

Nestucca Valley School District

Nestucca K8 Library

36925 HYW 101 S. ♦ Cloverdale, Oregon 97112 ♦ (503) 392-3194

Board of Director's Meeting

April 15, 2024

5:30 pm – Budget Committee Meeting

Public Session – To follow conclusion of Budget Committee Meeting

Join Zoom Meeting

<https://us02web.zoom.us/j/85979839060?pwd=VUliNWd2Q0ovY2dCSGNWT2I5QmlNdz09>

Meeting ID: 859 7983 9060

Passcode: 845669

Dial: 1 669 444 9171 US

AGENDA

The Nestucca Valley School Board encourages public input. Persons wishing to address the Board on school related issues, are invited to do so, either when the item is presented on the agenda, or under the "Public Comments" section. In the interest of time and order, presentations from the public are limited to three (3) minutes per person, and the total time for individual agenda items shall not exceed twenty (20) minutes. An individual speaker's allotted time may not be increased by a donation of time from members of the public in attendance. If you wish to speak under Public Comments, please complete a Public Comment Form and turn it in to the Assistant to the Superintendent. The Board requests complaints or charges against an employee be held in Executive Session. Individuals who require disability-related accommodations or modifications to participate in the Board meeting should contact the Superintendent in writing prior to the meeting.

1.0 OPENING BUSINESS-K8 LIBRARY-Following Budget Committee Meeting

1.1 Public Session Call To Order

1.2 Flag Salute

1.3 Attendance:

___ Joseph Boyd, Board Chair

___ Wally Nelson, Vice Chair

___ Diane Boisa

___ Irene Barajas

___ Marty Wisehart

___ Misty Wharton, Superintendent

___ Ken Richwine, High School Principal

___ Chad Holloway, Administrator of Facilities and Alternative Education

___ Megan Kellow, Special Programs Administrator

___ Kristina Albin, K8 Principal

Approval of Agenda – April 15, 2024
Recommendation: Approval of Agenda

MOTION: _____ 2nd: _____ AYES: _____ NOES: _____ ABSTAIN: _____

2.0 COMMUNITY/SCHOOL PRESENTATIONS

3.0 PUBLIC COMMENT

***Opportunity for Citizens to address items not on the Agenda. Persons wishing to address the Board on any school related issue not listed elsewhere on the agenda are invited to do so now. Board Members are limited, but not required, to give a brief response to public statements or questions regarding non-agenda items.*

4.0 CONSENT AGENDA—consolidated motion

***The purpose of the Consent Agenda is to expedite action on routine agenda items. These items will be acted upon with one motion, second and approval of the Board, unless a member of the board or public wishes to pull the item for individual discussion and action. All matters listed under Consent Agenda are those on which the board has previously deliberated or can be classified as routine items of business. **There will be no separate discussion of these items prior to the vote by the Board unless members of the Board, staff, or public request specific items to be discussed or pulled from the Consent Agenda.** Members of the public who wish to speak on an item must first fill out a public comment card.*

4.1 Board Minutes from March 11, 2024 (Attachment 4.1)

4.2 March 2024 Financial Report (Attachment 4.2)

4.3 Ratification of Employment (Attachment 4.3)

4.4 Quarterly Assurance (Attachment 4.4)

MOTION: _____ 2nd: _____ AYES: _____ NOES: _____ ABSTAIN: _____

5.0 ACTION /DISCUSSION

5.1 Action: Recommendation- Approve: -Resolution #2402 The Nestucca Valley School District will borrow, not to exceed \$1.740 million, through the TANF Resolution (Attachment 5.1)
Explanation- Follows past practice to ensure positive cash flow until the property taxes begin to post in November. The 1.740 million is a “not to exceed” contract, and we will monitor if we need to borrow all of it.

MOTION: _____ 2nd: _____ AYES: _____ NOES: _____ ABSTAIN: _____

5.2 Action: Recommendation- Approve: -The NVSD school year calendar 2024-2025
(Attachment 5.2)

Explanation- The calendar committee and administration work together to develop, this calendar, that offers more professional team meeting time. The district still provides abundant seat minutes for all grade levels, meeting state law. The increase in professional meeting time allows the educators to work collaboratively towards academic goals for all grade levels.

MOTION: _____ 2nd: _____ AYES: _____ NOES: _____ ABSTAIN: _____

6 INFORMATION/ DIRECTOR QUESTIONS

6.1 Admin Reports (Attachment 6.1)

6.2 Board of Directors Update

6.3 First Reading of School District Policy Reading- Adoption (Attachment 6.3)

Policy: EFA – Local Wellness

Policy: BD/BDA – Board Meetings

Policy: BDC – Executive Sessions

Policy: GCPC/GDPC – Retirement of Staff

6.4 Strategic Planning Process

6.5 Institutions for Accountability and Reporting

7.0 EXECUTIVE SESSION

7.1 To conduct deliberations with persons designated to carry on labor negotiations.

(ORS 192.660(2)(d))

Summary of Licensed Negotiations process thus far

7.2 Return to Public Session

8.0 FURTHER BUSINESS

9.0 ADJOURNMENT

Any documents that are public records and are provided attachments to public session items on this agenda are accessible to the public on the District's Website, with the exception of documents provided at the time of the meeting. Documents that are public records, and are provided at the time of the meeting to a majority of the Board regarding a public session item, will be made available for public inspection upon request to the Superintendent's Assistant.

Board of Director's Meeting**Minutes- March 11, 2024****OPENING OF PUBLIC SESSION**

The meeting was called to order by Board Chair Boyd at 6:00 pm. Board Chair Boyd led the Pledge of Allegiance.

Attendance:

- X - Joseph Boyd-Board Chair- Present
- X - Wally Neson-Vice Chair-Present via Zoom
- X - Diane Boisa-Present
- X - Irene Barajas-Present
- X - Marty Wisehart-Not Present
- X - Misty Wharton, Superintendent-Present
- X - Ken Richwine, High School Principal-Not Present
- X - Megan Kellow, Special Programs Administrator-Present
- X - Chad Holloway, District Facilities and Alternative Education Administrator-Not Present
- X - Kristina Albin, K8 Principal-Present

Patrons, Students and Staff: Miyles Dodson, Steve Lussier, Mary Lussier, Sherry Hartford, Aimee Trute, Peter Deam, Jason Hagan, Tina Wing

Zoom: Kaelin Longanecker, Alex Croke, Ursula McVittie, Sydney Leja, Tera VanDyke, Breanne Kennedy Andescavage, Meesha Filosi, Tevin Gianella, Mary Hurliman, Heidi Schultz, Kayla, Dia Norris, Tana Higdon, Alicia Olson

Approval of Agenda – March 11, 2024

MOTION: Wally Nelson 2nd: Irene Barajas AYES: 4 NOES: 0 ABSTAIN: 0

COMMUNITY/SCHOOL PRESENTATIONS

There were no community or school presentations this evening. Superintendent Wharton said in April we will have Megan Kellow and team will present on special education and student services. In May we will have Sherry Cook and Chad Holloway come back to talk about the county wide career tech development.

Diane Boisa asked if they could do a school presentation on the Wizard of Oz? Mrs. Wharton said that is a great idea, there are a lot of munchkins and flying monkeys that could come. Everyone is looking forward to this performance and they will do the early matinee again this year.

PUBLIC COMMENT

Sherry Hartford said she has been working in the high school kitchen many times over the last few months helping with the basketball dinners. This is by far the cleanest, nicest kitchen she has ever worked in. Mrs. Hartford said every time she has been in the kitchen, everything is labeled, well stocked and extremely clean. She wanted to give Ida Monroe props for a job well done!

Ms. Boisa thanked Sherry for sharing and wanted to make sure this was passed on to Ida.

CONSENT AGENDA—consolidated motion

- Board Minutes from February 12, 2024
- February 2024 Financial Report
- Ratification of Employment
- Licensed Contract Renewal

MOTION: Diane Boisa 2nd: Wally Nelson AYES: 4 NOES: 0 ABSTAIN: 0

ACTION DISCUSSION

Recommendation: Approve – 2024-2025 Nestucca Valley School Board Meeting Calendar

Superintendent Wharton said if you look at the calendar, there is no meeting in July. This is due to it being a non-election year. For the most part, all the other meetings fall on the third Monday of every month, with the exception of a few falling on the second Monday. March for example, will be on the second Monday again in order to meet the requirements for licensed contract renewals.

MOTION: Irene Barajas 2nd: Wally Nelson AYES: 4 NOES: 0 ABSTAIN: 0

INFORMATION/DIRECTOR QUESTIONS

Superintendent Wharton said that all the administrative reports are in and do a good job capturing how busy things have been. Mrs. Wharton will give a verbal report.

There were no questions on administrative reports. Ms. Boisa asked what it was going to take to get the Beaver building up and running? Mrs. Wharton said she will cover the Beaver building in her report.

There were no Board of Director's updates.

Mrs. Wharton said we just celebrated our classified staff last week. The district office did a great job of getting together celebration items for the staff. The classified staff varies greatly from bus drivers, janitors, cooks, to instructional assistants. We could not do it without them! This year we asked local businesses for donations so we could do a raffle drawing of prizes. There were many businesses in the community that gave generous donations.

Here are a list of those who donated to the 2024 staff appreciation celebration:

Salty Raven

Rosenberg's

Rusty Cow

Nestucca Bay Creamery

Center Market

Chester's

Tillamook YMCA

Lucky Beach Boutique

Pelican Brewery

Stimulus Coffee

Doryland

Rod and Reel Wool and Wheel

Headlands

Thank you community businesses for participating in the celebration of our staff!

Legislature just passed the law that Board meetings have to be either audio or video recorded and posted to the website, which will cut way down on the transcribing. Mrs. Wharton said she is not sure when the start date for that will be but we will work with our IT staff to figure out how we will do this as a school district.

All of our budget committee members have been notified that they have been selected. Next week we will publish the first meeting schedule, to begin in April. Mrs. Wharton said they should have a draft of the budget in the next couple of weeks that will get pushed out to the Board, and then to the budget committee, where they will convene to review.

