

<b>LANE EDUCATION SERVICE DISTRICT</b>	<b>BOARD MEETING</b>
1200 Hwy 99 N	Tuesday, January 6, 2026
Eugene, Oregon 97402	Regular Meeting: 6:00 PM

**LANE ESD BOARD MEETING  
AGENDA**

Tuesday, January 6, 2026

1. Call Regular Meeting To Order

Board Chair

2. Welcome

Guests attending the meeting will be introduced.

Board Chair

3. Lane Education Service District Statement of Accountability: Land Acknowledgement

Lane ESD acknowledges that the lands we call Lane County - the lands that sustain our children, our future, and our collective well-being - are the traditional ancestral home of the Kalapuya, Siuslaw, Molalla, and other indigenous people who have lived in Lane County since time immemorial. Native children, families, and communities bear witness to a legacy of displacement and forced relocation. As an educational institution we are accountable for addressing the current and former silencing, erasure and genocide of native people in Oregon and Turtle Island. We aim to join with indigenous people, honoring their resilience, courage, and self-determination in a purposeful pursuit of justice.

Board Member

4. Public Participation

This is an opportunity for the audience to address the Board on topics either on, or not on, the agenda. There will also be opportunities for the audience to comment on specific agenda items as the Board addresses them.

Comments Regarding Staff Members - Speakers may offer objective criticism of ESD operations and programs. The Board will not hear comments regarding any individual ESD staff member. The Board chair will direct the visitor to the procedures in Board policy KL - Public Complaints for Board consideration of a complaints involving a staff member. The association contract governing the employee's rights will be followed. A commendation involving a staff member should be sent to the superintendent, who will forward it to the staff member,

his/her supervisor and the Board.

The Board requests that a public comment add information or a perspective that has not already been mentioned previously, and that the patron refrains from repeating a similar point. To make a comment or present a topic during public comment, if the opportunity is available on the Board agenda, please complete the Intent to Speak card and submit it to the Board secretary prior to the start of the meeting. An individual that has submitted an Intent to Speak card and has been invited to speak by the Board chair, will be allowed three minutes.

Any person, who is invited by the Board chair to speak to the Board during a meeting, should state his/her name and address and, if speaking for an organization, the name of the organization. A spokesperson should be designated to represent a group with a common purpose.

Board Chair

5. Agenda Review

Board Chair

6. Information from Administrative Staff

The Directors of School Improvement, Special Education and Technology and School Improvement offer reports to the Board on matters of interest concerning their area of responsibility.

Administrative Staff

7. Action Items

Board Chair

A. Consent Agenda

The Lane ESD Board of Directors has agreed to implement a consent agenda. All items in the consent agenda are adopted by a single motion unless a member of the Board or the Superintendent requests that such item be removed from the consent agenda and acted upon separately.

Generally, consent agenda items are matters which members of the Board agree are routine in nature and should be acted upon in one motion to conserve time and to enable the Board to focus on the other matters on the agenda.

Back-up materials for consent agenda items are included in the agenda

packet as needed. Minutes of this meeting will reflect action on each item.

If any board member wishes to withdraw any consent group item, it will be moved to the appropriate section of the agenda.

**BE IT RESOLVED** that the Board of Directors of Lane ESD adopts the consent group as submitted and listed below.

1. Lane ESD Board Meeting Minutes of December 2nd, 2025
2. Lane ESD Board Special Meeting Minutes of December 10th, 2025
3. Human Resource Report, January 1, 2025

Board Chair

Draft_LESD Board Minutes - December 2nd, 2025	12
Draft_LESD Board SPECIAL MEETING Minutes - December 10th, 2025	19
HR Board Report - January 2026_final	24

B. Accept Financial Report

**BE IT RESOLVED** that the Board of Directors of Lane ESD accepts the Financial Report for November 2025.

Board Chair

November 2025 Financial Report	25
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C. Approve Grants

Lane ESD shall pursue federal, state or private grants or other such funds that will assist the ESD in meeting adopted Board and ESD goals.

Proposals for external funds will be submitted to the Board for evaluation and approval.

In the event an opportunity arises to submit a grant proposal and there is insufficient time to place it before the Board, the superintendent is authorized to use his/her judgment in approving it for submission. The superintendent will review the proposal with the Board at its next regular meeting. The Board reserves the right to reject funds associated with any grant which has been approved.

The Board shall, before acceptance of such funds, consider the district's

obligations, expectations or encumbrances when the grant ceases.

1. Stories of Us: Building Strong Students Through Family and Community Connections.

Stories of Us: Building Strong Students Through Family & Community Connection nurtures whole family engagement and advocacy in their children's education, directly supports youth in navigating to success at school, and weaves close community connections.

Sample motion:

**BE IT RESOLVED** that the Board of Directors of Lane ESD approves moving forward with the ODE "Stories of Us" grant proposal.

Superintendent Scurto

Grant Proposal\_ODE\_Stories of Us 29

D. Superintendent Search | Items

1. Possible Item for Action | Timeline

Sample motion:

**BE IT RESOLVED:** that the Board of Directors of Lane ESD approve the final superintendent search timeline as presented by the HCE firm and authorize HCE to make minor scheduling adjustments as needed.

Chair Harris

Timeline for Board Review 1.6.2026 33

Adopted Final Timeline, no community interview panel 34

2. Possible Item for Action | Confidential Community Interview

Sample motion:

**BE IT RESOLVED:** that the Board of Directors of Lane ESD approve the final superintendent search timeline to include the Confidential Community Interview as presented by the HCE firm.

Proposed Final Timeline with Community Interview Panel 35

E. Second Reading: Adopt Policy Updates and Recommendations

The Board shall exercise its rule-making power by adopting policies consistent with the Oregon Revised Statutes, Oregon Administrative Rules or opinions of a court of competent authority, for its own governance and for the organization and operation of Lane ESD. The Board accepts the definition of policy set forth by the National School Boards Association:

School Board policies are statements which set forth the purposes and prescribe in general terms the organization and program of a school system. They create a framework within which the superintendent and his/her staff can discharge their assigned duties with positive direction. They tell what is wanted.

Such policies may be adopted, amended or repealed at any Board meeting provided that the proposed adoption, amendment or repeal shall have been proposed at a previous Board meeting and, once proposed, shall have remained on the agenda of each succeeding meeting until approved or rejected and except that the Board may adopt, amend or repeal policies at any meeting of the Board in the event of an actual emergency, as determined at the sole discretion of the Board.

Additionally, when in the best interests of the district immediate adoption of a proposed policy is necessary, the Board may adopt such policy at the first meeting in which it is presented.

Policies shall be adopted, amended or repealed by the affirmative vote of four or more Board members. Policies and amendments adopted by the Board will be attached to, and made a part of, the minutes of the meeting at which they are adopted and also will be included in the ESD's policy manual.

The Board shall communicate its position on matters of public policy and shall interact with the community, other governmental bodies and agencies and the media through the spokesperson designated by the Board.

Board Chair

1. Section J: Students | Parts JAA to JFCF

Lane ESD has engaged with OSBA to complete a desk rewrite of the Board Policy Manual.

Presented for second read are parts JAA to JFCF of Section J. These updates were first read at the December 2nd, 2025 meeting of the Board of Directors.

**Policy Section J: Students**

- Equal Educational Opportunity JB — propose adopt w/changes
- Sexual Harassment JBA/GBN — propose adopt w/changes
- Sexual Harassment Complaint Procedure JBA/GBN-AR(1) — propose adopt w/changes
- Federal Law (Title IX) Sexual Harassment Complaint Procedure JBA/GBN-AR(2) — propose adopt w/changes
- Educational Equity JBB HOLD
- Attendance\*\*JE — propose adopt w/changes
- Compulsory Attendance\*\* JEA — propose adopt w/changes (move forward)
- Lane ESD Attendance/Truancy Program JEA-AR — propose adopt w/changes
- Admissions JEC— propose adopt
- Staff/Student/Parent Relations\*\* JECAC/GBH— propose adopt
- Student Absences and Excuses\*\* JED— propose adopt
- Truancy JEDA— propose adopt
- Student Dismissal Precautions\*\* JEDB— propose adopt
- Student Attendance Accounting JEE — propose keep;adopt
- Closed Campus JEFA— propose adopt w/changes
- Student Rights and Responsibilities\*\* JF/JFA— propose adopt w/changes
- Student Conduct JFC— propose adopt w/changes
- Student Dress and Grooming JFCA — propose adopt
- Care of Property by Students JFCB— propose adopt
- Student Conduct on School Vehicles JFCC — propose adopt
- Secret Societies/Gang Activity JFCE/JFCEA - propose adopt
- Personal Electronic Devices and Social Media\*\* JFCEB— propose adopt
- Personal Electronic Devices and Social Media JFCEB-AR— propose adopt
- Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating— propose adopt
- Violence or Domestic Violence - Student\*\* JFCF— propose adopt

**BE IT RESOLVED** that the Board of Directors of Lane ESD adopt policy updates as presented.

Chair, Superintendent Scurto

Section J Second Read\_Parts\_JAA to JFF proposed  
adopt combined

36

2. Adopt Policy Deletions | Section J: Students

The policy deletions for Section J were presented at the Regular Meeting of the Board for first read on December 2nd, 2025.

The following policies/administrative rules are recommended for deletion:

**BE IT RESOLVED** that the Board of Directors of Lane ESD proceed to adopt offered policies for deletion as presented.

Superintendent Scurto

Second Read - Section J - JFCF - JHCA - Recommend 90  
Delete - Combined

F. Fire Engine Donation Discussion

At the December 2nd Regular Board meeting, directors heard information on a 1988 fire truck donation and details relating to the receipt of the fire truck. The Board supported continued research on the cost and maintenance commitment that could come with accepting the donation of the truck.

Superintendent Scurto

KH D1 145

1. Possible Item for Action | Fire Truck Donation

Sample motion:

**BE IT RESOLVED:** that the Board of Directors of Lane ESD graciously accepts the 1988 Western States Fire Engine offered by the Row River Fire District \*, with appreciation for their partnership and support.

\*contingent upon completion of all required inspections, transfer of title, and that all storage arrangements are confirmed.

Superintendent Scurto

KH D1 147

G. Approve 2025-27 Local Service Plan - Year Two

The Lane Superintendents' Council approved the Local Service Plan - Year Two at its December 16th meeting.

According to ORS 334.175, services provided by an education service district shall be provided according to a local service plan developed by the education service district and component school districts. Further, after being adopted by the board of the education service district, be approved on

or before March 1 by resolution of two-thirds of the component school districts that are a part of the education service district and that have at least a majority of the pupils included in the average daily membership of the education service district.

Superintendent Scurto is currently scheduled to visit the following component school district boards:

January 12, 7:00 p.m. - Springfield Public Schools  
January 14th, 6:30 p.m. - Siuslaw School District

Sample motion:

**BE IT RESOLVED** that the Board of Directors of Lane ESD votes in support of the 2025-27 Local Service Plan - Year Two.

Superintendent Scurto, Board Chair

Lane ESD 2025-2027 Local Service Plan - Year 2 149

H. Component District Board Visits - Local Service Plan

Some visits to component district board meetings are scheduled. Component districts have until March 1, 2026 to approve the 2025-27 Local Service Plan - Year Two.

The following component board visits are currently calendared (assigned Board Member):

1/12/2026 - Springfield, 6:00 p.m. Tony Scurto (Vanessa Truett)

1/14/2026 - Siuslaw, 6:30 p.m. Tony Scurto or Eric Anderson (Nora Kent)

Superintendent Tony Scurto

8. Discussion/Reports

A. Legislative Update

Superintendent Scurto will provide an update in legislative activities if there are any updates.

Superintendent Scurto

B. Superintendent Report

Superintendent Scurto

C. Policy Updates | First Read

Recommendations may include to delete or rescind policy or AR, recoding, and reassigning some policy content to a new section or policy of the policy manual.

The Board has the authority to move this policy to adoption if they choose.

Superintendent Scurto will introduce the second part of policy Section J: Students.

Superintendent Scurto

1. Section J | Students (JFCF to JHFCA)

Superintendent Scurto

First Read\_Section J\_JFCF to JHFCA with Edits

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D. Pending Policy

Policy sections held over for OSBA updates or updated information.

Superintendent Scurto

1. Pending Policy from Section G: Personnel

GBEA-AR: Workplace Harassment Reporting and Procedure - PENDING  
GBEE: Wellness - PENDING  
GBEE-AR(1): Wellness - PENDING  
GCBDD/GDBDD - PENDING  
GCBDA/GDBDA - AR (2) - ON HOLD  
GCBDA/GDBDA - AR (3) (A) - ON HOLD  
GCBDA/GDBDA - AR (3) (B) - ON HOLD  
GCBDA/GDBDA - AR (3) (C) - ON HOLD  
GCBDA/GDBDA - AR (3) (D) - ON HOLD  
GCBDA/GDBDA - AR (4) - ON HOLD  
GCBDA/GDBDA - AR (5) - ON HOLD  
GCBDD/GDBDD: Sick Time - PENDING  
GCPD: Discipline and Dismissal of Licensed Staff \* - PENDING  
GCPD-AR: Discipline and Dismissal of Licensed Staff \* - PENDING

Superintendent Scurto

2. Pending Policy from Section I: Instruction

Curriculum Guides and Course Outlines IFE - Adopt with Updates  
HIV, AIDS and HBV Health Education IGAEA- HOLD

Drug and Alcohol Prevention, Health Education IGAEB - HOLD  
Human Sexuality, AIDS/HIV, Sexually Transmitted Diseases, Health Education\*\* IGAI - HOLD  
Special Education - Private Schools IGBAI - (Questions for OSBA)Special Education - Private  
Schools IGBAI-AR - (Questions for OSBA)  
Special Education - Services for Home-Schooled Students with Disabilities IGBAL - HOLD  
Talented and Gifted Program and/or Services\*\* IGBB - HOLD  
Complaints Regarding the Talented and Gifted Program and/or Services IGBB-AR - HOLD  
Talented and Gifted Students - Identification\*\* IGBBA - HOLD  
Appeal Procedure for Talented and Gifted Student Identification and Placement\*\* IGBBA-AR -  
HOLD  
Interscholastic Activities\*\* IGDJ - HOLD  
Electronic Communications System IIBGA - HOLD  
Electronic Communications System IIBGA-AR - HOLD  
Graduation Requirements\*\* IKF - HOLD  
Graduation Exercises IKFB - HOLD  
Credit for Proficiency IKH - HOLD  
Assessment Program\*\* IL - HOLD  
Review of Component District Operations IMA - HOLD  
Program Service Evaluation/Program Renewal IMA-AR(1) - HOLD

Superintendent Scurto

### 3. Pending Policy from Section J: Students

Educational Equity JBB HOLD

Superintendent Scurto

## 9. Board Member Reports and Comments/Agenda Planning

Lane ESD Board, Liaisons, Advisors

### A. Board Member Reports

Board members are asked to submit their reports in writing to be attached to Boardbook. Reports can be sent to the Executive Assistant in advance of the meeting.

Board, Advisors, Liaisons

### B. Agenda Planning

Board members are invited to send agenda items to be considered for the next board meeting. Please call or email to the Board Chair or Superintendent.

Board Chair

## 10. Announcements/Correspondence

Board Chair

A. Announcements

Board Chair

1. Board Appreciation Month

School Board Recognition Month is celebrated in January to honor the unpaid elected volunteers who serve on Oregon's 197 local school boards, our 19 education service district boards and our 17 community college boards.

*We* urge all citizens to join *us* in recognizing the dedication and hard work of all board members serving across this county and beyond in preparing today's students for tomorrow's world.

Superintendent Scurto

2. **Lane ESD Board Member Activities and Opportunities**

3. OAESD Spring Conference

The Board will discuss attendance at the OAESD Spring Conference, May 13-15th, 2026 at the Sunriver Resort.

Board Chair

11. Adjournment

- The next regular meeting is scheduled to be held Tuesday, February 3rd, at the Lane ESD Main Campus, 1200 Highway 99 N, Eugene.

Chair Harris



LANE EDUCATION SERVICE DISTRICT

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Eugene, OR 97402 | 541.461.8298 [Fax]

EQUITY COMMITMENT LEADERSHIP COLLABORATION INTEGRITY

LANE EDUCATION SERVICE DISTRICT

1200 Hwy 99 N
Eugene, Oregon 97402

Board of Directors

December 2nd, 2025
Regular Meeting: 6:00 PM

1. Call Regular Meeting to Order

Chair Leslie Harris called the Regular Meeting to Order at 5:50.

2. Welcome

Guests attending the meeting were introduced.

Board Members Present: Board Chair Leslie Harris, Vice Chair Vanessa Truett (remote), Directors Sherry Duerst-Higgins, Linda Hamilton, Thomas Hiura, Nora Kent, and Rose Wilde.

Administrators and staff present: Superintendent Tony Scurto, Assistant Superintendent Eric Anderson, Executive Business Director Olivia Meyers - Buch, Maria Schaad (recording secretary).

Advisors/Liaisons Present: Sue Wilson (Mapleton Superintendent), Ericka Thessen (Eugene 4J)

Guests: Dr. Shareen Springer (Lane ESD), Cassadie Mitchell (Lane ESD), Kennedy and Olivia (Students from Student Voice), Jose Pleitez-Sanchez (Lane ESD), Stuart Rush (LCEA), Mark Boren (Lane Fire Authority)

3. Lane Education Service District Statement of Accountability: Land Acknowledgement

The Statement was read aloud by Nora Kent

4. Public Participation

No public participation

5. Agenda Review

The agenda was reviewed and accepted as presented.

6. Presentation: RAP Court

The Board of Directors heard a presentation from School Improvement's Student Voice and Engagement Specialist, Dr. Shareen Springer, presenting information and results from youth led research. Dr. Springer along with two students (Olivia and Kennedy) shared about the multi-agency partnership and evaluation of Lane County's RAP Juvenile Treatment Court. The multi-agency partnership brought together 8 (eight) student collaborators from area high schools, ELCOG, the county and the University of Oregon. The research design overview included co-created research questions, co-led interviews (adult and student collaborators) and court observations. Voices in the RAP court observation included 21 interviews, case staffing and court observations.

7. Action Items

7.A. Consent Agenda

DIRECTOR DUERST-HIGGINS MOVED: BE IT RESOLVED that the Board of Directors of Lane ESD approves the consent group as submitted and listed below



1. Lane ESD Board Meeting Minutes for November 4th, 2025.
2. Second Part of Section G, 2nd read at the November 4th meeting.
3. Human Resource Report, December 2025

Director HIURA seconded, and the **MOTION CARRIED WITH DIRECTORS HAMILTON, HARRIS, KENT, TRUETT AND WILDE VOTING YES. (ESD Resolution #26-038)**

**7:0:0**

#### 7.B. Accept Financial Report

Business Director Meyers-Buch presented the written October financial report. Some highlights. Early in the year, early projections are 6.6% of operating revenues. This has not changed since the last report. In the next 30 days, there will be staff reconciliation. Otherwise, all seems to be moving forward. There may be some changes to appropriations that may land above what was adopted for the year. Board action to increase appropriations may be requested for the special revenue fund related to our child nutrition program to account for increased cost for meals that we provide. In response to a Directors question, the amount increasing for a specific district, there is a decrease in another area in relation to the transit dollars. At this time, the amount is approximately \$75,000, but will be reconciled out.

**DIRECTOR DUERST-HIGGINS MOVED: BE IT RESOLVED** that the Board of Directors of Lane ESD accepts the October 2025 Financial Report, as presented.

Director Wilde seconded, and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, HIURA, AND KENT VOTING YES. (ESD Resolution #26-039)**

**The vote passed unanimously (7:0:0)**

#### 7.C. Approve Sole Source Procurement

The Board reviewed a request for Sole Source Procurement for services from Lexia Learning Systems, LLC. The proposed services to be provided is LETRS Participant Materials Bundle (Print and License) with Face-to-Face- Professional Learning for 40 teachers. Lexia is the only holder of the LETRS license over the materials. Component districts have been collaborating and specifically requesting LETRS material for early literacy and professional development. While there are some grants that will support enhanced early literacy, many districts do not have enough funding to acquire LETRS curriculum. Lane ESD is providing the funding to make this product available.

**DIRECTOR WILDE MOVED: BE IT RESOLVED** that the Board of Directors of Lane ESD approve the sole source procurement and authorize the public notice to be provided electronically.

Director Hiura seconded, and the **MOTION CARRIED WITH DIRECTORS HARRIS, HIURA, KENT, TRUETT, AND WILDE VOTING YES. (ESD Resolution #26-040)**

**The vote passed unanimously (7:0:0)**

#### 7. D. Fire Engine

Chair Harris invited guest, Mark Boren, to provide additional information relating to the Fire Engine donation as it is presented to the Board for consideration. Superintendent Scurto opened the



discussion with some background on the new Lane ESD Emergency Service CTE pathway through Lane Career Academy. One of the goals of this pathway is to bring students into real-world experience. The opportunity for Lane ESD to receive fire engine truck donation has emerged. The truck is a 1988 Western States engine and is in good working order. The engine is being offered by the Row River Fire district as they have received a new engine and no longer have a use for the one being offered to Lane ESD. After some preliminary research, Superintendent Scurto reported some logistical considerations remain to be worked out. While receiving the fire truck offers students a unique educational and learning opportunity that aligns with the pathway, additional research is needed to answer questions around parking, maintenance, maintenance cost before a recommendation can be offered. Per policy, a donation that may be considered a major gift must be presented to the Lane ESD Board of Directors for review and ultimately accept or reject the gift.

Board guest, Mark. Boren provided additional background information on the engine, as well as information regarding storage opportunities across the region - specifically one of the stations under Lane Fire Authority. The engine is a Western States engine and comes from a station in a small town near the Portland area that covered about 38 square miles. This was likely a reserve or training engine and maintained well. The student use of the fire truck will be limited and meant for hands-on training. Maintenance can be accessed through a local company (Hughes Fire Equipment). The pump works well. It is an older engine, which means that parts may be difficult to find - but it may not be likely needed. Mr. Boren offered that if the program continues, the program could consider upgrading to a newer engine through another donation. If the engine is unable to be surplused, the engine could be scrapped. Mr. Boren emphasized that the engine donation would be a great opportunity for students, increasing interests and encouraging interest in fire service.

Directors offered that this would be a great opportunity for students. A question emerged around whether the age of the engine would contribute learning differences due to the age or older technology. While there could be some difference, Mr. Broren didn't believe it would be significant enough to reconsider the opportunity. Superintendent Scurto noted that there are a few districts in Oregon that have either accepted engines as donations or purchased the engines. In response to the estimate value of the truck, Mr. Boren estimated an approximate value of \$4,000.

While the fire engine is on the agenda as an action item, Superintendent Scurto asked the Board that instead of taking action to accept or reject, to consider the presentation as a first read, and return in January to consider the action with more information. Also, providing more time for Superintendent Scurto to continue gathering information. So far, the information gathered included \$4,000 in annual maintenance. Answers to storage/parking of the truck and insurance remain unanswered.

