a direct beneficial financial interest in that public contract for two years after the date the contract was authorized.
9. During a calendar year, a person who has a legislative or administrative interest may not offer to an OSBA employee or a public official or a relative of the employee or public official any gift or gifts with an aggregate value in excess of \$50.
10. During a calendar year, an employee who has a legislative or administrative interest may not offer to a candidate for public office or a relative of the candidate for public office any gift or gifts with an aggregate value in excess of \$50.
11. Gifts do not include:
  - a. An unsolicited token or award of appreciation in the form of a plaque, trophy, desk item, wall memento or similar item, with a resale value reasonably expected to be less than \$25.

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<sup>5</sup>The term spouse includes domestic partner.

<sup>6</sup>Examples of benefits may include, but not be limited to, elements of an official compensation package including benefits such as insurance, tuition or retirement allotments.



- b. Admission provided to or the cost of food or beverage consumed by an employee or relative or staff of the employee when accompanying the employee, at a reception, meal or meeting held by an organization when the employee represents OSBA.
- c. Reasonable food, travel or lodging expenses provided to an employee, a relative of the employee accompanying the employee, or a staff member when the employee is representing OSBA where receipt of the expenses is approved in advance.
- d. Food or beverage consumed by an employee at a reception where the food or beverage is provided as an incidental part of the reception and no cost is placed on the food or beverage.
- e. Entertainment provided to an employee or a relative that is incidental to the main purpose of another event.
- f. Entertainment provided to an employee or a relative where the employee is acting in an official capacity while representing OSBA in a ceremonial purpose.

Definition:

- (1) “Member of household” means any person who resides with the employee.
- (2) “Relative” means: the spouse<sup>7</sup>, parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law of the employee; or the parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law of the spouse of the employee. Relative also includes any individual for whom the employee has a legal support obligation, whose employment provides benefits<sup>8</sup> to the employee, or who receives any benefit from the employee’s public employment.

12. Nepotism

An employee may not appoint, employ, promote, discharge, fire, or demote or advocate for such an employment decision for a relative unless he/she complies with the conflict of interest requirements. This rule does not apply to employment decisions regarding unpaid volunteer positions, unless it is a board-related position.

An employee may not participate in any interview, discussion, or debate regarding the appointment, employment, promotion, discharge, firing, or demotion of a relative.

**Policy: 3500.2 Resolution of Conflict of Interest**

*Adopted - January 20, 2017*

*Reviewed - June 26, 2011; January 24, 2014*

When met with a potential conflict of interest, the employee shall notify the executive director in writing of the nature of the potential conflict, and request that the executive director dispose of the matter giving rise to the potential conflict. Upon receipt of the request, the executive director shall designate within a reasonable time an alternate to dispose of the matter, or shall direct the employee to dispose of the matter in a specified manner (ORS 244.120(d)).

When met with a potential conflict of interest, the executive director shall notify the Executive

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<sup>7</sup>The term spouse includes domestic partner.

<sup>8</sup>Examples of benefits may include, but not be limited to, elements of an official compensation package including benefits such as insurance, tuition or retirement allotments.



Committee or the Board in writing of the nature of the potential conflict, and request that the executive committee or Board dispose of the matter giving rise to the potential conflict. Upon receipt of the request, the Executive Committee or Board shall designate within a reasonable time an alternate to dispose of the matter, or shall direct the executive director to dispose of the matter in a specified manner (ORS 244.120(d)).

**Policy 3500.3 Conflict of Interest Requiring Board Approval**

*Adopted - March 16, 2012; January 20, 2017*

*Reviewed - January 20, 2012*

When a conflict of interest or potential conflict of interest exists regarding a matter that requires board approval, the Board shall be notified at least two weeks in advance of any meeting where board action on the matter is to be taken.

*Policy Section: 3600 Safe and Healthy Workplace*

**Policy: 3600.1 Safe and Healthy Workplace**

*Adopted - June 20, 1992; January 20, 2017*

*Reviewed - March 16, 2012*

It is the intent of the association to provide a safe and healthy workplace. Each person in the workplace has a personal responsibility for his/her own safety and health as well as the safety and health of co-workers. To assist all workers, a Safety Committee has been established. The committee's purpose is to involve everyone in the prevention of injury and illness due to hazards in the workplace.

