



# POLICY MANUAL

Policies pertaining to the organization and management of the Oregon School Boards Association. These policies supplement, but do not replace, the terms in the Articles of Incorporation and Bylaws of the corporation. The extent that any provision in these policies is inconsistent with the Articles or Bylaws, the Articles and Bylaws shall control.

Adopted: June 1980  
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## Section 1000 OSBA Membership

### Policy: 1100 Membership

*Adopted: November 8, 2007; June 24, 2018*

*Original Code: 600.2; 600.3*

All members must qualify as: (1) a “political subdivision” as defined under 26 C.F.R. Part 1.103-1(b) and Revenue Ruling 78-276, 1978-2 C.B. 256 (1978); and (2) as one of the following:

1. Local School District as defined under Oregon Revised Statute (ORS) Chapter 332;
2. Education Service District as defined under ORS Chapter 334;
3. Community College District as defined under ORS Chapter 341;
4. State Board of Education as defined under ORS Chapter 326; and
5. Any other governmental educational organization qualifying as a political subdivision, as approved by resolution of the Board.

Public charter schools, established under ORS Chapter 338, are not considered political subdivisions as defined under 26 C.F.R. Part 1.103-1(b) and Revenue Ruling 78-276, 1978-2 C.B. 256 (1978), and therefore are not eligible to contract directly with, or become members or associate members of, OSBA. Charter schools may access OSBA services through an agreement with their sponsoring entity.

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

### Policy: 1200 Dues Schedule

*Adopted: September 15, 2007; January 20, 2017; June 24, 2018*

*Reviewed: January 20, 2012*

*Original Code: 600.1; 600.10*

Each member district shall cause to be paid to the Oregon School Boards Association (OSBA) annual dues based on its average daily membership (ADM). The Board, with the input of the executive director, may recommend changes in the dues schedule. Such changes require a majority vote of the OSBA membership.

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.

## Section 2000 OSBA Board of Directors

### Policy: 2100 Board of Directors

*Adopted: January 25, 2004; November 8, 2007; June 26, 2011; September 18, 2011;*

*January 24, 2014; January 20, 2017; June 24, 2018; September 14, 2018*

*Original Code: 100.1; 1400.1*

The name of the governing body of the corporation is the board of directors, in accordance with the OSBA Bylaws.

The Board shall consist of up to 23 regionally elected directors, including 2 directors to represent the regions of the board president and immediate board past-president, if those officers come from regions that have only one representative, pursuant to Sections 2 and 3 of the OSBA Bylaws.

The board offices of president, president-elect, vice president, immediate past-president, and secretary-treasurer are nominated and elected by the Board, pursuant to Section 5 of the OSBA Bylaws. The Board will consult with local boards in the affected region, when filling any board vacancy by appointment, pursuant to Section 3.8 of the OSBA Bylaws.

The following individuals or their designees may serve as ex-officio members and, pursuant to the OSBA Bylaws Section 3.7, will be nonvoting advisors to the board of directors:

1. Any director of the National School Boards Association elected from Oregon;
2. Any officer of the National School Boards Association, National School Boards Advocacy Committee, or an officer of the Pacific Region;
3. The immediate past-president of the Oregon Association of School Executives;
4. The immediate past-president of the Confederation of Oregon School Administrators;
5. The chair of the State Board of Education;
6. The board section president of the Oregon Association of Education Service Districts;
7. The board section president of the Oregon Community College Association; and
8. Any other person as the Board may appoint.

The duties of the Board include the following:

1. Carry on the necessary business of the Board. The Board may adopt policy as deemed necessary for the conduct of its business and may, in the execution of powers granted, delegate certain aspects of its authority and responsibility to the Executive Committee;
2. Employ an executive director and determine this position's compensation and duties;
3. At regularly called meetings of the Board, fill all vacancies in any position until the next scheduled board of director's election;
4. Meet, not less than twice annually, in accordance with the Oregon Public Meetings Law and the OSBA Bylaws;
5. Determine the place, date and hour of regular Board meetings and serve, or cause to be served, proper notice in accordance with Oregon Public Meetings Law and the OSBA Bylaws;
6. Adopt an annual budget for the corporation;
7. Take action to approve committees and committee appointments as outlined in Section 4 of the OSBA Bylaws.
8. Require an annual audit of the books of the secretary-treasurer and any other officer or employee who handles corporation funds;
9. Determine the site of the corporate office.
10. Authorize such special committees as it deems necessary for the proper operation of the corporation;
11. Review the regional structure of the corporation at least every three years. Any recommended changes to the regional structure shall be submitted to the membership in accordance with Section 2.7 of the OSBA Bylaws;
12. Promote the active involvement of OSBA members within the region in which the director represents;
13. Prepare and distribute an impact statement for any resolution to be placed before the membership;
14. Adopt, annually, an elections calendar that establishes a timetable for electing board and LPC positions, and voting on resolutions;
15. Retain a \$50,000,000 reserve that may only be accessed by a two-thirds vote of both the board of directors and the OSBA membership.

## Policy: 2200 Board of Director Elections

*Adopted: January 20, 2017; June 24, 2018; September 14, 2018*

*Reviewed: January 20, 2012*

*Original Code: 1400.1; 1400.3*

### 1. Nominations

Any local board (e.g., school district, ESD, or community college), which is an OSBA member as per policy 1100 – Membership, may nominate an individual for a vacant position in its 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 OSBA Board of Director Candidate personal/professional resume.

### 2. Regional Elections

Each local board (e.g., school district, ESD, and community college) casts a single vote to elect its region's representative. A majority of votes cast is necessary to elect a candidate. If a majority is not attained by any one candidate, a run-off election will be held. In the event of a tie during the run-off election, the final decision will be made by the drawing of names during the next meeting of the board of directors at which time the selected name will be announced.

Boards may cast their votes by official board action and submit their votes either by mail or electronically, pursuant to the OSBA Bylaws Section 3.6.

The board of directors, acting upon the recommendation of the executive director, will establish a process for candidate application.

## Policy: 2210 Campaign Communications

*Adopted: January 20, 2017; June 24, 2018*

*Reviewed: January 20, 2012*

*Original Code: 1400.2*

Each region will have a section of the OSBA website for regional elections for OSBA board and LPC positions. The executive director shall waive the current fee system to allow candidates access to regional mailing lists (see policy 6000 - Services to Member Districts).

