

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

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

The board of directors shall consist of up to 21 regionally elected directors including the following officers: president, the president-elect, the vice president, immediate past president and the 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:

- A. Any director of the National School Boards Association elected from Oregon;
- B. The past president of the Oregon Association of School Executives or designee;
- C. The past president of the Confederation of Oregon School Administrators or designee;
- D. The chair of the Oregon Board of Education or designee;
- E. Such other members as shall provide balance to the board.

These ex-officio members serve in addition to the chair of the ESD board member section, or designee, and the president of the Oregon Community College Association, or designee, as specified in the constitution.

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

- A. 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.
- B. It may employ a salaried executive director and shall determine this position's salary and duties.
- C. It shall, at regularly called meetings thereof, fill all vacancies in any office until the next scheduled board member election.
- D. 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 of directors by not less than three members thereof, in accordance with the Oregon public meetings laws.
- E. 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.
- F. It shall adopt an annual budget for the association.
- G. It shall pass upon appointments by the president to committees.

- H. It shall require an annual audit of the books of the secretary-treasurer and any other officer or employee who handles funds of the association.
- I. It shall determine the site of the head office of the association.
- J. It shall authorize such special committees as it deems necessary for the proper conduct of the affairs of the association.
- K. 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.
- L. It shall promote the active involvement of member school boards in the regional structure of the association.
- M. It shall prepare and distribute an impact statement for any resolution to be placed before the membership.

Adopted 09/18/11

Policy: 100.2 Executive Committee

The executive committee shall consist of five officers of the board of directors: 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 of directors, in place and stead of the board of directors 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.

The executive committee shall recommend a budget to the board of directors.

Adopted DB 06/26/11

Policy: 100.3 President

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

- A. Consistent with the constitution, appoint all committees, subject to the approval of the board of directors;
- B. Call all regular and special meetings;
- C. Serve as an ex-officio member of all committees.

Adopted DB 06/26/11

Policy section: 200 Secretary-Treasurer

Policy: 200.1 Elections and Duties

A secretary-treasurer shall be elected by the board of directors. The duties of the secretary-treasurer shall be to keep a suitable minute book of accurate minutes of all regular and special meetings and board of director meetings; arrange for proper banking facilities, receive, account for and disburse funds in a businesslike manner as provided for by the board of directors; 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 of directors. This person serves for one calendar year.

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

Adopted 09/18/11

Policy: 200.2 Auditor

The board of directors 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 of Directors, the Executive Committee and the Finance Committee, along with OSBA staff members, may meet with the auditors prior to the commencement of the audit and again following its completion.

Adopted 09/18/11

Policy section: 300 Responsibility of Staff

Policy: 300.1 Delegation of Authority

Upon establishing association policies and directives, the board of directors delegates to the executive director, the responsibility for the operation of the association. Additionally, the executive director has the authority to delegate responsibility to staff to achieve effective operation of the association.

Adopted DB 06/26/11

Policy: 300.2 Executive Director Evaluation

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.

Adopted 09/18/11

Policy: 300.3 Hiring & Dismissal Authorization (discussion & action)

The board of directors authorizes the hiring of staff, but delegates to the executive director or the executive director's designee the responsibility for the selection and dismissal of staff.

Adopted 09/18/11

Policy: 300.4 Hiring of Staff

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 the OSBA employee ethics and conflicts of interest policy (3500.1) and the following hiring process are applicable:

PROCEDURE:

Personnel Requisitions

Personnel requisitions must be completed in order to fill OSBA positions. Requisitions must be initiated by the program director. Requisition approval by the executive director is required and then it shall be forwarded to human resources. Personnel requisitions should indicate the positions' hours/shifts, status, reason for the opening, essential job functions and qualifications (or a current job description may be attached, or any special recruitment advertising instructions). Compensation will be determined in conjunction with human resources.

Job Postings

All regular exempt and non-exempt 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 may be conducted as needed. If 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 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 and Alcohol 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 criminal background checks. The hiring director or human resources will check references for all candidates. Human resources will contact final candidates to complete a pre-employment drug and alcohol 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 and alcohol screen, 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.

Adopted 09/18/11

Policy: 300.5 Employee Compensation

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 OSBA 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 throughout the nation with similar sized annual operating budgets, as well as within the range established by comparable non-profit 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 throughout the nation with similar sized annual operating budgets, as well as within the range established by comparable non-profit associations in Oregon and other comparators deemed appropriate by the executive director.