*Policy Section: 3700 Harassment/Nondiscrimination*

**Policy: 3700.1 Harassment**

*Adopted - January 20, 2017*

*Reviewed - March 16, 2012; March 15, 2013; June 21, 2013*

The OSBA is committed to the elimination of harassment in the OSBA's offices and at OSBA events. Harassment is strictly prohibited and shall not be tolerated. This includes harassment of staff by other staff, Board members or third parties. "Third parties" include, but are not limited to, volunteers, visitors, service contractors or others engaged in OSBA business, such as employees of businesses or organizations participating in cooperative work programs with OSBA and others not directly subject to OSBA control. "OSBA" includes OSBA facilities, premises and non-OSBA property if the employee is at any OSBA-sponsored, OSBA-approved or OSBA-related activity or function where the employee is engaged in OSBA business.

The definition of "harassment of staff" shall include, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature when:

1. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits;
2. Submission to or rejection of the conduct or communication is used as the basis for employment or assignment of staff;
3. The conduct or communication is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with an employee's ability to perform his/her job; or

creates an intimidating, offensive or hostile working environment. Relevant factors to be considered will include, but not be limited to, did the individual view the environment as hostile; was it reasonable to view the environment as hostile; the nature of the conduct; how often the conduct occurred and how long it continued; age and sex of the complainant; whether the alleged harasser was in a position of power over the staff member subjected to the harassment; number of individuals involved; age of the alleged harasser; where the harassment occurred; and other incidents of harassment involving the same or other staff.

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

All complaints about behavior that may violate this policy shall be promptly investigated. Any employee who has knowledge of conduct in violation of this policy or feels he/she is a victim of harassment must immediately report his/her concerns to the supervisor, HR director, staff counsel or deputy executive director, who has overall responsibility for all investigations. The staff member who initiated the complaint shall be notified of the findings of the investigation and, if appropriate, that remedial action has been taken.

The initiation of a complaint in good faith about behavior that may violate this policy shall not adversely affect any terms or conditions of employment or work environment of the staff complainant. There shall be no retaliation by the OSBA against any person who, in good faith, reports, files a complaint or otherwise participates in an investigation or inquiry of harassment.

It is the intent of the OSBA that appropriate corrective action will be taken by the OSBA to stop the harassment, prevent its recurrence and address negative consequences. Employees in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional harassment awareness training, as appropriate. Other individuals whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the deputy executive director.

Additionally, the OSBA may report individuals in violation of this policy to law enforcement officials.

The deputy executive director will establish a process of reporting incidents of harassment, shall ensure appropriate periodic harassment awareness training or information is provided to all supervisors and staff, and that annually, the name and position of OSBA officials responsible for accepting and managing harassment complaints, business phone numbers, addresses or other necessary contact information is readily available. This policy as well as the complaint procedure will be made available to all staff in the employee handbook.

**Policy: 3700.2 Nondiscrimination**

*Adopted - June 14, 2009; September 21, 2012; January 20, 2017*

*Reviewed - March 16, 2012*

OSBA prohibits discrimination and harassment on any basis protected by law, including but not

limited to, an individual's perceived or actual race, color, religion, sex, sexual orientation<sup>9</sup>, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, veterans' status, or because of the race, color, religion, sex, sexual orientation, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, veteran's status, or of any other persons with whom the individual associates.

In keeping with requirements of federal and state law, OSBA strives to remove any vestige of discrimination in employment, assignment and promotion of personnel.

The deputy executive director shall appoint and make known in the staff handbook the individuals to contact on issues concerning the Americans with Disabilities Act and Americans with Disabilities Act Amendments Act of 2008 (ADA), Section 504 of the Rehabilitation Act of 1973, Title VI, Title VII, Title IX and other civil rights or discrimination issues. OSBA will provide complaint procedures providing for prompt and equitable resolution of employee complaints in the employee handbook.

Federal civil rights laws prohibit discrimination against an individual because he/she has opposed any discrimination act or practice or because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing. ADA further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under the Act.