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: 2300 Term of Office

*Adopted: June 24, 2018; September 14, 2018*

The term for an OSBA board position is 2 years, with terms staggered, as established by the OSBA Bylaws, Section 3.4. An OSBA director must be an active member of the local board from the region they were elected. If this status is not maintained, their OSBA term of office is terminated on the last day of service to their local board. In the event the director holds a position on the executive committee, a transition period of up to 90 days will be implemented.

### Policy: 2400 Director of the Board Removal from Office

*Adopted: November 11, 2012; January 20, 2017; June 24, 2018*

*Original Code: 100.6*

Pursuant to the OSBA Bylaws, Section 3.10, a director may be removed for cause by vote of two-thirds majority of the directors or may be removed with or without cause by a majority vote of the members who elected the director.

### Policy: 2500 Board Ethics and Conflicts of Interest

*Adopted: September 18, 2011; January 20, 2017; June 24, 2018*

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

*Original Code: 1000.1*

Directors of the board will comply with all Oregon Government Ethics Commission laws and will annually sign and return the acknowledgment and disclosure form.

### Policy: 2510 Conflicts with OSBA's Position

*Adopted: September 18, 2011; January 20, 2017; June 24, 2018*

*Reviewed: January 20, 2012*

*Original Code: 1000.2*

Directors of the board, in their private or professional lives, may find themselves in conflict with positions of the OSBA. At such times, directors are to refrain from using their title as director or as an officer in stating such position and, if necessary, to say publicly that they are not stating a position of the OSBA.

### Policy: 2600 Social Media - Board of Directors

*Adopted: September 21, 2012; January 20, 2017; June 24, 2018; September 14, 2018*

*Reviewed: March 16, 2012*

*Original Code: 3800.3*

Directors of the board will adhere to Oregon Public Meetings Laws when communicating with other directors via social media websites or other electronic means.

Directors will utilize social media websites judiciously and treat fellow directors, members, staff and the public with respect while posting and shall refrain from:

1. Using social media to threaten physical violence against employees, members, contractors, volunteers or others associated with the organization or to harass such individuals based on their race, color, religion, sex, sexual orientation, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, veterans' 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 HIPAA/FERPA;
3. Using social media to post intellectual property, trademarks, logos, or copyrighted materials owned by OSBA or any of its affiliates;
4. Posting photographs, recordings, marketing materials or other materials owned by OSBA without prior executive director approval;
5. Posting OSBA's confidential business information including, but not limited to, private information about employees, volunteers, directors, service providers, or suppliers;
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.

### Policy: 2700 Travel – Board of Directors

*Adopted: September 14, 2018*

*Original Code: 500.1*

Professional conduct and appearance are expected while traveling on OSBA business. Most meeting/conference apparel is business attire or business casual. Attire should be consistent with the purpose(s) and circumstance(s) of the meeting. Only members of the official OSBA delegation and staff shall attend OSBA-sponsored appointments (e.g., NSBA advocacy events, legislative appointments).

Hotel and registration arrangements may be made through OSBA. Individual directors 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.

Directors are strongly encouraged to attend event meals paid for with the conference registration.

Receipts are required for all expense reimbursements (see policy 4800 - Expense Reimbursement – Directors of the Board).

Family members traveling or attending meetings with directors do so at the director's expense (see policy 2500 - Board Ethics and Conflicts of Interest, pursuant to ORS 244.020(1)).

Personal entertainment and liquor expenses are the responsibility of the director.

## Section 3000 Board Committees

### Policy: 3100 Board Committees

*Adopted: March 12, 2016; January 20, 2017; June 24, 2018*

*Original Code: 700.1; 700.2*

The Board shall have the following standing committees as established by Section 4 of the OSBA Bylaws:

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

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

1. Budget Committee;
2. Governance Committee;
3. Policy Committee.

Structure, function, membership and terms of office of all board committees are established by the OSBA Bylaws, unless otherwise specified in policy.

All meetings of any board committee will follow Oregon Public Meetings Law.

A quorum of any board committee 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 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.

A board 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. After due consideration by the board committee, the committee's 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 directors of the board 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: 3200 Executive Committee

*Adopted: November 8, 2007; June 26, 2011; January 20, 2017; June 24, 2018*

*Original Code: 100.2*

The Executive Committee, as established by the OSBA Bylaws, 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 of and instead of the Board between board meetings on all matters, except those specifically reserved to the Board under the terms of the OSBA Bylaws.

Actions of the Executive Committee shall be reported to the Board by mail, email or at the next board meeting.

### Policy: 3210 Finance Committee

*Adopted: June 24, 2018*

The Finance Committee, as established by the OSBA Bylaws, shall be appointed by the board president and shall be composed of members from Oregon public school districts, education service districts, and community colleges with boards that meet all criteria to be OSBA voting members. The members shall include, but are not limited to, the OSBA secretary-treasurer and vice-president, one OSBA board director from the PACE board of trustees, one district business official and one at-large director.

The Finance Committee shall operate within the guidelines of the corporation's investment guidelines and the Finance Committee Operating Manual.

### Policy: 3220 Legislative Policy Committee

*Adopted: November 8, 2007; January 20, 2017; June 24, 2018*

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

*Original Code: 700.11; 1400.4*

The Legislative Policy Committee (LPC), as established by the OSBA Bylaws, shall be composed of the voting members of the Board and 20 regional representatives elected by procedures outlined in Section 4.1.3(c) and (d) of the OSBA Bylaws. 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 priorities and policies that are recommended to and approved by the membership; and may act on behalf of the corporation in accordance with those policies. The LPC also advises the executive director and staff during legislative sessions.

### Policy: 3300 Budget Committee

*Adopted: March 12, 2016; January 20, 2017; June 24, 2018*

*Original Code: 700.22*

The Budget Committee shall consist of the Executive Committee and Finance Committee.

The function of the Budget Committee is defined in the Finance Committee Operating Manual and Investment Policy.

### Policy: 3310 Governance Committee

*Adopted: March 12, 2016; January 20, 2017; June 24, 2018; September 21, 2019*

*Original Code: 700.24*

The Governance Committee shall be a standing committee, appointed by the board president, subject to approval by the Board. The committee shall consist of the board president who shall serve as chair, at least six directors, and the board past-president as an ex-officio member. The director's terms of office shall be two years, with no term limits, and staggered start dates beginning in January.

Responsibilities of the Governance Committee include reviewing the regional structure of the corporation 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 corporation.