Superintendent Wharton said they will begin licensed negotiations on Thursday this week. Administration and the union have been so busy we have agreed to just talk about cost of living increase, raise and step, and not really go into contract language. Most of the schools in Oregon are going through negotiations right now. We are going to wait and watch, and enter into full negotiations next year. The other piece we are looking at is health insurance and trying to save the school district money, by contracting with a company. They will take all of the money that we spend on insuring our employees, money that employees never see that goes directly to the insurance companies. Hundreds of thousands of dollars a year we could funnel into our own health savings account which then means we are paying less to the health insurance company and using that money for a benefit for all of us. Rough numbers between licensed and classified staff, could be about a 300,000 dollars savings to the district. We would then funnel that money back into salaries to make our salaries a competitive wage. Mrs. Wharton said it seems like a waste to give all that money to Moda and us to never use it. Mrs. Wharton and Ursula McVittie have a meeting tomorrow with a company called One Digital. Lincoln County uses them, Tillamook and Knappa also use them. We will ask them detail oriented questions and get our staff in front of them to ask questions, to see if this is the direction we want to go.

Mrs. Wharton shared they had a meeting today regarding career tech education, with ZCS Engineering, O'Brien, DLR group-all the firms we have been working with since 2016 on construction. They are excited to come back to the table to work on another project. What DLR and ZCS Engineering are doing is putting together a proposal that would lead a committee through a design plan of wants, needs and hopes for the Beaver building. They would create some communication that we can put out in the public and put together a one page ask for grants. There is an 8 million dollar federal facilities grant that we are about to go out for and that money would go directly into the Beaver building. Working with the architects and engineers, that is what those grants like to see-that you have your act together, with a very prepared package. The goal through all of that is that we go through all of that design process and in April of 2025, we would have one lab classroom and some offices open at the Beaver school. This would happen in phases. As the money becomes available, we would start the next phase of construction over there. What has been identified county wide, is that carpentry would be the first program of study to go into the Beaver building because all three school high schools have a carpentry program. We have the pre-apprenticeship side of it, and next year NKN and Tillamook will move to have the pre-apprenticeship side of it. This would allow us as a county, to have all of our kids on their home campus their 9th and 10th grade year, doing the intro to those types of things. The Premise of the Beaver building would be to have industry standards. Students in their 11th and 12th grade year would go into an environment like this is your job. There will be lots of movement on this during the summer. We will be asking Board members to come to the table. We also need one of our school Board members to sit on the county Board for this career tech education work. It would be a minimum of one meeting a month, not including our monthly Board meetings. Mrs. Wharton asked the Board if any of them are interested in doing this? Ms. Boisa said she was hoping Mr. Wisheart would be interested. Mrs. Wharton said we can ask him and thinks he has some interest in CTE program. Mrs. Barajas said

she might also be interested, depending on what nights the meetings would fall on. Ms. Boisa said if neither of them can do it, she is willing to do it. Mrs. Wharton said there is not a CTE Foundation this month so we have about four weeks to determine which Board member would like to sit on the Board and represent our district.

Mrs. Wharton said exploratory classes will happen again this spring, and go county wide. Through that 12 week span they will be at all three high schools, for a span of four weeks at each campus. It has been amazing at the response from industry partners willing to participate.

Mrs. Wharton said they have had an outstanding winter sports season with basketball and wrestling, as well as other extracurricular activities like band, speech and choir. Mrs. Wharton shared she has been to a lot of other school districts and she is biased-we have the best kids! She also had the opportunity to go to Pendleton to watch the girls basketball team and that was a lot of fun. It was a good community experience.

Mrs. Wharton has recently been on the radio and will be again two more times this year. She is sure they will talk about the Wizard of Oz, as Tillamook and Oregon Coast Dance are all doing Wizard of Oz this spring! There will be flying monkeys everywhere!

Superintendent Wharton said the state of Oregon recently reached out to us to apply for a 750,000 dollar grant. We have submitted for that and usually you stand a pretty good chance when they reach out to you like that. She will keep everyone updated on that. It is essentially for community engagement and social emotional health and well being for the whole community, not just the schools.

Mrs. Wharton said OSAA is bringing in a national company to conduct a two day seminar called Beyond Equity. Mrs. Wharton and Ursula McVittie will attend that in June. This will provide the opportunity on how to train staff and students how to have those difficult conversations concerning equity.

We have talked about the concept of holding board meetings over in the TBCC building and setting that up as the Board room. It would allow for a quiet space to hold meetings and has bathrooms as well as wheelchair access. That is something we might pursue for next school year.

Mrs. Wharton said on Wednesday she speaks at the Governor's conference and believes they record everything, so she will be able to share that speech with everyone. It will basically be celebrating community development with the K8 campus and other opportunities that have been created for our kids and the greater community as a whole.

We will start pushing communication out to staff regarding the Strategic plan and what that will look like. The Board members day to work on that will be Saturday the 27th. It will be a full day starting at 8:00 am.

The Town Halls have been very successful, with the latest one being on February 20th. We have been able to clear up miscommunication and things feel more collaborative and united. The next two Town Hall meetings we will be working with Willamette University on the Conversation Projects. One is coming up next week on March 20th at 6:00 pm, at the Kiawanda Community Center. Communication will go out later this week on that. They will lead a story telling session that will help us better understand the feelings in the community as we go into the Strategic Planning process. This is free to the community, you do not have to have a student in the system.

Mrs. Wharton said there is a track meeting on Wednesday. There was supposed to be a baseball/softball game today but due to weather that will be rescheduled.

Irene Barajas shared that she is in the orchestra for the musical and there were 3 or 4 high school students here on a Sunday helping with the stage, painting, even babysitting other orchestra members kids while they practiced. Mrs. Wharton said it really is a community event and we learned during Shrek, how wonderful it was involving the littles in the production. We hope to have a musical in the future at the K8.

Diane Boisa said as part of the negotiations committee, we as a board really appreciate all the teachers do!

FURTHER BUSINESS

No further business.

ADJOURNMENT

The meeting was adjourned by Board Chair Boyd at 6:24 pm.

**Nestucca Valley School District
Financial Report
2023-2024**

For Period Ending March 31, 2024

General Fund - Revenue & Expenditures by Object Code

	Budget	Actual	Encumbrances	Variance
Revenue:				
1111 Current Taxes	\$ 6,767,100	\$ 6,883,500	\$ -	\$ 116,400
1112 Prior Taxes	150,000	80,916	-	(69,084)
1190 Interest on Taxes	1,000	7,299	-	6,299
1510 Interest	45,000	114,111	-	69,111
1790 Extra Curricular Activities	-	1,990	-	1,990
1920 Contributions & Donations	10,000	17,950	-	7,950
1960 Recovery of Expenditures	20,000	77,949	-	57,949
1990 Miscellaneous Revenue	25,000	41,007	-	16,007
1991 E-Rate Reimbursement	-	18,220	-	18,220
Total Local Revenue	7,018,100	7,242,942	-	224,842
2101 County School Fund	460,000	322,765	-	(137,235)
2102 General Education Service District	75,000	-	-	(75,000)
2199 Other Intermediate Sources	-	1,463	-	1,463
Total Intermediate Revenue	535,000	324,228	-	(210,772)
3101 State School Fund Grant	-	180,825	-	180,825
3103 Common School Fund	45,000	33,222	-	(11,778)
3104 State Timber Revenue	350,000	588,640	-	238,640
3199 Unrestricted Revenue	30,000	-	-	(30,000)
Total State Revenue	425,000	802,687	-	377,687
4300/4500 Federal Revenue	-	-	-	-
4801 Federal Forest Fees	-	-	-	-
Total Federal Revenue	-	-	-	-
5200 Interfund	140,000	-	-	(140,000)
5300 Other Sources	-	400	-	400
5400 Beginning Fund Balance	500,000	967,992	-	467,992
Total Other Sources	640,000	968,392	-	328,392
Total Revenues	\$ 8,618,100	\$ 9,338,249	\$ -	\$ 720,149
Expenditures:				
100 - Salaries	\$ 3,776,080	\$ 2,789,641	\$ 1,386,410	\$ (399,971)
200 - Benefits	2,558,846	1,839,608	969,665	(250,427)
300 - Purchased Services	752,750	574,809	262,697	(84,756)
400 - Supplies & Materials	322,724	300,573	125,580	(103,429)
600 - Other Objects	424,750	490,436	8,869	(74,555)
700 - Transfers	492,000	-	492,000	-
800 - Operating Contingency	180,950	-	-	180,950
800 - Unappropriated EFB	110,000	-	-	110,000
Total Expenditures	\$ 8,618,100	\$ 5,995,067	\$ 3,245,221	\$ (622,188)

**Nestucca Valley School District
Financial Report
2023-2024**

For Period Ending March 31, 2024

Special Revenue Funds - Revenue & Expenditures by Object Code

			Encumbrances	Variance
Revenue:				
Local Revenue	\$ 325,000	\$ 172,098	\$ -	\$ (152,902)
State Revenue	1,926,173	466,080	-	(1,460,093)
Federal Revenue	1,208,228	411,363	-	(796,865)
Interfund Transfers	50,000	-	-	(50,000)
Sale of Fixed Assets	-	20,000	-	20,000
Beginning Fund Balance	365,000	200,985	-	(164,015)
Total Revenues	\$ 3,874,401	\$ 1,270,526	\$ -	\$ (2,603,875)
Expenditures:				
100 - Salaries	\$ 1,056,108	\$ 757,878	\$ 411,198	\$ (112,968)
200 - Benefits	792,479	505,658	313,321	(26,500)
300 - Purchased Services	371,525	124,637	32,362	214,526
400 - Supplies & Materials	757,289	398,761	76,108	282,420
500 & 600 - Capital & Other Objects	27,000	88,863	33,197	(95,060)
700 - Transits	870,000	296,869	336,900	236,231
Total Expenditures	\$ 3,874,401	\$ 2,172,666	\$ 1,203,086	\$ 498,649