As part of the annual budgeting process the OSBA 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.

Adopted 09/18/2011

Policy: 300.6 NSBA Relationships

Membership in the National School Boards Association is maintained by the board of directors. 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 serve as delegates and alternates to the delegate assembly during the annual NSBA convention. Officers and the executive director maintain relationships with the Pacific Regional Conference for state associations. The executive director maintains relationship for the OSBA 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.

Adopted 09/18/11

Policy: 300.7 Publishing of OSBA Materials

The board of directors 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.

Adopted 09/18/11

Policy: 300.8 Services to Member School Districts

The board of directors approves association services made available to member school boards. The fee structure for association services shall be reviewed and adopted by the board of directors. The board of directors 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.

Adopted 09/18/11

Policy: 300.9 Publications List Fee

An individual can pay \$50 per year to receive all association publications. The fee does not allow the individual any rights of membership.

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.

Adopted 09/18/11

Policy section: 400 Budget and Financial Administration

Policy: 400.1 Budget Policy

The board of directors, 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. The budget presented by the executive director to the board of directors shall include an estimated ending cash balance (reserve) equal to at least 15 percent of the budgeted annual expenditures for the budget period.

Adopted DB 06/26/11

Policy: 400.2 Deposits of Revenue

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

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

A signed voucher shall be required in support of each authorized non-payroll check.

Policy: 400.5 Investment Procedures

Temporarily idle funds or reserves of the association and its trust shall be considered surplus funds of a political subdivision and shall be invested under provisions of Chapter 294. 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 OSBA board of directors will adopt a specific investment policy no less often than annually to govern the investments of association surplus funds and trust reserves in compliance with ORS Chapter 294 and pursuant to the primary objectives.

Policy: 400.6 Bonding

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

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 section 500 Board of Director Expenses

Policy: 500.1 General

- A. Travel arrangements are made through the administrative specialist. Conference registration, hotel and airfare expenses are pre-paid by OSBA where possible. Travel reimbursement expense forms are available for qualified expenses not pre-paid by OSBA.
- B. 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.
- C. The association issues checks on the 15th and 30th of each month after receiving receipts from board members. Reimbursement requests should be submitted within 60 days of the event.
- D. Receipts are expected for all expense reimbursements. (Consider: 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.)
- E. 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)).
- F. Personal entertainment and liquor expenses are the responsibility of the board member.
- G. Meeting Conduct
 - 1. Professional conduct and appearance is expected while traveling on OSBA business.
 - 2. Most meeting/conference apparel is business attire or business casual. Attire should be consistent with the purpose(s) and circumstances of the meeting.
 - 3. Only members of the official OSBA delegation and staff shall attend OSBA sponsored appointments (e.g. FRN, legislative appointments, etc.)

Policy 500.2 Automobile Expenses

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

- A. Reimbursement of board members for expenses incurred for meals, lodging and incidental expenses while on association business will be made based on actual cost.
- B. 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% of these types of charges. There may be exceptions to the limit of 15%. An example of an exception would be a restaurant that has a minimum service charge. Reasonable tips for hotel staff may also be reimbursed.
- C. Hotel room Internet fees shall be reimbursed when their use is specific to being an OSBA board member.
- D. The president or the president's designee only will be reimbursed for actual expenses incurred while attending the OSBA Annual Convention and sponsored workshops.
- E. The president and other official delegates of the association will be reimbursed for expenses incurred while attending the NSBA Convention, Leadership Conferences and Federal Relations Network.

Policy section: 600 Association Dues Structure

Policy: 600.1 Dues Schedule

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

District Size	Dues
K-12 Districts	
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
ESDs	
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

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 Enrollment Adjustments for Member Districts

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: 600.4 Changes

The board of directors 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 Legislative Policy Committee

- A. The Legislative Policy Committee (LPC) shall be composed of the nineteen (19) voting members of the board of directors of the association and nineteen (19) regional representatives elected by procedures outlined in Article IX and X. The vice president of the board shall chair the committee. The term of office is two (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.
- B. The board shall adopt a position description describing the duties of a LPC member.