### **Policy: 3700.3 Whistleblower and Nonretaliation**

*Adopted - June 26, 2011; September 18, 2011; September 21, 2012, June 19, 2016; January 20, 2017*

*Reviewed - March 16, 2012*

OSBA expects each employee, officer and board member to observe the highest standards of workplace ethics in performing duties and responsibilities. This policy is intended to make clear how to report a concern or complaint about fiscal matters, employment matters, ethical matters or violations of local, state, or federal law. This policy is also intended to assure the employee that he/she will not be retaliated against for reporting a concern or complaint in good faith.

### **Reporting**

Complaints or reports may be made on a confidential basis. Anonymous complaints may also be made and will be investigated to the extent that sufficient facts and details are provided in order to allow for an investigation. The confidentiality of the whistleblower will be maintained except as necessary to conduct a thorough investigation and within the limitations of law.

Reports can be made to the executive director, deputy executive director, human resources department, staff counsel or OSBA outside counsel as designated by the Board; currently the firm of Hart Wagner. Nothing in this policy requires the individual reporting a complaint or concern to present the matter to the person who is the subject of the complaint. The reports can be verbal or in writing.

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<sup>9</sup>“Sexual orientation” means an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behavior differs from that traditionally associated with the individual’s sex at birth.

## **Resolution of Complaints**

All reported allegations will be promptly and fully investigated. Investigations may be conducted by a staff member or by a hired investigator. Corrective action will be taken as warranted. Employee discipline is generally a confidential matter.

## **Retaliation**

The OSBA prohibits retaliation against staff or others for bringing forth good faith complaints or reports or for participating in a review or investigation, proceeding or hearing, under this policy. This protection also extends to those whose allegations are made in good faith but are mistaken. Retaliation includes, but is not limited, to harassment, disciplinary action or limits to future promotion opportunities.

When an employee has, in good faith, a reasonable belief the association has: violated any federal, state or local, law, rule or regulation; has engaged in mismanagement or gross waste of funds; has abused authority or created a substantial and specific danger to public health and safety by its actions; and an employee then discloses or plans to disclose such information, it is an unlawful employment practice for the association to:

1. Discipline, discharge, demote, transfer, reassign, take disciplinary action against an employee or threaten any of the these actions;
2. Withhold work or suspend an employee;
3. Discriminate or retaliate against an employee with regard to promotion, compensation or other terms, conditions or privileges of employment;
4. Direct or discourage an employee to not disclose information regarding the above;
5. Require an employee to give noticed prior to making any disclosure of information regarding the above;
6. Interfere with an employees attempts to disclose information regarding the above;
7. Prohibit an employee from discussing, either specifically or generally, the activities of the state or any agency of or political subdivision in the state, or any person authorized to act on behalf of the state or any agency of or political subdivision in the state, with:
  - a. Any member of the Legislative assembly;
  - b. Any Legislative committee staff acting under the direction of any member of the legislative assembly; or
  - c. Any member of the elected governing body of a political subdivision in the state or any elected auditor of a city, county or metropolitan service district.

An employee who has general questions regarding this policy or its applicability may consult with their director, human resources department, staff counsel, executive director or deputy executive director.

### **Policy Section: 3800 Office Operations**

#### **Policy: 3800.1 Association-Provided Technology**

*Adopted - June 29, 2012; September 28, 2013; January 20, 2017*

*Reviewed - March 16, 2012*

Access to the association-provided technology is primarily for the exchange of information and research consistent with the vision, mission, goals and activities of the association. The executive

director or designee shall develop, as necessary, guidelines and procedures for employees regarding computer and Internet access and use.

**Policy: 3800.2 Electronic Mail**

*Adopted - September 21, 1996; January 25, 2004; September 28, 2013; January 20, 2017*

*Reviewed - March 16, 2012*

Part of the association's internal computer network, as well as the Internet, allows use of electronic mail for communications. Electronic mail may constitute a public record under certain circumstances and may be accessible or obtainable by individuals, agencies and others outside the association and subject to state archivist rules for retention/destruction. Electronic mail is not private and will be monitored when the executive director or the Board deems it necessary to do so.

**Policy: 3800.3 Social Media - Board Members**

*Adopted - September 21, 2012; January 20, 2017*

*Reviewed - March 16, 2012*

The purpose of this policy is to address the increasing popularity and usefulness of social media as a rapidly evolving means of communication. The policy is to provide important standards and guidelines when using social media.

Staff shall abide by the association's guidelines as set forth in the staff employee handbook.