### Policy: 3320 Policy Committee

*Adopted: March 12, 2016; January 20, 2017; June 24, 2018; September 13, 2024*

*Original Code: 700.23*

The Policy Committee shall be a standing committee, appointed by the President, subject to approval by the Board. The committee shall consist of:

1. President-elect, as chair;
2. At least two (2) and no more than five (5) directors of the Board; and
3. President, as voting ex-officio.<sup>1</sup>

The director's terms of office shall be two (2) years, with no term limits, and staggered start dates beginning in January. The president-elect and president serve in accordance with their officer roles.

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 review of the OSBA Policy Manual.

### Policy: 3400 Additional Committees or Ad Hoc Committees

*Adopted: November 8, 2007; January 20, 2017; June 24, 2018*

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

*Original Code: 700.3*

The Board may create other committees as deemed necessary for the proper conduct of the affairs of the corporation.

An ad hoc committee may be created through Board appointment. Members shall be identified based on their interests and skills as they relate 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.

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<sup>1</sup> See OSBA Bylaws 5.5.1.

### Policy: 3500 Property and Casualty Coverage for Education (PACE) Board of Trustees

*Adopted: November 8, 2007; June 21, 2013; January 20, 2017; June 24, 2018; September 21, 2019*

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

*Original Code: 700.21; 1200.1*

The OSBA has established a property and casualty insurance pool which shall be known as Property and Casualty Coverage for Education (PACE). The purpose of the trust is to assure there is property and liability insurance available to OSBA members; and 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.

The PACE board of trustees will consist of nine members appointed by the OSBA board of directors. One of the trustee positions shall be filled by a member of the OSBA board of directors. The remaining eight trustee positions shall be filled by PACE member employees. Trustees are responsible for submitting a list of nominees to fill vacant trustee positions for review and appointment by the OSBA Board of directors.

The PACE board of trustees will be governed by the OSBA Property and Casualty Coverage for Education Trust Bylaws and the Trust Agreement.

### Policy: 3510 Property and Casualty Coverage for Education (PACE) Financial Investments

*Adopted: September 21, 2019*

Funds or reserves of OSBA's Property and Casualty Coverage for Education (PACE) shall be invested according to the PACE Investment Guidelines.

The objectives of investments include:

1. Retain liquidity investment to meet projected or unexpected cash needs;
2. Attain the best possible total return (i.e., income and market appreciation) while minimizing risk. "Risk" is defined as a significant loss of principal; and
3. To avoid significant portfolio drawdowns.

The Executive Director of the Oregon School Boards Association is the designated custodial officer of the PACE portfolio.

Annually, the PACE trustees will review the PACE Investment Guidelines to assure it meets the objectives and needs of the PACE members. If the Trustees approve any revisions, the proposed revisions shall be presented to the OSBA Board of Directors for review and appropriate action.

### Policy: 3600 Advisory to OSBA Staff Work Groups

*Adopted: March 12, 2016; January 20, 2017; June 24, 2018*

*Original Code: 700.4*

The directors of the board may be assigned, by the board president, to serve in an advisory capacity to a specific OSBA staff work group. The assignments are complete once the work group presents its recommendations to the executive director. OSBA staff will facilitate the work and set the meeting schedule.

## OSBA 4000 Fiscal Management

### Policy: 4100 Budget

*Adopted: June 26, 2011; September 28, 2013; January 20, 2017; June 24, 2018; February 9, 2019; February 5, 2021*  
*Original Code: 400.1; 4410*

The Board determines how the corporation's funds shall be spent when it considers and adopts the annual budget. Once the budget is approved, it shall be the guide for the officers and the executive director in the expenditure of all funds.

A prudent combination of the annual earnings and principal of the OSBA investments may be used as revenue in the budget.

OSBA investments include the permanent reserve, restricted reserves and the unrestricted reserve.

**Permanent Reserve (\$50,000,000):** Funds from this reserve may only be expended by a two-thirds vote of the general membership of OSBA and a two-thirds vote of the Board.

**Restricted Reserve:** Funds from this reserve may only be expended by a two-thirds vote of the Board.

**Unrestricted Reserve:** Funds from this reserve may be expended upon approval of the executive director. Expenditures of \$25,000 or more require Board ratification at the next regularly scheduled meeting.

No later than the first meeting of the calendar year, staff will present to the Finance Committee the estimated revenue and expenditures for the coming year. The presentation will include an estimated amount of revenue needed from earnings and principal from the investment portfolio. The Finance Committee determines if the earnings and accumulated appreciation are adequate to sustain the distribution and will give direction to staff for budget preparation.

The proposed budget will be developed by OSBA staff and presented to the Budget Committee. The budget will be developed with the intent of preserving the investment portfolio and assets of OSBA to the greatest extent possible while allowing the organization to best serve the membership and established goals.

The Budget Committee considers and takes action on the proposed budget and forwards their recommendations to the Board.

The Budget Committee's recommended budget is presented to the Board by the executive director and shall include an estimated ending cash balance in the unrestricted reserve equal to at least 15 percent of the budgeted annual expenditures for the fiscal year.

The Board will consider and adopt the budget no later than their June meeting. Once the budget is approved, it shall be the guide for the officers and the executive director in the expenditure of all funds.

Once the Board approves the annual budget, the distribution from the investments may be allocated at the beginning of the year or in installments throughout the fiscal year, as needed. In the event the total approved budget will be exceeded in any fiscal year, the executive director or designee shall present a request to amend the budget at the next board meeting.

### Policy: 4200 Financial Audit

*Adopted: November 8, 2007; September 18, 2011; September 28, 2013; January 20, 2017; June 24, 2018; September 14, 2018*  
*Reviewed: June 26, 2011*  
*Original Code: 200.2*

The Board shall provide for an annual audit of the corporation's finances and recordkeeping by an independent auditing firm. Every five years the Board shall 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 no later than the January board meeting. The OSBA staff may be excused during this meeting.

### Policy: 4300 Financial Statements

*Adopted: September 28, 2013; January 20, 2017; June 24, 2018*  
*Original Code: 200.3*

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: 4400 OSBA Financial Investments

*Adopted: January 20, 1996; June 21, 2013; January 23, 2015; January 20, 2017; June 24, 2018; June 23, 2019*  
*Reviewed: June 26, 2011*  
*Original Code: 400.5*

Funds or reserves of the association shall be invested according to the OSBA Investment Guidelines. The executive director is designated the custodial officer of these funds.

The primary objective of the Investment Policy Guidelines is the 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 risk. The executive director is designated the custodial officer of OSBA funds.