Policy: 700.2 Insurance Trust Committees

The president shall appoint, subject to the approval of the board of directors, an insurance trust committee or committees, as appropriate and necessary. Such committee(s) shall be made up of five trustees, three of whom are school board members and two administrative staff of member school districts. The purpose of such trust committee(s) 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. Administering the various insurance programs of the association is the responsibility of such committee(s). The executive director, or designee, serves as the administrator for the insurance trust committee(s).

Policy: 700.3 Additional Committees

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

Policy section: 800 Inter-agency Involvements

Policy: 800.1 Local Government Center

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. 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

The Oregon Community College Association is provided office facilities 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

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

Policy: 900.2 Other Workshops and Conferences

The executive director shall determine the number and type of workshops and conferences the association shall offer or in which the association will participate. The executive director shall annually report to the board the type and effectiveness of workshops and conferences offered.

Policy Section: 1000 Board Ethics and Conflicts of Interest

Policy: 1000.1 Board ethics and conflicts of interest

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, household member or a relative is associated.

This prohibition does not apply to any part of an official compensation package, honorarium allowed by 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” in the conflict of interest context is defined as a board member’s spouse; any children of the board member or of the board member’s spouse; brothers, sisters, half-brothers, half-sisters, spouses of siblings, parents of a board member or of spouse, aunts, uncles, nieces, nephews and step-parents.

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

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 code of ethics 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 and 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.

1. "Relative" in the gift context means the spouse of the board member; any children of the board member or of the board member's spouse; siblings, spouses of siblings or parents of the board member or of the board member's spouse; any individual for whom the board member has a legal support obligation; or any individual for whom the board member provides benefits arising from the board member's public employment or from whom the board member receives benefits arising from that individual's employment.
2. "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.

"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” 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:

i. 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:

(1) The board member is scheduled to deliver a speech, make a presentation, participate on a panel, or represent the OSBA; AND

(a) The giver is a unit of a:

- (i) Federal, state, or local government;
- (ii) An Oregon or federally recognized Native American tribe;

OR

(iii) Non-profit corporation.

(2) The board member is representing the OSBA:

(a) On an officially sanctioned trade-promotion or fact-finding mission;

OR

(b) Officially designated negotiations or economic development activities where receipt of the expenses is approved in advance by the board.

ii. 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.

Adopted 09/18/11

Policy: 1000.2 Conflict with Association Position

Directors 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 director or officer in stating such position and, if necessary, to say publicly that they are not stating a position of the association.

Adopted 09/18/11

Policy section: 1100 Association Attorney

Policy: 1100.1

The board of directors authorized the retention of an association attorney at an annual fee.

Policy: 1200 Consulting Insurance Broker

Policy: 1200.1

Insurance trust committees are authorized by the board of directors to retain consulting insurance broker(s).

Policy section: 1300 Public Charter School Board Associate Membership

Policy: 1300.1

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

Policy: 1300.2

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 of directors.

Policy 1300.3

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

Charter School Size	2006-07 Dues
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 1300.4

Charter schools formed between January 1 and June 30 of a fiscal year that wish to join 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 1300.5

Associate members in the association are non-voting members at membership meetings, in accordance with Article IV section 1 of the OSBA constitution.

Policy 1300.6

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

- A. Receipt of all free and purchased OSBA publications at the same rates as any other member of OSBA.
- B. 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.

- C. Access to the following OSBA trust services subject to the requirements of the individual trust agreement's eligibility requirements (and as specified below):
 1. OSBA Property and Casualty Coverage for Education (PACE) Trust.

Policy section 1400 Regional Election Procedures

Policy 1400.1 Elections Calendar

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

- A. 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 300.8)
- B. 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 non-compliance shall be sent to the OSBA president-elect at OSBAelections@osba.org.

Policy: 1400 Board of Director Elections

A. Nominations

Any local board (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:

1. Candidates must be active members of a local board in the region;
2. Candidates must certify that they are willing to serve, if elected, as a member of the OSBA board of directors;
3. The nomination must be an official action of the local board in the region;
4. Candidates must complete an OSBA Board of Directors' Candidate and Personal/Professional Resume forms.