The Board had a majority consensus in support for Superintendent Scurto to continue gathering information and pursuing questions about managing the resource and exploring any risk. The goal is to have the fire engine donation on the January 6th meeting for action.

**7.E. Approve Juvenile Detention Education Program (JDEP) Student Investment Act (SIA) Grant Agreement**

As part of the Student Success Act, the goal is to improve student achievement. The agreement with ODE requires that the Board take action on a plan for the school and said funds are allocated to the juvenile detention education program - specifically for students who are in Lane County detention. The main parts of the agreement are standard and are presented to the Board for approval every year. The application is also approved each Spring.

**DIRECTOR DUERST-HIGGINS MOVED: BE IT RESOLVED** that the Board of Directors of Lane ESD approves the presented Juvenile Detention Education Program (JDEP) Student Investment SIA Grant Agreement.



Director WILDE seconded, and the **MOTION CARRIED WITH DIRECTORS, HARRIS, HAMILTON, HIURA, KENT, AND TRUETT VOTING YES. (ESD Resolution #26-041)**

**The vote passed unanimously (7:0:0)**

#### 7.F. OSBA Election

##### 7.F.1

The Lane ESD Board is presented with the OSBA election and the consideration of candidates to Position 6 of the OSBA Board of Directors. The three candidates are Nicole deGraff (Springfield School District), Maureen Miltenberger (Siuslaw School District), and Maya Rabasa (Eugene School District 4J).

During preliminary discussion, Director Duerst-Higgins and Director Hiura expressed support for Maya Rabasa as the candidate due to commitment and experience. Director Kent reflected on smaller district representation and expressed support for Maureen Miltenberger

Since Director Hamilton is presently serving the remainder of a term on the OSBA Board of Directors, Director Hamilton communicated a preference to abstain unless there was a need to break a tie vote. If Director Hamilton's vote is needed, support would be offered to a rural and small district.

**DIRECTOR DUERST-HIGGINS MOVED: BE IT RESOLVED** that the Board of Directors of Lane ESD support Maya Rabasa for the OSBA Board of Director, position 6.

Director Hiura seconded, and the **MOTION FAILED WITH DIRECTORS HARRIS, KENT, TRUETT, AND WILDE VOTING NO.**

**The vote failed (2:1:4)**

**DIRECTOR KENT MOVED : BE IT RESOLVED** that the Board of Directors of Lane ESD support Maureen Miltenberg for the OSBA Board of Director, position 6.

Director Wilde seconded, and the **MOTION CARRIED WITH DIRECTORS HAMILTON, AND TRUETT VOTING YES. DIRECTOR HARRIS ABSTAINED. DIRECTORS DUERST-HIGGINS AND HIURA VOTING NO. (ESD Resolution #26-042)**

**The vote passed (4:1:2)**

#### 7.F.2 OSBA Legislative Policy Committee Candidates

The Lane ESD Board is presented with the OSBA election and the consideration of candidates to Position 6 of the OSBA Legislative Policy Committee. The two candidates are Judy Newman (Eugene School District 4J) and Adrian Pollut (Siuslaw School District). Directors offered continued support for her experience and ongoing work well done on the Legislative Committee.

**DIRECTOR HAMILTON MOVED : BE IT RESOLVED** that the Board of Directors of Lane ESD support Judy Newman for the OSBA Legislative Policy Committee, position 6.

Director Wilde seconded, and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HARRIS, HIURA, KENT AND TRUETT VOTING YES. (ESD Resolution #26-043)**



**The vote passed unanimously (7:0:0)**

7.G OAESD

The officers of OAESD are ESD Board members serving as Chair, Chair-Elect, and Past Chair. Additionally, Superintendents serve as President and President Elect. The term of office for the officers shall be one year in each role. Any officer may be elected to no more than two successive terms. The Chair-Elect and President-Elect succeed the Chair and President, respectively. ESD Boards have the opportunity to nominate a candidate for the position of Chair-Elect and the ESD superintendents have the opportunity to nominate a candidate for President-Elect.

The Directors discussed making a nomination to the OAESD Officer's Council and concluded that no nominations would be forwarded on, at this time.

7. H. Second Reading: Adopt Policy Section I

7.H.1. Adopt policy

7.H.1. Adopt Policy Deletions

**DIRECTOR WILDE MOVED : BE IT RESOLVED** that the Board of Directors of Lane ESD adopted all proposed changes to Section I.

Director Hamilton seconded, and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HARRIS, HIURA, KENT, and TRUETT VOTING YES. (ESD Resolution #26-044)**

8. Discussion/Reports

8.A. Legislative Update:

Superintendent Scurto reported that the November 19th forecast was more positive than had been anticipated. The deficit is down from about \$400 million to \$80 million. The Corporate Activity Cuts (CAT) revenue is also down about \$31 million. However, there is still \$100 million in CAT reserves for the 2025 - 2027 years. OAESD is recommending that all efforts be made, including accessing the reserves to avoid mid-biennium education funding cuts. Key advocacy messages are focusing on no biennium cuts and to use reserves to float through to the 27-29 school year. Legislators are facing tough decisions between school programs, health care and food. The Legislature will not likely take any action until the next forecast in February.

8.B. Superintendent's Report

Lane ESD continues long range facility planning with the 3rd meeting tomorrow. This long range facility planning is grant funded work being done with Soderstrom Architect Firm. Currently, the Soderstrom firm is meeting with staff from Cabinet and considering input. A presentation may come to the Board in January. Director Hamilton noted for the record her thoughts about the building being unattractive.

The agency just completed the Upbeat climate survey. Staff is reviewing and processing the result and the hope is to have a report completed by January or February.

Today is National Special Education Day, marking the anniversary of the signing of the Individuals with Disabilities Education Act (IDEA). Superintendent Scurto offered a special thank you to all of our Special Education team here at Lane ESD and our Special Educators throughout Lane County.



### 9.C. Policy Updates | First Read

Recommendations include to delete or rescind policy or AR, recoding, and reassigning some policy content to a new section or policy of the policy manual. The Board was presented with Section I for first reading. Each Board member received a paper copy of Section I.

The Board was presented with sections JAA to JFCF for first read. If there are any concerns or recommendations, Director Harris invited Directors to communicate to Superintendent Scurto, Director Harris or Maria Schaad.

## 10. Board Member Reports and Comments/Agenda Planning (this Agenda item was moved up)

### Liaisons

*Ericka Thessen, Eugene School District 4J:* Tomorrow is first session with the district's budget committee. The district is facing major budget cuts and possible school closures. At this time, the district is just under 15,000 students when just a few years ago, enrollment was at about 18,000. Cost of living is having a direct impact on housing costs. Many families are looking to move to more affordable areas and leave the district. Superintendent Micklesen has been working hard to focus on maintaining staff in buildings and has focused on re-organizing executive leadership.

*Sue Wilson, Superintendent, Mapleton School District:* Expressed appreciation to Lane ESD and the School Improvement team for the many ways in which Mapleton has been supported. In addition to the Rural Collaborative, Mapleton received support from Dr. Springer after a student climate issue surfaced. Dr. Springer is supporting in launching an "anti-bullying" campaign that is student centered. Currently in the process of rolling out a soft-launch of the anti-bullying campaign before the winter break and then hard launch after returning from the break. Superintendent Wilson emphasizes that often this work lands hard on a small district with limited staff resources.

Mapleton is one of the 5 districts participating in the Rural collaborative. The next PD date will be December 10. Teachers will be engaged with PLC work with teachers that teach the same subject. The five district administrators are also participating in their own PLC.

Fall was a difficult time at Mapleton. Attendance has been impacted by the needs in the Community. They have reached out to Director Mitchell to brainstorm on options. One option included hiring a Dean of Students Lane ESD has also stepped forward to support rural districts with administrative burden by covering buildings. This has been very helpful.

Mapleton has several students participating in Hope Factory and Behavioral health pathways that would not have otherwise been able to participate.

## 11. Information from Administrative Staff

The Board received the written reports from Special Education and Technology

## 12. Board Member Reports and Comments/Agenda Planning

Director Kent provided a written and oral report, specifically information on news regarding the



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Rural Caucus and encouraged others to attend future meetings.

Director Duerst-Higgins was disappointed with this year's OSBA conference. There was a difference in consistency with the speakers.

12.1 Agenda Planning

There were no agenda items presented for future meetings.

13. Announcements/Correspondence

13.A. Acknowledgements

No acknowledgements were received.

13.C. Announcements

No announcements were offered.

13.C.1. Lane ESD Board Member Activities and Opportunities

Director Ken offered information regarding OSBA's Rural Caucus and encouraged others to attend future meetings

14. Adjournment

The next regular meeting is scheduled to be held Tuesday, January 6th, 2026, at the Lane ESD Main Campus, 1200 Highway 99 N, Eugene. Chair Harris adjourned the meeting at **7:47 p.m.**

Minutes Approved:

\_\_\_\_\_  
Leslie Harris, Chairperson

\_\_\_\_\_  
Tony Scurto, Superintendent



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**LANE EDUCATION SERVICE DISTRICT**

1200 Hwy 99 N  
Eugene, Oregon 97402

**Board of Directors**

December 10, 2025  
Special Meeting: 6:00 PM

1. Call Regular Meeting to Order

Chair Leslie Harris called the Regular Meeting to Order at 6:07 p.m. Chair Harris noted that this meeting is a Special Meeting of the Lane ESD Board of Directors and public comment will not be read. The next opportunity for public comment is at the next Regular Board meeting on January 6th, 2026.

2. Welcome

Guests attending the meeting were introduced.

Board Members Present: Board Chair Leslie Harris, Vice Chair Vanessa Truett, Directors Sherry Duerst-Higgins, Rose Wilde, Thomas Hiura, Nora Kent, Linda Hamilton (remote/limited attendance due to schedule conflict - attended first part of meeting, was not in attendance during votes)

Administrators and staff present: Superintendent Tony Scurto, Maria Schaad (recording secretary)

Guests: Robyn Bean (Human Capital Enterprises), Kathleen Rodden-Nord (Human Capital Enterprises), Hank Harris (Human Capital Enterprises) (remote), Jose Plietez-Sanchez (Lane ESD)

3. Lane Education Service District Statement of Accountability: Land Acknowledgement

The statement was read aloud by Director Kent.

4. Agenda Review

The agenda was reviewed and accepted as presented.

5. 2026-2027 Superintendent Search | Planning

Superintendent Scurto announced his intent to retire (effective June 30th, 2026) at the October 7th, 2025, Regular Meeting of the Lane ESD Board of Directors. At this time, the Board of Directors in partnership with Human Capital Enterprises (HCE) will review and adopt a timeline for conducting a Superintendent search. Led by HCE, the Lane ESD Board of Directors discussed matters relating to:

- Communication Logistics
- Timeline of Activities
- Focus Groups and 3:1s
- Internal Candidates
- Regional vs. National Search
- Fairness Considerations
- Publicity
- Residency Expectations
- Salary Range for the New Superintendent
- Format of Final Interview
- Other information



Chair Harris invited Ms. Bean and Ms. Rodden - Nord to lead the meeting.

#### 5.A. Communication Logistics

Ms. Bean and Ms. Rodden-Nord reviewed communication norms between HCE and the Board - more specifically to expect that communication from HCE will be sent to the Board Chair and the rest of the Board using the blind carbon copy (bcc) option. This is intended to avoid encouraging unintentional communication. Board members are encouraged to reach out to the HCE team individually with any questions. Responses to any and all questions will be returned bcc with the question and the answer.

Ms. Bean identified two areas that may need support: 1) communication and 2) messages out to the organization and scheduling.

Most of number 2 is addressed through HCE's support with template communication to Chair Harris and the Board Secretary. Another piece relates to scheduling - scheduling will primarily be coordinated with the Superintendent's Executive Assistant.

Another aspect of communication relates to accessibility of information. Specifically, an online presence or page on the Lane ESD website that provides up-to-date information on the superintendent search. Additionally, a web page is a key tool in ensuring accessibility to staff and constituents. There were some questions about whether Lane ESD staffed a communication department. Lane ESD does not have a communication department.

#### 5.A.1 Possible Item for Action | Communication Plan

The Board was presented with contracting public relations/communications support through HCE. This additional service would provide building a webpage, maintaining the page with the most up to date information on the search and any public relationships statement related to the superintendent search and final announcement.

**BE IT RESOLVED: DIRECTOR WILDE MOVED** that the Board of Directors of Lane ESD authorizes HCE to provide up to 10 hours of service - limited to superintendent search public relations communication and web page development/updates - at an hourly rate of \$165.00

Director Duerst-Higgins seconded, and the **MOTION CARRIED WITH DIRECTORS HARRIS, HIURA, KENT, AND TRUETT VOTING YES. (ESD Resolution #26-045)**

(Director Hamilton was in attendance at the beginning of the meeting, but was not present during the vote.)

**6:0:0**

#### 5.B. Timeline of Activities

Ms. Bean and Ms. Rodden-Nord shared about pre-announcement engagement activities that are in motion. At this time, HCE has already included a "coming soon" teaser for Lane ESD superintendent search.

Ms. Bean walked through the tentative search timeline with dates for review, discussion and approval. In the attachments, the Board reviewed dates - some dates in red will be reviewed during a second Board meeting for finality.

The timeline includes, 1:1 meetings with Directors and 9 stakeholder focus group meetings occurring between 12/16 to 01/08. A survey will also be available and sent out agency wide. The information gathered from the focus groups and the survey results will inform the superintendent criteria.



A second Special Board Meeting will be scheduled to review and approve the superintendent criteria. The Board will have had time to review and take public comment on the document. Directors should plan for this Special Meeting to be about 60 to 90 minutes - after receiving public input. The special meeting was scheduled for Wednesday, January 14th at 5:00 p.m.

The salary range discussion will also be a part of this 2nd meeting.

The HCE team further discussed logistics around the vacancy announcement, recruitment period and selection process.

After the superintendent criteria is approved, the announcement will be posted on the Lane ESD Website, the HCE website, COSA, WASA and a national ESD website. A Director offered a recommendation to advertise in with the Oregon Association of Latino Administrators (OALA) and any additional affinity association.

Once the recruitment period ends, the selection process begins.

HCE reviews all of the applications received. Directors will also be able to review all of the applications, if inclined to do so. Once the Board approves candidates, the Board meets in Executive Session to select about 5 candidates for the first round of interviews.

Another Board financial decision surrounds whether to include a Confidential Community Interview (CCI). A CCI is an HCE facilitated panel that includes leaders from component districts, parents, students, community members, licensed/classified staff and community partners. This optional service comes at an additional cost of approximately \$2,100. A Director with previous experience shared that the CCI were very beneficial. The Board elected to table this decision for the January meeting.

The following meeting dates and times were discussed.

- Wednesday, January 14th - 5:00pm
- Monday, February 23rd - 5:00 p.m. SLATE meeting (executive session)
- Thursday, March 5th - 9:00 a.m. to 3:00 p.m. - 1 of 2 - 1st Round Interviews (executive session (virtually) - 2 - partial days
- Friday, March 6th - 9:00 a.m. to 3:00 p.m. - 2 of 2 - 1st Round Interviews (executive session (virtually) - 2 - partial days -

If the Board elects to add the Confidential Community Engagement Interview - the date will need to be scheduled.

- Monday, March 16th - 9:00 a.m. to 5:00 p.m. 1 of 2 - 2nd Round interviews (3 finalists will need 2 days/ 8 hour days). Approximately 3 to 3.5 hours per candidate. The fourth block is reserved for deliberations.
- Tuesday, March 17th - 9:00 a.m. to 5:00 p.m. 2 of 2 - 2nd Round interviews (3 finalists will need 2 days/ 8 hour days). Approximately 3 to 3.5 hours per candidate. The fourth block is reserved for deliberations.

5.B.1 Possible Item for Action | Timeline Activities

**BE IT RESOLVED: DIRECTOR WILDE MOVED** that the Board of Directors of Lane ESD adopt the timeline as discussed.

Director Hiura seconded, and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HARRIS, KENT, AND TRUETT VOTING YES. (ESD Resolution #26-046)**



(Director Hamilton was in attendance at the beginning of the meeting, but was not present during the vote.)

**The vote passed (6:0:0)**

Chair Harris called for a brief recess at 7:15 p.m. for a restroom break. The Board reconvened at 7:25 p.m.

5.C. Focus Groups and 3:1s

HCE shared initial information about target focus groups and identifying participants: component districts, staff from Cabinet, Union leadership, Management, the district's equity committee and community partners. Staff, both licensed and classified employees, will also have opportunities to provide feedback through a lottery system.

5.D. Internal Candidates

The Board was asked about preference considering internal candidates. Mr. Harris from HCE offered that most districts elect for a single standard - internal candidates to be held to the same standard as external candidates. Some districts (few) would suggest looking at internal candidates first.

Hank put it forward to the Board for discussion. The Board shared agreement to maintain all candidates to a single standard - including internal candidates.

5.E. Regional vs. National Search

Mr. Harris referenced the original executive search proposal regarding the pricing difference between regional and national searches. One base fee was for a contained search and another for a national search. The service difference centers around preemptively reaching out to national prospects. However, narrowing the search to regional would not preclude a national candidate from applying.

The Board expressed agreement around maintaining the search to be regional.

5.F. Fairness Considerations

Mr. Hank explained that fairness is a critical part to maintaining integrity in the search. It is not unusual that interested parties or possible candidates may reach out to Board Directors about the Superintendent position with questions. With this in mind, a reminder and request was made of the Board to refrain from having reciprocal contact, coffee, email exchanges with people who are interested in the position. Rather, Directors are encouraged to refer interested candidates or route email inquiries to the HCE team. The same recommendation was extended to Superintendent Scurto.

The Board agreed to the request.

5.G. Publicity

Ms. Bean and Rodden-Nord provided information on a "non-reveal" executive search (a search when candidate names are not revealed). An example is when a candidate superintendent applies for the position and also wants to maintain a good relationship with their own Board. If the process is not confidential, applying for another position outside of their district may compromise the relationship with their current Board.

Not having a confidential search, could limit the applicant pool.

**BE IT RESOLVED: DIRECTOR DUERST-HIGGINS MOVED** that the Board of Directors of Lane ESD maintain names of finalists private.



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A request to clarify the motion was made and the motion was restated.

**BE IT RESOLVED: WILDE MOVED** that the Board of Directors of Lane ESD not reveal the names of the finalists and only reveal the name of the candidate who has been selected just prior to voting on their contract.

There was a call to question and Board then voted on the main motion

Director Duerst-Higgins seconded, and the **MOTION CARRIED WITH DIRECTORS HARRIS, AND KENT VOTING YES. DIRECTORS HIURA AND TRUETT VOTING NO. (ESD Resolution #26-047)**

(Director Hamilton was in attendance at the beginning of the meeting, but was not present during the vote.)

**The vote passed (4:0:2)**

5.H. Residency Expectations

Residency discussion was tabled.

5.I. Salary Range for the New Superintendent

Salary range is a future discussion. Comparables and other data will be shared. HCE can offer a range of recommendations. Director Wilde offered that it would be helpful to include local districts and ESDs.

5.J. Format of Final Interview

Generally, the first round of interviews are held virtually over two full days, followed by the final round of interviews that occur, in person. 5.K. Other information

Confidential Community - decision at the January 6th meeting.

6. Adjournment

The next regular meeting is scheduled to be held Tuesday, January 6th, 2026, at the Lane ESD Main Campus, 1200 Highway 99 N, Eugene. Chair Harris adjourned the meeting at **7:56 p.m.**

Minutes Approved:

\_\_\_\_\_  
Leslie Harris, Chairperson

\_\_\_\_\_  
Tony Scurto, Superintendent

## HUMAN RESOURCES REPORT TO LANE ESD BOARD

January 1, 2026

### CLASSIFIED STAFF (Information)

	Employee Name	Position	Effective Date	Notes
<i>Appointments</i>	14241	Program Assistant, SI CTE	11/17/2025	
	14251	Desktop Support Technician	12/8/2025	
	14221	Instructional Assistant, Lane School	12/9/2025	
	14250	Instructional Assistant, Life Skills	12/9/2025	
	14202	Instructional Assistant, Life Skills	12/16/2025	
<i>Leaves of Absence</i>				
<i>Discontinuation of Employment</i>	14020	Instructional Assistant, Life Skills	12/17/2025	Resignation
	10266	Program Assistant, SI CTE	12/31/2025	Retirement
	12679	Accounting Specialist	11/24/2025	Resignation
<i>Change of Status</i>				

### LICENSED STAFF (Action)

	Employee Name	Position	Effective Date	Notes
<i>Appointments</i>				
<i>Leaves of Absence</i>				
<i>Discontinuation of Employment</i>				
<i>Change of Status</i>				

### PROFESSIONAL STAFF (Information)

	Employee Name	Position	Effective Date	Notes
<i>Appointments</i>				
<i>Leaves of Absence</i>				
<i>Discontinuation of Employment</i>				
<i>Change of Status</i>				

### MANAGEMENT STAFF (Action)

	Employee Name	Position	Effective Date	Notes
<i>Appointments</i>				
<i>Leaves of Absence</i>				
<i>Discontinuation of Employment</i>				
<i>Change of Status</i>				

### VACANCY NOTICES (Information)

Posting #	Position	Closing Date	Notes
966	Speech Language Pathologist (Rural)	Until filled	
1195	Special Education Instructional Assistant, Life Skills	Until filled	
1225	Speech Language Pathologist	Until filled	



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Prepared for: Lane ESD Board of Directors  
Prepared by: Olivia Meyers Buch, Executive Director of Business Services  
Meeting Date: January 6, 2026

**November 2025 Financial Report (Unaudited)**

**General Fund Financial Report**

The Financial Report for the General Fund for the period ending November 30, 2025 follows this report. Year-to-date operating revenues through November 30, 2025 total \$15,646,657 or 47.6% of total budgeted operating revenues as compared to \$15,613,904 or 54.3% through November 30, 2024. As usual, state school fund formula revenue constitutes the majority of funds received. Total projected resources of \$32,022,318 is \$867,170 less than budgeted, which is primarily due to adjustments to state school fund estimates that reflect a lower ADMw than what was originally projected by our districts.

Year-to-date operating expenditures through November 30, 2025 total \$8,472,065 or 29.1% of total budgeted operating expenditures as compared to \$7,376,782 or 28.9% through November 30, 2024. Total projected operating expenditures of \$28,139,936 is \$952,207 less than budgeted, which is primarily due to projected savings in PERS employer contributions and increased savings in health benefits when employees elect to opt out of coverage. Total projected transfers and transits of \$4,492,824 is \$29,430 more than budgeted, which is due to changes to district service orders after the budget was adopted.

Projected resources and requirements through November 30, 2025 result in an ending fund balance of \$2,743,780, with \$539,381 assigned (reserved) for districts. The remaining ending fund balance of \$2,204,399 is unassigned and represents 6.9% of projected operating revenues. The projected ending fund balance reflects a decrease, or operating deficit, of \$610,441.