**Nestucca Valley School District
Financial Report
2023-2024**

For Period Ending March 31, 2024

General Fund - Revenue & Expenditures by Function Code

	Budget	Actual	Encumbrances	% Remaining	Variance
Revenue:					
Local Revenue	\$ 7,018,100	\$ 7,242,942	\$ -	-3.20%	\$ 224,842
Intermediate Revenue	535,000	324,228	-	39.40%	(210,772)
State Revenue	425,000	802,687	-	-88.87%	377,687
Transfers	-	400	-	0.00%	400
Beginning Fund Balance	640,000	967,992	-	-51.25%	327,992
Total Revenues	\$ 8,618,100	\$ 9,338,249	\$ -	-8.36%	\$ 720,149
Expenditures:					
1000- Instruction	\$ 3,794,752	\$ 2,576,151	\$ 1,501,876	-7.46%	\$ (283,275)
2000- Support Services	3,969,898	3,378,030	1,251,345	-16.61%	(659,477)
5100- Debt Service	70,500	40,887	-	42.00%	29,613
5200- Transfers	492,000	-	492,000	0.00%	-
6100- Operating Contingency	180,950	-	-	100.00%	180,950
7000- Unappropriated EFB	110,000	-	-	100.00%	110,000
Total Expenditures	\$ 8,618,100	\$ 5,995,068	\$ 3,245,221	-7.22%	\$ (622,189)

For Period Ending March 31, 2024

Special Revenue Funds - Revenue & Expenditures by Function Code

	Budget	Actual	Encumbrances	% Remaining	Variance
Revenue:					
Local Revenue	\$ 325,000	\$ 172,098	\$ -	47.05%	\$ (152,902)
State Revenue	1,926,173	466,080	-	75.80%	(1,460,093)
Federal Revenue	1,208,228	411,363	-	65.95%	(796,865)
Interfund Transfers	50,000	-	-	100.00%	(50,000)
Sale of Fixed Assets	-	20,000	-	0.00%	20,000
Beginning Fund Balance	365,000	200,985	-	44.94%	(164,015)
Total Revenues	\$ 3,874,401	\$ 1,270,526	\$ -	67.21%	\$ (2,603,875)
Expenditures:					
1000- Instruction	1,247,598	959,758	417,049	-10.36%	\$ (129,209)
2000- Support Services	\$ 811,180	\$ 395,298	\$ 209,861	25.40%	206,021
3000- Community Services	945,623	466,250	232,877	26.07%	246,496
4000- Facilities Acquisition & Const	-	54,491	21,110	0.00%	(75,601)
5300- Transits	870,000	296,869	336,900	0.00%	236,231
Total Expenditures	\$ 3,874,401	\$ 2,172,666	\$ 1,217,797	12.49%	\$ 483,938



Ratification of Employment

Name	Site	Position	Action	Salary	Effective
Matt Gibbs	District	Bus Driver	Resigned	0.75 FTE @ 20.55/hr.	3/31/2024
Matt Gibbs	District	Temporary Bus Driver	Hired	0.75 FTE @ \$19.00/hr.	4/1/2024 – 6/13/2024
Carissa Albin	K8	Elementary Teacher	Resigned	1.0 FTE @ \$	6/14/2024
Sharman Ensminger- Stapp	K8	K8 School Counselor	Resigned	1.0 FTE @	6/14/2024
Paul Sattler	District	Bus Driver	Hired	0.75 FTE @ \$22.45/hr.	8/28/2024



**NESTUCCA VALLEY SCHOOL
DISTRICT**

P.O. Box 99, Cloverdale, Or. 97112 503-392-4892 FAX- 503-392-9061
Inspiring individual excellence, diligence, self-awareness and lifelong learning.

Misty Wharton
Superintendent
Ursula McVittie
Human Resources
Liz Kellow
Special Ed Secretary
Kim Seals
Financial Services Liaison

DATE: April 11, 2024
TO: Nestucca School District Board of Directors
FROM: Misty Wharton, Superintendent
Tera VanDyke, NWRES D Finance Director
RE: Quarterly Statement of Assurance

1. All cash, investment and credit card accounts have been balanced, reconciled and reviewed and all cash and investment accounts are reconciled to the general ledger by the business office as of March 31, 2024.
2. The adopted budget reflects expected expenditures. However, we have received more revenue than projected so a budget appropriations will be needed in May.
3. All payroll reports have been filed and payroll liabilities have been paid timely.
4. All federal and state reimbursement requests as well as required financial reporting forms have been filed timely.
5. All credit card expenditures, travel and other reimbursements have been reviewed and approved at the proper level.
6. There have been no significant changes to the accounting system or accounting policies.
7. Currently the business office is adequately staffed to allow for proper segregation of duties and I am not aware of any new pronouncements or other financial changes that may require additional staff time to properly implement.
8. All financial statements that have been provided to the board are accurate and complete to the best of my knowledge and I am aware of no other financial matters that the board should be aware of at this time.
9. I know of no cases of fraud or other misconduct within the district and I have not been asked by the superintendent to do anything that makes me feel uncomfortable or to present any information I believe is inaccurate.

Misty Wharton, Superintendent

Tera VanDyke, NWRES D

RESOLUTION #2024 02

A RESOLUTION OF NESTUCCA VALLEY SCHOOL DISTRICT NO. 101, TILLAMOOK AND YAMHILL COUNTIES, OREGON AUTHORIZING THE ISSUANCE AND SALE OF A TAX AND REVENUE ANTICIPATION NOTE, SERIES 2024A; AUTHORIZING PARTICIPATION IN THE OREGON EDUCATION DISTRICTS SHORT-TERM BORROWING PROGRAM SERIES 2024A; APPROVING AND AUTHORIZING EXECUTION OF DOCUMENTS; PLEDGING FULL FAITH AND CREDIT AND FUNDS DEPOSITED IN A SPECIAL ACCOUNT; AND DESIGNATING A DISTRICT REPRESENTATIVE.

WHEREAS, the Board of Directors of Nestucca Valley School District No. 101, Tillamook and Yamhill Counties, Oregon (the "District"), finds that, prior to the receipt of sufficient monies from tax collections and from other available revenues, there is a need for the District to enter into a borrowing not to exceed the limitations in Oregon Revised Statutes ("ORS") Section 287A.180, by the issuance of a short-term promissory note (the "Note") to meet the District's on-going expenses; and

WHEREAS, the District has adopted or will adopt a budget, providing for the collection of ad valorem property tax revenues and other budgeted revenues;

WHEREAS, ORS Section 287A.180 permits the issuance of tax and revenue anticipation notes to be issued in a principal amount which does not exceed 80% of the taxes or other revenues, except grant moneys, that the District has budgeted or otherwise reasonably expects to have available to pay the note and which mature within thirteen (13) months after the note is issued; and

WHEREAS, the Oregon Education Districts Short-Term Borrowing Program (the "Program") allows participating Oregon school districts, education service districts and community colleges (the "Participating Districts") to simultaneously issue their notes and, collectively, provide for the issuance of the Certificate of Participation, Series 2024A (the "Certificate") representing undivided proportionate interests in the aggregate amount of all notes of the Participating Districts; and

WHEREAS, each Participating District under the Program is required to create a special account to be known as the Series 2024A Tax Anticipation Note Payment Account, to which each Participating District shall deposit, on a date to be determined by each Participating District's note purchase agreement (the "Note Purchase Agreement"), ad valorem taxes and other District legally available funds in anticipation of which the note is issued in an amount sufficient to pay principal and interest on the note at maturity, as security for the Participating District's payment of its note; and

WHEREAS, the District determines it is desirable to issue a Note under the Program; and

NOW, THEREFORE, THE BOARD OF DIRECTORS OF NESTUCCA VALLEY SCHOOL DISTRICT NO.101, TILLAMOOK AND YAMHILL COUNTIES, OREGON RESOLVES, as follows:

Section 1. Issuance of the Note. The District is hereby authorized to enter into the Note in a principal amount not to exceed \$1,740,000. The proceeds of the Note shall be used to pay on-going expenses of the District, as well as the estimated cost of issuance of the Note and the District's proportionate share of the estimated cost of issuance of the Certificate. The Superintendent, Board Chair, Finance Director of Northwest Regional Education Service District or a designee of those officials is designated as the District Representative (each a "District Representative") to act on behalf of the District under this Note Resolution.

Section 2. Participation in Program. Upon the adoption of this Note Resolution, the District does authorize and approve of participation in the Program with other Participating Districts. The District

Representative is authorized to submit this Note Resolution to Piper Sandler & Co., as evidence of the participation by the District.

Section 3. Distribution, Use of and Provision for Payment of the Note. The Note proceeds less costs of issuance shall be deposited in the District's general fund, as a budget resource, as appropriated by the District. The District covenants to appropriate sufficient funds for the payment of principal and interest on the Note to its maturity date. The District shall establish a separate Series 2024A Tax Anticipation Note Payment Account, to which the District shall deposit, on a date determined by the Note Purchase Agreement, funds to pay the Note before the maturity date. Investment earnings, after full funding of the Series 2024A Tax Anticipation Note Payment Account may be transferred to the District's general fund.

Section 4. Security for the Note. The Note is payable from the District's legally available funds including the District's ad valorem property taxes subject to the limits of Article XI, Sections 11 and 11b of the Oregon Constitution. Pursuant to ORS 287A.315, the District hereby pledges its full faith and credit and taxing power to the payment of principal of and interest on the Note. The District also hereby pledges the amounts in the Series 2024A Tax Anticipation Note Payment Account to the payment of principal and interest on the Note.

Section 5. Estimated Cost of Issuance of the Certificate. The District agrees to pay its proportionate share of the estimated cost of issuance of the Certificate from proceeds of the Note.

Section 6. Notice of Events to Municipal Securities Rulemaking Board. If required by the Note Purchase Agreement, the District agrees to provide or cause to be provided to the MSRB, in a timely manner not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Note:

- a. principal and interest payment delinquencies;
- b. non-payment related defaults, if material;
- c. unscheduled draws on debt service reserves reflecting financial difficulties;
- d. unscheduled draws on credit enhancements reflecting financial difficulties;
- e. substitution of credit or liquidity providers, or their failure to perform;
- f. adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- g. modifications to rights of security holders, if material;
- h. bond calls, if material, and tender offers;
- i. defeasances;
- j. release, substitution, or sale of property securing repayment of the securities, if material;
- k. rating changes;
- l. bankruptcy, insolvency, receivership or similar event of the obligated person; (Note: For the purposes of the event identified in this paragraph l, the event is considered to occur when any of the following occur: The appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the

obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.)

m. the consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

n. appointment of a successor or additional trustee or the change of name of a trustee, if material;

o. incurrence of a financial obligation of the District if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the District, any of which affect security holders, if material. For the purposes of this paragraph and the paragraph below, "financial obligation" means a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) a guarantee of (i) or (ii); the term "financial obligation" shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule; and

p. default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the District, any of which reflect financial difficulties.