Participation in social media on behalf of OSBA is not a right but an opportunity. Board members are expected to treat this opportunity with due seriousness and respect, and are expected to follow the terms and conditions for any third-party sites. Failure to abide by these guidelines could put any board members participation at risk.

The following are official guidelines for participating in social media for OSBA and are applicable for any OSBA board member personally creating or contributing to blogs, social networks or any other kind of social media.

**Definitions**

1. "Social Media" is an umbrella term for various forms of communication consisting of user-created text, audio and video published in a shared online environment, such as over the Internet or through mobile telephone networks, including but not limited to, social network services (i.e., Facebook, Twitter, LinkedIn, etc.), blogs, texts, forums or message boards, audio/video content commodities (i.e., You Tube, Flickr), etc.
2. "Intellectual Property" is a product of the intellect (knowledge) that has commercial value, including copyrighted property such as literary or artistic works, and ideational property, such as patents, appellations of origin, business methods, and industrial processes.

Board members who use social media for association purposes are to always conduct themselves in a professional manner according to this policy and any other applicable policies and procedures.

All Board members will maintain OSBA's confidentiality, legal guidelines for speech and personal privacy. Everything on the Internet is public and searchable. Ultimately individual postings are the responsibility of the individual. Board members should have no expectation of privacy while using OSBA email addresses or while sending to OSBA computer systems and other devices. OSBA will monitor and investigate the use of equipment and associated sites as necessary.

“Confidential information” includes, but is not limited to, litigation and client-related information.

OSBA supports transparency and is committed to ensuring all postings clearly disclose relationships or endorsements, and that statements about OSBA products are truthful and substantiated. All published material must be true and not misleading, and all claims must be substantiated and approved.

OSBA monitors social media related to its activities and interests, including the activities of members. Authors of any nondisclosed relationships or statements that are false or misleading will be contacted for correction. If it is found that an author repetitively makes inaccurate statements about OSBA, OSBA products, or OSBA services, OSBA may revoke authorization to participate in social media on behalf of the association.

Social media websites have nearly unlimited communication potential, duration and retention, and generally can be accessed by anyone around the world. Thus, to protect OSBA's legitimate interests, employees, contractors, board members or volunteers who maintain or contribute to social media sites are prohibited from engaging in the following activities:

1. Using social media to threaten physical violence against employees, association members, contractors, volunteers or others associated with the organization or to harass such individuals based on their color, race, national origin, religion, sex, sexual orientation, age, disability, marital status, or any other protected status under applicable law;
2. Using social media to comment on anything that would be protected by federal law under HIPPA/FERPA;
3. Using social media to post intellectual property, trademarks logos or copyrighted materials owned by OSBA or any of its affiliates;
4. Post photos or recordings without prior notification;
5. Posting OSBA confidential business information, including but not limited to private information about employees, volunteers, Board Members, service providers and suppliers, OSBA's financial information;
6. Using photographs, recordings, marketing materials or other materials owned by OSBA for personal social media activities;
7. Using social media to engage in libelous, defamatory, obscene, violent, maliciously false or otherwise egregious behavior directed at or implicating OSBA, its members, visitors, employees, volunteers, contractors, service providers or others associated with the organization or any of its affiliates.

These limitations are not intended to infringe upon any rights that Board members may have under applicable local, state and federal employment and/or labor laws.

OSBA reserves the right to take any appropriate legal action necessary to stop or remedy improper or unlawful conduct involving social media.

**Policy: 3800.4 Computers**

*Adopted - September 21, 1996; June 29, 2012; September 28, 2013; January 20, 2017*

*Reviewed - March 16, 2012*

No employee shall install or download any software onto the computer network or individual computers, other than that provided by the association, without permission of the executive director or designee.

**Policy: 3800.5 Intellectual Property**

*Adopted - September 21, 1996; June 29, 2012; November 11, 2012; September 28, 2013; January 20, 2017*

*Reviewed - March 16, 2012*

The association retains ownership to items such as computer manuals and programs, outlines, handbooks, slides, general instructional materials, articles for association publications, etc., when (a) such items are produced by an employee in the course of employment or as part of any assigned job duty; or (b) when such items are produced by an employee using association supplies, other employees and/or equipment. The association shall retain all proceeds or royalties from the production, sale or distribution of these items and, in its sole discretion, may sell, transfer or convey its rights regarding these items.