**Appropriations**

A summary of appropriations for all funds for the period ending November 30, 2025 follows this report. At this time, one appropriation in the General Fund (Apportionment of Funds by ESD) and one appropriation in the Special Revenue Fund (Enterprise and

Community Services) are projected to be overspent, but will be corrected with future board action to transfer appropriations.

**Cash and Investment Account Balances by Type**

	Yield	Beginning Balance	Deposits	Withdrawals	Ending Balance
Municipal Investor Checking	0.35%	\$633,089	\$2,994,157	\$3,054,727	\$572,519
Oregon LGIP (4513)	4.43%	\$4,354,033	\$7,841,945	\$2,850,000	\$9,345,978
Oregon LGIP (3676)	4.43%	\$450,132	\$87,016	\$0	\$537,148
<b>Total</b>		<b>\$5,437,254</b>	<b>\$10,923,118</b>	<b>\$5,904,727</b>	<b>\$10,455,645</b>

**Assurances**

All cash, investment and credit card accounts have been balanced, reconciled and reviewed and all cash and investment accounts have been reconciled to the general ledger as of November 30, 2025.

The adopted budget reflects expected expenditures. All payroll reports have been filed and payroll liabilities have been paid timely. All federal and state reimbursement requests as well as required financial reporting forms have been filed timely. All credit card expenditures, travel and other reimbursements have been reviewed and approved at the proper level.

There have been no significant changes to the internal control system, to the accounting system or accounting policies that are significant. The business services department 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.

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. I know of no cases of fraud or other misconduct and I have not been asked by the superintendent to do anything that makes me feel uncomfortable or to present any information I feel is inaccurate.

Please contact me with questions or if you would like any additional information.

**LANE EDUCATION SERVICE DISTRICT**  
**General Fund Financial Report (Unaudited)**  
**For the Period Ending November 30, 2025**

	Fiscal Year 2024-25					Fiscal Year 2025-26					
	Final Budget	Actuals thru 11/30/2024	% of Budget	Projected thru 6/30/2025	% of Budget	Adopted Budget	Actuals thru 11/30/2025	% of Budget	Projected thru 6/30/2026	% of Budget	Budget Variance
<b>RESOURCES</b>											
State School Fund Formula Revenue											
State School Fund - General Support	\$ 16,240,313	\$ 8,222,533	50.6%	\$ 16,547,846	101.9%	\$ 18,679,394	\$ 8,766,835	46.9%	\$ 17,517,341	93.8%	\$ (1,162,053)
Property Taxes Levied by District	9,038,376	6,880,546	76.1%	8,985,472	99.4%	9,359,045	6,456,611	69.0%	9,329,720	99.7%	(29,325)
Other Local Revenues	86,659	12,944	14.9%	30,374	35.1%	47,000	7,098	15.1%	47,500	101.1%	500
Services Provided to Districts	2,209,514	4,172	0.2%	1,961,361	88.8%	3,441,349	571	0.0%	3,741,473	108.7%	300,124
Fees Charged to Grants	600,000	179,904	30.0%	787,830	131.3%	700,000	119,345	17.0%	700,000	100.0%	-
Other Revenues	580,000	313,806	54.1%	996,757	171.9%	662,700	296,197	44.7%	686,284	103.6%	23,584
<b>Total Operating Revenues</b>	<b>\$ 28,754,862</b>	<b>\$ 15,613,904</b>	<b>54.3%</b>	<b>\$ 29,309,639</b>	<b>101.9%</b>	<b>\$ 32,889,488</b>	<b>\$ 15,646,657</b>	<b>47.6%</b>	<b>\$ 32,022,318</b>	<b>97.4%</b>	<b>\$ (867,170)</b>
Beginning Fund Balance (District Reserves)	1,103,757	1,286,636	116.6%	1,286,636	116.6%	1,234,309	1,074,947	87.1%	1,074,947	87.1%	(159,362)
Beginning Fund Balance	1,514,860	1,423,343	94.0%	1,423,343	94.0%	1,915,193	2,279,275	119.0%	2,279,275	119.0%	364,082
<b>TOTAL RESOURCES</b>	<b>\$ 31,373,479</b>	<b>\$ 18,323,883</b>	<b>58.4%</b>	<b>\$ 32,019,618</b>	<b>102.1%</b>	<b>\$ 36,038,990</b>	<b>\$ 19,000,879</b>	<b>52.7%</b>	<b>\$ 35,376,540</b>	<b>98.2%</b>	<b>\$ (662,450)</b>
<b>REQUIREMENTS</b>											
Salaries	\$ 11,436,471	\$ 3,476,439	30.4%	\$ 11,229,735	98.2%	\$ 12,931,449	\$ 3,894,493	30.1%	\$ 12,802,134	99.0%	\$ (129,314)
Associated Payroll Costs	7,495,703	2,025,831	27.0%	6,740,975	89.9%	8,752,295	2,307,044	26.4%	8,052,112	92.0%	(700,184)
Purchased Services	5,695,892	1,346,917	23.6%	5,696,187	100.0%	6,358,613	1,717,480	27.0%	6,358,613	100.0%	-
Supplies and Materials	662,884	271,204	40.9%	557,323	84.1%	724,853	249,258	34.4%	602,144	83.1%	(122,709)
Capital Outlay	-	-	#DIV/0!	39,123	#DIV/0!	-	-	#DIV/0!	-	#DIV/0!	-
Other Objects	269,700	256,391	95.1%	374,774	139.0%	324,933	303,789	93.5%	324,933	100.0%	-
<b>Total Operating Expenditures</b>	<b>\$ 25,560,650</b>	<b>\$ 7,376,782</b>	<b>28.9%</b>	<b>\$ 24,638,117</b>	<b>96.4%</b>	<b>\$ 29,092,143</b>	<b>\$ 8,472,065</b>	<b>29.1%</b>	<b>\$ 28,139,936</b>	<b>96.7%</b>	<b>\$ (952,207)</b>
Transfers											
Interfund Transfers	449,000	429,000	95.5%	449,713	100.2%	452,500	425,000	93.9%	448,500	99.1%	(4,000)
Transits to Districts	3,297,987	-	0.0%	3,577,566	108.5%	4,010,894	18,013	0.4%	4,044,324	100.8%	33,430
Other Uses of Funds											
Planned Reserve (District Reserves)	464,161	-	0.0%	-	0.0%	440,383	-	0.0%	-	0.0%	(440,383)
Planned Reserve	801,681	-	0.0%	-	0.0%	209,617	-	0.0%	-	0.0%	(209,617)
Reserved for Next Year	800,000	-	0.0%	-	0.0%	1,833,453	-	0.0%	-	0.0%	(1,833,453)
<b>TOTAL REQUIREMENTS</b>	<b>\$ 31,373,479</b>	<b>\$ 7,805,782</b>	<b>24.9%</b>	<b>\$ 28,665,396</b>	<b>91.4%</b>	<b>\$ 36,038,990</b>	<b>\$ 8,915,078</b>	<b>24.7%</b>	<b>\$ 32,632,760</b>	<b>90.5%</b>	<b>\$ (3,406,230)</b>
<b>ENDING FUND BALANCE</b>	<b>-</b>	<b>\$ 10,518,100</b>		<b>\$ 3,354,222</b>		<b>-</b>	<b>\$ 10,085,801</b>		<b>\$ 2,743,780</b>		
Assigned for Districts				\$ 1,074,947					\$ 539,381		
Unassigned Fund Balance				\$ 2,279,275	7.8%				\$ 2,204,399	6.9% *	
<i>* Percent of Operating Revenues</i>				<b>\$ 3,354,222</b>					<b>\$ 2,743,780</b>		

**LANE EDUCATION SERVICE DISTRICT**  
**Appropriation Monitoring**  
**For the Period Ending November 30, 2025**

		Fiscal Year 2025-26						
		Adopted Budget	Actuals thru 11/30/2025	% of Budget	Projected thru 6/30/2026	% of Budget	BUDGET VARIANCE	NOTES
<b>GENERAL FUND</b>	<b>100</b>							
Instruction		14,163,749	3,787,754	26.7%	13,552,971	95.7%	610,778	+
Support Services		14,928,394	4,684,311	31.4%	14,586,965	97.7%	341,429	+
Transfers of Funds		452,500	425,000	93.9%	448,500	99.1%	4,000	+
Apportionment of Funds by ESD		4,010,894	18,013	0.4%	4,044,324	100.8%	(33,430)	- pending appropriation transfer
Contingencies		650,000	-	0.0%	-	0.0%	650,000	+
Unappropriated Ending Fund Balance		1,833,453	-	0.0%	-	0.0%	1,833,453	
<b>Total</b>		<b>36,038,990</b>	<b>8,915,078</b>	<b>24.7%</b>	<b>32,632,760</b>	<b>90.5%</b>	<b>3,406,230</b>	<b>+</b>
<b>SPECIAL REVENUE FUND</b>	<b>200</b>							
Instruction		3,739,197	1,107,948	29.6%	3,278,719	87.7%	460,478	+
Support Services		15,187,528	3,914,696	25.8%	14,665,562	96.6%	521,966	+
Enterprise and Community Services		80,000	519	0.6%	84,519	105.6%	(4,519)	- pending appropriation transfer
Apportionment of Funds by ESD		22,548,273	92,806	0.4%	22,092,806	98.0%	455,467	+
<b>Total</b>		<b>41,554,998</b>	<b>5,115,969</b>	<b>12.3%</b>	<b>40,121,607</b>	<b>96.6%</b>	<b>1,433,391</b>	<b>+</b>
<b>DEBT SERVICE FUND</b>	<b>300</b>							
Support Services		5	0	5.0%	1	16.0%	4	+
Debt Service		954,698	-	0.0%	954,697	100.0%	1	+
<b>Total</b>		<b>954,703</b>	<b>0</b>	<b>0.0%</b>	<b>954,698</b>	<b>100.0%</b>	<b>5</b>	<b>+</b>
<b>CAPITAL PROJECTS FUND</b>	<b>400</b>							
Support Services		139,161	17,584	12.6%	125,367	90.1%	13,794	+
Debt Service		135,839	-	0.0%	135,839	100.0%	0	+
<b>Total</b>		<b>275,000</b>	<b>17,584</b>	<b>6.4%</b>	<b>261,205</b>	<b>95.0%</b>	<b>13,795</b>	<b>+</b>
<b>INTERNAL SERVICE FUND</b>	<b>600</b>							
Support Services		545,020	150,128	27.5%	287,616	52.8%	257,404	+
<b>Total</b>		<b>545,020</b>	<b>150,128</b>	<b>27.5%</b>	<b>287,616</b>	<b>52.8%</b>	<b>257,404</b>	<b>+</b>
<b>GRAND TOTAL</b>	<b>ALL</b>	<b>79,368,711</b>	<b>14,198,759</b>	<b>71.0%</b>	<b>34,136,281</b>	<b>43.0%</b>	<b>5,110,824</b>	

## Response Summary:

# Grant Report

Q2. Has this proposal been discussed and supported by your department's executive director?

- Yes

### Q4. Details

<b>Project Name</b>	tories of Us: Building Strong Students Through Family & Community Connection
<b>Department Submitting Proposal</b>	SI
<b>Person Submitting Proposal</b>	Ana Quintera-Arias
<b>Potential Funder (please include link to RFP if available)</b>	Oregon Department of Education.
<b>Requested Funding Amount</b>	200,000
<b>Person who will manage grant if funded</b>	Ana

### Q5. Grant Period

<b>Length of grant</b>	14 mos
<b>Anticipated start date (mm/dd/yyyy)</b>	04/01/2026
<b>Anticipated end date (mm/dd/yyyy)</b>	06/30/2027

Q9. Is a match required from Lane ESD or participating districts (direct funds, FTE, services)?

- No

Q10. Does the grant require any commitment from the ESD or districts beyond the term of the grant?

- No

Q13. Does the grant require a 501(c)3 to apply?

- No

Q46. Does the grant require "reporting" and/or updates?

- Yes

Q47. What kind of reporting is being asked for?

Service documentation

**Q48. Who will be doing the ongoing reporting (programmatic and fiscal responsibilities) within your department?**

Ana and Marta

**Q24. Have you discussed the data collection and reporting needs with your data coordinator?**

- Yes

**Q50. With which data coordinator did you speak?**

- Coordinator X

**Q51. When did you speak with your data coordinator about this project?**

On going

**Q52. How often will you need their support for reporting, exports, and imports?**

Quarterly

**Q17. Please, provide a brief overview of the grant, including the purpose and intended outcomes.**

Stories of Us: Building Strong Students Through Family & Community Connection nurtures whole family engagement and advocacy in their children's education, directly supports youth in navigating to success at school, and weaves close community connections. Alignment to specific IRSSP Goals and Strategies as defined in the request for applications (pages 7-9) are referenced as such, goals 1-4 and strategies a-k. Program activities are tightly woven with the work Lane Education Service District does under our Latino/a/x and Indigenous Student Success Plan and Migrant Education programming as well as with a network of community providers also serving Plan students. Our ECE combined with our FES will result in improved academic outcomes for PK-5 students. High level summary of improved outcomes: Literacy: the ECE's in-home work provides strengths based, culturally grounded curricula to achieve developmental milestones supporting student literacy; Math: STEM programming is also supported by the ECE via integrated activities and exercises as well as with the FES and other program staff providing experiential learning opportunities through venues such as Mt. Pisgah Arboretum, Eugene Science Center, and STEM Hub programming. Attendance: as discussed earlier prior to the current landscape our Program participants had higher attendance rates than students as whole on average. This was due to the relationships created between the ECE, FES, parents, students, siblings, and schools. With the current landscape

**Q18. Describe how this proposal supports the equity vision and mission of Lane ESD.**

**Vision: Building a beloved community of learners.**

**Mission: Collaborating to empower all learners with justice- centered opportunities, equitable leadership, and a passion for lifelong learning.**

Indigenous Mexican, Central, South American, and Caribbean immigrant and refugee communities in Lane County are diverse and complex. This community is multiracial, multilingual, and comprises dozens of countries of origin - each with its own unique culture and history. Stories of Us: Building Strong Students Through Family & Community Connection (Stories of Us) serves all 16 Lane County school districts by providing: a) in-home early childhood education; and b) school navigation and education supports to immigrant and refugee families. These program components align with all of the Plan strategies but most proximally to the following strategies: a) increase parental engagement in the education of Plan students; c) increase early childhood education and kindergarten readiness for Plan students, d) improve literacy and numeracy levels among Plan students, e) support Plan student transitions to elementary and middle school and through the middle school and high school grades to maintain and improve academic performance; f) support culturally responsive pedagogy and practices from early childhood through post-secondary education; h) increase attendance of Plan students in early childhood education through post-secondary education by creating affirming and welcoming environments; and k) align the plan with other statewide education plans developed and implemented by the Department of Education.

Grant funds will support our Early Childhood Educator (ECE) and Family Engagement Specialist (FES) to deepen their reach in connecting with and supporting our families in safe spaces. The ECE promotes school readiness and supports student success by: conducting home visits; providing culturally and developmentally appropriate learning materials to families; training parents on methods to support their child's social and academic development; and gathering information on growth relative to developmental milestones and school readiness. The ECE also delivers adult and family literacy programs to support academic growth and advocacy. The FES ensures families have the knowledge, confidence, and resources to advocate effectively for their children; and supports students in school from kindergarten through graduation. Program staff will also receive professional development focused on integrating early literacy, mathematics, and social-emotional development within a culturally responsive pedagogy to strengthen our summer programming.

**Q19. Indicate which of Lane ESD's Equity Goals this proposal will directly address.**

- 1. All decisions and actions will reflect the guiding principles and affirmations in our Equity Lens document.
- 2. Lane ESD staff along with community partners will be equity leaders trained to dismantle systems of oppression through interrupting inequitable policies and practices by providing culturally specific curriculum that reflects the histories of our students.
- 4. Youth, from all backgrounds, will have access to highly engaging and culturally relevant learning opportunities connected to our communities and delivered by diverse, qualified, and passionate educators.
- 5. While amplifying youth voice, we will build trusted and inclusive relationships with our families and elevate the engagement of community partners that lead to improved equitable student outcomes.

**Q20. Describe how the voices of diverse members of the community have been part of the design and implementation process of this proposal.**

Student voice data demonstrates they are experiencing racism, harassment and bullying by students and staff and that these incidents go unaddressed. We serve these families in three (3) urban and 13 rural school districts. Each district has nuance and to illustrate the Immigrant and Refugee (I&R) community in South Lane School District comes predominantly from Guatemala and holds Mam as their home language (meaning Spanish resources can fall short), whereas Junction City's community has had a recent influx of families from Venezuela and has a different set of needs and experiences.

**Q21. How will this proposal dismantle systems of racism and oppression that might exist?**

See prior answers

**Q22. Who might this proposal impact positively and who might it negatively impact?**

See prior answers

**Q23. How will you ensure that equitable outcomes are achieved and what data will be collected to measure success?**

See prior answers

**Q29. Will the purchase of computers, software, or other equipment be required for staff hired or assigned to the grant?**

- No

**Q31. What use of facilities are anticipated (workspace, training space, meeting space)?**

**If applicable, please include use during weekends and break periods.**

workspace, training space, meeting space

**Q32. What other internal supports at Lane ESD will you need for the project to succeed?**

Business services support for grant management

**Q36. Does the project involve research that requires the human subjects' releases?**

- No

By clicking the arrow you will be submitting the form.

Please ensure you have completed all sections before moving forward.

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## **Embedded Data:**

N/A



## Lane Education Service District Superintendent Search Timeline

Activity	Date(s)
<b>2025</b>	
Pre-Announcement	November 30
Planning Meeting	December 10
3:1 Board Conversations	December 16-17
Focus Group meetings	December 16 - January 8
Online Survey Window	December 16 - January 7
<b>2026</b>	
Presentation of Lane ESD's Next Superintendent Criteria <i>in public session</i>	January 14, 5:00pm
Recruitment Period (4 weeks)	January 15 - February 13
Preliminary Interviews with Consultants	February 15 & 16
Presentation of Slate of Candidates <i>in executive session</i>	February 23, 5:00pm
First Round Interviews with Board (virtual) <i>in executive session</i>	March 5 & 6 9:00am to 3:00pm
Confidential Community Engagement Interview Panels (virtual) <i>inclusion to be determined 1.6.2026</i>	March 12 <i>if the board elects</i>
Finalist Interviews with the Board (in-person) <i>in executive session</i>	March 16 & 17 9:00am to 5:00pm
Deliberation <i>in executive session</i>	March 17
Public Announcement	Target: April 5
Superintendent assumes responsibilities	July 1



## Lane Education Service District Superintendent Search Timeline

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Deliberation <i>in executive session</i>	March 17
Public Announcement	By April 10th
Superintendent Assumes Responsibilities	July 1



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# Lane Education Service District

Code: JB  
Adopted: 10/24/00  
Revised/Readopted: 7/10/01, 2/22/05, 1/22/08  
Orig. Code(s): JB

## Equal Educational Opportunity

Every student of the ESD will be given equal educational opportunities regardless of age, sex, sexual orientation, gender identity, race<sup>1</sup>, religion, color, national origin, disability, parental status, familial status, marital status, linguistic background, culture, socioeconomic status, capability or geographic location.

No student will be excluded from participating in, denied the benefits of, or subjected to discrimination under any program or service conducted by the ESD or denied access to facilities in the ESD.

A student or parent may also access and use the ESD's general complaint procedure through Board policy KL - Public Complaints.

All reports, complaints or information will be investigated.

A student of the ESD may not be subjected to retaliation by the ESD for the reason that the student has in good faith reported information that the student believes is evidence of a violation of a state or federal law, rule or regulation.

END OF POLICY

### Legal Reference(s):

[ORS 174.100](#)  
[ORS 192.630](#)  
[ORS 326.051](#)  
[ORS 329.025](#)  
[ORS 334.125](#)  
[ORS 336.086](#)  
[ORS 659.850](#)

[ORS 659.852](#)  
[ORS 659A.001](#)  
[ORS 659A.003](#)  
[ORS 659A.006](#)  
[ORS 659A.103](#) - 659A.145  
[ORS 659A.400](#)  
[ORS 659A.403](#)

[ORS 659A.406](#)  
[OAR 581-021-0045](#)  
[OAR 581-021-0046](#)  
[OAR 581-022-2310](#)  
[OAR 839-003-0000](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019).

Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2018) ; 34 C.F.R. Part 104 (2019).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12333 (2018).

<sup>1</sup> Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001.

# Lane Education Service District

Code: JBA/GBN  
Adopted: 3/26/96  
Revised/Readopted: 7/10/01; 9/25/01; 9/23/14;  
2/05/19; 8/04/20; 6/07/22;  
9/09/25  
Orig. Code(s): JBA/GBN

## Sexual Harassment

The ESD is committed to eliminating sexual harassment. Sexual harassment will not be tolerated in the ESD. All students, staff members and other persons are entitled to learn and work in an environment that is free of harassment. All staff members, students and third parties are subject to this policy. Any person may report sexual harassment.

The ESD processes complaints or reports of sexual harassment under Oregon Revised Statute (ORS) 342.700 et. al. and federal Title IX laws found in Title 34 C.F.R. Part 106. Individual complaints may require both of these procedures, and may involve additional complaint procedures.

### General Procedures

When information, a report or complaint regarding sexual harassment is received by the ESD, the ESD will review such information, report or complaint to determine which law applies and will follow the appropriate procedures. When the alleged conduct could meet both of the definitions in ORS 342 and Title IX, both complaint procedures should be processed simultaneously (*see* JBA/GBN-AR(1) - Sexual Harassment Complaint Procedure and JBA/GBN-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure). The ESD may also need to use other complaint procedures when the alleged conduct could meet the definitions for other complaint procedures.

### OREGON DEFINITION AND PROCEDURES

#### Oregon Definition

Sexual harassment of students, staff members or third parties<sup>1</sup> shall include:

1. A demand or request for sexual favors in exchange for benefits;
2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:
  - a. Interferes with a student's educational activity or program;
  - b. Interferes with a school or ESD staff member's ability to perform their job; or
  - c. Creates an intimidating, offensive or hostile environment.

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<sup>1</sup> "Third party" means a person who is not a student or a school or ESD staff member and who is: 1) on or immediately adjacent to school grounds or ESD property; 2) at a school-sponsored activity or program; or 3) off school grounds or ESD property if a student or a school or ESD staff member acts toward the person in a manner that creates a hostile environment for the person while on school or ESD property, or at a school- or ESD-sponsored activity.

### 3. Assault when sexual contact occurs without consent<sup>2</sup>.

Sexual harassment does not include conduct that is necessary because of a job duty of a school or ESD staff member or because of a service required to be provided by a contractor, agent, or volunteer, if the conduct is not the product of sexual intent or a person finding another person, or another person's actions, offensive because of that other person's sexual orientation or gender identity.

Examples of sexual harassment may include, but not be limited to, physical touching or graffiti of a sexual nature; displaying or distributing of sexually explicit drawings; pictures and written materials; sexual gestures or obscene jokes; touching oneself sexually or talking about one's sexual behaviors in front of others; or spreading rumors about or rating other students or others as to appearance, sexual activity or performance.