The board of directors has established the distribution of funds among the following three reserves as follows:

1. Permanent Reserve: The amount of the permanent reserve shall be \$50,000,000.
2. Unrestricted Reserve: The amount of the unrestricted reserve may fluctuate from year-to-year based on the performance of the investments but will be at least 15% of OSBA's approved budget, with a maximum amount of \$10,000,000. Any amount over \$10,000,000 will be allocated to the restricted reserve.
3. Restricted Reserve: The amount of the restricted reserve may fluctuate from year-to-year based on the performance of the investments. The restricted reserve does not have a set dollar amount as the allocation will be determined annually after the permanent reserve is fully funded and the criteria for the unrestricted reserve has been satisfied.

The dollar amount in each reserve fund will be adjusted at the end of each fiscal year to reflect the allocations listed above.

Distribution from any of the funds listed above shall follow policy 4410 – Annual Distribution from Investments.

Annually, the Finance Committee will review the Investment Guidelines of the corporation. If the Finance Committee approves revisions, the proposed revisions shall be approved by the board of directors.

### Policy: 4500 Bonding

*Reviewed: June 26, 2011; January 20, 2017; June 24, 2018*

*Original Code: 400.6*

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

### Policy: 4600 Capital Assets

*Adopted: June 20, 2014; January 20, 2017; June 24, 2018*

*Original Code: 400.8*

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 the life of the asset are not capitalized.

### Policy: 4700 Accepting of Private Interest Transactions

*Adopted: September 21, 2012; November 11, 2012; January 20, 2017; June 24, 2018;*

*September 14, 2018*

*Original Code: 100.4*

In order to maintain its tax-exempt status, OSBA must ensure that it performs only essential governmental functions and that all of its income and assets accrue to the State of Oregon or political subdivisions; therefore, OSBA contracts with private parties only for the purpose of effectuating its governmental functions and only in cases where private interests are making donations of cash or other assets or where a private interest purchases goods or services from OSBA for at least fair market value.

Each private interest transaction must be approved by the executive director. The terms and conditions of each private interest transaction must be set forth in a written agreement executed by the executive director and by a corporate officer of the private interest.

Private interest will have no control over the corporation’s decisions or policies.

No private interest shall have access to membership rosters except with prior written agreement signed by the executive director. Only the corporation may send mailings to members and subscribers. All private interest contracts will include terms requiring the corporation and the private interest to comply with the terms of the corporation’s information privacy and use terms.

Any materials that utilize OSBA content or member information will conform to the OSBA’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 OSBA.

OSBA will not accept private interest 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 OSBA, its members, and/or OSBA's mission.

Partisan political, lobbying, advocacy, and/or cause organizations beyond those supportive of OSBA's mission must be approved by the executive director.

As part of each agreement, OSBA reserves the right to a prior review and approval for any private interest materials, regardless of medium, that incorporate the OSBA's name and/or logos (see policy 6120 - Logos).

OSBA retains the right to cancel any private interest agreement at any time.

All approved agreements accepted on behalf of OSBA shall be reported to the Board via the executive director's report at a regular board meeting.

### **Policy: 4800 Expense Reimbursement - Directors of the Board**

*Adopted: January 19, 2007; June 20, 2014; January 24, 2014; January 23, 2015;  
January 20, 2017; June 24, 2018; February 9, 2019, March 9, 2024*

*Reviewed: January 20, 2012*

*Original Code: 500.1; 500.2; 500.3*

Those 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 be for the assigned meeting or event only. All other costs will be the responsibility of the director. Directors 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. Directors who volunteer as OSBA liaisons to other organizations will also be responsible for their own expenses to those organizations' meetings and activities unless otherwise voted on by the Board.

Reimbursement for director's expenses incurred for lodging, and incidental expenses while on corporation business will be made based on actual cost. Reimbursement requests shall be submitted within 60 days of the event.

1. 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 corporation for up to 20 percent of these types of charges. There may be exceptions to the limit of 20 percent. An example of an exception would be a service that has a minimum service charge. Reasonable tips for hotel staff may also be reimbursed.
2. Hotel room Internet fees shall be reimbursed when its use is specific to being a director of the board.
3. Typically, no reimbursement or per diem be given for meals off-site when an event meal has already been purchased. Exceptions should be cleared with the board president or executive director. Reimbursement receipts must include a brief written explanation for the need to eat off-site.
4. Attendees will be provided with a per diem for meals in accordance with the [U.S. General Services Administration](#) rates.
5. Reimbursement for use of personal automobile for in-state corporation business shall be made at the IRS rate per mile.

Except as otherwise approved by the board, travel and expenses will be reimbursed or otherwise covered by OSBA for the following:

1. OSBA Annual Convention, OSBA Summer Board Conference: Board officers;
2. Legislative Roadshows and regional meetings: Board president will be covered for all meetings; other board members will be covered for meetings within their region only;
3. NSBA Convention, NSBA Advocacy Conference, NSBA Pacific Region meetings and other NSBA events: Board officers and other board members fulfilling a responsibility (serving on an NSBA board or committee) or presenting.

Board members will ride with OSBA staff whenever feasible to save costs.

Travel reimbursement expense forms are available for qualified expenses not pre-paid by OSBA. 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.

The corporation will issue checks with the first accounts payable check run following receiving receipts from directors.

Family members traveling or attending meetings with a director do so at the director's expense (see policy 2500 - Board Ethics and Conflicts of Interest and pursuant to ORS Chapter 244).

Personal entertainment and alcohol expenses are the responsibility of the director.

## Section 5000 Administration

### Policy: 5100 Delegation of Authority

*Adopted: June 26, 2011; January 20, 2017; June 24, 2018; September 14, 2018*

*Original Code: 200.1;300.1; 300.5; 2000.1; 2000.2*

The Board delegates to the executive director the responsibility for the day-to-day operation and administration of the corporation in accordance with the OSBA Bylaws, and to represent the corporation in external matters relevant to the corporation.

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

The executive director has the authority to delegate responsibility to staff to achieve effective operation of the corporation.

The executive director may delegate a staff member to be in charge on a temporary basis for times of absence of the executive director. The executive director will notify the Board when this occurs.

### Policy: 5200 Executive Director Evaluation

*Adopted: September 18, 2011; January 20, 2017; June 24, 2018*

*Reviewed: June 26, 2011*

*Original Code: 300.2*

Annually, the Board shall conduct a formal evaluation of the executive director's job performance at least once each year. The evaluation year shall cover the period July through June.

The evaluation will be in accordance with the evaluation process mutually determined by the Board and executive director and will be approved by the Board at the June Board meeting prior to the beginning of the next evaluation cycle.