The District may from time to time choose to provide notice of the occurrence of certain other events, in addition to those listed above, if, in the judgment of the District, such other event is material with respect to the Note, but the District does not undertake any commitment to provide such notice of any event except those events listed above.

Section 7. Delegation of Authority. The District Representative is hereby authorized, on behalf of the District and without further action by the Board, to:

a. determine the principal amount, interest rates, payment dates, prepayment rights and all other terms of the Note;

b. execute a Trust Agreement to certificate the Note payments with the payment of the notes of other Participating Districts, execute the Note Purchase Agreement and execute other documents and take other actions required by the Program and to provide for the issuance of the Certificate;

c. approve and authorize the distribution of a preliminary official statement and a final official statement, if required by the Program;

d. obtain one or more ratings or credit enhancement for the Note, if required by the Program;

e. if applicable, designate the Note as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended (the "Code");

f. determine whether the Note will bear interest that is excludable from gross income under the Code and enter into covenants to maintain the excludability of interest on the Note from gross income; and

g. execute and deliver any other documents and take any other actions which the District Representative determines are desirable to carry out this Note Resolution.

Section 8. Execution of Program Documents. The District Representative shall provide certified copies of the proceedings of the District as contemplated by this Note Resolution, executed documents authorized for execution herein and such other documents as may be necessary or desirable under the Program for the closing of Note.

Section 9. Professionals. The District selects Piper Sandler & Co., as Underwriter or Placement Agent for the Note, and Hawkins Delafield & Wood LLP as Bond Counsel for the Note.

Section 10. Effective Date. This Note Resolution shall take effect on the date of its adoption by the Board.

Adopted by the Board of Directors of the Nestucca Valley School District No. 101, Tillamook and Yamhill Counties, Oregon this 15th day of April, 2024.

**NESTUCCA VALLEY SCHOOL DISTRICT NO. 101,
TILLAMOOK AND YAMHILL COUNTIES, OREGON**

By: _____
Chair

ATTEST:

By: _____
Superintendent

NESTUCCA VALLEY SCHOOL DISTRICT 2024/2025 SCHOOL CALENDAR

HS & K8 Combo Draft B

July

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

AUGUST

26-29 Inservice/Workday (I/W)

SEPTEMBER

- 2 LABOR DAY (H)
- 3 Grade 1-9 First Day of School
- 4 Grade 10-12 First Day of School
- 6 Grade K First Day of School
- 20 Professional Learning (PL)

OCTOBER

- 11 State Inservice (O)
- 25 Professional Learning (PL)
- 31 End of First Quarter K8 Only

NOVEMBER

- 1 Teacher Workday K8 only (W)
- 7-8 Parent /Teacher Conferences: No School K-8th grade both days; 9th-12th grade in session Thurs. No School Friday (PT)
- 11 Veteran's Day
- 25 Inservice All Staff (I)
- 26 Professional Learning (PL)
- 27-29 Thanksgiving Break (O/H)

DECEMBER

- 5 End of 1st Trimester HS Only
- 6 Teacher Workday HS Only (W)
- 20 Winter Break Begins (O)
- 25 CHRISTMAS Holiday (H)

JANUARY

- 1 NEW YEAR'S Holiday (H)
- 6 School Resumes
- 20 MARTIN LUTHER KING DAY (H)
- 23 End of Second Quarter K8 Only
- 24 Teacher Workday K8 Only (W)

FEBRUARY

- 17 PRESIDENT'S DAY (H)
- 21 Inservice All Staff (I)

MARCH

- 13 End of 2nd Trimester HS Only
- 14 Teacher Workday HS Only (W)
- 20 End of Third Quarter K8 Only
- 21 Teacher Workday K8 & HS (W)
- 24-28 Spring Break (O)

APRIL

- 3-4 Parent /Teacher Conferences for K-8; HS Students in session both days

- 18 Professional Learning (PL)

MAY

- 23 Professional Learning (PL)
- 26 MEMORIAL DAY (H)

JUNE

- 6 High School Graduation
- 12 Student's last Day-School out 1pm
- 13 Teacher's Last Day/Workday (W)

January

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	1

March

S	M	T	W	T	F	S
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April

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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May

S	M	T	W	T	F	S
				1	2	3
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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

KEY - NO SCHOOL DAYS

(H) Holiday	(O) Non Contract Day
(I) Inservice	(P) Conferences
(W) Workday K8	(W) Workday Both
(W) Workday HS	Late Start Mondays
First/Last Day	Summer School
(PL) Professional Learning	

NOTES FROM NESTUCCA HIGH SCHOOL

April 9, 2024

Recent Activities:

- Our Exploratory went off great! We had 14 presenters the first Wednesday, 18 presenters the second Wednesday and 16 presenters the third Wednesday. Three weeks was the perfect amount of time for the students to be able to visit the sessions they wanted to. The only thing I would change different is a bigger kitchen, because who doesn't want to work with food first thing in the morning...especially when you find out they made Snickerdoodles! And, a couple of the sessions were only one week (like CDL) and that was a popular choice, as was a diesel mechanic. Two Wednesdays would have been perfect.
- We didn't get ELPA done until after Spring Break, due to illness. But we are going now, with the Math, ELA and Science coming up soon.
- Mock Interviews were fantastic! We have a great group of community members who are willing to come in and help with these, and the students get an invaluable lesson preparing a resume, writing a cover letter, doing an actual interview, dressing appropriately for the interview, etc. Thank you to Daniela Moreno for her hard work on this. I know she spends an incredible amount of time preparing for this, and usually after the school day has ended as you never know what is going to come up during the day when working with high schoolers.
- We have named our Valedictorian and Salutatorian for this year's graduation. Kyla Hurliman will be our valedictorian and Stefany Moreno will be the Salutatorian.

Upcoming Activities:

- Our next home softball and baseball games are on Friday, April 19th with doubleheaders. We have one of the food carts up at the fields for concessions. It is great to see projects that have been a long time coming actually happening.
- Our next home track meet and our last home track meet both occur on the same day! On April 23rd, come rain or shine, head on up to the grandstand and watch our athletes run, jump and throw. We have that brand new eight lane track (with a warm up lane) and an automatic timing system that is great! We (and by we I mean Tyler and Tevin) are working out the kinks, but by having the timing system and the eight lane track, we can hold Districts some time in the future.
- The Spring Musical is May 3rd and 4th, and is *The Wizard of Oz*. This involves students from the high school AND the K8, so it is definitely something you want to see. The younger kids practice here in the cafeteria, right outside my office, so I know first hand how enjoyable it will be. You can get your tickets ahead of time by going to the splash page and ordering them there online.
- Crazy as it seems, we are to the point of the year where students will start forecasting for classes next year. This year, with our Student Information System, students can plan out all four years so they can see what the consequences are if they don't take a certain class, or don't pass a certain class. It is a visual way for the students to make their plans and then automatically rolls over into next year as course requests...which saves our staff a TON of time. We also think it will be great because students in college do all of their requesting, planning, form submission, etc. online. This is just a small step to help train them.



Nestucca K-8 School

Kristina Albin, Principal • Heidi Schultz, Assistant Principal
Connie Dollar, Office Manager • Tami Flinter, Attendance Secretary

Board Report

April 15, 2024

- ❖ Dee Hankins was back in Nestucca School District and boy - was it a celebration! Dee returned to recognize those students who met his challenge during the last five months. Twenty-eight students joined Dee Hankins and two middle school teachers for an afternoon of fun and games. They went to *Game Over*, enjoyed delicious pizza from *Gallucci's*, and drank soda. As a token of Dee's appreciation for the students, he handed each of them a sweatshirt with his logo about resilience. It was an opportunity these students will forever remember!
- ❖ The Scholastic Book Fair, held during parent/teacher conferences, was a huge success! Many families supported their children's love of reading by purchasing \$6,200 of books and materials. A huge thank you needs to be given to the parents in PIE who volunteered their time to assist with the book fair.
- ❖ In addition to the book fair, we had a successful clothes giveaway. Our small gym was filled with tables of donated clothes from our community. Families were able to go "shopping" and take any amount of clothes their children needed. Thank you to all who donated.
- ❖ On Monday, April 8, the K-8 had a wonderful opportunity to hear Edem Garro, a musician who came to us through the Sitka Youth Program All School Assemblies. From Edem's website, she is a Performance Artist, Composer, Sound Artist, Educator, Community Oriented, Visual Artist, Live Performer, Movement, Mindfulness Coach, and Choreographer (www.edemsoulmusic.com/edem-k-garro) . The presentation for the students was a mix of vocal and rhythm music work influenced by both African and Southern Soul styles. We feel fortunate to have this opportunity. Thank you, Sitka!

Things to look forward to:

- ❖ April 18: Biztown for fifth-grade students
- ❖ April 16: Advanced band attends the District III Music Festival/Competition
- ❖ May 16: Intermediate band attends the Developing Band Festival.

Kristina Albin
Nestucca K-8 Principal

Board Report

4/15/2024

The county wide CTE project is moving along well. We have started moving forward on being able to adapt the old Beaver Middle School facility for a skills center. We have held two separate meeting with DLR and ZCS to being the planning process for the conversion to a skill center. This process is currently anticipated to happen with a phased approach. The first phase of opening the skills center would see the Pre-Apprenticeship in Carpentry landing in the skills center. Stay tuned for more information.

As part of the county wide CTE project we toured Cascadia Tech in Vancouver with people from across the county. This was to give them a look at what a skills center could look like. Everyone came away for the tour thoroughly impressed with the program and opportunities it provides students. The participants were especially impressed with the students who took time to talk with us.

As part of the county wide CTE project we also the CTE exploratory classes. These classes rely on partners from the community to come in for an hour on Wednesday morning and talk with kids about who they are, what sort of work there involved in, how they got there, and engage them with a hands on activity. This is the same type of activity we piloted at the High School last year. However, we are taking it county wide this year. Nestucca had their session March 20, 27 and April 3. Tillamook had their first session on April 10 with sessions to follow on April 17 and 24. Neah-Kah-Nie will have their sessions after Tillamook. All reports from staff, students and presenters have been positive. A big thank you goes out to all the people involved.