#### **Oregon Procedures**

Reports and complaints of sexual harassment should be made to the following individual(s)

Molly Gillett, executive director special education at 541-461-8200 or [mgillett@lesd.k12.or.us](mailto:mgillett@lesd.k12.or.us)

Morgan Christensen, human resources executive director at 541-461-8231 or [mchristensen@lesd.k12.or.us](mailto:mchristensen@lesd.k12.or.us)

These individual(s) are responsible for accepting and managing complaints of sexual harassment. Persons wishing to report should contact them using the above information. The human resources director is also designated as the Title IX Coordinator. *See* JBA/GBN-AR(1) - Sexual Harassment Complaint Procedure.

#### **Response**

Any staff member who becomes aware of behavior that may violate this policy shall immediately report to an ESD official. The ESD official (with coordination involving the reporting staff member when appropriate) will take any action necessary to ensure the:

1. Student is protected and to promote a nonhostile learning environment;
2. Staff member is protected and to promote a nonhostile work environment; or
3. Third party who is subjected to the behavior is protected and to promote a nonhostile environment.

This includes providing resources for support measures to the student, staff member or third party who was subjected to the behavior and taking any actions necessary to remove potential future impact on the student, staff member or third party, but are not retaliatory against the student, staff member or third party being harassed or the person who reported to the ESD official.

Any student or staff member who feels they are a victim of sexual harassment are encouraged to report their concerns to ESD officials, this includes officials such as the principal, compliance officer or superintendent. Students may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate ESD official.

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<sup>2</sup> "Without consent" means an act performed: (a) without the knowing, voluntary and clear agreement by all parties to participate in the specific act; or (b) when a person who is a party to the act is incapacitated by drugs or alcohol; unconscious; or pressured through physical force, coercion or explicit or implied threats to participate in the act.

## **Investigation**

All reports and complaints about behavior that may violate this policy shall be investigated. The ESD may use, but is not limited to, the following means for investigating incidents of possible harassment:

1. Interviews with those involved;
2. Interviews with witnesses;
3. Review of video surveillance;
4. Review of written communications, including electronic communications;
5. Review of any physical evidence; and
6. Use of third-party investigator.

The ESD will use a reasonable person standard when determining whether a hostile environment exists. A hostile environment exists if a reasonable person with similar characteristics and under similar circumstances would consider the conduct to be so severe as to create a hostile environment.

The ESD may take, but is not limited to, the following procedures and remedial action to address and stop sexual harassment:

1. Discipline of staff and students engaging in sexual harassment;
2. Removal of third parties engaged in sexual harassment;
3. Additional supervision in activities;
4. Additional controls for ESD electronic systems;
5. Trainings and education for staff and students; and
6. Increased notifications regarding ESD procedures and resources.

When a student or staff member is harassed by a third party, the ESD will consider the following:

1. Removing that third party's ability to contract or volunteer with the ESD, or be present on ESD property;
2. If the third party works for an entity that contracts with the ESD, communicating with the third party's employer;
3. If the third party is a student of another district, ESD or school, communicate information related to the incident to the other district, ESD or school;
4. Limiting attendance at ESD events; and
5. Providing for additional supervision, including law enforcement if necessary, at ESD events.

## **No Retaliation**

Retaliation against persons who initiate complaint or otherwise report sexual harassment or who participate in an investigation or other related activities is prohibited. The initiation of a complaint, reporting of behavior, or participation in an investigation, in good faith about behavior that may violate this policy may not adversely affect the:

1. Educational assignments or educational environment of a student or other person initiating the complaint, reporting the behavior, or participating in the investigation; or
2. Any terms or conditions of employment or of work or educational environment of a school or ESD staff member or other person initiating the complaint, reporting the behavior, or participating in the investigation.

Students who initiate a complaint or otherwise report harassment covered by the policy or who participate in an investigation may not be disciplined for violations of the ESD's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered because of the report or investigation, unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct.

### **Notice**

When a person<sup>3</sup> who may have been affected by this policy files a complaint or otherwise reports behavior that may violate the policy, the ESD shall provide written notification to the following:

1. Each reporting person;
2. If appropriate, any impacted person who is not a reporting person;
3. Each reported person; and
4. Where applicable, a parent or legal guardian of a reporting person, impacted person, or reported person.

The written notification must include<sup>4</sup>:

1. Name and contact information for all person designated by the ESD to receive complaints;
2. The rights of the person that the notification is going to;
3. Information about the internal complaint processes available through the school or ESD that the person who filed the complaint may pursue, including the person designated for the school or ESD for receiving complaints and any timelines;

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<sup>3</sup> Student, staff member, or third party, or if applicable, the student or third party's parent. If the person is a minor, the ESD should consider when to contact the person's parent.

<sup>4</sup> Remember confidentiality laws when providing any information.

4. Notice that civil and criminal remedies that are not provided by the school or ESD may be available to the person through the legal system and that those remedies may be subject to statutes of limitation;
5. Information about services available to the student or staff member through the school or ESD, including any counseling services, nursing services or peer advising;
6. Information about the privacy rights of the person and legally recognized exceptions to those rights for internal complaint processes and services available through the school or ESD;
7. Information about, and contact information for, services and resources that are available to the person, including but not limited to:
  - a. For the reporting person, state and community-based resources for persons who have experienced sexual harassment; or
  - b. For the reported persons, information about and contact information for state and community-based mental health services.
8. Notice that students who report about possible prohibited conduct and students who participate in an investigation under this policy may not be disciplined for violations of the ESD's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered as a result of a prohibited conduct report or investigation unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct; and
9. Prohibition of retaliation.

Notification, to the extent allowable under state and federal student confidentiality laws, must be provided when the investigation is initiated and concluded. The notification at the conclusion must include whether a violation of the policy was found to have occurred.

The notice must:

1. Be written in plain language that is easy to understand;
2. Use print that is of a color, size and font that allows the notification to be easily read; and
3. Be made available to students, students' parents, staff members and member of the public at each office, at the ESD office and on the website of the school or ESD.

### **Oregon Department of Education (ODE) Support**

The ODE will provide technical assistance and training upon request.

## FEDERAL DEFINITION AND PROCEDURES

### Federal Definition

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the ESD conditioning the provision of an aid, benefit, or service of the ESD on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the ESD's education program or activity<sup>5</sup>;
3. "Sexual assault": an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
4. "Dating violence": violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship;
5. "Domestic violence": felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or
6. "Stalking": engaging in a course of conduct directed at a specific person that would cause a reasonable person fear for the person's own safety or the safety of others, or suffer substantial emotional distress.

This definition only applies to sex discrimination occurring against a person who is a subject of this policy in the United States. An ESD's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX.

### Federal Procedures

The ESD will adopt and publish **complaint** procedures that provide for the prompt and equitable resolution of the student and employee complaints alleging any action that would be prohibited by this policy. *See* JBA/GBN-AR(2) - Title IX Sexual Harassment **complaint** Procedures.

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<sup>5</sup> "Education program or activity" includes locations, events, or circumstances over which the recipient exercised substantial control over both the respondent and the context in which the sexual harassment occurs. (Title 34 C.F.R. § 106.44(a))

## Reporting

Any person may report sexual harassment. This report may be made in person, by mail, by telephone, or by electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. The report can be made at any time.

The human resources director is designated as the Title IX Coordinator and can be contacted at 541-461-8264. The Title IX Coordinator will coordinate the ESD's efforts to comply with its responsibilities related to this AR. The ESD prominently will display the contact information for the Title IX Coordinator on the ESD website and in each handbook.

## Response

The ESD will promptly respond to information, allegations or reports of sexual harassment when there is actual knowledge of such harassment, even if a formal complaint has not been filed.<sup>6</sup> The ESD shall treat complainants and respondents equitably by providing supportive measures<sup>7</sup> to the complainant and by following a grievance procedure<sup>8</sup> prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes, with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.<sup>9</sup>

If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place.<sup>10</sup> The ESD must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. A non-student employee may also be placed on non-disciplinary administrative leave pending the grievance process.

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<sup>6</sup> (Title 34 C.F.R. § 106.44(a)) Response cannot be deliberately indifferent. A recipient is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

<sup>7</sup> (Title 34 C.F.R. § 106.44(a)) Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the ESD's educational environment, or deter sexual harassment. The ESD must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures. (Title 34 C.F.R. § 99.30(a))

<sup>8</sup> This grievance procedure must meet the requirements of Title 34 C.F.R. § 106.45 (included in accompanying administrative regulation, *see* JBA/GBN-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure).

<sup>9</sup> The Title IX Coordinator may also discuss that the Title IX Coordinator has the ability to file a formal complaint.

<sup>10</sup> The ESD may still have obligations under Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the American with Disabilities Act (ADA). (Title 34 C.F.R. § 106.44(c))

## **Notice**

The ESD shall provide notice to all applicants for admission and employment, students, parents or legal guardians, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the ESD of the following:

1. The name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator(s);
2. That the ESD does not discriminate on the basis of sex in the education program or activity that it operates, as required by Title IX. This includes admissions and employment; and
3. The grievance procedure and process, how to file a formal complaint of sex discrimination or sexual harassment, and how the ESD will respond.

Inquiries about the application to Title IX and its requirements may be referred to the Title IX Coordinator or the Assistant Secretary<sup>11</sup>, or both.

## **No Retaliation**

Neither the ESD or any person may retaliate<sup>12</sup> against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. The ESD must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act (FERPA), as required by law, or to carry out the proceedings herein. Complaints of retaliation may be filed using these procedures.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation.

## **Publication**

This policy shall be made available to students, parents of students and staff members. This policy and contact information for the Title IX Coordinator shall be prominently published in the ESD student handbook and on the ESD website. This policy shall also be made available at each school office and at the ESD office. The ESD shall post this policy on a sign in all grade 6 through 12 schools, on a sign that is at least 8.5 inches by 11 inches in size. A copy of the policy will be made available to any person upon request.

END OF POLICY

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<sup>11</sup> Of the United States Department of Education

<sup>12</sup> Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

**Legal Reference(s):**

[ORS 243.706](#)  
[ORS 334.125](#)  
[ORS 342.700](#)  
[ORS 342.704](#)  
[ORS 342.708](#)

[ORS 342.850](#)  
[ORS 342.865](#)  
[ORS 659.850](#)  
[ORS 659A.006](#)  
[ORS 659A.029](#)

[ORS 659A.030](#)  
[OAR 581-021-0038](#)  
[OAR 584-020-0040](#)  
[OAR 584-020-0041](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).

Gebser v. Lago Vista Indep. Sch. Dist., 524 U.S. 274 (1998).

**Cross Reference(s):**

GBN/JBA - Sexual Harassment

GBNA - Hazing, Harassment, Intimidation, Bullying, Menacing or Cyberbullying – Staff

GBNAA/JHFF - Suspected Sexual Conduct with Students and Reporting Requirements

JFCF - Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence or Domestic Violence - Student

JHFE/GBNAB - Suspected Abuse of a Child Reporting Requirements

JHFF/GBNAA - Suspected Sexual Conduct with Students and Reporting Requirements

Corrected 10/23/25

# Lane Education Service District

Code: JBA/GBN-AR(1)  
Adopted: 7/10/01  
Revised/Readopted: 1/08/19; 8/04/20; 1/10/23  
Revised/Reviewed: 9/09/25  
Orig. Code(s): JBA/GBN-AR(1)

## Sexual Harassment Complaint Procedure

Reports and complaints of sexual harassment should be made to the following individual(s):

Name	Position	Phone	Email
Molly Gillett, executive director special education		at 541-461-8200	or <a href="mailto:mgillett@lesd.k12.or.us">mgillett@lesd.k12.or.us</a>
Morgan Christensen, human resources executive director		at 541-461-8231	or <a href="mailto:mchristensen@lesd.k12.or.us">mchristensen@lesd.k12.or.us</a>

The ESD official receiving the complaint shall issue the required written notice as outlined under Oregon Procedures in Board policy JBA/GBN - Sexual Harassment.

**Step 1** The ESD official receiving the report or complaint shall promptly initiate an investigation using procedures and standards, including but not limited to, those identified in Board policy JBA/GBN - Sexual Harassment and will notify the complainant or reporting person, any impacted person who is not a reporting person (if appropriate), each reported person, and where applicable the parents of a reporting person, impacted person, or reported person, when such investigation is initiated. The official will arrange such meetings as may be necessary to discuss the issue with all concerned parties within five working days after receipt of the report or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings of the investigation shall be reduced to writing. The official conducting the investigation shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law within 30 days of receipt of the report or complaint.

A copy of the required written notice(s) and the date and details of notification of the notice of investigation and results of the investigation, together with any other documentation related to the sexual harassment incident, including disciplinary action taken or recommended, shall be forwarded to the superintendent.

**Step 2** If a complainant is not satisfied with the decision at Step 1, the complainant may submit a written appeal to the superintendent. Such appeal must be filed within 10 working days after receipt of the Step 1 decision. The superintendent will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal within 5 working days of receipt of the appeal. The superintendent shall provide a written decision to the complainant within 10 working days.

**Step 3** If a complainant is not satisfied with the decision at Step 2, the complainant may submit a written appeal to the Board. Such appeal must be filed within 10-working days after receipt of the Step 2 decision. The Board will review the decision of the superintendent in a public meeting to determine what action is appropriate. The Board may use executive session if the

subject matter qualifies under Oregon law. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, and adopting the superintendent's decision. All parties involved, including the school administration, may be asked to attend a hearing for the purposes of making further explanations and clarifying the issues. The Board shall provide a written decision to the complainant within 30 working days following receipt of the appeal.

If the Board chooses not to hear the complaint, the superintendent's decision in Step 2 is final.

The superintendent is authorized to amend these procedures (including timelines) when the superintendent feels it is necessary for the efficient handling of the complaint. Notice of any amendments will be promptly provided to the parties.

Complaints against an administrator may start at Step 2 and may be filed with the superintendent or designee. The superintendent or designee will cause the required notices to be provided. The superintendent or designee will investigate the complaint and will notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law. If the complaint remains unresolved within 10 working days of receipt by the superintendent or designee, the complainant may appeal to the Board in Step 3.

Complaints against the superintendent or a Board member (other than the Board chair) may start at Step 3 and should be referred to the Board chair on behalf of the Board. The Board chair will cause required notices to be provided. The Board chair shall present the complaint to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 20 days, in open session what action, if any, is warranted. The Board chair shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law.

Complaints against the Board chair may start at Step 3 and should be referred to the Board vice chair on behalf of the Board. The Board vice chair will cause required notices to be provided. The Board vice chair shall present the complaint to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 20 days, in open session what action, if any, is warranted. The Board vice chair shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law.

Direct complaints related to employment may be filed with the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries.

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.

Additional information regarding filing of a complaint or report may be obtained through the principal, compliance officer or superintendent.

All documentation related to sexual harassment complaints may become part of the student's education record or employee's personnel file, as appropriate. Additionally, a copy of all sexual harassment complaints or reports and documentation will be maintained as a confidential file and stored in the ESD office.

The superintendent shall report the name of any person holding a teaching license or registered with Teacher Standards and Practices Commission (TSPC) or participating in a practicum under Oregon Administrative Rule (OAR) Chapter 584, Division 17, when, after appropriate investigation, there is reasonable cause to believe the person may have committed an act of sexual harassment. Reports shall be made to TSPC within 30 days of such a finding. Reports of sexual contact with a student shall be given to a representative from law enforcement or Oregon Department of Human Services, as possible child abuse.



LANE EDUCATION SERVICE DISTRICT

1200 Highway 99 North  
Eugene, OR 97402

541.461.8200  
541.461.8298 [Fax]

www.lesd.k12.or.us

EQUITY COMMITMENT LEADERSHIP COLLABORATION INTEGRITY

SEXUAL HARASSMENT COMPLAINT FORM

Name of complainant: \_\_\_\_\_

Position of complainant: \_\_\_\_\_

Date of complaint: \_\_\_\_\_

Name of alleged harasser: \_\_\_\_\_

Date and place of incident or incidents: \_\_\_\_\_

Description of misconduct: \_\_\_\_\_

Name of witnesses (if any): \_\_\_\_\_

Evidence of sexual harassment, i.e., letters, photos, etc. (attach evidence if possible): \_\_\_\_\_

Any other information: \_\_\_\_\_

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



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EQUITY    COMMITMENT    LEADERSHIP    COLLABORATION    INTEGRITY

**WITNESS DISCLOSURE FORM**

Name of Witness: \_\_\_\_\_

Position of Witness: \_\_\_\_\_

Date of Testimony/Interview: \_\_\_\_\_

Description of Instance Witnessed: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Any Other Information: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# Lane Education Service District

Code: JBA/GBN-AR(2)  
Adopted: 8/04/20  
Orig. Code(s): JBA/GBN-AR(2)

## Federal Law (Title IX) Sexual Harassment Complaint Procedure

### Additional Definitions

“Actual knowledge” means notice of sexual harassment or allegations of sexual harassment to the ESD’s Title IX Coordinator or any official of the ESD who has authority to institute corrective measures on behalf of the ESD, or to any employee of an elementary or secondary school.<sup>1</sup>

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent<sup>2</sup> and requesting that the ESD investigate the allegation of sexual harassment.<sup>3</sup>

“Supportive measures” means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the ESD’s educational environment, or deter sexual harassment.<sup>4</sup> The ESD must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures.

### Formal Complaint Procedures

Upon receipt of a formal complaint, the ESD will provide the parties<sup>5</sup> written notice of the following:

1. Notice of the ESD’s **complaint** process, including any informal resolution process.

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<sup>1</sup> This standard is not met when the only official with knowledge is the respondent.

<sup>2</sup> “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

<sup>3</sup> A complainant must be participating in or attempting to participate in the education program or activity of the ESD with which the formal complaint is filed.

<sup>4</sup> Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

<sup>5</sup> Parties include the complainant and the respondent, if known.

2. Notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details<sup>6</sup> known at the time and with sufficient time to prepare a response before any initial interview.
3. That the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility be made at the conclusion of the grievance process.
4. That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
5. The parties may inspect and review evidence.
6. A reference to any provision in the ESD's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

The Title IX Coordinator will contact the complainant and the respondent to discuss supportive measures. If necessary, the Title IX Coordinator will arrange for an individualized safety and risk analysis. If necessary, a student or non-student employee may be removed or placed on leave.

### **Investigation**

The Title IX Coordinator will coordinate the ESD's investigation. The investigation must:

1. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence.
2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the ESD and not on the parties.<sup>7</sup>
3. Provide an equal opportunity for the parties to present witnesses, and other inculpatory and exculpatory evidence.
4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
5. Provide the parties with the same opportunities to have other present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by

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<sup>6</sup> Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.

<sup>7</sup> The ESD cannot access, consider, disclose, or otherwise use a party's records that are made of maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's capacity, and which are maintained in connection with the provision of treatment to the party, unless the ESD obtains the party's (or eligible student's parent's) voluntary, written consent to do so.

the advisor of their choice.<sup>8</sup> The ESD may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.

6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint.<sup>9</sup> Prior to completion of the investigative report, the ESD must send to each party and party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report; Check with OSBA regarding whether this is a FN.
8. Create an investigative report that fairly summarizes relevant evidence and is sent to each party and party's advisor in electronic format or hard copy at least 10 days prior to any hearing (if required or provided) or other time of determination of responsibility. The party and advisor will be allowed to review and provide a written response.

After the ESD has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision maker(s) must afford each party the opportunity to submit written, relevant questions<sup>10</sup> that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Credibility determinations are not based on the person's status as a complainant, respondent or witness.

No person designated as a Title IX Coordinator, investigator, decision-maker, or any person designated by the ESD to facilitate an informal resolution process may have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

If, in the course of an investigation, the ESD decides to investigate allegations about the complainant or respondent that are not included in the notice previously provided, the ESD must provide notice of the additional allegations to the parties whose identities are known.

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<sup>8</sup> In addition to an advisor, complainants and respondents may also be entitled to other accompaniment as required by law or as necessary for conducting of grievance procedures, including but not limited to: translators, services for students with disabilities and parents of minor students.

<sup>9</sup> This includes the evidence upon which the ESD does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the investigation. The ESD must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

<sup>10</sup> Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the question and evidence concern specific incidents of the complainants prior sexual behavior with respect to the respondent and are offered to prove consent.

At no point in the process will the ESD, or anyone participating on behalf of the ESD, require, allow, rely upon, or otherwise use questions or evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

### **Determination of Responsibility**

The respondent must be deemed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

The standard to be used for formal complaints in determining whether a violation has occurred is the preponderance of the evidence<sup>11</sup> standard.

The person deciding the question of responsibility (the “decision-maker”) must be someone other than the Title IX Coordinator or the investigator(s). The decision-maker must issue a written determination which must include:

1. Identification of the allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the ESD’s code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including:
  - a. A determination regarding responsibility;
  - b. Any disciplinary sanctions the ESD imposes on the respondent; and
  - c. Whether remedies designed to restore or preserve equal access to the ESD’s education program or activity will be provided by the ESD to the complainant; and
6. The ESD’s procedures and permissible bases for the complainant and respondent to appeal.

The ESD must provide the written determination to the parties simultaneously.

The determination regarding responsibility becomes final either on the date that the recipient provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

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<sup>11</sup> A preponderance of the evidence standard is understood to mean concluding that a fact is more likely than not to be true. U.S. Department of Education, Title IX Regulations commentary, p. 1268, FN 1409.

## **Remedies**

The Title IX Coordinator is responsible for effective implementation of any remedies.

The disciplinary sanctions<sup>12</sup> may include:

1. Discipline up to and including suspension and expulsion;
2. Removal from various activities, committees, extra-curricular, positions, etc.
3. Disqualification for awards and honors;
4. Discipline up to and including termination, in accordance with laws, agreements, contracts, handbooks, etc.<sup>13</sup>

Other remedies may include:

1. Educational programming

## **Dismissal of a Formal Complaint**

The ESD must dismiss a formal complaint with regard to Title IX sexual harassment if the alleged conduct:

1. Would not constitute sexual harassment, even if proved;
2. Did not occur in the ESD's education program or activity<sup>14</sup>; or
3. Did not occur against a person in the United States.

The ESD may dismiss a formal complaint with regard to Title IX sexual harassment if at any time during the investigation or hearing, if provided:

1. A complainant notifies the Title IX Coordinator in writing that the complaint would like to withdraw the formal complaint or any allegations therein;
2. The respondent is no longer enrolled or employed by the ESD; or
3. Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

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<sup>12</sup> ESDs should review any other disciplinary procedures and requirements prior to imposing any discipline, and should consult legal counsel with questions.

<sup>13</sup> It is important to keep supportive measures separate from disciplinary sanctions. Supportive measures must be "non-disciplinary" and "non-punitive."

<sup>14</sup> Includes locations, events, or circumstances over which the ESD exercised substantial control over both the respondent the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution. (Title 34 C.F.R. §106.44(a))

Upon dismissal of a formal complaint, the ESD must promptly send written notice of the dismissal and the reason(s) therefor simultaneously to the parties.