Goals for evaluation, as established during the evaluation process, shall be identified and shared with the Board no later than September 30 of the evaluation cycle. The executive director shall provide the board of directors with a mid-year report outlining progress on the goals.

## Section 6000 OSBA General

### Policy: 6100 Member Services

*Adopted: January 20, 2017; June 24, 2018*

*Original Code: 300.8*

Annually, the Board, acting upon recommendation of the executive director, will review and adopt the Fee Structure for Association Services. The fee structure sets the services that will be made available to the membership. The executive director may adjust or establish fees to meet unique circumstances of particular members served.

### Policy: 6200 Logos

*Adopted: November 11, 2012; January 20, 2017; June 24, 2018*

*Original Code: 300.75*

The logos of the Oregon School Boards Association and its individual programs, divisions, and departments are the sole and exclusive property of the corporation. 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.

### Policy: 6300 Annual Convention Fees and Costs

*Adopted: January 20, 2017; June 24, 2018*

*Reviewed: January 20, 2012*

*Original Code: 900.1*

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

### Policy: 6400 Requests for Legal Opinions

*Adopted: June 21, 2013; January 20, 2017; June 24, 2018*

*Reviewed: January 20, 2012*

*Original Code: 1100.2*

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

### Policy: 6500 Relationships with Professional Associations

*Adopted: September 18, 2011; January 20, 2017; June 24, 2018; September 14, 2018*

*Original Code: 300.6*

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. OSBA officers and a Board appointed, minority representative – as defined by NSBA, from a member district, ESD, or community college will serve as delegates and alternates to the delegate assembly during the annual NSBA convention.

OSBA officers 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 consisting of the chief staff person of each of the state school boards associations.

The Board encourages participation in and, at the discretion of the Board, financially supports attendance at national caucuses and NSBA events.

### Policy: 6600 Local Government Center

*Adopted: March 16, 2012; January 20, 2017; June 24, 2018*

*Reviewed: January 20, 2012*

*Original Code: 800.1; 800.2*

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 that provides that the executive directors of the three organizations shall be responsible for the site, the facilities and their operation.

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

## Section 7000 OSBA Personnel

### Policy: 7100 Definitions

*Adopted: June 14, 2009; January 20, 2017; June 24, 2018; March 9, 2024*

*Reviewed: March 16, 2012*

*Original Code: 2100.1*

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 that 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. "One-year period" means a period of 52 consecutive weeks beginning on the Sunday immediately preceding the date on which family leave commences.<sup>2</sup>
7. "Workweek" is the seven consecutive 24-hour days beginning on the Sunday of each week.
8. "Work year" is defined as the fiscal year that runs from July 1 to June 30.

### Policy: 7200 Hiring and Dismissal Authorization

*Adopted: May 18, 2003; June 26, 2011; January 20, 2017; June 24, 2018; September 14, 2018*

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<sup>2</sup> This change is effective on [July 1, 2024] to allow for the 60 days' notice to employees as required in 29 CFR § 825.200(d)(1).

*Reviewed: March 12, 2016*  
*Original Code: 300.3; 300.4; 2100.4*

OSBA believes that hiring qualified individuals contributes to the achievement of OSBA's mission. The executive director has the authority to select and dismiss staff.

The executive director shall establish guidelines for the hiring of staff. The terms and conditions of employment for all staff shall be determined by the executive director.

All employees of the Oregon School Boards Association are at-will employees.

The corporation or an employee may at any time for any reason terminate the employment relationship.

### **Policy: 7300 Payday**

*Adopted: September 22, 1995; June 29, 2012; January 20, 2017; June 24, 2018*  
*Reviewed: March 16, 2012*  
*Original Code: 2100.8*

The executive director has the authority to adjust the payday schedule to meet the corporation'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: 7310 Paid Holidays**

*Adopted: September 22, 1995; June 29, 2012; January 20, 2017; June 24, 2018*  
*Reviewed: March 16, 2012*  
*Original Code: 2100.6*

1. Full-time and regular employees of the corporation 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 Veterans Day), Christmas Day, New Year's Day, Martin Luther King's Birthday, Presidents 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: 7315 Staff Expenses**

*Adopted: September 22, 1995; January 20, 2017; June 24, 2018*  
*Original Code: 2300.1*

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

### **Policy: 7320 Automobiles**

*Adopted: September 22, 1995; January 25, 2004; January 20, 2017; June 24, 2018*  
*Reviewed: March 15, 2013*  
*Original Code: 2300.2*

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

### Policy: 7325 Credit Cards

*Adopted: September 22, 1995; January 25, 2004; January 24, 2014; January 20, 2017; June 24, 2018*  
*Original Code: 2300.3*

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 OSBA business of the issued card(s) as per OSBA guidelines.

Employees are required to immediately report lost, stolen, defective or otherwise compromised credit cards to the accounting specialist or director of operations and finance.

### Policy: 7330 Loans

*Adopted: June 26, 2011; January 20, 2017; June 24, 2018*  
*Original Code: 2300.4*

OSBA does not make personal loans to employees or directors of the board.

### Policy: 7335 Benefits Earned

*Adopted: September 22, 1995; January 20, 2017; June 24, 2018*  
*Original Code: 2100.2; 2100.3; 2400.1; 2800.3*

All full-time and regular employees shall be credited with benefits. 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).

Additional benefits may be offered by OSBA to its employees. Employees will be apprised of any additional benefits annually.

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: 7350 Vacation Leave

*Adopted: September 22, 1995; January 25, 2004; June 25, 2006; January 20, 2017; June 24, 2018*  
*Original Code: 2600.1; 2600.2*

All full-time or 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).

A regular or full-time employee shall have completed 6 months of service with the corporation to be eligible for vacation leave.

An employee shall not accrue or otherwise be paid for vacation leave in any month where his/her accrued vacation leave hours equal or exceed 300 hours as of the first of that month.

Vacation leave will be scheduled with the employee's supervisor, prior to taking leave.

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: 7354 Sick Leave

*Adopted: September 22, 1995; June 29, 2012, June 19, 2016; January 20, 2017; June 24, 2018*

*Reviewed: March 16, 2012*

*Original Code: 2700.1; 2700.2; 2700.3; 2700.4; 2700.8*

Sick leave is earned by each full-time 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. Regular and Part-time employees' sick leave may be pro-rated. Sick leave not taken shall accumulate for an unlimited number of days. OSBA will allow employees to transfer 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.

After 6 months of employment, 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.

