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PLEASE NOTE: OSBA has begun using an opening brace { and closing brace } for footnote content to inform the subscriber about content and/or other information to help in decision making, and is not intended to be included in the final document.

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COMMUNICABLE DISEASES

Summary

Recent events in our communities prompted revisions to rules prescribed by the Oregon Health Authority (OHA) affecting school attendance by staff and students to protect public health. As a result, OHA added COVID-19 to the restrictable disease list and established criteria for returning staff and students to school, in addition to other revisions made to existing rules including changes in definitions and other parts of previous rules. Please continue to follow guidance as it is reported by OHA and the Oregon Department of Education in connection with these recommended changes.

Legal Reference

OAR 333-019-1000

Collective Bargaining Impact

None

Local District Responsibility

The recommended staff policy (GBEB) and administrative regulation are highly recommended per OAR 581-022-2220; full replacement considered by the board and

This publication is designed to provide accurate and authoritative information regarding the subject matter covered. It is furnished with the understanding that policies should be reviewed by the district's legal counsel.

readopted; the accompanying administrative regulation (AR) may be reviewed by the board and therefore submitted as an information item. The student policy (JHCC) and AR are required per OAR 581-022-2220; revisions to policy and the AR should be considered by the board and readopted. Members should consult language in current board policy BFC - Adoption and Revision of Policies.

Policy Implications

GBEB – Communicable Diseases - Staff, Highly Recommended
GBEB-AR – Communicable Diseases - Staff, Highly Recommended
JHCC – Communicable Diseases - Students, Required
JHCC-AR – Communicable Diseases - Students, Required

SEXUAL HARASSMENT: OREGON AND TITLE IX

Summary

The updates issued for policy and administrative regulations for sexual harassment result from release of revised Federal regulations for Title IX protections, and the release of updates to Oregon Administrative Rules revised to reflect new Oregon statute adopted in the 2019 Legislative session amending Oregon’s sexual harassment definition and its policy and procedures requirements. Members will need to consider the urgency of adoption of these new recommended revisions to update procedures for complaints and investigations of sexual harassment reports or complaints for the coming school year. In compliance with these new recommended policy and administrative regulations, members need to consider which definition of sexual harassment a reported incident or complaint may align with and follow recommended procedure, and whether the reported incident or complaint may need to be investigated and processed under both State and Federal law established procedures.

As stated previously, all recommended revisions are effective for the coming school year, and specifically, the revised Title IX regulations become effective August 14, 2020. Members should consider language in current board policy BFC - Adoption and Revision of Policies.

Please reach out for support in navigating these new policies and procedures and your efforts in maintaining a safe educational and work environment for staff and students and for third parties.

Legal Reference

See new recommended policy for updated legal references

Collective Bargaining Impact

Consider any bargaining impact.

Local District Responsibility

The timeline for new policy and procedures identified above should be considered urgent and after consulting current policy BFC, consider adopting recommended policy GBN/JBA (JBA/GBN) changes and adoption of new GBN/JBA-AR(2) (JBA/GBN-AR(2)) noted below; GBN/JBA-AR(1) (JBA/GBN-AR(1)) may be reviewed by the board (does not require adoption). In connection with adopting new policy and administrative regulations, rescind current of same.

Policy Implications

GBN/JBA – Sexual Harassment, Required
GBN/JBA-AR(1) – Sexual Harassment Complaint Procedure, Required
GBN/JBA-AR(2) – Federal Law (Title IX) Sexual Harassment Complaint Procedure, Required

JBA/GBN – Sexual Harassment, Required
JBA/GBN-AR(1) – Sexual Harassment Complaint Procedure, Required
JBA/GBN-AR(2) – Federal Law (Title IX) Sexual Harassment Complaint Procedure,
Required

ABOUT *POLICY UPDATE*

Policy Update is a quarterly subscription newsletter providing a brief discussion of current policy issues of concern to Oregon school districts, education service districts, community colleges, and public charter schools.

Sample model policies reflecting these issues and changes in state and federal law, if applicable, are part of this newsletter. These samples are offered as a starting point for drafting local policy and may be modified to meet particular local needs. They do not replace district legal counsel advice.

To make the best use of *Policy Update*, we suggest you discuss the various issues it presents and use the sample model policies to determine which policies your district should develop or revise, get ideas for what a policy should contain, and as a starting point for editing, modifying and discussing your district’s policy position.

If you have questions about *Policy Update*, sample policies or policy in general, call OSBA Policy Services, 800-578-6722 or 503-588-2800.

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