**The dismissal of a formal complaint under Title IX does not preclude the ESD from continuing any investigation and taking action under a different process. The ESD may have an obligation to continue an investigation and process under a different process.**

### **Consolidation of Complaints**

The ESD may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by one or more complainant against one or more respondents, or by one party against another party, where the allegations of sexual harassment arise out of the same facts or circumstances.

### **Informal Resolution**

If the ESD receives a formal complaint, at any time prior to reaching a determination regarding responsibility, the ESD may offer an optional informal resolution process, provided that the ESD:

1. Provides written notice to the parties disclosing:
  - a. The allegations;
  - b. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
  - c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary written consent to the informal resolution process; and
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

### **Appeals**

Either party may file an appeal from a determination regarding responsibility or from a dismissal of a formal complaint, within 15 days of the decision, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

When an appeal is filed, the ESD must:

1. Notify the other party in writing;
2. Implement appeal procedures equally for both parties;
3. Ensure the decision-maker(s) for the appeal is not the same person as the decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
4. Ensure the decision-maker for the appeal is free from conflicts of interest and bias;
5. Give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging the outcome;
6. Issue a written decision describing the result of the appeal and the rationale for the result; and
7. Provide the written decision simultaneously to both parties.

### **Timelines**

The ESD will complete the following portions of the grievance process within the specified timelines:

1. General grievance process (from receipt of formal complaint to determination of responsibility): 90 days;
2. Appeals (from receipt of appeal): 60 days;
3. Informal resolution process: 60 days.

Temporary delays of the grievance process, or limited extensions of time will be allowed for good cause<sup>15</sup> with written notice to the parties.

### **Records**

Records will be created and maintained in accordance with the requirements in 34 CFR 106.45(a)(10).<sup>16</sup>

### **Training**

Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process must receive training on the definition of sexual harassment, the scope of the ESD's

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<sup>15</sup> Good cause may include considerations such as the absence of a party, a party's advisor or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. (Title 34 C.F.R. § 106.45(b)(1)(v))

<sup>16</sup> This includes creating a record for each investigation. This record must include:

- Supportive measures, or reasons why the response was not clearly unreasonable under the circumstances;
- Basis for the conclusion that the ESD's response was not deliberately indifferent; and
- What measures were taken to restore or preserve equal access to the ESD's educational program or activity. (Title 34 C.F.R. § 106.45(a)(10)(ii))

Most records (including training) must be retained for at least seven years.

education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and information resolution processes. The training must also include avoiding prejudgment of the facts at issue, conflicts of interest and bias.

Decision-makers must receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions about evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

Investigators must receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes, must promote impartial investigations and adjudications of formal complaints of sexual harassment and must be made publicly available on the ESD's website.

# Lane Education Service District

Code: JE  
Adopted: 9/07/93  
Readopted: 7/10/01; 11/15/11  
Orig. Code(s): JE

## Attendance\*\*

Attendance requirements for students in Lane ESD programs shall:

1. Contribute to the academic success of students;
2. Provide for timely information to parents, guardians or persons in a parental relationship about their students' class attendance or nonattendance;
3. Place the responsibility for attendance in the hands of students and their parents, guardians or persons in a parental relationship;
4. Aid students in making decisions and accepting the responsibilities and consequences resulting from those decisions;
5. Stress that punctual and regular attendance is a learned function necessary in coping with life;
6. Stress that attendance may impact grades and credit;
7. Meet Oregon graduation requirements.

Each school shall notify parents or guardians by the end of the school day if their child has an unplanned absence. The notification will be either in person, by telephone or another method identified in writing by the parent or guardian. If the parent or guardian cannot be notified by the above methods, a message shall be left, if possible.

The Board directs the superintendent to develop rules and procedures which meet these objectives and to publish those rules and procedures annually for students and their parents, guardians or persons in a parental relationship.

END OF POLICY

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### Legal Reference(s):

[ORS 334.125](#)  
[ORS 336.010](#)  
[ORS 339.020](#)

[ORS 339.030](#)  
[ORS 339.055](#)  
[ORS 339.065](#)

[ORS 339.071](#)  
[OAR 581-021-0050](#)  
[OAR 581-022-2000](#)

# Lane Education Service District

Code: JEA  
Adopted: 1/24/95  
Readopted: 7/10/01  
Orig. Code(s): JEA

## Compulsory Attendance\*\***DRAFT FORM \*need input staff and other ESDs**

Except when exempt by Oregon law, all children between ages 6 and 18 who have not completed the 12th grade are required to regularly attend a public, full-time school during the entire school term. Persons having control of a child between the ages 6 and 18, who has not completed the 12th grade, are required to send the child to school, and maintain the child in regular attendance during the entire school term.

All children five years of age who have been enrolled in a public school are required to attend regularly while enrolled in the public school. Persons having control of a child who is five years of age and who have enrolled the child in a public school, are required to send the child to school, and maintain the child in regular attendance during the school term.

A parent who is not supervising their child by requiring school attendance may be in violation of Oregon Revised Statute (ORS) 163.577(1)(c); failing to supervise a child is a Class A violation.

### Exemptions from Compulsory School Attendance

In the following cases, children shall not be required to attend public, full-time schools:

1. Children being educated in the home by a parent, legal guardian or private teacher[:][.]
  - a. **This is a proposed deletion pending input from staff and other ESDs**
2. Children being taught in a private or parochial school in courses of study usually taught in kindergarten through grade 12 in the public schools, and in attendance for a period equivalent to that required of students attending public schools.
3. Children proving to the Board's satisfaction that they have acquired equivalent knowledge to that acquired in the courses of study taught in kindergarten through grade 12 in the public schools.
4. Children who have received a high school diploma or a modified diploma.
5. Children being taught, by a private teacher, the courses of study usually taught in kindergarten through grade 12 in the public school for a period equivalent to that required of students attending public schools.
6. Children whose sixth birthday occurred on or before September 1 immediately preceding the beginning of the current school year, if the parent or guardian notified the child's resident district in writing that the parent or guardian is delaying the enrollment of their child for one school year to better meet the child's needs for cognitive, social or physical development, as determined by the parent or guardian.

7. Children who are present in the United States on a nonimmigrant visa and who are attending a private, accredited English language learner program in preparation for attending a private high school or college.
8. Children excluded from attendance as provided by law.
9. Children who are eligible military children<sup>1</sup> are exempt up to 10 days after the date of military transfer or pending transfer indicated in the official military order.
10. An exemption may be granted to the parent or guardian of any child 16 or 17 years of age who is lawfully employed full-time, or who is lawfully employed part-time and enrolled in school, a community college or an alternative education program as defined in ORS 336.615.

An exemption may be granted to any child who is an emancipated minor or who has initiated the procedure for emancipation under ORS 419B.550 - 419B.558. The attendance supervisor, as directed by the superintendent or designee, shall monitor and report any violation of the compulsory attendance law to the superintendent or designee.

The superintendent or designee will develop administrative regulations as necessary to assist component school districts in the enforcement of the compulsory attendance law as may be requested.

END OF POLICY

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**Legal Reference(s):**

[ORS 163.577](#)  
[ORS 339.010 - 339.095](#)  
[ORS 339.139](#)

[ORS 339.990](#)  
[ORS 581-021-0026](#)

[OAR 581-021-0029](#)  
[OAR 581-021-0076](#)  
[OAR 581-024-0257](#)

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<sup>1</sup> “Military child” means a child who is in a military family covered by the Interstate Compact on Educational Opportunity for Military Children, as determined under rules adopted by the State Board of Education.

# Lane Education Service District

Code: JEA-AR  
Adopted: 1/25/95  
Revised/Readopted: 7/10/01  
Revised/Reviewed:  
Orig. Code(s): JEA-AR

## Lane ESD Attendance/Truancy Program

Procedures for Documenting and Referring a Student for  
Truancy, Nonattendance, Irregular Attendance and Unexcused Absences

*(Still operating the same way?)*

1. Person responsible for student attendance should be familiar with the Oregon Revised Statutes (ORS) regarding unexcused absences: 339.005, 339.010, 339.020, 339.030, 339.035, 339.040, 339.055, 339.065, 339.080, 339.090 and ORS 339.095.
2. If a component district student has unexcused absences, a file should be started by the student's resident school in which the following should be placed:
  - a. Copies of all letters to parents;
  - b. All documentation including anecdotal records, regarding home visits, conferences and phone calls;
  - c. Printout of all absences - with unexcused absences noted. (Include a key for absences.)
3. When a component district student is determined to be truant, a certified letter or letters should be sent to the parent by the student's resident school explaining the **child's** attendance records. (Number of days in session, number of days absent; excused and number of days absent; unexcused, in the last 20 days.)

The letter should also inform parents of the action the resident school will take if the student's attendance does not improve, i.e., referral to the Lane Education Service District attendance investigator and ultimately, if necessary.

4. If all the student's resident school's available internal and external resources have been exhausted and the problem continues, please refer the student to the attendance/truancy secretary at Lane Education Service District.

To refer to Lane ESD, please submit the following:

- a. Fully completed nonattendance referral form. Include all unexcused/excused absences indicated on an attendance printout;
- b. Documentation and a description of the student's resident school's and/or attendance department's attempts to work with the student and family. This should include, but not be limited to, conferences with the principal, vice principal, school counselor, school attendance person, social worker, community agent and teachers;
- c. Report covering attempts the resident school has made to either modify the student's program or seek alternative educational programs;
- d. Any description available as to the parent's involvement, attitudes, strengths and weaknesses;
- e. Any description or statements of the student's which may show attitude and problems which contribute to the truancy problem.

5. The following is support that the schools can expect from the Lane ESD attendance officer:
  - a. A letter explaining the attendance/truancy law (ORS 339.080) will be given to the parent or guardian during a home visit. If the parent or guardian is not locatable, the letter is sent via registered/certified mail;
  - b. Upon completion of the home visit, the attendance officer will make a report. It will include a synopsis of the conversation with the parent or guardian and a recommendation for further action if the problem should continue;
  - c. If the student does not return to the resident school the day following the Lane ESD attendance officer's visit to the parent, the school may refer the student to the Lane ESD again. Truancy action on second referrals will follow the recommendations of the attendance officer's previous report;
  - d. Subsequent to steps a. through c., Lane ESD will communicate with the resident school;
  - e. Lane ESD attendance officer will work closely with resident school personnel in the data collection process;
  - f. Lane ESD should be informed immediately by resident school personnel if the student returns to school at any time during the investigative period.
6. The person who referred the student and the resident school district superintendent will receive a copy of the following documents: the letter to the parent or guardian explaining the attendance/truancy law and the attendance officer's report. If resident school personnel determine that information contained in the report is incorrect, contact the Lane ESD attendance/truancy office.
7. If the attendance officer's recommendation from the initial investigation is that "the case be prepared for citation if the problem continues," a nonattendance referral form will be completed by the resident school district and sent to the Lane ESD Attendance/Truancy Office. A conference officer will arrange for a conference with school personnel, the parent or guardian and the student.
8. Lane ESD will provide the services of a conference officer. Lane ESD will bill the referring district for all conference officer time, mileage and other related expenses.
9. While waiting for a conference, the resident district should document all correspondence and contact with the student/parent. This includes continued monitoring of unexcused absences.
10. Resident district communicates all changes in status to the attendance/truancy secretary, i.e., student moving, another parent taking custody, student being removed from home, student transferring to another school.

**Lane Education Service District  
Nonattendance Referral**

Instruction to school: Please direct this referral to Lane Education Service District Supervisor as provided in ORS 339.080. The information on this form will be used by Lane ESD to conduct an interview with the parent or legal guardian of the student who is truant.

Date: \_\_\_\_\_

Name of the student: \_\_\_\_\_

Full address: \_\_\_\_\_

Date of birth: \_\_\_\_\_

Name of parent/guardian: \_\_\_\_\_

Number of years student has been in the school district: \_\_\_\_\_

Parent's/Guardian's native language if other than English: \_\_\_\_\_

To your knowledge, does parent/guardian speak and read English? \_\_\_\_\_

Best time to contact parent/guardian (Please include pertinent information such as work hours, etc.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Summary of student's attendance (Please include an attendance record. Note which absences are excused/unexcused and additional background information such as chronology of home contacts, copies of letters to parents, etc.) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name of requestor: \_\_\_\_\_

Title/Position: \_\_\_\_\_

School: \_\_\_\_\_ Phone: \_\_\_\_\_

**For Office Use Only**

Date received \_\_\_\_\_ File No. \_\_\_\_\_ District \_\_\_\_\_

# Lane Education Service District

Code: JEC  
Adopted: 9/07/93  
Readopted: 7/10/01  
Orig. Code(s): JEC

## Admissions

Admissions to programs offered by Lane ESD shall be through the component school district's admission policy and in accordance with the program requirements of Lane Education Service District.

END OF POLICY

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### Legal Reference(s):

[ORS 327.006](#)  
[ORS 334.125](#)  
[ORS 336.092](#)  
[ORS 339.010](#)

[ORS 339.115](#)  
[ORS 339.125](#)  
[ORS 339.133](#)  
[ORS 339.134](#)

[ORS 339.139](#)  
[ORS 433.267](#)  
[OAR 581-022-2220](#)

Illegal Immigration and Immigrant Responsibility Act of 1996, 8 U.S.C. §§ 1101, 1221, 1252, 1324, 1363, 1367 (2018).  
McKinney-Vento Homeless Assistance Act, Subtitle VII-B, reauthorized by Title IX-A of the Every Student Succeeds Act (ESSA), 42 U.S.C. §§ 11431, 11434a (2012).

# Lane Education Service District

Code: JECAC/GBH  
Adopted: 5/19/09  
Readopted: 12/06/17  
Orig. Code(s): JECAC/GBH

## Staff/Student/Parent Relations\*\*

The Board encourages parents to be involved in their student’s educational activities and, unless otherwise ordered by the courts, an order of sole custody on the part of one parent shall not deprive the other parent of the following authority as it relates to:

1. Receiving and inspecting their student’s education records and consulting with staff concerning the student’s welfare and education, to the same extent as provided the parent having sole custody;
2. Authorizing emergency medical, dental, psychological, psychiatric or other health care for the student if the custodial parent is, for practical reasons, unavailable.

It is the responsibility of the parent with sole custody to provide any court order or parental plan that curtails the rights of the noncustodial parent at the time of enrollment or any other time a court order is issued.

In the case of joint custody, the ESD will adhere to all conditions specified and ordered by the court.

The ESD will use reasonable methods to identify and authenticate the identity of both parents.

END OF POLICY

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### Legal Reference(s):

[ORS 107.101](#)  
[ORS 107.102](#)

[ORS 107.106](#)  
[ORS 107.154](#)

[ORS 109.056](#)  
[ORS 163.245 - 163.257](#)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).  
Protection of Pupil Rights, 20 U.S.C. § 1232h (2012); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2017).

# Lane Education Service District

Code: JED  
Adopted: 7/10/01; 8/23/11  
Orig. Code(s): JED

## Student Absences and Excuses\*\*

The Board considers regular school attendance essential for educational success. Students in Lane ESD programs are expected to attend school as required by law and by Board policy.

Lane ESD program administrators will be responsible for assessing and acting upon parental, guardian or persons in a parental relationship requests for students to be excused from Lane ESD classrooms.

The ESD program administrator has the authority to excuse students for reasons permitted by law including absences due to illness (including mental and behavioral health of the student), educational/occupational interviews, bereavement or serious illness in the family, inclement weather, religious instruction, student is a dependent of a member of the U.S. Armed Forces<sup>1</sup> who is on active duty or who is called to active duty (the student may be excused for up to seven days during the school year), field trips and district-approved activities, or other emergencies. The ESD will give proper regard to health providers, psychiatrists, psychologists, dentists and similar professionals' requests for students' excused absences.

Students may be excused on a limited basis as permitted by law from a particular preplanned classroom activity or from selected portions of the established curriculum in accordance with Board policy IGBHD – Program Exemptions.

A student who is excused must still fulfill the school's other requirements, including alternative learning assignments as may be assigned.

Lane ESD staff working in component school districts, their students, parents, guardians or persons in a parental relationship shall comply with component district policies and procedures. Each school shall notify a parent or guardian by the end of the school day if their child has an unplanned absence. The notification will be either in person, by telephone or another method identified in writing by the parent or guardian. If the parent or guardian cannot be notified by the above methods, a message shall be left, if possible.

END OF POLICY

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### Legal Reference(s):

<a href="#">ORS 109.056</a>	<a href="#">ORS 339.055</a>	<a href="#">ORS 339.250</a>
<a href="#">ORS 334.125(7)</a>	<a href="#">ORS 339.065</a>	<a href="#">ORS 339.420</a>
<a href="#">ORS 339.030</a>	<a href="#">ORS 339.071</a>	<a href="#">OAR 581-021-0046</a>

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<sup>1</sup> U.S. Armed Forces includes the Army, Navy, Air Force, Marine Corps and Coast Guard of the United States; reserve components of the Army, Navy, Air Force, Marines Corps and Coast Guard of the United States; and the National Guard of the United States and the Oregon National Guard.



# Lane Education Service District

Code: JEDA  
Adopted: 9/07/93  
Revised/Readopted: 7/10/01  
Orig. Code(s): JEDA

## Truancy

“Truancy” is defined as absence from school without permission.

Lane ESD believes irregular attendance is one of the factors associated with student failure and frustration with the school experience. A fundamental purpose for insisting on punctual, regular school attendance is to help each student develop habits of responsibility.

The ESD will develop procedures that foster a partnership with component school districts, parents, guardians or persons in a parental relationship in the early detection of truancy. The ESD will cooperate with component districts regarding related counseling and appropriate consequences in accordance with the student’s individualized education program (IEP).

Lane ESD staff working in component school districts, their students, parents, guardians or persons in a parental relationship shall comply with component district policies and procedures.

END OF POLICY

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### Legal Reference(s):

[ORS 334.125 \(7\)](#)  
[ORS 339.040 - 339.090](#)

[ORS 339.240 - 339.250](#)

[OAR 581-021-0050 - 0075](#)

# Lane Education Service District

Code: JEDB  
Adopted: 9/07/93  
Readopted: 7/10/01  
Orig. Code(s): JEDB

## Student Dismissal Precautions\*\*

No staff member may permit any individual student to leave Lane ESD classrooms prior to the regular hour of dismissal except by permission of the superintendent or designee.

A student will not be released to any person without the approval of the student's parent, legal guardian or person in a parental relationship as provided for in Board policy.

Lane ESD staff working in component school districts, their students, parents, guardians or persons in a parental relationship shall comply with component district policies and procedures.

END OF POLICY

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### Legal Reference(s):

[ORS 107.154](#)

[ORS 163.245 to -163.257](#)

[ORS 334.125\(7\)](#)

# Lane Education Service District

Code: JEE  
Adopted: 9/07/93  
Readopted: 7/10/01  
Orig. Code(s): JEE

## Student Attendance Accounting - **KEEP**

### Keep?

The superintendent and administrative staff will develop procedures for assuring that accurate student attendance records will be maintained in Lane ESD programs, submitting necessary reports, and reporting attendance to parents, guardians or persons in a parental relationship in a timely manner.

The superintendent will designate an attendance officer for the ESD.

Lane ESD staff working in component school districts shall comply with component district policies and procedures.

END OF POLICY

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### Legal Reference(s):

[ORS 326.310](#)  
[ORS 327.133](#)  
[ORS 339.065](#)

[OAR 581-021-0046](#) (5)  
[OAR 581-021-0050](#)  
[OAR 581-022-2000](#)

[OAR 581-022-2260](#)  
[OAR 581-023-0006](#)

# Lane Education Service District

Code: JEFA  
Adopted: 9/07/93  
Revised/Readopted: 7/10/01  
Orig. Code(s): JEFA

## Closed Campus

Student programs operated on Lane ESD-controlled property are closed campus. No student is to leave at any time, for any reason, with the following exceptions:

1. A specific need verified by parents, guardians or persons in a parental relationship and approved by the administrator;
2. Students who have parents, guardians or persons in a parental relationship and school-approved work-release privilege;
3. As otherwise approved by the program administrator.

Students who leave school grounds without authorized permission are considered truant.

Lane ESD staff working in component school districts, their students, parents, guardians or persons in a parental relationship shall comply with component district policies and procedures.

END OF POLICY

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### Legal Reference(s):

ORS 334.125

# Lane Education Service District

Code: JF/JFA  
Adopted: 9/07/93  
Readopted: 7/10/01  
Orig. Code(s): JF/JFA

## Student Rights and Responsibilities\*\*

The Board has the responsibility to afford students in Lane ESD programs the rights that are theirs by virtue of guarantees offered under federal and state constitutions and statutes. In connection with these rights are responsibilities that must be assumed by students.

Among these student rights and responsibilities are the following:

1. Civil rights — including the rights to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others;
2. The right to attend public schools; the responsibility to attend school regularly to learn and to observe school rules essential for permitting others to learn;
3. The right to due process of law with respect to suspension, expulsion and decisions which the student believes injure their rights;
4. The right to free inquiry and expression; the responsibility to observe reasonable rules regarding these rights;
5. The right to privacy, which includes privacy with respect to the student's education records, as provided by law.

Students have the right to know the behavior standards expected of them as well as to know the consequences of misbehavior.

Students' rights and responsibilities, including standards of conduct, will be made available to students and their parents, guardians or persons in a parental relationship and staff through information distributed at least annually.

END OF POLICY

### Legal Reference(s):

[ORS 334.125\(1\)\(2\)\(7\)](#)  
[ORS 337.150](#)  
[ORS 339.155](#)  
[ORS 339.240](#)

[ORS 659.850](#)  
[ORS 659.865](#)  
[OAR 581-021-0045](#)

[OAR 581-021-0046](#)  
[OAR 581-021-0050 to -0075](#)  
[OAR 581-022-2310](#)

Hazelwood Sch. District v. Kuhlmeier, 484 U.S. 260 (1988).  
Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986).

# Lane Education Service District

Code: JFC  
Adopted: 9/07/93  
Revised/Readopted: 7/10/01; 8/27/02  
Orig. Code(s): JFC

## Student Conduct

The Board expects student conduct to contribute to a productive learning climate. Students shall comply with the ESD's code of conduct, pursue the prescribed course of study, submit to the lawful authority of ESD staff and conduct themselves in an orderly manner at school during the school day or during ESD-sponsored programs and activities.

Students in Lane ESD programs are subject to the code of conduct approved by the Lane ESD superintendent.

Careful attention shall be given to procedures and methods whereby fairness and consistency without bias in discipline shall be assured each student. The objectives of disciplining any student must be to help the student develop a positive attitude toward self-discipline, realize the responsibility of ones actions and maintain a productive learning environment. All staff members have responsibility for consistency in establishing and maintaining an appropriate behavioral atmosphere.