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 full-time or regular employee upon request for a period of up to one year. Full-time or 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.

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

For purposes of determining retirement benefits under policy 7600 - Pension Plan, the OSBA permits employees to transfer an unlimited number of days of unused accumulated sick leave from other Oregon public employers.

### Policy: 7356 Sick Time

*Adopted: September 22, 1995; June 29, 2012, June 19, 2016; January 20, 2017; June 24, 2018*

*Reviewed: March 16, 2012*

*Original Code: 2700.2*

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. 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 corporation (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.

OSBA 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 corporation. 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 OSBA. This does not impact or affect the carryover and accumulation of an employee's standard sick leave.

Sick time shall run concurrently with any other applicable leave.

### **Policy: 7358 Parental Leave**

*Adopted: September 22, 1995; January 20, 1996; June 29, 2012, June 19, 2016;*

*January 20, 2017; June 24, 2018; September 14, 2018*

*Reviewed: March 16, 2012*

*Original Code: 2700.5; 2700.6*

OSBA will provide up to 20 working days of paid parental leave to employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster care. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or a newly adopted or newly placed child. This policy will be in effect for births, adoptions or placement of foster children occurring on or after July 1, 2018.

Eligible employees must meet the following criteria:

1. Have been employed with OSBA for at least 181 consecutive work days;
2. Have worked at least 1,250 hours during the 181 consecutive work days immediately preceding the date the leave would begin;
3. Be a full-time or regular employee (temporary and part-time employees and interns are not eligible for this benefit).

In addition, employees must meet one of the following criteria:

1. Have given birth to a child;
2. Be a spouse of a woman who has given birth to a child;



3. Have adopted a child or been placed with a foster child (in either case, the child must be age 17 or younger).

The adoption of a child by a new spouse is excluded from this policy.

Eligible employees will receive a maximum of 20 working days of paid parental leave per birth, adoption or placement of a child or children. The fact that a multiple birth, adoption or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the 20 working days total amount of paid parental leave granted for that event. In addition, in no case will an employee receive more than 20 working days of paid parental leave in a rolling 12-month period, regardless of whether more than one birth, adoption or foster care placement event occurs within that 12-month timeframe.

Approved paid parental leave may be taken at any time during the six-month period immediately following the birth, adoption or placement of a child with the employee. Paid parental leave may not be used or extended beyond this six-month timeframe.

In the event of a female employee who herself has given birth, the paid parental leave will commence at the conclusion of any short-term disability leave/benefit provided to the employee for the employee's own medical recovery following childbirth.

Employees must take paid parental leave in one continuous period of leave and must use all paid parental leave during the six-month timeframe indicated above. Any unused paid parental leave will be forfeited at the end of the six-month timeframe.

Upon termination of the individual's employment at OSBA, he or she will not be paid for any unused paid parental leave for which he or she was eligible.

Paid parental leave taken under this policy will run concurrently with any other leave the association is required by statute to provide the employee.

After the paid parental leave (and any short-term disability leave for employees giving birth) is exhausted, the balance of any other statutorily required leave (if applicable) will be compensated through employee's accrued sick, vacation and personal time. Upon exhaustion of accrued sick, vacation and personal time, any remaining leave will be unpaid leave.

The association will maintain benefits for employees during the paid parental leave period consistent with other association paid leave such as paid vacation leave or paid sick leave.

The employee will provide his or her supervisor and the human resource department with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible). The employee must complete the necessary HR forms and provide all documentation as required by the HR department to substantiate the request.

### **Policy: 7360 Family Illnesses and Medical Leave**

*Adopted: September 22, 1995; January 20, 1996; June 29, 2012, June 19, 2016;  
January 20, 2017; June 24, 2018; March 9, 2024*

*Reviewed: March 16, 2012*

*Original Code: 2700.7*

The association shall provide family illness and medical leave in accordance with state law. Employees may use accumulated vacation leave and/or 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/or sick leave time.

### Policy: 7362 Military Leave

*Adopted: January 20, 2017; June 24, 2018*

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

*Original Code: 2900.1*

A full-time or 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: 7364 Bereavement Leave

*Adopted: January 20, 2017; June 24, 2018; September 14, 2018*

*Original Code: 2800.1*

OSBA will provide 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: 7366 Personal Days

*Adopted: January 25, 2004; June 29, 2012; January 20, 2017; June 24, 2018*

*Reviewed: March 16, 2012*

*Original Code: 2800.4*

Full-time or regular employees shall be granted 2 personal days on the first of January each year. New employees shall be granted 2 personal days on their start of service date. Use of personal days is to be mutually scheduled with the employee's supervisor. Personal days do not accumulate. Employees shall not be paid for unused personal days.

### Policy: 7370 Executive Director Granted Leaves of Absence with Pay

*Adopted: September 22, 1995; June 29, 2012; January 20, 2017; June 24, 2018*

*Reviewed: March 16, 2012*

*Original Code: 2800.1*

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 corporation 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 corporation any money received for such service;
3. Other authorized duties or assignments in connection with official business.

### Policy: 7372 Executive Director Granted Leaves of Absence Without Pay

*Adopted: September 22, 1995; June 29, 2012; January 20, 2017; June 24, 2018*

*Reviewed: March 16, 2012*

*Original Code: 2800.2*

The executive director may grant employees leaves of absence 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. OSBA does not grant leaves of absence without pay or benefits for any vacation or leave benefits already provided.

#### **Policy: 7374 Misuse of Leave**

*Adopted: January 20, 2017; June 24, 2018*

*Original Code: 3000.1*

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

#### **Policy: 7400 Staff Evaluation**

*Adopted: January 20, 2017; June 24, 2018*

*Original Code: 3400.1*

Supervisors shall be responsible for the annual evaluation of each staff member under their supervision. The evaluation year shall be July through June. Staff shall be evaluated by their supervisor within 180 days of employment with the corporation. Further evaluations will occur with the OSBA evaluation cycle.

#### **Policy: 7500 Notice of Layoff or Dismissal**

*Adopted: September 22, 1995; June 29, 2012; January 20, 2017; June 24, 2018*

*Reviewed: March 16, 2012*

*Original Code: 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: 7510 Notice of Resignation**

*Adopted: September 22, 1995; June 29, 2012; January 20, 2017; June 24, 2018*

*Reviewed: March 16, 2012*

*Original Code: 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.