**Policy 3800.6: Email Account Guidelines**

*Adopted - January 20, 2017*

*Reviewed - March 16, 2012*

OSBA Board members should create a unique individual email account for public business. Board members may request that OSBA provide an individual email address through the association for business use. Annually, OSBA Board members shall receive from the association, information related to acceptable email use and email guidelines.

**Policy 3800.7: Acceptable use of Association-Provided Technology**

*Adopted - September 21, 1996; September 28, 2013; January 20, 2017*

1. Access to technology, including but not limited to the Internet, computers and electronic mail (e-mail) is provided both as a business tool for and a benefit to employees.
2. Employees shall use the association-provided technology solely for job-related research and association business communications during work hours.
3. Employees may use the association-provided technology on-site for personal research and communications outside of work hours, provided these activities do not result in additional expenses for the association and do not interfere with association business. Employees shall not use association-provided technology for private or commercial business purposes.
4. Employees shall not use association-provided technology for inappropriate or unlawful purposes, including but not limited to, placing unauthorized information, computer viruses or harmful programs on or through the computer system in either public or private files or messages, using obscene or otherwise inappropriate language in communications and obtaining, viewing, or downloading information that is unlawful, obscene, indecent, vulgar, pornographic or otherwise objectionable. Inappropriate or unlawful use of association-provided technology will result in discipline up to and including dismissal.



# APPENDIX I

## Investment Policy Guidelines

Adopted: January 21, 1996

Re-adopted: June 13, 1997; June 19, 1998; June 18, 1999; June 18, 2000; June 24, 2001; June 23, 2002; June 22, 2003; June 27, 2004; June 26, 2005; June 23, 2006; June 22, 2007; June 20, 2008; June 12, 2009; Sept. 11, 2009; June 11, 2010; June 26, 2011; July 19, 2012; March 15, 2013; June 20, 2014; June 20, 2015; June 17, 2016

This investment policy governs two separate funds of money:

- Surplus funds of the Oregon School Boards Association (OSBA).
- Surplus funds of the OSBA Property and Casualty Education Trust (PACE).

The goal in investing funds is to achieve an optimum rate of return (defined as income plus realized and unrealized capital gains and losses) while ensuring protection of invested cash. The fund seeks a total return of long-term capital appreciation and income net of fees in the range of 4-5% annually adjusted for inflation. Consistent with a spending policy of 3-6% annually of the fund's three-year trailing average principle value, it is anticipated this total return will be enough to support spending from the fund. Such funds may be invested by the executive director of the Oregon School Boards Association or the executive director's designee as the custodial officer.

The Executive Director shall be permitted to enlist an outside investment agency for the purpose of managing operating reserve funds.

### Investment Objectives

- A. To retain liquidity and provide income to meet projected or unexpected cash needs.
- B. To attain the best possible total return (yield and market appreciation) while retaining liquidity and minimizing risk.
- C. To assure the safety of principal.

These objectives are ranked in order of importance. No "speculative" activity on securities is permitted.

#### A. *Investment*

The OSBA Board of Directors has adopted the following asset allocation formula for OSBA's investment manager. The formula is consistent with the desired objectives and risk tolerances of the funds.

1.

<b>Asset Category</b>	<b>Preferred Allocation</b>	<b>Target Range</b>
Equities	40%	20 - 50% Bonds/Fixed
Income	55%	30 - 70%
Cash/Equivalent	5%	0 - 20%

#### B. Exception

The above formula may be altered to either reduce market risk or optimize opportunities to capitalize on expected market movement.

### Diversification

The purpose of diversification is to insure that no single investment, security, class of investments or industry group will have a dominant position in the portfolio of investments.

- A. In order to minimize the risk of large losses in individual security positions, the portfolio will be constructed to attain extensive diversification in both equity and fixed income investments with no material concentration of plan assets in any single security or industry group with the exception of U.S. Government and Agency obligations.
- B. Economic Sectors: It is expected that the equity component of the portfolio will reflect a broad economic sector diversification.