Students shall be subject to discipline, suspension, expulsion and/or referral to local law enforcement officials or other agencies as appropriate for misconduct, including, but not limited to:

1. Assault;
2. Sexual harassment as prohibited by Board policy JBA/GBN – Sexual Harassment and accompanying administrative regulation or violation of other nondiscrimination policies;
3. Hazing, harassment, intimidation, bullying, menacing, cyberbullying or teen dating violence [as prohibited by Board policy JFCF – Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence or Domestic Violence – Student and accompanying administrative regulation];
4. Coercion;
5. Disorderly conduct;
6. Bringing, possessing, concealing or using a weapon as prohibited by Board policy JFCJ – Weapons in the Schools;
7. Possession, distribution or use of tobacco products, inhalant delivery systems, alcohol, unlawful drugs or other controlled substances, including drug paraphernalia as prohibited by Board policy JFCG/JFCH/JFCI – Use of Tobacco Products, Alcohol, Drugs or Inhalant Delivery Systems;
8. Threats of violence or harm as prohibited by Board policy JFCM – Threats of Violence;

9. Vandalism, malicious mischief or theft as prohibited by Board policies ECAB - Vandalism, Malicious Mischief or Theft and JFCB - Care of District Property by Students, or willful damage or destruction of private property on ESD premises or at ESD-sponsored activities;
10. Willful damage or destruction of ESD property;
11. Willful damage or destruction of private property on ESD premises or during ESD activities;
12. Open defiance of authority of ESD staff, including persistent failure to comply with the lawful directions of teachers or school officials;
13. Disruption of the school environment;
14. Use or display of profane or obscene language;
15. Violation of law, Board policy, administrative regulation, school or classroom rules;
16. Violations of ESD or component district transportation rules.

This code shall adhere as closely as possible to Oregon Revised Statutes related to student conduct and discipline taking into consideration the special needs of the students involved.

Lane ESD shall publish and distribute to students and parents rules outlining student conduct expectations and possible disciplinary actions. In addition, Lane ESD programs may publish a student/parent handbook detailing additional rules and regulations specific to that school program. All rules applying to student conduct shall be posted in a prominent place in each school building and ESD programs that directly serve students.

Students are subject to discipline for conduct while traveling to and from school, at the bus stop, at school-sponsored events and at other schools operated by the ESD, and while off campus whenever such conduct causes substantial and material disruption of the educational environment or the invasion of the rights of others. Additionally, students may be denied participation in ESD-sponsored extracurricular programs and activities. Titles and/or privileges granted to students may also be denied or revoked. A referral to law enforcement may also be made.

Students are prohibited from making knowingly false statements or knowingly submitting false information in bad faith as part of a complaint or report, or associated with an investigation into misconduct.<sup>1</sup>

Lane ESD staff working in component school districts, their students, parents, guardians or persons in a parental relationship shall comply with all component district policies and procedures.

END OF POLICY

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**Legal Reference(s):**

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<sup>1</sup> The ESD is prohibited from retaliating against any student “for the reason that the student has in good faith reported information that the student believes is evidence of a violation of a state or federal law, rule or regulation.” ORS 659.852.

[ORS 334.125\(7\)](#)  
[ORS 339.240](#)

[ORS 339.250](#)  
[ORS 659.850](#)

[OAR 581-021-0050 - 0075](#)  
[OAR 581-024-0240](#)

Nondiscrimination on the Bases of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Tinker v. Des Moines Sch. Dist., 393 U.S. 503 (1969).

Hazelwood Sch. District v. Kuhlmeier, 484 U.S. 260 (1988).

Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986).

Shorb v. Grotting and Powers Sch. Dist., Case No. 00CV-0255 (Coos County Circuit Ct.) (2000).

Ferguson v. Phoenix Talent Sch. Dist. #4, 172 Or. App. 389 (2001).

Morse v. Frederick, 551 U.S. 393, 127 S. Ct. 2618 (2007).

C.R. v. Eugene S.D. 4J, No. 12-1042, U.S. District Court of OR (2013).

# Lane Education Service District

Code: JFCA  
Adopted: 9/07/93  
Readopted: 7/10/01  
Orig. Code(s): JFCA

## Student Dress and Grooming

Students in Lane ESD programs are expected to meet dress and grooming standards which neither disrupt or interfere with the classroom learning environment nor present a threat to the health and/or safety of the student concerned or of others.

Students shall wear appropriate school clothing. Items not allowed include clothing with explicit sexual, tobacco or similar products, drug, obscene or vulgar references.

Lane ESD staff working in component school districts, their students, parents, guardians or persons in a parental relationship shall comply with component district policies and procedures.

END OF POLICY

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### Legal Reference(s):

[ORS 339.240](#)  
[ORS 339.250](#)

[OAR 581-021-0026\(10\)](#)  
[OAR 581-021-0050 - 0075](#)

# Lane Education Service District

Code: JFCB  
Adopted: 9/07/93  
Readopted: 7/10/01; 6/15/04  
Orig. Code(s): JFCB

## Care of Property by Students

It is each student's responsibility to show respect for all Lane ESD property. Any student who willfully or recklessly damages or defaces ESD property will be disciplined and charged restitution for actual damages related to their acts.

The Board declares its intent to hold students and their parents, guardians or persons in a parental relationship responsible for loss or damage, and the full costs of restitution including prosecution to the full extent of the law if such costs are not paid. Notice of the ESD's intent will be provided annually.

Lane ESD staff working in component school districts, their students, parents, guardians or persons in a parental relationship shall comply with component district policies and procedures.

END OF POLICY

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### Legal Reference(s):

[ORS 334.125\(7\)](#)  
[ORS 339.250](#)

[ORS 339.270](#)

[OAR 581-021-0050 to -0075](#)

# Lane Education Service District

Code: JFCC  
Adopted: 9/07/93  
Readopted: 7/10/01  
Orig. Code(s): JFCC

## Student Conduct on School Vehicles

Students who ride transportation provided by component districts to and from Lane ESD classrooms and ESD-sponsored activities will be notified of the rules and regulations governing their conduct on school vehicles as well as the consequences for violation of those rules by the student's resident school district.

Students are subject to the transportation rules and regulations of their resident school district.

END OF POLICY

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### Legal Reference(s):

[ORS 332.405](#)

[OAR 581-021-0050 - 0075](#)  
[OAR 581-053-0010](#)

# Lane Education Service District

Code: JFCE/JFCEA  
Adopted: 7/10/01  
Orig. Code(s): JFCE/JFCEA

## Secret Societies/Gang Activity – Draft with questions to OSBA (can the title be changed?)

No secret society of any kind, including a fraternity or sorority, will be permitted in any public school in the district. The ESD may order the suspension or expulsion<sup>1</sup> of any student who belongs to a secret society.

Can the 1<sup>st</sup> paragraph be removed?

Gangs which initiate, advocate or promote activities that threaten the safety or well-being of persons or property on ESD grounds or which disrupt the school or ESD program environment are harmful to the educational process. The use of hand signals, graffiti or the presence of any apparel, jewelry, accessory or manner of grooming which, by virtue of its color, arrangement, trademark, symbol or any other attribute which indicates or implies membership or affiliation with such a group, presents a clear and present danger to the ESD environment and educational objectives of the ESD and are prohibited. Any student wearing, carrying or displaying gang paraphernalia or exhibiting behavior or gestures which symbolize gang membership, or causing and/or participating in activities which intimidate or affect the attendance of another student will be subject to disciplinary action including suspension and expulsion.

Incidents involving initiations, hazing, harassment, menacing, intimidation and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm or personal degradation or disgrace resulting in physical or mental harm to students are prohibited.

The superintendent may provide in-service training in gang behavior and characteristics to facilitate staff identification of students at-risk and promote membership in authorized activities as an alternative.

Lane ESD staff working in component school districts, their students, parents, guardians or persons in a parental relationship shall comply with component district policies and procedures.

END OF POLICY

### Legal Reference(s):

[ORS 334.125 \(7\)](#)  
[ORS 336.109](#)

[ORS 339.240 - 339.280](#)  
[ORS 339.885](#)

[ORS 659.850-0050 - 0075](#)

Olesen v. Board of Education of School District No. 228, 676 F. Supp. 820 (N.D. Ill. 1987).  
Neuhaus v. Federico, 12 Or. App. 314, 319, 505 P.2d 939 (1973).  
Burkitt, et al v. School District No. 1, 195 Or. 471, 246 P.2d 566 (1952).  
Tinker v. Des Moines Community School District, 393 U.S. 503 (1969).

<sup>1</sup> See Oregon Revised Statute (ORS) 339.250(2)(d),(e)

# Lane Education Service District

Code: JFCEB  
Adopted: 9/23/14  
Orig. Code(s): JFCEB

## Personal Electronic Devices and Social Media\*\*

Students may be allowed to use and possess personal electronic devices on ESD property and at ESD-sponsored activities provided such devices are not used in any manner that may disrupt the learning environment or ESD-sponsored activities, or violate Board policies, administrative regulations, school or classroom rules, state and federal law.<sup>1</sup>

As used in this policy, a “personal electronic device (PED)” is a device that is capable of electronically communicating, sending, receiving, storing, recording, reproducing and/or displaying information and data.

If the ESD implements a curriculum that uses technology, students may be allowed to use their own personal electronic devices to access the curriculum. Students who are allowed to use their own devices to access the curriculum will be granted access to any application or electronic materials when they are available to students who do not use their own devices, or provided free of charge to students who do not use their own devices, for curriculum.

Students may not use ESD equipment to access social media websites while on ESD property or at ESD-sponsored activities, unless the access is approved by a ESD representative.

The ESD will not be liable for personal electronic devices brought to ESD property and ESD-sponsored activities. The ESD will not be liable for information or comments posted by students on social media websites when the student is not engaged in ESD activities and not using ESD equipment.

The superintendent is directed to develop administrative regulations and/or approve school rules as necessary to ensure that student use of such devices is consistent with this policy. Administrative regulations may include grade- or age-level possession and/or use restrictions by students on ESD property and at ESD-sponsored activities; consequences for violations; a process for responding to a student’s request to use a personal electronic device, including an appeal process if the request is denied; and such other provisions as the superintendent may deem necessary.

The superintendent is responsible for ensuring that pertinent provisions of Board policies, administrative regulations and school rules governing personal electronic devices are included in staff handbooks and student/parent handbooks, reviewed annually and updated as necessary.

END OF POLICY

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<sup>1</sup> The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.

**Legal Reference(s):**

[ORS 334.125](#)

[ORS 336.840](#)

Copyrights, 17 U.S.C. §§ 101-1332; 19 C.F.R. Part 133 (2017).

# Lane Education Service District

Code: JFCEB-AR  
Revised/Reviewed: 9/23/14  
Orig. Code(s): JFCEB-AR

## Personal Electronic Devices and Social Media

Students may use and possess personal electronic devices on ESD grounds subject to the following:

1. Personal electronic devices shall not be used in a manner that disrupts the educational process, school programs or activities, or in a manner that violates law, Board policy, administrative regulation or school rules<sup>1</sup>;
2. [Unless as authorized in advance by the [principal **program administrator**] or designee for health or safety reasons, or in the event of an emergency situation that involves imminent physical danger, devices shall be turned on and operated only before and after the regular school day. Personal electronic devices may be used during the student's lunch break. They may not be used at any time in the proximity of any class, school activity or event that may be in session or in progress during those times;]
3. Personal electronic devices which have the capability to take photographs or record video or audio shall not be used for such purposes while on ESD property or at ESD-sponsored events unless as expressly authorized in advance by the principal or designee;
4. The ESD shall not be responsible for loss, theft or damage to personal electronic devices brought to ESD property or ESD-sponsored events;
5. Personal electronic devices may be used as electronic study aids during the school day if provided as a part of a student's individualized education **program** (IEP) or if permission is received from the student's teacher;
6. The use of personal electronic devices in any way to send or receive messages, data or information that would pose a threat to academic integrity, contribute to or constitute academic dishonesty is strictly prohibited;
7. The use of personal electronic devices in any manner that would violate the confidentiality or privacy rights of another individual is strictly prohibited;
8. Students shall comply with any additional school rules as established by the principal and classroom rules as approved by the principal concerning the appropriate use of personal electronic devices;
9. Personal electronic devices used in violation of law, Board policy, administrative regulation or approved school rules will be confiscated, turned in to the school office and returned to the student

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<sup>1</sup> The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.

or parent following parent notification, conference, detention, suspension, expulsion and/or referral to law enforcement officials as appropriate;

10. Students may not use ESD equipment to access social media websites, while on ESD property or at ESD-sponsored activities unless the access is approved by an ESD representative.

# Lane Education Service District

Code: JFCF  
Adopted: 7/10/01  
Revised/Readopted: 8/27/02; 1/22/08; 12/15/09;  
2/23/10; 8/28/12; 3/29/16  
Orig. Code(s): JFCF

## **Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence or Domestic Violence - Student\*\***

*(The AR includes 'hazing' and 'menacing'; adding here to align.)*

The Board in its commitment to providing a safe, positive, and productive learning environment for all students, will consult with parents/guardians, employees, volunteers, students, administrators, and community representatives in developing this policy compliance with applicable Oregon law.

Hazing, harassment, intimidation or bullying, menacing, and acts of cyberbullying by students, staff, or third parties toward students is strictly prohibited in the ESD. Teen dating violence is unacceptable behavior and prohibited. Each student has the right to a safe learning environment.

Retaliation against any person who is a victim of, who reports, is thought to have reported, or files a complaint about an act of hazing, harassment, intimidation or bullying, menacing, an act of cyberbullying, or teen dating violence, or otherwise participates in an investigation or inquiry is prohibited. A person who engages in retaliation behavior will be subject to consequences and appropriate remedial action. False charges shall also be regarded as a serious offense and will result in consequences and appropriate remedial action.

Students whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial action which may include discipline, up to and including expulsion.

Staff whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial action which may include discipline, up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or the Board.

The assistant superintendent and the superintendent are responsible for ensuring this policy is implemented.

## Definitions

“ESD” includes ESD facilities, ESD premises, and non-ESD property if the student is at any ESD-sponsored, ESD-approved, or ESD-related activity or function, such as field trips or athletic events where students are under the jurisdiction of the ESD.

“Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, or others engaged in ESD business, such as employees of businesses or organizations participating in cooperative work programs with the ESD and others not directly subject to ESD control at other ESD-sponsored programs and activities.

“Hazing” includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student/ for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any ESD-sponsored/activity or grade level attainment[.] [(i.e., personal servitude, sexual stimulation/sexual assault, forced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a student);] [requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article; or assignment of pranks to be performed or other such activities intended to degrade or humiliate.] It is not a defense against hazing that the student subjected to hazing consented to or appeared to consent to the behavior.

“Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or performance, that takes place on or immediately adjacent to ESD grounds, at any ESD-sponsored activity, on ESD-provided transportation, or at any official ESD bus stop, having the effect of:

1. Physically harming a student or damaging a student’s property;
2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property; or
3. Creating a hostile educational environment including interfering with the psychological well-being of the student.

“Protected class” means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, familial status source of income, or disability.

“Teen dating violence” means:

1. A pattern of behavior in which a person uses or threatens to use physical, mental, or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or
2. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

“Domestic violence” means abuse between family and/or household members, as those terms are described in ORS 107.705.

“Cyberbullying” means the use of any electronic communication device to harass, intimidate, or bully.

“Retaliation” means any acts of, including but not limited to, hazing, harassment, intimidation or bullying, menacing, or acts of cyberbullying toward the victim, a person in response to an actual or apparent reporting of, or participation in the investigation of, hazing, harassment, intimidation or bullying, menacing, acts of cyberbullying, teen dating violence, or retaliation.

“Menacing” includes any act intended to place an ESD employee, student, or third party in fear of imminent serious physical injury.

## **Reporting**

The assistant superintendent will take reports and conduct a prompt investigation of any reported acts of hazing, harassment, intimidation or bullying, menacing, cyberbullying, or teen dating violence. Any employee who has knowledge of conduct in violation of this policy shall immediately report concerns to the assistant superintendent who has overall responsibility for all investigations. Any employee who has knowledge of incidents of teen dating violence that took place on ESD property, at an ESD-sponsored activity, or in a vehicle used for ESD-provided transportation shall immediately report the incident to the assistant superintendent. Failure of an employee to report an act of hazing, harassment, intimidation or bullying, menacing, cyberbullying, or teen dating violence to the assistant superintendent may be subject to remedial action, up to and including dismissal. Remedial action may not be based solely on an anonymous report.

Any student who has knowledge of conduct in violation of this policy or feels they have been subjected to an act of hazing, harassment, intimidation or bullying, or menacing, or cyberbullying or feels they have been a victim of teen dating violence in violation of this policy, is encouraged to immediately report concerns to the assistant superintendent who have overall responsibility for all investigations. Any volunteer who has knowledge of conduct in violation of this policy is encouraged to immediately report concerns to the assistant superintendent.

A report from a student or volunteer may be made anonymously. A student or volunteer may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate ESD official.

Reports against the ESD administrator/principal shall be filed with the superintendent. Reports against the superintendent shall be filed with the Board chair.

The person who makes the report shall be notified when the investigation has been completed and, as appropriate, the findings of the investigation and any remedial action that has been taken. The person who made the report may request that the [superintendent] review the actions taken in the initial investigation, in accordance with [the ESD complaint procedure].

## **Notification to Parents or Guardians**

The [employee position title] shall notify the parents or guardians of a student who was subject to an act of harassment, intimidation, bullying or cyberbullying, and the parents or guardians of a student who may have conducted an act of harassment, intimidation, bullying or cyberbullying.

The notification must occur with involvement and consideration of the needs and concerns of the student who was the subject to an act of harassment, intimidation, bullying or cyberbullying. The notification is not required if the [employee position title] reasonably believes notification could endanger the student who was subjected to an act of harassment, intimidation, bullying or cyberbullying or if all of the following occur:

1. The student who was subjected to an act of harassment, intimidation, bully, or cyberbullying requests that notification not be provided to the student's parents or guardians.
2. The [employee position title] determines that notification is not in the best interest of the student who was subjected to an act of harassment, intimidation, bullying, or cyberbullying; and
3. The [employee position title] informs the student that federal law may require the student's parents and guardians to have access to the student's education record.

If the [employee position title] determines the notification is not in the best interest of the student, they must inform the student of that determination prior to providing notification.

When notification is provided, the notification must occur:

1. Within a reasonable period of time; or
2. Promptly, for acts that caused physical harm to the student.

### **Training and Education**

The ESD shall incorporate into existing training programs for students, information related to the prevention of, and the appropriate response to, acts of harassment, intimidation or bullying, and acts of cyberbullying and this policy.

The ESD shall incorporate age-appropriate education about teen dating violence and domestic violence into new or existing training programs for students in grades 7 through 12.

The ESD shall incorporate into existing training programs for staff information related to the prevention of, and the appropriate response to, acts of harassment, intimidation or bullying, teen dating violence, domestic violence, and acts of cyberbullying and this policy.

### **Notice**

The superintendent shall be responsible for ensuring annual notice of this policy is provided in a student or staff handbook, ESD's website and ESD office and the development of administrative regulations, including reporting and investigative procedures. Complaint procedures, as established by the ESD, shall be followed.

Domestic violence posters provided by the Oregon Department of Education (ODE) shall be posted in clearly visible locations on school campuses in accordance with rules adopted by ODE.

Lane ESD staff working in component school districts, their students, parents, guardians or persons in a parental relationship shall comply with all component district policies and procedures.

END OF POLICY

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**Legal Reference(s):**

[ORS 166.065](#)

[ORS 166.155 - 166.165](#)

[ORS 107.705](#)

[ORS 174.100](#)

[ORS 334.125](#)

[ORS 339.240](#)

[ORS 339.250](#)

[ORS 339.351 - 339.368](#)

[OAR 581-021-0045](#)

[OAR 581-021-0046](#)

[OAR 581-021-0055](#)

[OAR 581-022-2310](#)

[OAR 581-022-2370](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).

# Lane Education Service District

Code: JFCF/GBNA-AR  
Adopted: 7/28/09/  
Readopted: 7/10/01, 8/27/02, 10/27/09  
Orig. Code(s): JFCF/GBNA-AR

## Hazing/Harassment/Intimidation/Bullying/Menacing Complaint Procedures - Proposed Delete

*(See JFCF-AR)*

The following definitions and procedures shall be used for reporting, investigating and resolving complaints of hazing, harassment, intimidation, bullying, cyberbullying and menacing.

### Definitions

1. "Third parties" include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at other ESD-sponsored programs and activities.
2. "District" includes district facilities, district premises and nondistrict property if the or employee is at any district-sponsored, district-approved or district-related activity or function, such as field trips or athletic events where students are under the control of the district or where the employee is engaged in district business.
3. "Hazing" includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student/staff for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored activity or grade level attainment, i.e., personal servitude, sexual stimulation/sexual assault, forced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a student/staff); requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article; assignment of pranks to be performed or other such activities intended to degrade or humiliate regardless of the person's willingness to participate.
4. "Harassment, intimidation or bullying" means any act that substantially interferes with a student's/staff's educational benefits, opportunities or performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, having the effect of:
  - a. Physically harming a student/staff or damaging a student's/staff's property;
  - b. Knowingly placing a student/staff in reasonable fear of physical harm to the student/staff or damage to the student's/staff's property;
  - c. Creating a hostile educational/work environment including interfering with the psychological well being of a student/staff.

“Harassment” also includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature on the basis of age, race, religion, color, national origin, disability, marital status, source of income, familial status, sexual orientation, physical characteristic, cultural background, socioeconomic status or geographic location.

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

“Cyberbullying” is the use of any electronic communication device to convey a message in any form (text, image, audio or video) that defames, intimidates, harasses or is otherwise intended to harm, insult or humiliate another in a deliberate, repeated or hostile and unwanted manner under a person’s true or false identity. In addition, any communication of this form which substantially disrupts or prevents a safe and positive educational or working environment may also be considered cyberbullying. Staff [and students] will refrain from using personal communication devices or ESD property to harass or stalk another.

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

### **Retaliation/False Charges**

Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

### **Complaint Procedures**

Designated ESD administrators and the superintendent have responsibility for investigations concerning hazing, harassment, intimidation, bullying or menacing. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

Any employee who has knowledge of conduct in violation of this policy or feels he/she has been a victim of hazing, harassment, intimidation, bullying or menacing in violation of this policy shall immediately report his/her concerns.

Any student or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of hazing, harassment, intimidation, bullying or menacing in violation of this policy shall immediately report his/her concerns.

All complaints will be promptly investigated in accordance with the following procedures:

- Step 1 Any hazing, harassment, intimidation, bullying or menacing information (complaints, rumors, etc.) shall be presented to the designated ESD administrator or superintendent. Complaints against the principal shall be filed with the superintendent. Information may be presented

anonymously. Complaints against the superintendent shall be filed with the Board chair. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.

Step 2

The district official receiving the complaint shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The district official will arrange such meetings as may be necessary with all concerned parties within five working days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The district official(s) conducting the investigation shall notify the complainant and parents as appropriate, in writing, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

A copy of the notification letter or the date and details of notification to the complainant, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the superintendent.