Also, we have established the first countywide Professional Learning Community (PLC) as part of the county wide CTE project. The first PLC is for carpentry. It involves all of the carpentry teachers in the county working together to plan for delivering curriculum to all of the county student who will be involved in the Pre-Apprenticeship in Carpentry. This is part of expanding the Pre-Apprenticeship in Carpentry from just Nestucca to all of the school districts in the county. This will help us prepare to move the Pre-Apprenticeship into the skills center and to process and systems for rolling out other countywide PLCs for other CTE areas. All of the teachers involved in this first PLC are motivated to do this work for the students I am excited to see how this works out.

In other news we were able to hire a bus driver who is already licensed to drive school bus. This will help us be able to maintain our bus services at current levels.

Finally, the last couple of years I have been able to participate in mock interviews with high school students. It is always a rewarding experience to be able to interview students and work with them on how they comport themselves during interviews.

Chad C. Holloway
Administrator of Facilities and Alternative Education
Nestucca Valley School District #101



Heidi Schultz
Early Learning Program Director
P.O. Box 33 Cloverdale OR 97112
Ph 503-392-3194 x353

April 12, 2024

NVSD Board of Directors,

We are delighted to share the latest updates from the Nestucca Valley Early Learning Center with you. Last week, we hosted our parent/teacher conferences, and it was truly a remarkable turnout and experience. These conferences serve as a testament to the strong partnership between our educators and families. We are immensely grateful for the ongoing support and collaboration within our community.

As we reflect on the school year, it's incredible to see how time has passed. With the end of the academic year approaching, we are preparing to bid farewell to 10 out of our 20 students who will be transitioning to Kindergarten in the Fall. We are also looking forward to the move back to the Hebo building and growing our South County preschool opportunities to two classrooms.

In preparation for this transition, our dedicated staff, in conjunction with some of the K8 staff, have been working to ensure a smooth and seamless transition for our students. We understand the importance of the necessary support and guidance for students and families.

We will be organizing two events in the coming months. These events will serve as an opportunity for both students and parents to familiarize themselves with the kindergarten experience and provide an opportunity to address any questions or concerns they may have.

Events:

May 9th @ 6:00 pm - Family STEM night

May 23rd : Kinder Round up

June ____TBD: Kindergarten Transition Night

Once again, we appreciate our dedicated staff, supportive parents, and the board of directors.

Warm regards,

Heidi Schultz

heidis@nestucca.k12.or.us

Board Report-April 2024

Special Programs-Kellow

1. At the beginning of the month, I spent 4 days out of district training to be a Mandt trainer. The Mandt system is a trauma-informed approach that trains professionals to prevent and de-escalate challenging interactions, reduce violence and create a culture of safety. I am now certified in this program and will start training our staff for the '24-'25 school year. Tillamook SD also uses this program and there have been discussions of the two districts working together to train larger groups of staff. I am excited to take the lead on this and help our programs be more effective.

2. We are no longer part of a YTP consortium within Tillamook County. Up until recently, Nestucca, Tillamook and Neah-Kah-Nie pooled funding and worked together to create county programs. All districts agreed that being in a consortium was no longer the most effective model for our students and staff. After attending the youth transition conference in March, the state YTP programs appear to be heavily focused on CTE. I saw several presentations (some from 5A and 6A schools) about CTE programs. I believe that our current CTE program has the potential to be as good, if not better, than some of those larger school districts. It made me feel really excited about all the potential opportunities that we can offer to Tillamook County students in the future. We believe that being more independent of the State YTP program allows to be more creative and tailor our student transition needs to the individual.

3. As previously mentioned, our SPED program is switching online platforms. ORSPED (current program) is where all IEPs/service plans and related paperwork is housed. We have been selected to be the first groups to make the big switch (Lucky us!) in September 2024. Because the conversion to Synergy SE won't be complete (best case scenario) until August, it's a very tight timeline to train staff. The ESD is hoping to do several informational trainings this Spring, but the real trainings (where we are working with our own students, data and paperwork) won't be until late summer. It is likely that SPED staff will need to return early to engage in these trainings in order to be ready to start SPED programs for the '24-'25 school year.

OSBA Model Sample Policy

Code: EFA

Adopted:

Local Wellness

{Required. Title 7 C.F.R. 210.31(a) requires local education agencies to “establish a local school wellness policy for all schools participating in the National School Lunch Program and/or School Breakfast Program...”. The law describes the policy as “a written plan that includes” various components intended to improve student wellness. This policy is designed to meet the requirements for a wellness policy and provide the framework for the district’s plan. Previously these requirements were split between the policy and an administrative regulation (AR). All required and/or related content is now included in the model policy, therefore OSBA recommends deleting the AR if the district previously included it in the board’s policy manual. Districts should consult with stakeholders in the process of adoption and incorporate language that meets the unique needs of the district.}

The district is committed to the optimal development of every student and believes that a positive, safe and health-promoting learning environment is necessary for students to have the opportunity to achieve personal, academic, developmental and social success.

To help ensure students possess the knowledge and skills necessary to make healthy choices for a lifetime, the superintendent shall prepare and implement a comprehensive district nutrition program consistent with state and federal requirements for districts sponsoring the National School Lunch Program (NSLP) and/or the School Breakfast Program (SBP). The program shall reflect the Board’s commitment to providing adequate time for instruction that fosters healthy eating through nutrition education and promotion, serving healthy and appealing foods at district schools, developing food-use guidelines for staff and establishing liaisons with nutrition service providers, as appropriate.

✓ The district superintendent or designee shall establish a Wellness Advisory Committee to advise the district in the development, review and update of the local wellness policy ✓

POLICY IMPLEMENTATION, MONITORING, ACCOUNTABILITY AND COMMUNITY ENGAGEMENT

Implementation

The district shall manage and coordinate the implementation of this local wellness policy.

Implementation will consist of, but not be limited to, the following:

1. Delineating roles, responsibilities, actions and timelines specific to each school;
2. Generating and disseminating information about who will be responsible to make what change, by how much, where and when;
3. Establishing standards for all foods and beverages provided (but not sold) to students during the school day on participating school campuses;
4. Establishing standards and nutrition guidelines for all foods and beverages sold to students during the school day on participating school campuses that meet state and federal nutrition standards for NSLP and SBP, competitive foods, permit marketing of same that meets the competitive food nutrition standards, and promotes student health and reduces child obesity; and

5. Establishing specific goals for nutrition promotion and education, physical activity, physical education, and other school-based activities that promote student wellness. ✓

The Board designates the [superintendent] principal(s) to be responsible for ensuring each school meets the goals outlined and complies with this policy. ✓

[Record Keeping]

The district will retain the following records to document compliance with the local wellness policy requirements at the district's administrative offices:

1. The written local wellness policy;
2. Documentation to demonstrate the policy has been made available to the public; ✓
3. Documentation of efforts to review and update the local wellness policy, including an indication of who participates in the update and the methods the district uses to make stakeholders aware of their ability to participate;
4. Documentation to demonstrate compliance with the annual public notification requirements;
5. Documentation of the district's most recent assessment on the implementation of the local wellness policy;
6. Documentation to demonstrate the most recent assessment on the implementation of the local wellness policy has been made available to the public.]

Notification of Policy

The district will inform the public about the content and implementation of the local wellness policy, and post the policy and any updates to the policy on the district website annually. Included will be, if available, the most recent assessment of the implementation, and a description of the progress being made in attaining the goals of the policy.

The district will publicize the name and contact information of the district or school official(s) leading and coordinating the policy and information on how the public can get involved with the local wellness policy. This information will be published on the district's website and in district communications.

Triennial Progress Assessments

At least once every three years, the district will evaluate the implementation of this policy and its progress with a triennial assessment and produce a progress report that will include:

1. The extent to which schools under the jurisdiction of the district are in compliance with the policy;
2. The extent to which the district's policy compares to model local school wellness policy¹; and

¹ {Model Wellness Policy resource published by the [Alliance for a Healthier Generation](#). OSBA makes no representation of its compliance by providing this resource.}

3. A description of the progress made in attaining the goals of the district's policy.

The district will publish the triennial progress report on the district website when available. The district will update or modify the policy based on results of the triennial assessment.

Community Involvement, Outreach and Communications (Review of, and Updating Policy){²}

The district will actively communicate ways in which the community can participate in the development, implementation and periodic review and update of the local wellness policy. The district will communicate information about opportunities in community news, on the district's website, on school websites, and/or in district or school communications. The district will ensure that communications are culturally and linguistically appropriate to the community. ✓

Parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the Board, school administrators, and the general public will be solicited to participate in the periodic review and update of the local school wellness policy.

[Wellness Advisory Committee]{³}

The district supports a wellness advisory committee to assist the development, implementation, and periodic review and update of the local wellness policy. The superintendent or designee will be a member of this committee.

The district will publicize information about the wellness advisory committee [in community news, in communications to parents, and/or on websites operated by the district] to communicate to parents, students and the community at large to explain the committee's purpose, process and an invitation to volunteer.

1. The wellness advisory committee membership will include, to the extent possible, but not be limited to:
 - a. Parents, caregivers and students;
 - b. Representatives of the school nutrition program (e.g., school nutrition director);
 - c. Physical education and/or health education teachers;
 - d. School health professionals (e.g., school nurses, physicians, dentists, health educators and other allied health personnel who provide school health services);
 - e. Mental health and social services staff (e.g., school counselors, psychologists, social workers, or psychiatrists);
 - f. School administrators (e.g., superintendent, assistant superintendent, principal, vice principal);
 - g. Board members;
 - h. Supplemental Nutrition Assistance Program (SNAP) education coordinators;
 - i. Healthcare professionals and/or other health related professionals (e.g., dietitians, doctors, nurses, dentists); and

² {USDA Local school wellness policy [resource](#); CDC [resource](#); CDC Healthy Schools [resource](#); USDA Local school wellness policy [outreach toolkit](#) and communication resource from [Alliance for a Healthier Generation](#).}

³ {A Wellness Advisory Committee is not required. If the district chooses to have a committee, the district should amend the language here to establish the membership and responsibilities of the committee. *School Wellness Committee Toolkit* published by the Alliance for a Healthier Generation}

- j. Members of the general public.
- 2. The committee, appointed by the superintendent or designee, will meet to organize and vote on a committee chair and a secretary prior to or at the beginning of the school year. The chair and secretary will serve for one year minimum and may be reappointed.
- 3. The wellness advisory committee will meet [four] times per year to review of the local wellness policy.
- 4. The committee will facilitate the development, review and update of the wellness policy, and evaluate each participating school's compliance with the policy. ✓

The district will create building-level committees to establish school-specific goals and activities that implement this policy. A school coordinator will be designated to support compliance with this policy.]

