

STATE BOARD OF EDUCATION – ADMINISTRATIVE RULE SUMMARY		
<b>Title/OAR:</b> Adoption—Displaying Sovereign Tribal Government’s Flags in Public Schools/581-021-0043 Displaying		
<b>Date:</b> December 10, 2015		
<b>Staff/Office:</b>		
<input checked="" type="checkbox"/> <b>New Rule</b>	<input type="checkbox"/> <b>Amend Existing Rule</b>	<input type="checkbox"/> <b>Repeal Rule</b>
<b>Hearing Date:</b> _____	<input type="checkbox"/> <b>Hearings Officer Report Attached</b>	
<b>Prompted by:</b> <input type="checkbox"/> <b>State law changes</b> <input type="checkbox"/> <b>Federal law changes</b> <input checked="" type="checkbox"/> <b>Other</b>		
<b>Action Requested:</b>		
<input type="checkbox"/> <b>First Reading/Second Reading</b>	<input type="checkbox"/> <b>Adoption</b>	<input checked="" type="checkbox"/> <b>Adoption/Consent</b>
<b>Agenda</b>		

**PROPOSED/AMENDED RULE SUMMARY:** Adds language about displaying sovereign tribal government’s flags in public schools.

**BACKGROUND:** Last school year, an Oregon Tribal Government contacted a local school district to request their Tribal flag be displayed somewhere in the building. The Tribal Government noted the district had over 30% of the student population affiliated with their Tribal Government. The district contacted Oregon Department of Education for guidance and to assist in developing a policy which would allow the district to display the flag. The proposed rule offers guidance to all public schools should a sovereign tribal government wish to display it’s flag in a school.

**ISSUES/CONCERNS THAT SURFACED DURING RULE WORK:**

After bringing initial draft rule to the October 22, 2015 State Board meeting individuals Board members recommended the following changes:

- Inclusive to Oregon tribal government flags.
  - Rule now reflects Oregon tribal governments only.
- Requiring cultural competency of such tribe requesting to display flag.
  - At this time, staff recommend the proposed rule to be brief and specific to appropriate guidance in displaying a tribal government flag at school. Staff anticipate bringing forward separate rules requesting American Indian Alaska Native curriculum and cultural competency in all districts.
- Require district and / or school to work in consultation with the tribe on determining location of the tribal flag.
  - Language has been added.

**CHANGED SINCE LAST BOARD MEETING?** (so members can focus on what’s different)

- N/A; first read—hasn’t been before board
- No; same as last month
- Yes – As follows:

- Narrowing rule to Oregon Sovereign tribal governments.

## 3.f

- Added language which included consultation with tribe in determining appropriate location of tribal flag.

**FISCAL IMPACT:** None

**EFFECT OF YES VOTE:** Will provide guidance to public schools in the displaying of a sovereign tribal government flag.

**EFFECT OF NO VOTE:** Individual schools will determine if they will display a tribal government flag and how that flag is displayed.

**STAFF RECOMMENDATION:**

- Adopt administrative rule as prepared this month
- Adopt administrative rule next month
- No recommendation at this time (rarely used)