B. 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.

C. Candidate Information

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

1. Describe in your own words the mission and goals OSBA.
2. What do you want to accomplish by serving on the OSBA board of directors?
3. 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.
4. What do you see as the two most challenging issues faced by OSBA?
5. What do you see as the two most challenging issues faced by your region?
6. 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

A. Nominations

Any local board (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:

1. Candidates must be active members of a local board in the region;
2. Candidates must certify that they are willing to serve, if elected, as members of the OSBA board of directors;
3. The nomination must be an official action of the local board in the region;

4. Candidates must complete an OSBA Board of Directors Candidate and Personal/Professional Resume forms.

B. 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.

C. Candidate Information

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

1. What do you want to accomplish by serving on the Legislative Policy Committee (LPC)?
2. What leadership skills do you believe you bring to LPC? Give an example of a situation in which you demonstrated these skills.
3. What do you see as the two most challenging legislative issues faced by OSBA?
4. What do you see as the two most challenging legislative issues faced by your region?
5. What is your plan to communicate with boards in your region?

Candidates shall limit their responses to 50 words per question.

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

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

Policy: 2000.2 Delegated Authority

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

The association shall provide and maintain an automobile for the executive director. This automobile may be driven for personal use but the association shall be reimbursed for such use.

Policy: 2000.4 Key policy designation and review

All OSBA employees shall annually review key policies. Key policies shall be designated by the executive director and shall include, but are not limited to, OSBA policies regarding ethics, harassment and whistleblower and non-retaliation. Upon completion of the key policy review all employees will confirm that they have reviewed and understand these key policies by signing the "Confirmation of key policy review and understanding" form.

Adopted 09/18/11

Policy section 2100 Employment

Policy: 2100.1 Association Definitions

- A. **Employment Year:** The 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.
- B. **Full-time Employee:** An employee who works a minimum of 40 hours per week, 173.3 hours per month, or 2,080 hours per year.
- C. **Regular Employee:** An employee who works more than 1,040 hours within an uninterrupted calendar year.
- D. **Part-time Employee:** An employee who works more than 600 hours, but less than 1,040 hours, within an uninterrupted calendar year.
- E. **Start of Service:** 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.
- F. **Leave Year:** OSBA uses the rolling 12-month period measured forward for FMLA military caregiver leave and uses the rolling 12-month period measured backward for all other FMLA leave.
- G. **Workweek:** A workweek is seven consecutive 24-hour days beginning on Sunday each week.

Policy: 2100.2 Eligibility for Association Benefits

Any individual who is hired by the Association and meets the definition of a regular employee, as defined in 2100.0 C, is eligible for benefits.

Policy: 2100.3 Benefits Earned

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% of designated full-time benefits).

Policy: 2100.4 Employment Terms

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 OSBA 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 OSBA board will be provided an update and a copy of the contract at its next regularly scheduled

meeting. Currently, the executive director has a three-year contract with the board. No other full-time employees have employment agreements with the association.)

Policy 2100.5 Work Year

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. (For example, 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%) of the annual stated benefits.)

Policy: 2100.6 Paid holidays

- A. Regular employees of the association shall be granted nine (9) 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.
- B. 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

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

The executive director has the authority to adjust the pay schedule to meet Association needs, but in no case shall the payday for employees be later than the last work day before the end of the month.

Policy section: 2200 Elected School Board Service

Policy: Elected School Board Service

Because of the possibility of conflict of interest, staff members are not encouraged to run for election to a local school board, serve on a local school board or be a publicly visible campaigner for a school board candidate.

Policy section: 2300 Staff Expenses

Policy: 2300.1 Staff Expenses

The executive director shall set reimbursement rates and procedures for staff expenses to meet Association needs.

Policy: 2300.2 Association Automobiles

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

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).

Policy: 2300.4 Loans

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

Adopted DB 06/26/11

Policy section: 2400 Vacation Leave

Policy: 2400.1 Vacation Leave Accrual

Regular employees shall accrue vacation leave as follows:

- A. 0 - 1825 days from their start of service (0-5 years): 10 hours for each month worked. [15 days annually]
- B. 1826 - 3650 days from their start of service (5-10 years): 11.34 hours for each month worked. [17 days annually]
- C. 3651 - 5475 days from their start of service (10-15 years): 13.34 hours for each month worked. [20 days annually]
- D. 5476 - 7300 days from their start of service (15-20 years): 15.34 hours for each month worked. [23 days annually]
- E. After 7301 days from their start of service (After 20 years): 17.34 hours for each month worked. [26 days annually]

- F. 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.
- G. 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: 2400.2 Eligibility for Scheduling and Taking Vacation Leave

- A. A regular employee shall have completed six (6) months of service with the association to be eligible for vacation leave.
- B. Employees shall mutually schedule the dates vacation leave is to be taken with the executive director or his/her designee.
- C. 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: 2400.3 Authority for Variance

The executive director shall have the authority to make exceptions to the interpretation of dates vacation days are earned. The executive director shall consider employee length of service, rationale supporting the request for the policy variance and office workload.