NUTRITION PROMOTION AND NUTRITION EDUCATION

Nutrition promotion and nutrition education positively influence lifelong eating behaviors by using evidence-based strategies and techniques and nutrition messages and by creating food environments that support healthy nutrition choices.

~~Nutrition promotion and nutrition education shall be a sequential and integrated focus on improving students' eating behaviors, reflect evidence-based strategies and be consistent with state and local district health education standards.~~ ✓

To promote nutrition education in the schools, the principal is responsible for ensuring the following goals are implemented:

- 1. ~~Students~~ Students and staff will receive consistent nutrition messages throughout the school environment;
- 2. Nutrition education is provided throughout the student's school years as part of the district's age-appropriate, comprehensive nutrition program[(which includes the benefits of healthy eating, essential nutrients, nutritional deficiencies, principles of healthy weight management, the use and misuse of dietary supplements, safe food preparation, and handling and storage related to food and eating)], and is aligned and coordinated with the Oregon Health Education Standards and school health education programs;
- 3. Nutrition education will include culturally relevant, participatory activities that include social learning strategies and activities that are aligned and coordinated with the Oregon Health Education Standards and school health education programs; ✓
- 4. Teachers will receive curriculum-specific training;
- 5. Parents and families are encouraged through school communications to send healthy snacks/meals and ~~reusable~~ reusable water bottles with their student to school;

⁴ {The goals listed are examples; districts are required to include goals in the policy. Districts are encouraged to evaluate needs and resources and to develop specific goals. Districts are required to "review and consider evidence-based strategies and techniques" (7 CFR 210.31(c)(1)). Model Wellness Policy resource published by the Alliance for a Healthier Generation. OSBA makes no representation of its compliance by providing this resource.}

6. Families and community organizations are involved, to the extent practicable, in nutrition education;
7. Nutrition education homework that students can do with their families is assigned (e.g., reading and interpreting food labels, reading nutrition-related newsletters, preparing healthy recipes);
8. Materials on how to assess one's personal eating habits, set goals for improvement and achieve those goals.]

Nutrition promotion, including marketing and advertising nutritious foods and beverages to students, will be implemented consistently through a comprehensive and multi-channel approach, (e.g., in the classroom, cafeteria and at home) by staff, teachers, parents, students and the community.

To ensure adequate nutrition promotion, the following goals will be implemented:

1. ~~Information~~ Information about available meal programs is distributed prior to or at the beginning of the school year and at other times throughout the school year;
2. Information about availability and location of a Summer Food Service Program (SFSP) is distributed;
3. Nutrition promotion materials are sent home with students, published on the district website, and distributed at parent-teacher conferences;
4. Families are invited to attend exhibitions of student nutrition projects or health fairs;
5. ~~Physical activity is a planned part of all school-community events.~~

School Meals

[Schools within the district participate in U.S. Department of Agriculture (USDA) child nutrition program(s), administered through the Oregon Department of Education (ODE)[.] ~~which may include the NSLP[,] [and] [the SBP,] [Fresh Fruit & Vegetable Program (FFVP),] [After School Snack Program (ASSP),] [Special Milk Program (SMP),] [Summer Food Service Program (SFSP),] [Supper programs] [or others].] [The district also operates additional nutrition-related programs and activities including Farm-to-School programs, school gardens, Breakfast in the Classroom, Mobile Breakfast carts or Grab 'n' Go Breakfast.]~~ *WRSNA Yarnie*
Breakfast After the Bell

The district's available meal program(s) will operate to meet meal pattern requirements and dietary specifications in accordance with the Healthy, Hunger-Free Kids Act and applicable federal laws and regulations.

The principal(s) will support nutrition and food services operation as addressed in Board policy EFAA – District Nutrition and Food Services and its accompanying administrative regulation EFAA-AR – Reimbursable Meals and Milk Programs.

⁵ {The goals listed are examples; districts are required to include goals in the policy. Districts are encouraged to evaluate needs and resources and to develop specific goals. Districts are required to “review and consider evidence-based strategies and techniques” (7 CFR 210.31(c)(1)). Model Wellness Policy resource published by the Alliance for a Healthier Generation. OSBA makes no representation of its compliance by providing this resource.}

Water

Free, safe, unflavored, drinking water will be available to all students throughout the school day and throughout every school campus. The district will make drinking water available where school meals are served during mealtimes. ✓

Competitive Foods and Beverages

The district controls the sale of all competitive foods. All foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day will meet or exceed Smart Snacks Standards⁶.

Celebrations and Rewards/Incentives

All foods and beverages offered on the school campus ~~[will meet or exceed]~~ are encouraged to meet the nutrition standards set by the USDA and the Oregon Smart Snacks Standards. This includes, but is not limited to, celebrations, parties, and classroom snacks brought by parents. ~~[Food will not be used as a reward or incentive.]~~ This information will be conveyed to staff and parents. ✓

Fund Raising

Foods and beverages that meet or exceed the nutrition standards set by the USDA and the Oregon Smart Snacks Standards may be sold through fund raisers on the school campus during the school day. Such requests to conduct a fund raiser will be submitted to the [principal] for approval before starting. ✓

Food and Beverage Marketing in Schools

Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the nutrition standards for competitive foods set by the USDA. [Food Service Director & Principal]

The district (i.e., school nutrition services, athletics department, PTA, PTO) will review existing contracts, new contracts and equipment, and product purchase or replacement to reflect the applicable food and beverage marketing guidelines. ✓

PHYSICAL ACTIVITY AND PHYSICAL EDUCATION

A quality physical education program is an essential component for all students to learn about and participate in physical activity. The district will develop and assess student performance standards and program minute requirements in order to meet ODE's physical education content standards and state law. ✓

Physical activity should be included in the school's daily education program for grades Pre-K through 12 and include regular, instructional physical education, as well as co-curricular activities and recess.

In order to ensure students are afforded the opportunity to engage in physical education and physical activity in the school setting, the following goals are established:

⁶ Oregon Department of Education, [Oregon Smart Snacks Standards](#)

1. ~~Physical~~ Physical education will be a course of study that focuses on students' physical literacy and development of motor skills;
 2. Staff encourages and provides support for parental involvement in their children's physical education;
 3. Physical education courses will be the environment where students learn, practice and are assessed on developmentally appropriate knowledge, skills and confidence to become physically literate;
 4. Instruction, provided by adequately prepared teachers, i.e., licensed or endorsed to teach physical education, will meet the state adopted academic content standards for physical education (Oregon Revised Statute (ORS) 329.045). Teachers of physical education shall regularly participate in professional development activities annually;
 5. ~~Every~~ Every public school student in ~~pre-kindergarten~~ kindergarten through grade 8 shall participate in physical education for the entire school year. Students in kindergarten through grade ~~(5) [6]~~ shall participate for a least 150 minutes during each school week, and students in grades ~~[6] [7]~~ through 8 for at least an average of ~~225~~ 150 minutes per during each school week, as calculated over the duration of a school year; ✓
 6. Physical activity will be integrated across curricula and throughout the school day. Movement will be made a part of all classes or courses as part of a well-rounded education;
 7. Physical activity during the school day (including, but not limited to, recess, classroom physical activity breaks or physical education) will not be used as a punishment or a reward;
 8. ~~At~~ At least 50 percent of the weekly physical education class time in grades K through 8 shall be devoted to actual physical activity; ✓
 9. Physical activity is a planned part of all school-community events; ✓
 10. Materials promoting physical activity are sent home with students and published on the district website. ✓
- ~~10.~~ A student with a disability shall have suitably adapted physical education incorporated as part of their individualized education program (IEP) developed under ORS 343.151. A student who does not have an IEP but has chronic health problems, other disabling conditions or other special needs that preclude them ✓

⁷ {The goals listed are examples; districts are required to include goals in the policy. Districts are encouraged to evaluate needs and resources and to develop specific goals. Districts are required to “review and consider evidence-based strategies and techniques” (7 CFR 210.31(c)(1)). Model Wellness Policy resource published by the Alliance for a Healthier Generation. OSBA makes no representation of its compliance by providing this resource.}

⁸ {Districts are required to provide the specified number of physical education minutes, but are not required to include them as goals or in this policy. If the district operates K-5 elementary schools, select “5” in the first bracket and “6” in the second bracket. If the district operates K-6 elementary schools, select “6” in the first bracket and “7” in the second bracket.}

⁹ {This language is not required to be in policy, but this is a required action pursuant to ORS 329.496.}

¹⁰ {This language is not required to be in policy, but this is a required action pursuant to ORS 329.496.}

from participating in regular physical education instruction, shall have suitably adapted physical education incorporated as part of their individualized health plan, developed by the district. ✓

Other Activities that Promote Student Wellness

The district will integrate wellness activities throughout the entire school environment (districtwide). The district will coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicated and work toward the same set of goals promoting student well-being, optimal development and strong educational outcomes.

The district will provide the following activities and encourage the following practices which promote local wellness:

1. [Scoliosis screenings;
2. Safe Routes to Schools Program;
3. Physically active family and community engagement activities for families to learn about healthy eating or to practice being active together (e.g., skate night, fun run, dance night);
4. Nonfood-related fund raisers;
5. Physical activity energizers during transitions from one subject to another;
6. Intramural sports;
7. ~~Monthly/Weekly~~ school walks;
8. Assemblies which focus on wellness issues such as the importance of breakfast, healthy beverages, and how students and staff can incorporate 60 minutes of physical activity into their day;
9. Use of alternates to food as rewards in the classroom;
10. ~~Creation of connections between out-of-school time (OST) programs that involve staff members from OST programs, both school- and community-based, in school initiatives that address healthy eating, such as school wellness teams or wellness committees;~~
11. Integration of social, emotional and mental health supports into school programs (e.g., promote a positive school climate where respect is encouraged and students can seek help from trusted adults);
12. Communication between classroom teachers and nutrition staff, so that menus and nutrition promotion can be tied into classroom learning and coursework;
13. Include wellness as a standing agenda item for school-based meetings (e.g., staff meetings, site council meetings, PTO).