### Portfolio Constraints

#### A. *Permitted Transactions*

1. Federally insured certificates of deposits, savings accounts, and money market funds that invest in government backed securities.
2. Bank repurchase agreements, banker acceptances, and commercial paper.
3. United States Treasury Bills and United States Government Securities that are backed by full faith of the United States Government.
4. Investment grade (BBB) or better individual corporate or municipal bonds.
5. Exchange traded funds.
6. Open end and closed-end mutual funds.
7. Equities of Corporations listed on the New York Stock Exchange (NYSE), American Stock Exchange (AMEX), and large and medium capitalization companies listed on National Association of Securities Dealers Exchange (NASDAQ).
8. Master Limited Partnerships (MLPs).
9. Real Estate Investment Trusts (REITs)

B. *Fixed Income Securities*

1. Quality

In addition to government Treasuries and Agencies, all other marketable issues held should have a minimum quality rating of investment grade or better, at time of purchase as designated by a recognized rating service. For purposes of commercial paper holdings, issues held should have a minimum quality rating of "A1 -PI", as defined by a recognized rating service.

2. Maturity

The average duration will not exceed 10 years.

3. Limitation

The maximum investment in any one fixed income security will be limited to 5% of the fixed income portfolio, at time of purchase (Government and Agency obligations are excluded from this limitation).

4. Commercial paper and repurchase agreements, as well as convertible securities and bonds, are considered acceptable assets.

C. *Equity Assets*

The equity assets will be managed in accordance with the following criteria:

1. Minimum criteria for direct investment in a stock:

Market Value	1 Billion
Minimum Trading Volume	1 Million per day average over a 5 day period
Annual Sales	1 Billion

2. The equity investment in any single company should not exceed 5 percent of the fund's assets. Investments in mutual funds or ETF's would not be subject to this limit.

3. Investment in Mid, Small Cap, and International equities may also be made through the use of mutual funds or ETF's. Mutual funds and/or ETF's selected will be diversified and generally conform to the above-mentioned company and industry guidelines.

4. Exchange Traded Funds (ETF) are open-end funds that trade like a stock and are designed to track an index. Therefore, ETF's should be used to provide the desired diversification in the portfolio where allocation weighting is small (less than 5% of portfolio)

### Prohibited Transactions

1. No assets shall be invested in non-negotiable and non-marketable issues.
2. No assets shall be invested in commodity contract, derivatives, futures, junk bonds, limited partnerships.
3. No assets shall be committed to short sale contracts.
4. No assets shall be invested in equity option contracts, i.e., the purchase or sale of "puts" or "calls" on equity securities.
5. There shall be no purchases or sales of assets between the funds and the Investment Manager(s) or any affiliate.
6. There shall be no purchases, sales, or other transactions in connection with which the Investment Manager(s) or any affiliate receives any payment or its own account, whether as underwriter, investment banker, or broker.

### **Performance Measurement**

The OSBA Board of Directors shall use the following standards for measurement of the rate of return.

A. Fixed Income

The fixed income portion of the portfolio will be measured against the Barclay's Intermediate Government Corporate Bond Index.

B. Equities

The large cap equity component of the portfolio will be measured against the S&P 500 w/ Income Index.

C. Cash

The cash positions will be measured against the 90-Day Treasury Bill return.

D. It is understood that total return performance of the funds will be measured over market cycle, generally assured a period of three to five years.

### **Payout Guidelines**

Withdrawal of income from the funds shall be at the written discretion of the OSBA Executive Director or designee following OSBA policy.

## Reporting

- A. The custodian will furnish the appropriate staff monthly status reports of the funds reflecting quantity of individual security purchased, security cost basis, percentage of asset allocation by security, month ending value, and any other data requested by the appropriate staff from time to time.
- B. The manager(s) will furnish the appropriate staff and Finance Committee quarterly statements containing the same information enumerated in part A above and is expected to review personally the progress of the funds with the Board at least annually or at such other times as requested.

## **Investment Practices**

### A. *Investment Authority*

Investment authority is vested with association's executive director. The executive director is directly responsible to the Board.

A register of investments will be kept by the executive director at all times. The association's investments will be reviewed with the Board annually. Additionally, the investment policy will be reviewed annually with the Board.

### B. *Custody/Safekeeping of Assets*

The association will not normally take delivery of the investment securities purchased. Instead, the association will utilize a custodian, which can provide a timely confirmation of all sales and purchases.

### C. *Investment Audits*

Once every other year the board of directors or executive director will provide for an audit of the association's investment activity to assure compliance with all applicable laws and policies.