Step 3

If the complainant is not satisfied with the decision at Step II, he/she may submit a written appeal to the superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step II decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant's appeal within 10 working days.

Step 4

If the complainant is not satisfied with the decision at Step III, a written appeal may be filed with the Board. Such appeal must be filed within 10 working days after receipt of the Step III decision. The Board shall, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the complaint. The Board shall provide a written decision to the complainant within 10 working days following completion of the hearing.

Documentation related to the incident may be maintained as a part of the student's education records or employee's personnel file. Additionally, a copy of all hazing, harassment, intimidation, bullying or menacing complaints and documentation will be maintained as a confidential file in the district office.

# Lane Education Service District

Code: JFCFA/GBNAA  
Adopted: 10/24/06  
Orig. Code(s): JFCFA/GBNAA



## Cyberbullying **Proposed Delete**

*(Cyberbullying is included in policy JFCF)*

The Board is committed to providing a positive and productive learning and working environment. Any form of harassment using electronic devices, commonly known as “cyberbullying,” by staff, students or third parties is prohibited and will not be tolerated in the district. “Cyberbullying” is the use of any electronic communication device to convey a message in any form (text, image, audio or video) that defames, intimidates, harasses or is otherwise intended to harm, insult or humiliate another in a deliberate, repeated or hostile and unwanted manner under a person’s true or false identity. In addition, any communication of this form which disrupts or prevents a safe and positive educational or working environment may also be considered cyberbullying. Staff and students will refrain from using personal communication devices or district property to harass or stalk another.

The district will take any report of cyberbullying seriously and will investigate credible reports promptly. Staff will take appropriate action and will bring it to the attention of the principal when students report an incident of cyberbullying. Staff will attempt to preserve evidence of the cyberbullying and will submit any evidence to the principal.

Staff whose behavior is found to be in violation of this policy will be subject to discipline, up to and including dismissal. Students whose behavior is found to be in violation of this policy will be subject to loss of privileges, discipline, up to and including expulsion. Third parties whose behavior is found to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the superintendent or Board. The district may also report individuals to law enforcement if necessary.

END OF POLICY

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### Legal Reference(s):

[ORS 163.190](#)  
[ORS 166.065](#)  
[ORS 166.155 - 166.165](#)  
[ORS 332.072](#)

[ORS 332.107](#)  
[ORS 339.240](#)  
[ORS 339.250](#)  
[ORS 339.351 - 339.364](#)



[OAR 581-021-0045](#)  
[OAR 581-021-0046](#)  
[OAR 581-021-0055](#)  
[OAR 581-022-1140](#)



# Lane Education Service District

Code: JFCG/KGC/GBK  
Adopted: 6/14/11  
Orig. Code(s): JFCG/KGC/GBK

## Tobacco-Free Environment – Proposed Delete

*(See policy JFCG/JFCH/JFCI)*

The Board recognizes its responsibility to promote the health, welfare and safety of students, staff and others on ESD property and at school-sponsored activities. In light of scientific evidence that use of tobacco is hazardous to health, and to be consistent with ESD curriculum and Oregon law, it is the intent of the Board to establish a tobacco-free environment. Consequently, student possession, use, distribution or sale of tobacco, including any smoking device, on ESD premises, at district-sponsored activities on or off ESD premises, in ESD-owned, rented or leased vehicles, or otherwise while the student is under the jurisdiction of the school, is prohibited. Tobacco use, distribution or sale by staff on ESD property, at ESD sponsored events, in ESD owned, rented or leased vehicles or otherwise while on duty on or off ESD premises is prohibited. Tobacco use, distribution or sale by others on ESD property, in ESD vehicles or at ESD sponsored events on or off ESD premises is also prohibited. Staff and/or all others authorized to use private vehicles to transport ESD students to school-sponsored activities are prohibited from using tobacco in those vehicles while students are under their care.

For the purposes of this policy, “tobacco” is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew, snuff, in any form, nicotine or nicotine delivering devices, chemicals or devices that produce the physical effect of nicotine substances or any other tobacco substitute (e.g., e-cigarettes). This does not include FDA approved nicotine replacement therapy products used for the purpose of cessation.

Clothing, bags, hats and other personal items used by staff and students to display, promote or advertise tobacco products are prohibited on ESD grounds, at school-sponsored activities or in ESD vehicles. Tobacco advertising is prohibited in all school-sponsored publications in all school buildings and at all school-sponsored events. ESD acceptance of gifts or funds from the tobacco industry is similarly prohibited.

Student violations of this policy will lead to disciplinary action up to and including expulsion. Students may also be subject to removal from any or all extracurricular activities and/or denial or forfeiture of school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, field trips, senior trip, prom, etc.). School and/or community service may be required. A referral to law enforcement may be made. Parents shall be notified of all violations involving their student and action taken by the school.

Staff violations of this policy will lead to disciplinary action up to and including dismissal. When considering disciplinary action for a child with disabilities, the ESD must follow the requirements of Board policy JGDA/JGEA - Discipline of Students with Disabilities, including those involving functional behavioral assessment, change of placement, manifestation determination, and an interim alternative educational setting. Violations by others will result in appropriate sanctions as determined and imposed by the superintendent or Board.

Information about community resources and/or cessation programs to help staff and students overcome tobacco use will be provided.

The ESD will promote cessation resources and other positive alternatives to discipline. Tobacco use cessation programs may be established at ESD schools. Attendance or completion of tobacco use cessation programs by students may be allowed as a substitute to, or as a part of student discipline for possession, use, distribution or sale of tobacco at the discretion of the principal. Attendance at cessation programs not offered by the ESD is voluntary and related costs are the individual responsibility of the staff member, student and his/her parent and private health-care system.

As part of the ESD’s tobacco use prevention activities, the superintendent shall ensure that tobacco use instructional programs as recommended by the Oregon Department of Human Services, Health Services, Tobacco Prevention and Education Program and the Oregon Department of Education are an integral part of its drug and alcohol prevention curriculum. Programs must be integrated within the health education program and age- and developmentally-appropriate instruction provided at every level, pre-kindergarten through grade 12, with particular emphasis on grades six through eight. It is the expectation of the Board that tobacco use prevention concepts will be integrated into the instruction of other subject areas as practicable.

Staff responsible for teaching tobacco use prevention will be encouraged to collaborate with agencies and groups that conduct tobacco use prevention education and to participate in ongoing professional development activities that provide basic knowledge about the effects of tobacco use, effective instructional techniques and program-specific activities.

The superintendent shall consult with local officials to promote enforcement of law that prohibits the possession of tobacco by minors on or off ESD grounds.

This policy shall be enforced at all times. The superintendent will develop administrative regulations as necessary to implement this policy, including provisions for notification of the ESD’s policy, through such means as student/parent and staff handbooks, newsletters, inclusion on school event programs, signs at appropriate locations; disciplinary consequences; and procedures for filing and handling complaints about violations of the ESD’s policy.

The superintendent shall ensure that the ESD’s tobacco use prevention program, policies, curricula, training and cessation programs are evaluated at regular intervals. The input of students, staff, parents and others from the community will be encouraged.

END OF POLICY

**Legal Reference(s):**

- [ORS 332.107](#)
- [ORS 336.222](#)
- [ORS 336.227](#)
- [ORS 339.240](#)
- [ORS 339.250](#)
- [ORS 433.835 - 433.990](#)
- [OAR 581-021-0050 to -0075](#)
- [OAR 581-021-0110](#)
- [OAR 581-022-0413](#)
- [OAR 581-053-0015](#)
- [OAR 581-053-0545\(4\)\(c\)\(R\)-\(T\)](#)
- [OAR 581-053-0550\(5\)\(q\)-\(s\)](#)

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2006). Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084

# Lane Education Service District

Code: JFD  
Adopted: 9/7/93  
Readopted: 7/10/01  
Orig. Code(s): JFD

## Students of Legal Age – **Proposed Delete**

*(Do not need a policy for this.)*

Every student attending Lane ESD programs 18 or older shall be deemed an adult and shall have the same rights and responsibilities as an adult. Adult students, like all other students, shall comply with Board policy, established rules, pursue the prescribed course of study and submit to the authority of teachers and administration.

A student under 18 may request adult status from the Lane County Juvenile Court through proof of emancipation from parent/guardian or person in a parental relationship. Any decree of emancipation must be submitted in writing to the superintendent and substantiate that the student is:

1. Released from parent/guardian/person in a parental relationship control;
2. Recognized as an adult;
3. Solely responsible for his/her food, shelter and clothing.

END OF POLICY

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### Legal Reference(s):

[ORS 109.510](#)  
[ORS 109.520](#)

[ORS 419B.550](#)  
[ORS 419B.552](#)

[ORS 419B.555](#)  
[ORS 419B.558](#)

# Lane Education Service District

Code: JGB  
Adopted: 9/07/93  
Revised/Readopted: 7/10/01  
Orig. Code(s): JGB

## Detention of Students **Proposed Delete**

*(Does the ESD need this policy?)*

Lane ESD program administrators or teachers may detain a student for disciplinary reasons after school hours, provided the parent, guardian or person in a parental relationship has been notified of the detention and, in the case of bus students, arrangements have been made for the student's transportation home. In cases of suspected child abuse, students may be detained while waiting for a representative from Oregon Department of Human Services, Community Human Services, or law enforcement.

Parents, guardians or persons in a parental relationship may be asked to arrange for the transportation of the detained student; however, if the parent, guardian or person in a parental relationship cannot or will not provide it, an alternative disciplinary procedure must be substituted.

Students who are detained after school must not be left alone during their detention. Their supervision must be provided or arranged for by the teacher or administrator who detains them.

Lane ESD staff working in component school districts, their students, parents, guardians or persons in a parental relationship shall comply with component district policies and procedures.

END OF POLICY

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### Legal Reference(s):

[ORS 334.125 \(7\)](#)  
[ORS 339.250](#)

[OAR 581-021-0050 to -0075](#)

# Lane Education Service District

Code: JHC  
Adopted: 10/24/00  
Readopted: 7/10/01; 2/07/23  
Orig. Code(s): JHC

## Student Health Services and Requirements\*\* **Proposed Delete**

Although the ESD's primary responsibility is to educate students, the students' health and general welfare is also an important Board responsibility. The Board believes school programs should be conducted in a manner that protects and enhances student and employee health and is consistent with good health practices.

The ESD shall provide:

1. One registered nurse or school nurse for every 125 medically fragile students;
2. One registered nurse or school nurse or one licensed practical nurse under the supervision of a registered nurse or school nurse for each nursing-dependent student; and
3. One registered nurse or school nurse for every 225 medically complex students.

The ESD may use the most cost effective means available to meet the above requirements.

The nurse(s) employed by the ESD shall be licensed to practice as a registered nurse or nurse practitioner in Oregon and will function as an integral member of the instructional staff, serving as a resource person to teachers in securing appropriate information and materials on health-related topics.

Any nurse(s) providing services to the ESD shall follow all applicable requirements of Oregon Revised Statutes (ORS) Chapter 678 and Oregon Administrative Rule (OAR) Chapter 851. This includes, but is not limited, delegation in accordance with OAR 851-047, which includes performing a nursing assessment of the patient prior to delegation, providing adequate supervision during the delegation, and evaluating the skills, ability and willingness of the delegee.<sup>1</sup>

The ESD shall maintain a prevention-oriented health services program which provides:

1. Pertinent health information on the students, as required by Oregon statutes or rules;
2. Health appraisal to include screening for possible vision or hearing problems;
3. Health counseling for students and parents, when appropriate;
4. Health-care and first-aid assistance that are appropriately supervised and isolates the sick or injured child from the student body;

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<sup>1</sup> For additional delegation requirements, see OAR [851-047-0030](#).

5. Control and prevention of communicable diseases as required by Oregon Health Authority, Public Health Division and the county health department;
6. Assistance for students in taking prescription and/or nonprescription medication according to established ESD procedures;
7. Services for students who are medically fragile or have special health-care needs;
8. Integration of school health services with school health education programs.

The Board directs its ESD health staff to coordinate with health personnel from other public agencies in matters pertaining to health instruction or the general health of students and employees.

In accordance with the requirements of federal law, the ESD recognizes its responsibility to notify parents in advance of any nonemergency, invasive physical examination<sup>2</sup> or screening that is required as condition of attendance; administered and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students. Notification will be provided at least annually at the beginning of the school year or when enrolling students for the first time in school and will include the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

Procedures shall be developed and implemented to carry out this policy. All ESD employees will be appraised of their responsibilities in this area. Parents shall have the opportunity to request their students be exempt from participation in vision or hearing screening. The ESD will abide by those requests.

END OF POLICY

**Legal Reference(s):**

[ORS 329.025](#)  
[ORS 336.201](#)

[ORS 336.211](#)  
[OAR 581-022-2050](#)

[OAR 581-022-2220](#)  
[OAR 581-022-2225](#)

Protection of Pupil Rights, 20 U.S.C. § 1232h (2018); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2022).

Every Student Succeeds Act of 2015, 20 U.S.C. § 8548 (2018).

Family Education Rights and Privacy Act 20 U.S.C. § 1232g (2018).

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<sup>2</sup> The term “invasive physical examination,” as defined by law, means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening. The term does not include any physical examination or screening that is permitted or required by state law, including physical examinations or screenings that are permitted without parental notification.

# Lane Education Service District

Code: JHCC  
Adopted: 6/28/94  
Revised/Readopted: 7/10/01; 12/06/17  
Orig. Code(s): JHCC

## Communicable Disease – Students **Proposed Delete**

*(See policy GBEB and its AR)*

The ESD shall provide reasonable protection against the risk of exposure to communicable disease for students. The ESD will follow the Oregon Department of Education and the state and local health authorities' rules and regulations pertaining to communicable diseases. Reasonable protection from communicable disease is generally attained through immunization, exclusion or other measures as provided by Oregon law, by the local health department or in the Communicable Disease Guidance published by the Oregon Department of Education (ODE) and the Oregon Health Authority (OHA). Services will be provided to students as required by law.

When an administrator has reason to suspect that a student has or has been exposed to any restrictable disease for which the student is required to be excluded, the administrator involved shall exclude the student from school and if the disease is a reportable disease, will report the occurrence to the local health department. The administrator will also take whatever reasonable steps it considers necessary to organize and operate its programs in a way which both furthers the education and protects the health of students and others.

In cases when a restrictable or reportable disease is diagnosed and confirmed for a student, the administrator shall inform the appropriate employees with a legitimate educational interest to protect against the risk of exposure.

The ESD may, for the protection of both the student who has a restrictable disease and the exposed student, provide an educational program in an alternative setting

The ESD shall protect the confidentiality of each student's health condition and record to the extent possible and consistent with federal and state law.

The superintendent will develop administrative regulations necessary to implement this policy.

END OF POLICY

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### Legal Reference(s):

[ORS 431.150](#) to -431.157  
[ORS 433.001](#) to -433.526

[OAR 333-018](#)  
[OAR 333-019-0010](#)  
[OAR 333-019-0014](#)

[OAR 437-002-0360](#)  
[OAR 437-002-0377](#)  
[OAR 581-022-2220](#)

# Lane Education Service District

Code: JHCC-AR  
Adopted: 7/10/01  
Readopted: 8/27/02; 11/07/17  
Orig. Code(s): JHCC-AR

## Communicable Diseases – Student **Proposed Delete**

*(See policy GBEB and its AR)*

In accordance with state law, administrative rule, the local health authority and the *Communicable Disease Guidance*, the procedures established below will be followed.

1. “Restrictable diseases” are defined by rule and include but are not limited to chickenpox, diphtheria, hepatitis A, measles, mumps, pertussis, rubella, Salmonella enterica serotype Typhi infection, scabies, Shiga-toxigenic Escherichia coli (STEC) infection, shigellosis and tuberculosis disease, and may include a communicable stage of hepatitis B infection if, in the opinion of the local health officer, the person poses an unusually high risk to others (e.g., a child that exhibits uncontrollable biting or spitting). Restrictable disease also includes any other communicable disease identified in an order issued by the Oregon Health Authority or the local public health officer as posing a danger to the public’s health. A disease is considered to be a restrictable disease if it is listed in Oregon Administrative Rule (OAR) 333-019-0010, or it has been designated to be a restrictable disease by Board policy<sup>1</sup> or by the local health administrator, after determining that it presents a significant public health risk in the school setting.
2. ”Susceptible” means being at risk of contracting a restrictable disease by virtue of being in one or more categories described in law.
3. “Reportable diseases” means a human reportable disease, infection, microorganism or condition as specified in OAR Chapter 333, Division 18.

### Restrictable Diseases

1. An administrator that has reason to suspect that a student has or has been exposed to any restrictable disease for which the student is required to be excluded, shall exclude that student from school and send him/her home. If the disease is reportable, the administrator will report the occurrence to the local health department.
2. The student will be excluded in such instances until such time as the student or the parent or guardian of the student presents a certificate from a physician, a physician assistant licensed under Oregon Revised Statute (ORS) 677.505-677.525, a nurse practitioner licensed under ORS 678.375-678.390, local health department nurse or school nurse stating that the student does not have or is not a carrier of any restrictable diseases.
3. An administrator will exclude a susceptible student that has been exposed to a restrictable disease that is also a reportable disease unless the local health officer determines that exclusion is not necessary to protect the public’s health, or the local health officer states the diseases is no longer

<sup>1</sup> “OAR 333-019-0010(7) Nothing in these rules prohibits a school or children’s facility from adopting more stringent exclusion standards under ORS 433.284.”

communicable to others or that adequate precautions have been taken to minimize the risk of transmission. The administrator may request the local health officer to make a determination as allowed by law.

4. The ESD may, for the protection of both the student who has a restrictable disease and the exposed student, provide an educational program in an alternative setting. A student may remain in an alternative educational setting until such time as a certificate from a physician, physician assistant, nurse practitioner, local health department nurse or school nurse states that the student does not have or is not a carrier of any restrictable disease, or until such time as a local health officer states that the disease is no longer communicable to others or that adequate precautions have been taken to minimize the risk of transmission. A restrictable disease exclusion for chickenpox, scabies, staphylococcal skin infections, streptococcal infections, diarrhea or vomiting may also be removed by a school nurse or health care provider.
5. More stringent exclusion standards for students from school may be adopted by the local health department or by the ESD through Board adopted policy.
6. A disease is considered to be a restrictable disease if it is listed in OAR 333-019-0010, or it has been designated to be a restrictable disease through Board policy or by the local health administrator, after determining that it presents a significant public health risk in the school setting.
7. The ESD's emergency plan shall address the ESD's plan with respect to a declared public health emergency at the local or state level.

### **Reportable Diseases Notification**

1. All employees shall comply with all reporting measures adopted by the ESD and with all rules set forth by the Oregon Health Authority, Public Health Division and the local health department.
2. An administrator may seek confirmation and assistance from the local health officer to determine the appropriate ESD response when the administrator is notified that a student or an employee has been exposed to a restrictable disease that is also a reportable disease.
3. An administrator shall determine other persons with a legitimate educational interest who may be informed of the communicable nature of an individual student's disease, or an employee's communicable disease, within guidelines allowed by law.

### **Education**

1. The administrator or designee shall seek information from the ESD's school nurse or other appropriate health officials regarding the health needs/hazards of all students and the impact on the educational needs of a student diagnosed with a restrictable disease or exposed to a restrictable disease.
2. The administrator or designee shall, utilizing information obtained above, determine an educational program for such a student and implement the program in an appropriate (i.e., regular or alternative) setting.
3. The administrator or designee shall review the appropriateness of the educational program and the educational setting of each individual student.

## Equipment and Training

1. The administrator or designee shall, on a case-by-case basis, determine what equipment and/or supplies are necessary in a particular classroom or other setting in order to prevent disease transmission.
2. The administrator or designee shall consult with the ESD's school nurse or other appropriate health officials to provide special training in the methods of protection from disease transmission.
3. All ESD personnel will be instructed annually to use the proper precautions pertaining to blood and body fluid exposure per the Occupational Safety and Health Administration (OSHA).

# Lane Education Service District

Code: JHCCA  
Adopted: 12/05/00  
Readopted: 7/10/01; 10/22/13  
Orig. Code(s): JHCCA

## Students - HIV, HBV and AIDS\*\* **Proposed Delete**

The ESD will adhere strictly in policies and procedures to the Oregon Revised Statutes and the Oregon Administrative Rules as they relate to a student infected with HIV or HBV or diagnosed with AIDS<sup>1</sup>.

The ESD recognizes a parent (student) has no obligation to inform the ESD of an HIV, HBV or AIDS condition, and that the student has a right to attend school. If the ESD is informed of such a student, written guidelines shall be requested of the parent (student). These guidelines shall include who may have the information, who will give the information, how the information will be given and where and when the information will be given.

When informed of the infection, and with written permission from the parent (student), the ESD will develop procedures for formulating an evaluation team. The team shall address the nature, duration and severity of risk as well as any modification of activities. The team shall continue to monitor the student's condition.

Notification of alternative education programs shall be made to the parent or eligible student, if an HIV, HBV or AIDS student withdraws from school.

Lane ESD shall also develop procedures for rumor control, infection control, student accommodations and public relations/media.

END OF POLICY

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### Legal Reference(s):

[ORS 326.565](#)  
[ORS 326.575](#)  
<http://landru.leg.state.or.us/ors/334.htm>  
[IORS 334.125\(7\)](#)  
[ORS 336.187](#)

[ORS 339.030](#)  
[ORS 433.008](#)  
[ORS 433.045](#)  
[OAR 333-018-0000](#)

[OAR 333-018-0005](#)  
[OAR 581-022-0705](#)  
[OAR 581-022-1660](#)

OREGON SCHOOL HEALTH SERVICES MANUAL: COMMUNICABLE DISEASES APPENDIX IV. GUIDELINES FOR SCHOOLS WITH CHILDREN WHO HAVE BLOODBORNE PATHOGENS, OREGON DEPARTMENT OF EDUCATION 2012.

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<sup>1</sup> HIV - Human Immunodeficiency Virus; HBV - Hepatitis B Virus; AIDS - Acquired Immune Deficiency Syndrome

# Lane Education Service District

Code: JHCCBA/EBBAB/GBEBAA  
Adopted: 6/28/94  
Readopted: 7/10/01, 8/27/02  
Orig. Code(s): JHCCBA/EBBAB/GBEBAA

## HIV/Bloodborne Pathogens **Proposed Delete**

*(See EBBAA)*

The Board recognizes that staff/students incur some risk of infection and illness each time they are exposed to blood or other potentially infectious materials. While the risk to staff/students of exposure to body fluids due to casual contact with individuals in the school environment is very low, the Board regards any such risk as serious.

Consequently, the Board directs adherence to standard precautions. Standard precautions require that staff and students approach infection control as if all direct contact with human blood and body fluids is known to be infectious for HIV, HBV and/or other bloodborne pathogens<sup>1</sup>.