Employee Wellness

The district encourages staff to pursue a healthy lifestyle that contributes to their improved health status, improved morale and a greater personal commitment to the school's overall wellness program. Many actions and conditions that affect the health of staff may also influence the health and learning of students. The physical and mental health of staff is integral to promoting and protecting the health of students and helps foster their academic success. The district's Employee Wellness Program will promote health, reduce risky behaviors of employees and identify and correct conditions in the workplace that can compromise the health of staff, reduce their levels of productivity, impede student success and contribute to escalating health-related costs such as absenteeism.

The district will collaborate with community partners to identify programs, services and/or resources to compliment and enrich employee wellness endeavors.

The district's Employee Wellness Program may include the following:

1. Health education and health promoting activities that focus on skill development and lifestyle behavior that change along with awareness building, information dissemination, access to facilities, and are preferably tailored to employees' needs and interests;
2. Safe, supportive social and physical environments including organizational expectations about healthy behavior, and implementation of policy that promotes health and safety and reduces the risk of disease;
3. Linkage to related programs such as employee assistance programs, emergency care and programs that help employees balance work life and family life;
4. Education and resources to help employees make decisions about health care; and
5. Nutrition and fitness educational opportunities that may include but are not limited to, the distribution of educational and informational materials, and the arrangement of presentations and workshops that focus on healthy lifestyles, health assessments, fitness activities and other appropriate nutrition and physical activity related topics.

The district encourages participation from all employees. "Employees" are not limited to instructional staff (i.e., teachers and instructional assistants), but includes all administrators and support staff.

The following groups are seen as essential for establishing, implementing and sustaining an effective employee wellness program:

1. School personnel who implement existing wellness programs in the district (i.e., employee wellness committee);

¹¹ {This language is optional and is not required by state or federal law.}

¹² {CDC resources for [school employee wellness](#) and [workplace health promotion](#)}

2. District personnel who implement health programs for students (e.g., school health coordinator, school nurses, psychologist, health and physical educators, nutrition professionals, counselors and other staff); and
3. Decision makers who have the authority to approve policy and provide administrative support essential for a school wellness program (e.g., Board members, superintendents, human resource administrators, fiscal services administrators and principals).

[DEFINITIONS

1. “Competitive food” means all food and beverages other than meals reimbursed under programs authorized by the Richard B. Russell National School Lunch Act and the Child Nutrition Act available for sale to students on the school campus during the school day.
2. “Food and beverage marketing”^[13] is defined as advertising and other promotion in schools. Food and beverage marketing often includes an oral, written or graphic statement made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product.
3. “Oregon Smart Snacks Standards”¹⁴ means the State’s minimum nutrition standards for competitive foods and beverages (ORS 336.423).
4. “School day” means, for the purpose of competitive food standards implementation, the period from the midnight before, to 30 minutes after the end of the official school day[, i.e., at the conclusion of afternoon student activities, such as athletic, music or drama practices, clubs, academic support and enrichment activities].
5. “School campus” means, for the purpose of competitive food standards implementation, all areas of property under the jurisdiction of the school that are accessible to students during the school day.]

END OF POLICY

Legal Reference(s):

ORS 327.531
ORS 327.537
ORS 329.496
ORS 332.107

ORS 336.423
OAR 581-051-0100
OAR 581-051-0305

OAR 581-051-0306
OAR 581-051-0310
OAR 581-051-0400

¹³ [This term includes, but is not limited to, the following: brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container; displays, such as on vending machine exteriors; corporate brand, logo, name or trademark on school equipment, such as marquees, message boards, scoreboards or backboards (Note: Immediate replacement of these items is not required; however, districts will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is financially possible over time so that items are in compliance.); corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, student assignment books or school supplies displayed, distributed, offered or sold by the district; advertisements in school publications or school mailings; free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.]

¹⁴ Oregon Department of Education, Oregon Smart Snacks Standards

Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. §1758b (2018).
National School Lunch Program, 7 C.F.R. Part 210 (2022).
School Breakfast Program, 7 C.F.R. Part 220 (2022).
House Bill 3199 (2023).

OSBA Model Sample Policy



Code: BD/BDA
Adopted:

Board Meetings

{Optional policy. School boards must follow public meeting law regardless of whether the board adopts this policy. This policy reflects public meeting law as amended by House Bill 2805 (2023).}

The Board has the authority to act only when a quorum is present at a duly called regular, special or emergency meeting. “Meeting” means the convening¹ of a quorum of the Board as the district’s governing body to make a decision² or to deliberate³ toward a decision on any matter. This includes meeting for the purpose of gathering information to serve as the basis for a subsequent decision or recommendation by the Board governing body, i.e. a work session. “Meeting” does not include any on-site inspection of any project or program the attendance of members of the Board at any national, regional or state association to which the Board or its members belong.

The affirmative vote of the majority of members of the Board is required to transact any business.

All regular, special and emergency meetings of the Board will be open to the public except as provided by law. Access to and the ability to attend all meetings (excluding executive sessions) by telephone, video or other electronic or virtual means will be made available when reasonably possible. All meetings will be conducted in compliance with state and federal statutes. For information how to give or submit public comment, it is outlined in Board policy BDDH - Public Comment at Board Meetings. ~~Handwritten or posted on the district’s website.]~~

All Board meetings, including Board retreats and work sessions, will be held within district boundaries, except as allowed by law⁵. The Board may attend training sessions outside the district boundaries but cannot deliberate or discuss district business. No meeting will be held at any place where discrimination

¹ “Convening” means: (a) Gathering in a physical location; (b) Using electronic, video or telephonic technology to be able to communicate contemporaneously among participants; (c) Using serial electronic written communications among participants; or (d) Using an intermediary to communicate among participants.

² “Decision” means any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of a governing body is required, at any meeting at which a quorum is present.

³ “Deliberation” means discussion or communication that is part of a decision-making process.

[⁴ When telephone or other electronic means of communication is used during a meeting open to the public, the Board shall make at least one place available to the public where, or at least one electronic means by which, the public can listen during the meeting. At all meetings of the Board open to the public, the public will be provided an opportunity, to the extent reasonably possible, to access and attend the meeting by telephone, video or other electronic or virtual means. If in-person oral testimony (or public comment) is allowed, the public will be provided, to the extent reasonably possible, an opportunity to submit oral testimony during the meeting[, at the designated portion of the agenda,] by telephone, video or other electronic or other means. If in-person written testimony is allowed, the public will be provided, to the extent reasonably possible, an opportunity to submit written testimony including by email or other electronic means, so that the Board is able to consider the submitted testimony in a timely manner.]

⁵ ORS 192.630(4). Meetings of the governing body of a public body shall be held within the geographic boundaries over which the public body has jurisdiction, or at the administrative headquarters of the public body or at the other nearest practical location. Training sessions may be held outside the jurisdiction if no deliberations toward a decision are involved.

on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, age or national origin is practiced.

The Board will give public notice reasonably calculated to give actual notice to interested persons, including the news media which have requested notice ~~of those with disabilities~~, of the time and place for all Board meetings and of the principal subjects to be considered. The Board may consider additional subjects at a meeting, even if they ~~were~~ are not included in the notice.

If requested to do so at least 48 hours before a meeting held in public, the Board shall make a good faith effort to provide an interpreter for hearing-impaired persons. If the meeting is being held upon less than 48 hours' notice and a request for an interpreter is made, the Board shall make a reasonable effort to have an interpreter present. Other appropriate auxiliary aids and services will be provided upon request and appropriate advance notice.

[If requested to do so at least ~~72~~ hours before a meeting held in public, the Board will make a reasonable effort to provide translation services. ^{6}]

All meetings held in public shall comply with the Oregon Indoor Clean Air Act.

~~The~~ The possession of dangerous or deadly weapons and firearms, as defined in law and Board policy, is prohibited on district property.

1. Regular, Special and Emergency Meetings

Generally, a regular Board meeting will be held each month. The regular meeting schedule will be established at the annual organizational meeting and may be changed by the Board with proper notice. The purpose of each regular monthly meeting will be to conduct the regular Board business.

No later than the next regular meeting following July 1, the Board will hold the annual organizational meeting to elect Board officers for the coming year and to establish the year's schedule of Board meetings. In Board election years (odd numbered years), the first meeting will be held no later than July 31.

Special meetings can be convened by the Board chair, upon request of three Board members, or by common consent of the Board at any time to discuss any topic. ~~[A special meeting may also be scheduled if less than a quorum is present at a meeting, or additional business still needs to be conducted at the ending time of a meeting, conducting business prior to the next regular meeting would be advantageous to the district or other reasons.]~~ At least 24 hours' notice must be provided to all Board members, the news media, which have requested notice, and the general public for any special meeting.

Emergency meetings can be called by the Board in the case of an actual emergency upon appropriate notice under the circumstances. The minutes of the emergency meeting must describe the emergency. Only topics necessitated by the emergency may be discussed or acted upon at the emergency meeting.

{6} Districts are encouraged to evaluate translation needs and resources prior to adding this language. A district may decide that translating the agenda, minutes or other documents, or public comment is sufficient.

2. Communications Outside of Board Meetings

Communications, to, by and among a quorum of Board members outside of a legally called Board meeting, in their capacity as Board members, shall not be used for the purpose of discussing district business. This includes electronic, video or telephonic communications, serial electronic communications among participants and using an intermediary to communicate among participants. Such ~~Electronic~~ communications among Board members shall be limited to messages not involving deliberation, debate, decision-making or gathering of information on which to deliberate. ✓

~~Electronic communications may contain:~~ Communications outside of a Board meeting may contain:

- a. Communications to, between or among members of a governing body that are:
 - (1) Purely factual or educational in nature and that convey no deliberation or decision on any matter that might reasonably come before the Board (including agendas and information concerning agenda items);
 - (2) Not related to any matter that, at any time, could reasonably be foreseen to come before the Board for deliberation and decision; or ✓
 - (3) Nonsubstantive in nature, such as communication relating to scheduling, leaves of absence and other similar matters; or

~~b. Agenda item suggestions;~~

~~c. Reminders regarding meeting times, dates and places;~~

~~d. Board meeting agendas or information concerning agenda items;~~

~~e. One-way information from Board members or the superintendent to each Board member (e.g., an article on student achievement or to share a report on district progress on goals);~~

~~f. b. Individual responses to questions posed by community members, subject to other limitations in Board policy.~~ ✓

~~[E-mails sent to other Board members will have the following notice:~~

~~*Important: Please do not reply or forward this communication if this communication constitutes a decision or deliberation toward a decision between and among a quorum of a governing body which could be considered a public meeting. Electronic communications on district business are governed by public meetings law.*~~ ✓

3. Private or Social Meetings

Private or social meetings of a quorum of the Board for the purpose of making a decision or to deliberate toward a decision on any matter are prohibited by public meetings law.