#### **Policy: 7600 Pension Plan**

*Adopted: November 13, 1994; January 14, 1995; September 22, 1995; June 29, 2012;*

*January 20, 2017; June 24, 2018*

*Reviewed: March 16, 2012*

*Original Code: 2500.2*

OSBA is a member of the Public Employees Retirement System (PERS). All PERS-eligible employees, after six-months service, must participate.

The corporation shall pick-up, assume and pay the required employee contribution.

#### **Policy: 7610 Re-employment of PERS-Retired Staff**

*Adopted: April 12, 2003; May 18, 2003; June 29, 2012; January 20, 2017; June 24, 2018; June 20, 2020*

*Reviewed: March 16, 2012*

*Original Code: 2500.3*

The decision to rehire an OSBA employee who has retired and is receiving benefits from the Oregon Public Employees Retirement System (PERS) will be made by the executive director on a case-by-case basis. The parameters of rehire will

be in accordance with Oregon Laws as well as applicable OSBA policies and guidelines. If the retiree is the executive director, the board of directors must approve.

#### **Policy: 7700 Policy Dissemination and Review**

*Adopted: September 18, 2011; January 20, 2017; June 24, 2018*

*Original Code: 2000.4*

All employees shall annually receive and agree to abide by the OSBA's Policy Manual and will sign and return the form acknowledging such.

#### **Policy: 7710 Employee Ethics and Conflicts of Interest**

*Adopted: June 23, 2002; September 18, 2011; January 24, 2014; January 20, 2017; June 24, 2018*

*Reviewed: January 20, 2012*

*Original Code: 3500.1*

Employees will comply with all Oregon Government Ethics Commission laws and will annually sign and return the acknowledgment and disclosure form.

#### **Policy: 7720 Resolution of Conflict of Interest**

*Adopted: January 20, 2017; June 24, 2018*

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

*Original Code: 3500.2; 3500.3*

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 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.

When met with a potential conflict of interest, the executive director shall notify the Executive 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: 7730 Hazing, Harassment, Intimidation, Bullying, Menacing, and Acts of Cyberbullying**

*Adopted: January 20, 2017; June 24, 2018; September 21, 2019*

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

*Original Code: 3700.1*

The OSBA is committed to providing a positive and productive working environment. Hazing, harassment, intimidation, bullying, menacing, and acts of cyberbullying of staff or third parties by staff, directors of the board, or third parties is strictly prohibited and shall not be tolerated. "Third parties" include, but are not limited to, OSBA clients, visitors, service contractors, or others engaged in OSBA business. This includes off-duty conduct that interferes with the staff's job responsibilities.

“Hazing” includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a staff member for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any OSBA-sponsored work activity, work group or work assignment, or other such activities intended to degrade or humiliate regardless of the person’s willingness to participate.

“Harassment” is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), sexual orientation, national origin, age (40 or older), disability, or genetic information. Harassment becomes unlawful when: 1) enduring the offensive conduct becomes a condition of continued employment; or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

“Intimidation” includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another’s property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the perception of the other’s race, color, religion, national origin, disability, or sexual orientation.

“Bullying” is a pattern of repeated mistreatment that harms, intimidates, undermines, offends, degrades, or humiliates an employee.

“Cyberbullying” means the use of any electronic device to convey a message in any form (e.g., text, image, audio, or video) that intimidates, harasses, or otherwise harms, insults, or humiliates another in a deliberate, repeated or hostile and unwanted manner under a person’s true or false identity. In addition, any communication of this form which substantially disrupts or prevents a safe and positive working environment may also be considered cyberbullying. Staff will refrain from using personal electronic devices or district equipment to harass or stalk another person or people.

“Menacing” includes, but is not limited to, any act intended to place an OSBA employee or third party in fear of imminent serious physical injury.

Staff whose behavior is found to be in violation of this policy will be subject to discipline, up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the executive director or the Board. Individuals may also be referred to law enforcement officials.

All reports 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 they have been a victim of hazing, harassment, intimidation, bullying, menacing, and acts of cyberbullying must immediately report concerns to their supervisor, HR manager, staff counsel, or deputy executive director, who has overall responsibility for all investigations.

The initiation of a report 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 member making the report. Retaliation against the victim or any person who, in good faith, reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry of hazing, harassment, intimidation, bullying, menacing, and acts of cyberbullying is strictly prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a report or complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

The deputy executive director will establish guidelines for the reporting of incidents of hazing, harassment, intimidation, bullying, menacing, or acts of cyberbullying.

## Policy: 7732 Workplace Harassment

*Adopted: June 20, 2020*

Workplace harassment is prohibited and shall not be tolerated. This includes workplace harassment that occurs between OSBA employees or between an OSBA employee and OSBA, in the workplace or at a work-related event that is off OSBA premises and coordinated by or through OSBA, or between OSBA and an OSBA employee off OSBA premises. Elected school board members, volunteers and interns are subject to this policy.

Any OSBA employee who believes they have been a victim of workplace harassment may file a report with the Executive Director and may file a report through the Bureau of Labor and Industries' (BOLI) complaint resolution process or under any other available law. The reporting of such information is voluntary. The OSBA employee making the report is advised to document any incidents of workplace harassment.

“Workplace harassment” means conduct that constitutes discrimination prohibited by Oregon Revised Statute (ORS) 659A.030 (discrimination in employment based on race, color, religion, sex, sexual orientation, national origin, marital status, age, or expunged juvenile record), including conduct that constitutes sexual assault<sup>3</sup> or that constitutes conduct prohibited by ORS 659A.082 (discrimination against person in uniformed service) or ORS 659A.112 (discrimination in employment based on disability).

The Executive Director, upon receipt of a report from an OSBA employee who believes they are a victim of workplace harassment, shall provide information about legal resources, counseling, and support services, including any available employee assistance services. The Executive Director will document any incidents of workplace harassment and shall provide a copy of this policy to the victim upon their disclosure about alleged workplace harassment.

Reports against the Executive Director shall be filed with the OSBA Board president.

All incidents of behavior that may violate this policy shall be promptly investigated.

Any person who reports workplace harassment has the right to be protected from retaliation. OSBA may not require or coerce an OSBA employee to enter into a nondisclosure<sup>4</sup> or nondisparagement<sup>5</sup> agreement.

OSBA may not enter into an agreement with an employee or prospective employee, as a condition of employment, continued employment, promotion, compensation, or the receipt of benefits, that contains a nondisclosure provision, a nondisparagement provision or any other provision that has the purpose or effect of preventing the employee from disclosing or discussing workplace harassment that occurred between OSBA employees or between an OSBA employee and OSBA, in the workplace or at a work-related event that is off OSBA premises and coordinated by or through OSBA, or between an OSBA employee and employer off OSBA premises.