Policy section: 2500 Insurance

Policy: 2500.2 Additional Program Options and Benefits

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: 2600 Retirement

Policy 2600.1 Social Security

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 2600.2 Pension Plan

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 Oregon School Boards 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 Oregon School Boards 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: 2600.3 Re-employment of PERS-Retired Staff

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: 2700 Sick Leave

Policy 2700.1 Accumulation

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 take up 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 Number 2600.2, 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

Employees may use their accumulated sick leave when unable to perform their work by reason of illness or injury, necessity for medical or dental care, or as approved by the executive director. Employees may also use sick leave where there is illness or death in their immediate families, as defined by state law, in order to make arrangements for or provide initial assistance to the ill relative, but sick leave should not be used to provide extended household or child care.

Policy: 2700.3 Unused Sick Leave

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

Policy: 2700.4 Extended Sick Leave

After earned sick leave has been exhausted and/or completion of any applicable family medical leave under Oregon or federal 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

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

Policy: 2700.6 Family Illness and Medical Leave

The association shall provide family illness and medical leave in accordance with state and federal law. State and federal leave benefits will run concurrently whenever possible and whenever federal law applies to the association. Employees must use accumulated vacation leave, if available, and accumulated sick leave, if available, during such leave. If accumulated vacation and/or sick leave are/is unavailable, the leave shall be without pay. Employees may choose the order in which they use vacation and sick leave time.

Policy: 2700.7 Coordination of Sick Leave Benefits

In addition to and in coordination with policy 3100.1 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. In instances when long-term disability benefits are paid, pro-rata charges will be made against the employee's accrued sick leave.

Policy section: 2800 Other Leaves with Pay

Policy: 2800.1

Any employee shall be granted leave of absence with pay for the following:

- A. Service with a Jury. The employee shall turn over to the association any money received for such service.
- B. Attendance in court in connection with an employee's officially assigned duties, including time required going to court and returning to headquarters. The employee shall turn over to the association any money received for such attendance during duty hours. However, the association shall provide appropriate travel and per diem allowance, if applicable.

Policy: 2800.2

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

- A. 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 for matters other than the employee's officially assigned duties;
- B. Other authorized duties or assignments in connection with official business; or
- C. 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: 2800.3 Personal Leave Days

Regular employees shall be granted two (2) personal days on the first of January each year. New employees shall be granted two (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 2800.4 Inclement weather

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

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 Leave of Absence Without Pay And/or Benefits

Policy: 3000.1

The executive director may grant the employee a leave 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: 3000.2 Association Short-Term Payment of Benefits

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 section: 3100 Workers' Compensation

Policy 3100.1

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

- A. Elect receive only workers' compensation benefits and use his/her accumulated sick leave; or
- B. 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.

Policy Section: 3200 Notice of Layoff or Dismissal

Policy: 3200.1

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

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

The supervisor shall be responsible for the annual evaluation of each staff member. The evaluation year shall be July through June. Goals against 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

OSBA 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 or a 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. This includes, but is not limited to, the personal use of the OSBA:
 - a. Fax machine (\$1.00 per page);
 - b. Phones to make long distance personal calls (at cost);
 - c. OSBA vehicles (see vehicle policy);
 - d. Copy machine (.25cents); and
 - e. Package mailing (at cost).

Further, 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.

2. 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.

3. 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, a relative or member of the employee's household 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.

4. Confidential information gained as an employee is not to be used to obtain a financial benefit for the employee, a relative or member of the employee's household or a business with which any are associated.

5. During a calendar year an employee or a relative or a member of the employee's household may not solicit or receive, directly or indirectly, any gift or gifts with an aggregate value in excess of \$50.00 from any single source that could reasonably be known to have a legislative or administrative interest.

Definitions:

1. 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.