4. Work Sessions

The Board may use regular or special meetings for the purpose of conducting work sessions to provide its members with opportunities for planning and thoughtful discussion. Work sessions will be conducted in accordance with state law on public meetings, including notice and minutes. ~~The Board may make [is discouraged from making] official decisions during a work session.~~ ✓
Generally, Boards do not take official action during work sessions, although there is no legal prohibition to do so. ✓

5. Executive Sessions

Executive sessions may be held as an agenda item during regular, special or emergency meetings for a reason permitted by law. (See Board policy BDC - Executive Sessions)

Complaints regarding public meetings laws can be filed with the Board in accordance with Board Policy KL – Public Complaints. The Board will respond and provide a copy of the complaint and response to the Oregon Government Ethics Commission within 21 days in accordance with state law.⁷

⁸ [Mandatory Training

Every member of the Board shall attend or view a training on public meetings law prepared or approved by the Oregon Government Ethics Commission (OGEC) at least once during the Board member’s term of office and shall verify attendance in accordance with OGEC procedures

END OF POLICY

Legal Reference(s):

~~ORS 174.100~~
~~ORS 174.104~~
ORS Chapter 192

~~ORS Chapter 193~~
ORS 255.335
ORS 332.040 - 332.061

ORS 433.835 - 433.875

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2020); 28 C.F.R. Part 35 (2020).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).

OR. ATTY. GEN. Public Records and Meetings Manual.

House Bill 2805 (2023).

~~Oregon House Bill 2560 (2021).~~

~~Oregon House Bill 3041 (2021).~~

⁷ See House Bill 2805 (2023) Section 5(2) for requirements of the response.

⁸ {This is required for Board members in districts with total expenditures for a fiscal year of \$1 million or more. This number will be reviewed by OGEC at least once every five years. If the district has total expenditures of less than \$1 million, this language can be kept, but “shall” should be replaced with “is encouraged to.”}

OSBA Model Sample Policy



Code: BDC
Adopted:

Executive Sessions

{Optional policy. School boards can only meet in executive session when statute allows. This policy can be a helpful resource for Board members in determining whether executive session can be used.}

The Board may meet in executive session to discuss subjects allowed by statute but may not take final action except for the expulsion of a student and matters pertaining to or examination of the confidential records of the student.

An executive session may be included as an agenda item of an existing meeting¹ in accordance with Board policy BDDC - Board Meeting Agenda² or held as its own meeting. Proper notice is required.

If open session is held prior to the executive session, ~~convened by order of the Board chair, upon request of three Board members or by common consent of the Board for a purpose authorized under Oregon Revised Statute (ORS) 192.660 during a regular, special or emergency meeting.~~ The presiding officer will announce the executive session by identifying the authorization under Oregon Revised Statute (ORS) 192.660 or ORS 332.061 for holding such session and by noting the subject of the executive session.

The Board may hold an executive session:

1. To consider the employment of a public officer, employee, staff member or individual agent.¹ (ORS 192.660(2)(a))
2. To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer², employee, staff member or individual agent who does not request an open hearing. (ORS 192.660(2)(b))
3. To conduct deliberations with persons designated by the governing body to carry on labor negotiations. (ORS 192.660(2)(d))
4. To conduct deliberations with persons designated by the governing body to negotiate real property transactions. (ORS 192.660(2)(e))
5. To consider information or records that are exempt by law from public inspection. (ORS 192.660(2)(f))

¹ This provision does not apply to the filling of a vacancy in elective office or on any public committee, commission or other advisory group; or for the consideration of general employment policies. Prior to holding an executive session under ORS 192.660(2)(a), the Board must ensure

- a. The vacancy has been advertised;
- b. Regular hiring procedures have been adopted;
- c. If hiring an officer, the public has had the opportunity to comment on the employment of the officer; and
- d. If hiring a chief executive officer, the Board has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

² To determine whether the individual involved is considered a public officer, consult with legal counsel.

6. To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. (ORS 192.660(2)(h))
7. To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing. (ORS 192.660(2)(i))
8. To consider matters relating to school safety or a plan that responds to safety threats made toward a school. (ORS 192.660(2)(k))
9. To consider matters relating to the safety of the governing body and of public body staff and volunteers and the security of public body facilities and meeting spaces. (ORS 192.660(2)(o)) ✓
10. To consider matters relating to cyber security infrastructure and responses to cyber security threats. (ORS 192.660(2)(p)) ✓
11. To review the expulsion of a minor student from a public elementary or secondary school. (ORS 332.061(1)(a))
12. To review/discuss matters pertaining to or examination of the confidential records of a student. (ORS 332.061(1)(b)) ✓

Members of the press may attend executive sessions except those matters pertaining to:

1. Deliberations with persons designated by the Board to carry on labor negotiations;
2. Hearings on the expulsion of a minor student or examination of the confidential records of a student; and
3. Current litigation or litigation likely to be filed if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.

If an executive session is held pursuant to ORS 332.061, the following shall not be made public: the name of the minor student; the issue, including the student's confidential records; the discussion; and each Board member's vote on the issue.

Minutes shall be kept for all executive sessions.

Content discussed in executive sessions is confidential except as provided by law. Board members and the media are instructed not to disclose information obtained in executive session except when specifically authorized to do so or as required by law. ✓

END OF POLICY

Legal Reference(s):

ORS 192.660

ORS 332.045

ORS 332.061

OR. ATTY. GEN. Public Records and Meetings Manual.
Oregon Government Ethics Commission, Staff Advisory Opinion No. 22-106S
House Bill 2806 (2023)

OSBA Model Sample Policy

Code: GCPC/GDPC
Adopted:

Retirement of Staff *

{Senate Bill (SB) 1049 (2019) made it possible for employees to retire under PERS and work for a PERS-covered employer, without hour restrictions in most situations. House Bill (HB) 2296 (2023) extends this law to 2034. The law does not require districts to allow PERS-retired employees to work in the district, rather, leaves the decision up to the district. OSBA encourages districts to evaluate the situation (including financial impacts) prior to making a decision regarding these employees. If districts do allow retired employees to return to work, OSBA recommends working with legal counsel to develop criteria and procedures that can be consistently implemented. Also consider the bargaining impacts of the selected practice. }

To assist the district in its planning efforts, staff members considering retirement are encouraged to notify the district as early as possible, preferably at the beginning of the school year in which the retirement will take place.

~~Retiring employees are encouraged to coordinate with PERS and the [Human Resources Department] to ensure that all requirements are met. The superintendent will develop requirements, limitations and procedures for employment as a PERS-retiree.~~

{Regarding PERS-workback, there are three main options for districts, please choose one of the following:}

~~[When an employee of the district retires under PERS, that employee's employment with the district will terminate. Individuals who have retired under PERS are not eligible for employment in the district.]~~

~~{OR}~~

~~[When an employee of the district retires under PERS, that employee's employment with the district will terminate. PERS-retired individuals may apply for open positions with the district.²³]~~

~~{OR}~~

~~[District employees will be allowed to retire under PERS and return to their position in the district [only for the remainder of the school year].⁴⁵]~~

END OF POLICY

¹ {House Bill 2296 (2023) modified Senate Bill 1049 (2019), which allows PERS-retired employees to continue to work for PERS-employers without hour restrictions; this provision is now set to expire at the end of 2034.}

² There must be a break in service for retired employees returning to work.

³ {House Bill 2296 (2023) modified Senate Bill 1049 (2019), which allows PERS-retired employees to continue to work for PERS-employers without hour restrictions; this provision is now set to expire at the end of 2034.}

⁴ {Districts can limit workback, but must consider equity pay laws when developing any criteria.}

⁵ There must be a break in service for retired employees returning to work.

Legal Reference(s):

ORS Chapter 237
ORS Chapter 238

ORS Chapter 238A
ORS 243.303

ORS 342.120

Consolidated Omnibus Budget Reconciliation Act of 1985, 29 U.S.C. §§ 1161-1169 (2018).
Employee Retirement Income Security Act of 1974, 29 U.S.C. §§ 1001-1461 (2018).
OR. CONST., art. IX, §§ 10-13.
House Bill 2296 (2023).

OSBA Model Sample Policy

Code: GCPC/GDPC
Adopted:

Retirement of Staff *

{Senate Bill (SB) 1049 (2019) made it possible for employees to retire under PERS and work for a PERS-covered employer, without hour restrictions in most situations. House Bill (HB) 2296 (2023) extends this law to 2034. The law does not require districts to allow PERS-retired employees to work in the district, rather, leaves the decision up to the district. OSBA encourages districts to evaluate the situation (including financial impacts) prior to making a decision regarding these employees. If districts do allow retired employees to return to work, OSBA recommends working with legal counsel to develop criteria and procedures that can be consistently implemented. Also consider the bargaining impacts of the selected practice.}

To assist the district in its planning efforts, staff members considering retirement are encouraged to notify the district as early as possible, preferably at the beginning of the school year in which the retirement will take place.

~~Retiring employees are encouraged to coordinate with PERS and the [Human Resources Department] to ensure that all requirements are met. The superintendent will develop requirements, limitations and procedures for employment as a PERS-retiree.~~

{Regarding PERS-workback, there are three main options for districts, please choose one of the following:}

~~[When an employee of the district retires under PERS, that employee's employment with the district will terminate. Individuals who have retired under PERS are not eligible for employment in the district.]~~

{OR}

[When an employee of the district retires under PERS, that employee's employment with the district will terminate. PERS-retired individuals may apply for open positions with the district.²{³}]

{OR}

~~[District employees will be allowed to retire under PERS and return to their position in the district [only for the remainder of the school year].⁴.⁵]~~

END OF POLICY

¹ {House Bill 2296 (2023) modified Senate Bill 1049 (2019), which allows PERS-retired employees to continue to work for PERS-employers without hour restrictions; this provision is now set to expire at the end of 2034.}

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