OSBA may enter into a settlement, separation, or severance agreement that includes one or more of the following provisions, only when the OSBA employee claiming to be aggrieved by workplace harassment requests to enter into the agreement: 1) a nondisclosure or nondisparagement provision; 2) a provision that prevents disclosure of factual information relating to the claim of workplace harassment; or 3) a no-rehire provision that prohibits the employee from seeking reemployment with OSBA as a term or condition of the agreement. The agreement must provide the OSBA employee at least seven days after signing the agreement to revoke it.

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<sup>3</sup> “Sexual assault” means unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat or intimidation.

<sup>4</sup> A “nondisclosure” agreement or provision prevents either party from disclosing the contents of or circumstances surrounding the agreement.

<sup>5</sup> A “nondisparagement” agreement or provision prevents either party from making disparaging statements about the other party.

If OSBA determines in good faith that an employee has engaged in workplace harassment, OSBA may enter into a settlement, separation, or severance agreement that includes one or more of the provisions described in the previous paragraph.

It is the intent of the OSBA Board that appropriate corrective action will be taken by OSBA to stop workplace harassment, prevent its recurrence, and address negative consequences. OSBA staff members in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional workplace harassment awareness training, as appropriate. Other individuals (e.g., board members, witnesses, and volunteers) whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the Executive Director or the OSBA Board.

OSBA shall make this policy available to all OSBA employees. This policy shall be made a part of OSBA orientation materials and provided to new OSBA employees at the time of hire.

The Executive Director will establish a process of reporting incidents of workplace harassment and the prompt investigation.

### Policy: 7735 Sexual Harassment

*Adopted: June 24, 2018*

Sexual harassment is strictly prohibited and shall not be tolerated. This includes sexual harassment of staff or third parties by other staff, directors of the board or third parties. "Third parties" include, but are not limited to, volunteers, visitors, service contractors or others engaged in OSBA business.

Sexual harassment 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.

This includes off-duty conduct that interferes with his/her job responsibilities.

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 sexual 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 OSBA against any person who, in good faith, reports, files a complaint or otherwise participates in an investigation or inquiry of sexual harassment.

It is the intent of OSBA that appropriate corrective action will be taken by OSBA to stop the sexual 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.

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

The deputy executive director will establish guidelines for the reporting of incidents of sexual harassment.

### **Policy: 7740 Nondiscrimination**

*Adopted: June 14, 2009; September 21, 2012; January 20, 2017; June 24, 2018;*

*September 14, 2018*

*Reviewed: March 16, 2012*

*Original Code: 3700.2*

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, 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 or veteran's status; or of any other persons with whom the individual associates.

In keeping with requirements of federal and state law, OSBA prohibits discrimination and harassment in employment, assignment, and promotion of personnel.

The deputy executive director shall appoint and make known to the staff 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 establish guidelines that provide complaint procedures providing for prompt and equitable resolution of employee complaints.

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

### **Policy: 7750 Whistleblower and Nonretaliation**

*Adopted: June 26, 2011; September 18, 2011; September 21, 2012, June 19, 2016;*

*January 20, 2017; June 24, 2018*

*Reviewed: March 16, 2012*

*Original Code: 3700.3*

OSBA expects each employee 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.



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. 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.

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.

The OSBA prohibits retaliation against staff 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 corporation 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 corporation to:

1. Discipline, discharge, demote, transfer, reassign, take disciplinary action against an employee or threaten any of 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 notice prior to making any disclosure of information regarding the above;
6. Interfere with an employee's 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's good faith and reasonable belief shall serve as an affirmative defense to civil or criminal charges related to the employee's disclosure of lawfully accessed information related to the violation, including information that is exempt from disclosure by public records law.

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

## Section 8000 OSBA Personnel - General

### Policy: 8100 Elected School Board Service

*Adopted: September 22, 1995; September 21, 2012; January 20, 2017; June 24, 2018; September 14, 2018*  
*Original Code: 2200.1*

Staff members who choose to run for election to the board of a local school district, ESD, or community college must comply with all Oregon Government Ethics Commission laws and policy 7720 – Resolution of Conflict of Interest.

OSBA staff members serving on a board, as outlined above, or the State Board of Education are not eligible to serve on the OSBA board of directors or any OSBA committee in their capacity as an elected board member.

### Policy: 8200 Acceptable use of OSBA-Provided Technology

*Adopted: September 21, 1996; September 28, 2013; January 20, 2017; June 24, 2018*  
*Original Code: 3800.1; 3800.2; 3800.7*

Access to and use of the OSBA-provided technology is primarily for the exchange of information and research consistent with the vision, mission, goals, and activities of the corporation. The executive director shall develop, as necessary, guidelines for employees regarding computer, social media use, and Internet access.

Access to technology (e.g., the Internet, computers, electronic mail (email)) is provided both as a business tool and as a benefit to employees. Employees shall use the OSBA-provided technology solely for job-related research and OSBA business communications during work hours.

Employees may use the OSBA-provided technology onsite for personal research and communications outside of work hours, provided these activities do not result in additional expenses for the corporation and do not interfere with OSBA business. Employees shall not use OSBA-provided technology for private or commercial business purposes.

Employees shall not use OSBA-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 OSBA-provided technology will result in discipline up to and including dismissal.

Employee use of OSBA-provided technology is not private and will be monitored as deemed necessary by the executive director. All communications and stored information transmitted, received or contained within OSBA's information system are the property of OSBA and may be subject to public records request.

Employees are required to immediately report lost, stolen, defective or otherwise compromised OSBA-provided technology to the information technology manager or their supervisor.

## Policy: 8210 Intellectual Property

*Adopted: September 21, 1996; June 29, 2012; November 11, 2012; September 28, 2013;  
January 20, 2017; June 24, 2018; September 14, 2018*

*Reviewed: March 16, 2012*

*Original Code: 3800.5*

The corporation retains ownership of items including, but not limited to, computer manuals and programs, outlines, handbooks, slides, general instructional materials, articles for OSBA publications, etc., when:

1. Such items are produced by an employee in the course of employment or as part of any assigned job duty; or
2. When such items are produced by an employee using corporation supplies, other employees and/or equipment.

The corporation 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.

## OSBA Dues Schedule

### Appendix 1000

District Size	Dues
<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
<b>Community Colleges</b>	\$270.66
<b>State Board of Education</b>	\$67.75