2. A "relative" in the gift context means the spouse of an employee; any children of the employee or of the employee's spouse; siblings, spouses of siblings or parents of the employee or of the employee's spouse, any individual for whom the employee has a legal support obligation; or any individual for whom the employee provides benefits arising from the employee's employment or from whom the employee receives benefits arising from that individual's employment.

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

Definitions:

1. "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.

7. 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.

8. 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 or member of the household of the employee or public official any gift or gifts with an aggregate value in excess of \$50.00.

9. 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 or member of the household of the candidate for public office any gift or gifts with an aggregate value in excess of \$50.00.

10. Gifts do not include:

1. 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 \$25.00.
2. Admission provided to or the cost of food or beverage consumed by an employee, or a member of the household or staff of the employee when accompanying the employee, at a reception, meal or meeting held by an organization when the employee represents OSBA.
3. Reasonable food, travel or lodging expenses provided to an employee, a relative of the employee accompanying the employee, a member of the household 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.
4. 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.
5. Entertainment provided to an employee or a relative or member of the employee's household that is incidental to the main purpose of another event.
6. Entertainment provided to an employee or a relative or member of the employee's household where the employee is acting in an official capacity while representing OSBA in a ceremonial purpose.

Resolution of conflict of interest

When met with a conflict of interest or a potential conflict of interest, the employee shall notify the executive director in writing of the nature of the conflict. A form is available in the human resource department for this purpose. It is also available on OSBA's intranet. Upon receipt of the request, the executive director shall designate within a reasonable time an alternate to dispose of the matter, or shall in writing direct the employee to dispose of the matter in a specified manner.

Definition:

1. "Relative" in the conflict of interest context is defined as an employee's spouse including domestic partners; any children of the employee or of the employee's spouse; brothers, sisters, half-brothers, half-sisters, spouses of siblings, parents of an employee or a of a spouse, aunts uncles, nieces, nephews and step-parents.
2. Member of the household means any person who resides with the employee.

Nepotism

1. An employee may not appoint, employ, promote, discharge, fire, or demote or advocate for such an employment decision for a relative or a member of his or her household, 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.
2. An employee may not participate in any interview, discussion, or debate regarding the appointment, employment, promotion, discharge, firing, or demotion of a relative or a member of his or

her household. An employee may still serve as a reference, provide a recommendation or perform other acts that are part of the normal job functions of the employee.

Adopted 09/18/11

Policy: 3500.2 Resolution of Conflict of Interest

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)).

Policy section: 3600 Safe and Healthy Workplace

Policy: 3600.1

It is the intent of the Oregon School Boards 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

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 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 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 OSBA that appropriate corrective action will be taken by 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, 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

OSBA shall promote nondiscrimination and an environment free of harassment based on an individual's race, color, religion, sex, sexual orientation, national origin, marital status, age or disability, because of the race, color, religion, sex, sexual orientation, national origin, marital status, age or disability 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 the individuals to contact on issues concerning the Americans with Disabilities Act (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 grievance 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 Non retaliation

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 state or federal law. This policy is also intended to assure you that you 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/general counsel, human resources department or OSBA outside counsel as designated by the board, currently the firm of Mersereau & Shannon. 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.

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

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.

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

Adopted 09/18/11

Policy section: 3800 Office Operations

Policy: 3800.1 Internet

- A. Access to the Internet is primarily for the exchange of information and research consistent with the vision, mission, goals and activities of the association.
- B. Access to the Internet is provided both as a business tool for and a benefit to employees. The Internet may be accessed on-site or remotely using association equipment.
- C. Employees shall use the Internet solely for job-related research and association business communications during work hours.
- D. Employees may use the Internet 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 the Internet for private or commercial business purposes.
- E. Employees shall not use the Internet 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 Internet use will result in discipline up to and including dismissal.
- F. Internet access records and records of downloaded files are not private and will be monitored. At least four (4) times per year, the computer files and e-mail accounts of twenty-five percent (25%) of the staff will be selected at random and will be reviewed by the executive director's designee. The computer files e-mail account of the executive director's designee will be reviewed at least annually by his/her supervisor.
- G. The executive director shall develop, as necessary, guidelines and procedures for employees regarding computer and Internet access and use.

Policy: 3800.2 Electronic Mail

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 deems it necessary to do so.

Policy: 3800.3 Computers

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: 3800.4 Intellectual Property

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 section: 3900 Staff Ethics

Policy: 3900.1

Association employees will comply with state ethics laws.