In order to reduce the risk to staff/students by minimizing or eliminating staff exposure incidents to bloodborne pathogens, the Board directs the superintendent to develop and implement an Exposure Control Plan. The plan shall be reviewed and updated at least annually and whenever necessary to reflect new or modified tasks and procedures which affect occupational exposure and to reflect new or revised employee positions with occupational exposure. The review and update shall also:

1. Reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens;
2. Annually, document consideration and implementation of appropriate commercially available and effective safer medical devices designed to eliminate or minimize occupational exposure.

The plan shall include training followed by an offer of immunization with Hepatitis B vaccine and vaccination series for all staff who are required to provide first aid to students and/or for all staff who have occupational exposure as determined by the ESD. Training shall be provided at the time of initial assignment to tasks where occupational exposure may take place and at least annually thereafter. Personal protective equipment appropriate to job tasks shall be provided by the ESD. A post-exposure evaluation and follow-up shall be made available to any employee sustaining an occupational exposure.

The ESD recognizes that, as required by OAR 437-002-1030, employees who use medical sharps in the performance of their duties (e.g., administering injectable medicines to students, such as epinephrine and glucagon) must, at least annually, be provided with the opportunity to identify, evaluate and select engineering and work practice controls (e.g., sharps disposal containers, self-sheathing needles, safer medical devices, such as sharps with engineered sharps injury protections and needleless systems). The ESD will implement such work practice controls, as appropriate.

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<sup>1</sup> Bloodborne pathogens - pathogenic microorganisms that are present in human blood and can cause disease in humans. These include, but are not limited to, Hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

Documentation, including a sharps injury log, will be maintained as required by OAR 437-002-1035 and 437-002-1030 (3).

END OF POLICY

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**Legal Reference(s):**

[OAR 437-002-0360](#)  
[OAR 437-002-0377](#)

[OAR 437-002-1030](#)  
[OAR 437-002-1035](#)

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# Lane Education Service District

Code: JHCCBA/EBBAB/GBEBAA-AR  
Adopted: 9/11/96  
Revised/Readopted: 7/10/01  
Orig. Code(s): JHCCBA/EBBAB/GBEBAA-AR

## Bloodborne Pathogen Exposure Control Plan **Proposed Delete**

For Compliance with OR-OSHA Standard - OAR 437-002-0360 to -0375

*(See EBBAA)*

### Definitions

The following definitions apply to this document and the OR-OSHA administrative rules on bloodborne pathogens:

“Blood”: Human blood, human blood components and products made from human blood.

“Bloodborne Pathogens”: Pathogenic micro-organisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV).

“Clinical Laboratory”: A workplace where diagnostic or other screening procedures are performed on blood or other potentially infectious materials.

“Contaminated”: The presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

“Contaminated Laundry”: Laundry which has been soiled with blood or other potentially infectious materials or may contain sharps.

“Contaminated Sharps”: Any contaminated object that can penetrate the skin including, but not limited to, needles, scalpels, broken glass, broken capillary tubes and exposed ends of dental wires.

“Decontamination”: The use of physical or chemical means to remove, inactivate or destroy bloodborne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use or disposal.

“Engineering Controls”: Controls (e.g., sharps disposal containers, self-sheathing needles) that isolate or remove the bloodborne pathogens hazard from the workplace.

“Exposure Incident”: A specific eye, mouth or other mucous membrane, nonintact skin or parenteral contact with blood or other potentially infectious materials that results from the performance of any employee’s duties.

“Handwashing Facilities”: A facility providing an adequate supply of running potable water, soap and single use towels or hot air drying machines.

“Licensed Health-Care Professional”: A person whose legally permitted scope of practice allows him/her to independently perform the activities required by OAR 437-002-0360 (f) (Hepatitis B Vaccination of Post-Exposure Evaluation and Follow up).

“HBV”: Hepatitis B Virus.

“HIV”: Human Immunodeficiency Virus.

“Hazard”: An actual or potential exposure to risk.

“Occupational Exposure”: Reasonably anticipated skin, eye, mucous membrane or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee’s duties.

### **Other Potentially Infectious Materials:**

- Semen;
- Vaginal secretions;
- Cerebrospinal fluid;
- Synovial fluid;
- Pleural fluid;
- Pericardial fluid;
- Peritoneal fluid;
- Amniotic fluid;
- Saliva in dental procedures;
- Any body fluid that is visibly contaminated with blood;
- All body fluids where it is difficult to differentiate between body fluids;
- Any unfixated tissue or organ (other than intact skin) from a human (living or dead).

“Parenteral”: Piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts and abrasions.

“Personal Protective Equipment”: Specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (e.g., uniforms, pants, shirts or blouses) not intended to function as protection against a hazard are not considered to be personal protective equipment (PPE).

“Regulated Waste”: Liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials.

“Source Individual”: Any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to the employee. Examples include, but are not limited to:

- Hospital and clinic patients;
- Clients in institutions for the developmentally disabled;
- Trauma victims;
- Clients of drug and alcohol treatment facilities;
- Residents of hospices and nursing homes;
- Human remains;
- Individuals who donate or sell blood or blood components.

“Sterilize”: The use of a physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.

“Standard Precautions”: An approach to infection control. All human blood and certain human fluids are treated as if known to be infectious for HIV, HBV and other bloodborne pathogens.

“Work Practice Controls”: Controls that reduce the likelihood of exposure by altering the manner in which a task is performed (e.g., prohibiting recapping of needles by a two-handed technique).

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**BLOODBORNE PATHOGEN EXPOSURE CONTROL PLAN  
LANE EDUCATION SERVICE DISTRICT (LANE ESD)**

In accordance with OR-OSHA Bloodborne Pathogens Standard, OAR 437-002-0360 to -0375 the following Exposure Control Plan has been developed:

1. Purpose

The purpose of this Exposure Control Plan is to:

- a. Eliminate or minimize employee occupational exposure to blood or certain other body fluids;
- b. Comply with the OR-OSHA Bloodborne Pathogens Standard, OAR 437-002-0360 to -0375.

2. Exposure Determination

OR-OSHA requires employers to perform an exposure determination concerning which employees may incur occupational exposure to blood or other potentially infectious materials or high risk occupations. Lane ESD does not have any occupations that are in a high-risk category.

However, when a contact has been made with infectious materials, fluids or persons with Hepatitis B, Lane ESD will make available, at no cost to the employee, any necessary, confidential medical evaluation and follow-up as required by OSHA. Also, Lane ESD will provide training in prevention of exposure to infectious situations and how to dispose of contaminated waste.

In addition, OR-OSHA requires a listing of job classifications in which some employees may have occupational exposure. Not all the employees in these categories would be expected to incur exposure to blood or other potentially infectious materials. Job classifications and tasks or procedures that would cause these employees to have occupational exposure are listed as follows:

<b>JOB CLASSIFICATION</b>	<b>TASK/PROCEDURE</b>
Directors and Supervisors	Program Dependent
Custodian(s) working at ESD	General facility cleaning
Teachers/Educational assistants for Lane School, Skipworth and the MSMR Program staff as well as support personnel, such as speech and language therapists and adaptive PE teacher	Changing menstrual pads Tooth brushing Emesis clean-up Cleaning nose/mouth secretions General health care Blood glucose monitoring
Persons who may provide first aid to students/staff	First aid for injuries

3. Implementation Schedule and Methodology

OR-OSHA requires that this plan include a schedule and method of implementation for the various requirements of the standard. The following complies with this requirement.

#### 4. Compliance Method

Standard precautions will be observed at Lane ESD in order to prevent contact with blood or other potentially infectious materials.

Engineering controls and work practices will be utilized to eliminate or minimize exposure to employees at Lane ESD. Injured parties will be encouraged to care for themselves when feasible. Where occupational exposure remains after institution of these controls, personal protective equipment will also be utilized. At Lane ESD, the following engineering controls and work practices will be utilized:

- a. Leak-proof containers lined with a red plastic bag for disposal of bloody waste;
- b. Sharps containers for needle, blade and lancet disposal;
- c. Students will cleanse their own bloody wounds when possible, using gauze, soap and water;
- d. Pressure will be applied using gauze and gloved hands when the student needs assistance.

The above controls will be examined and maintained on a regular schedule. The schedule for reviewing the effectiveness of the controls is as follows:

- a. On a daily basis as needed, the custodian will remove the red plastic bag, clean and decontaminate the container as necessary. A new red plastic bag will be put in place;
- b. A custodian will take filled sharps containers to Lane County Health Department for proper disposal;
- c. Hand washing facilities will be made available to employees who incur exposure to blood or other potentially infectious materials. OR-OSHA requires that these facilities be readily accessible after incurring exposure. (If hand washing facilities are not feasible, Lane ESD will provide antiseptic towelettes or an antiseptic cleanser and paper towels. The hands are to be washed with soap and running water as soon as possible. Playground aides will be provided with packets which will contain latex gloves, paper towels, antiseptic towelettes, gauze pads and a plastic sack for waste materials.);
- d. Supervisors will ensure that after the removal of gloves, employees will wash hands and any other potentially contaminated skin area immediately or as soon as feasible with soap and water;
- e. Supervisors will ensure that employees who incur exposure to their skin or mucous membranes will wash or flush exposed areas with water as soon as feasible following the contact;
- f. The use of disposable gloves is necessary for care givers who give first aid when body fluids are present (cleaning cuts and scrapes, helping with a bloody nose, examining secreting rashes). When applicable, those care givers who handle diapers or student's clothing soiled by feces or urine must take similar precautions and wear protective clothing (a vinyl apron, for example) if contamination is anticipated;
- g. If unanticipated contact with body fluids occurs, hands and all other affected skin areas must be washed thoroughly with soap and running water as soon as possible. Effective hand washing requires the use of soap and vigorous washing under a stream of running water for at least 30 seconds. Use paper towels to dry hands well and to turn off hand-operated faucet;
- h. Any articles used to clean body fluid spills must be handled with gloved hands and disposed of in a plastic bag or a receptacle labeled with a biohazard sign. If an absorbent agent is used, sweepings must be disposed of in a similar manner. Brooms and dust pans must be cleaned with a disinfectant;
- i. Freshly mixed household bleach in a 1:10 solution (one part bleach to nine parts cool water) is recommended for sanitizing. Bleach solution should be made fresh every 24 hours in order to be effective. A tightly sealed bottle marked with a line for one part bleach and another line for nine parts water can be kept handy. The fresh solution can be stored out of direct light. The bottle must be clearly labeled;

- j. Wash contaminated surfaces with soap and water to remove all visible contamination. The surface to be sanitized must be visibly clean and free of all soap residue. Do not mix bleach with soap or detergent, as any organic material will inactivate the active ingredient. The contaminated surface must be in contact with bleach solution for at least 10 minutes.

## 5. Needles

Contaminated needles or other contaminated sharps will not be bent, recapped, removed, sheared or purposely broken. OR-OSHA allows an exception to this if the procedure would require that the contaminated needle be recapped or removed and no alternative is feasible and the action is required by the medical procedure. If such action is required, then the recapping or removal of the needle must be done by a mechanical device or a one-handed technique. Empty immunization vials will be disposed of in the sharps container.

## 6. Work Area Restriction

Employees are not to eat, drink, apply cosmetics or lip balm, smoke or handle contact lenses in the health room. Food and beverages are not to be kept in refrigerators, freezers, shelves, cabinets or on counter tops or bench tops where blood or other potentially infectious materials are present. Hands must be washed before and after assisting with first aid, before and after meals and after toileting.

All procedures will be conducted in a manner which will minimize splashing, spraying, splattering and generation of droplets of blood or other potentially infectious materials. Methods employed to accomplish this goal are:

- a. The custodian will be called when body fluids need to be cleaned up;
- b. Employees involved in activities which might cause splattering of infectious materials will wear gloves and/or vinyl aprons as necessary.

## 7. Contaminated Equipment

The custodian is responsible for ensuring that equipment which has become contaminated with blood or other potentially infectious materials will be examined and decontaminated as necessary as soon as possible.

## 8. Personal Protective Equipment (PPE)

- a. General: Supervisors are responsible for ensuring that latex gloves are provided without cost to employees. The nature of anticipated exposure to body fluids at a school requires latex gloves (and when applicable, a vinyl apron) to be the only personal protective equipment that is generally needed. If the employee's clothing should become contaminated with body fluids, the employee will be given time to change clothing. Soiled clothing will be placed in a plastic bag and sent home with the owner and handled in accordance with standard precautions.

A CPR mask with a one-way valve will be provided at each instructional site.

- b. PPE Use (Personal Protective Equipment): Supervisors will ensure that the employee uses appropriate PPE unless it is shown that the employee temporarily and briefly declined to use PPE when under rare and extraordinary circumstances it was the employee's professional judgment that in the specific instance its use would have prevented the delivery of health care or posed an increased hazard to the safety of the worker or co-worker. When the employee makes this judgment, the circumstances will be investigated and documented in order to determine whether changes can be instituted to prevent such occurrences in the future.
- c. PPE Accessibility: Supervisors will ensure that appropriate PPE in the appropriate sizes is readily accessible at the work site or is issued without cost to employees. Hypoallergenic

gloves, glove liners, powderless gloves or other similar alternatives will be readily accessible to those employees who are allergic to the gloves normally provided.

- d. PPE Cleaning, Laundering and Disposal: All personal protective equipment will be cleaned, laundered and/or disposed of by the employer at no cost to the employees. All repairs and replacements of PPE will be made by Lane ESD at no cost to the employees. All garments which are penetrated by blood will be removed immediately or as soon as feasible. All PPE will be removed prior to leaving the work area.

When PPE is removed, it will be placed in an appropriately designated area or container for storage, washing, decontamination or disposal. Reusable items, such as CPR masks and vinyl aprons will be sanitized using a freshly made 1:10 (one part bleach, nine parts cool water) bleach solution.

- e. Gloves: Gloves will be worn when it is reasonably anticipated that employees will have hand contact with blood, other potentially infectious materials, nonintact skin or mucous membranes; when handling or touching contaminated items or surfaces.

Disposable latex gloves are not to be washed or decontaminated for re-use and are to be replaced as soon as practical if they are torn, punctured or when their ability to function as a barrier is compromised. Utility gloves may be decontaminated for re-use provided that the integrity of the glove is not compromised. Utility gloves will be discarded if they are cracked, peeling, torn, punctured or exhibit other signs of deterioration or when their ability to function as a barrier is compromised. Disposable latex gloves will be removed by grasping the cuff and pulling them wrong side out. Soiled gloves will be placed in the plastic bag with other contaminated waste material, double bagged and disposed of according to state and local regulations.

- f. Eye and Face Protection: A CPR mask with a one-way valve is to be used in the event of cardiac or respiratory arrest. Ordinary school activities do not require other masks, goggles or face shields to prevent splashes, splatter or droplets of blood.

- g. Additional Protection: The need for additional protective clothing is not anticipated in the normal course of school activities. (Vinyl aprons are to be made available for staff when appropriate.)

## 9. Housekeeping

All bins, pails, cans and similar receptacles will be inspected and decontaminated on a regularly scheduled basis once a month by the custodian and cleaned and decontaminated immediately or as soon as feasible upon visible contamination.

Decontamination will be accomplished by utilizing the following materials:

- a. Blood or body fluid spills: A Quaternary disinfectant or a freshly made 1:10 bleach solution (one part bleach and nine parts cool water);
- b. Counters and sink: A Quaternary disinfectant or bleach solution;
- c. Broken glassware: Not to be picked up directly with the hands.

## 10. Regulated Waste Disposal

Gauze and other first-aid products used to cleanse bloody wounds in the health room will be placed in a plastic bag-lined waste can. The bag will be securely tied and disposed of daily. The state of Oregon does not require special disposal practices for this type of waste.

## 11. Laundry Procedures

Laundry contaminated with blood or other potentially infectious materials generated in school or at a work site will be handled using standard precautions. Such laundry will be placed in a plastic bag and sent home with the owner, if possible, to be handled according to standard precautions.

## 12. Hepatitis B Vaccine and Exposure Evaluation and Follow-Up

- a. General: Lane ESD will make available the Hepatitis B vaccine and post-exposure follow-up to all employees who have occupational exposure as determined by the district and/or to all employees who have had an exposure incident.

Lane ESD will ensure that all medical evaluations and procedures including the Hepatitis B vaccine and vaccination series and post-exposure follow-up including prophylaxis, are:

- (1) Made available at no cost to the employee;
- (2) Made available to the employee at a reasonable time and place;
- (3) Performed by or under the supervision of a licensed physician or by or under the supervision of another licensed health care professional;
- (4) Provided according to the recommendations of the U.S. Public Health Service.

All laboratory tests will be conducted by an accredited laboratory at no cost to the employee.

- b. Hepatitis B Vaccination: The human resources administrator is in charge of the Hepatitis B vaccination program, if any are needed.

Hepatitis B vaccination will be made available after the employee has received the training in occupational exposure and within 10 working days of initial assignment to all employees who have occupational exposure, unless the employee has previously received the complete Hepatitis B vaccination series, antibody testing has revealed that the employee is immune or the vaccine is contraindicated for medical reasons.

Participation in a pre-screening program will not be a prerequisite for receiving Hepatitis B vaccination.

If the employee initially declines Hepatitis B vaccination, but at a later date, while still covered under the standard, decides to accept the vaccination, the vaccination will be made available.

All employees who decline the Hepatitis B vaccination offered will sign the OR-OSHA required declination statement indicating their refusal. (See Hepatitis B Declination Statement form, page 11-19). If the employee refuses to sign the declination statement, the supervisor will make a notation on the form and sign as a witness to the employee's refusal.

If a routine booster dose of Hepatitis B vaccine is recommended by the U.S. Public Health Service at a future date, such booster doses will be made available.

- c. Post-Exposure Evaluation and Follow-Up: All exposure incidents will be reported, investigated and documented. When the employee incurs an exposure incident, it will be reported to the immediate supervisor and an incident report will be completed immediately, conjointly with a health professional.

Following a report of an exposure incident, the exposed employee will immediately receive a confidential medical evaluation and follow-up, including at least the following elements:

D

- (1) Documentation of the route of exposure and the circumstances under which the exposure incident occurred;
- (2) Identification and documentation of the source individual, unless it can be established that identification is not feasible or prohibited by state or local law;
- (3) The source individual's blood will be tested as soon as possible and after consent is obtained in order to determine HBV and HIV infectivity. Laboratory tests requested by Lane ESD will be paid for by the ESD. If consent is not obtained, the human resources manager will establish that legally required consent cannot be obtained. When the source individual's consent is not required by law, the source individual's blood, if available, will be tested and the results documented;
- (4) When the source individual is already known to be infected with HBV or HIV, status need not be repeated;
- (5) Results of the source individual's testing will be made available to the exposed employee and the employee will be informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual;
- (6) The exposed employee's blood will be collected and tested for HBV and HIV status as soon as possible after exposure and consent is obtained. The employee will have the option of having the blood sample preserved for up to 90 days to allow the employee time to consider the ramifications of testing. Any employee who wants to participate in the medical evaluation program must agree to have blood drawn.

All employees who incur an exposure incident will be offered post-exposure evaluation testing and treatment in accordance with OR-OSHA standard. All post-exposure follow-up will be performed by a physician under contract with Lane ESD.

- d. Information Provided to the Health Care Professional: The human resources administrator will ensure that the physician responsible for the employee's Hepatitis B (HBV) vaccination is provided with the following:

- (1) A copy of OAR 437-002-0360 with confidentiality being emphasized;
- (2) A written description of the exposed employee's duties as they related to the exposure incident;
- (3) Written documentation of the route of exposure and circumstances under which exposure occurred;
- (4) Results of the source individual's blood testing, if available;
- (5) All medical records relevant to the appropriate treatment of the employee including HBV vaccination status, the staff member's current emergency information record and the most recent medical occurrences.

- e. Health Care Professional's Written Opinion: The human resources administrator will obtain and provide the employee with a copy of the evaluating health care professional's written opinion within 15 days of the completion of the evaluation. The information in the report will be confidential. The health care professional's written opinion for post-exposure follow-up will be limited to the following information:

- (1) A statement that the employee has been informed of the results of the evaluation;
- (2) A statement that the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment;
- (3) Whether the Hepatitis B vaccination is recommended;
- (4) Whether the employee has received the Hepatitis B vaccination.

NOTE: All other findings remain confidential and will not be included in the written report.

### 13. Labels and Signs

Lane ESD will not ordinarily produce regulated waste products. Plastic or biohazard labeled waste containers that are leakproof, with lids, will be used to collect absorbent gauze pads, disposable gloves and contaminated paper. These plastic bags will be removed when filled, tied in a knot at the top and disposed of.

### 14. Information and Training

In accordance with applicable regulations, the human resources administrator will ensure that training is provided at the time of initial assignment to tasks potentially involving occupational exposure. Review will be provided annually for all returning employees. Additional training will be provided to employees when there are any changes of tasks or procedures affecting the employee's occupational exposure. Training and review will be tailored to the employee's education and language level and will be offered during regular work hours at no cost to the employee. The training will be interactive and will cover the following:

- a. Where a copy of the OR-OSHA standard is available and an explanation of its contents;
- b. A discussion of the epidemiology and symptoms of bloodborne diseases;
- c. An explanation of the modes of transmission of bloodborne pathogens;
- d. An explanation of Lane ESD Bloodborne Pathogen Exposure Control Plan and a method for obtaining a copy;
- e. An explanation of the appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials;
- f. An explanation of the use and limitations of methods to reduce exposure, for example: engineering controls, work practices and personal protective equipment (PPE);
- g. Information of the types, use, location, removal, handling, decontamination and disposal of PPE's;
- h. An explanation of the rationale for selection of PPE's;
- i. Information regarding the Hepatitis B vaccination including efficacy, safety, method of administration, benefits and that it will be offered free of charge;
- j. Information on the appropriate actions to take and persons to contact in an emergency involving blood or other potentially infectious materials;
- k. An explanation of the procedures to follow if an exposure incident occurs including the method of reporting and medical follow-up;
- l. Information regarding the post-exposure evaluation and follow-up required after an employee exposure incident;
- m. An explanation of the signs, labels and color-coding systems.

The person conducting the training will be knowledgeable in the subject matter.

### 15. Record Keeping

- a. Medical Records: Medical records will be maintained by the human resources department in accordance with OAR 437-002-0015 in a locked file cabinet in the human resources office area. These records will be kept confidential and must be maintained for at least the duration of employment plus 30 years. (Long-term storage will be in the human resources office.) The records will include the following:
  - (1) The name and social security number of employee;
  - (2) A copy of the employee's HBV vaccination status including the dates of vaccination and any medical records related to the employee's ability to receive vaccination;
  - (3) A copy of all results of examinations, medical testing and follow-up procedures;

- (4) A copy of the health care professional's written opinion - whether Hepatitis B vaccination is indicated and if the employee has received such vaccination;
- (5) A copy of the information provided to the health care professional including a description of the employee's duties as they related to the exposure incident and documentation of the routes of exposure and circumstances of the exposure.

**D** b. Training Records: The human resources administrator is responsible for maintaining the training records. These records will be kept in the human resources office. Training records will be maintained for three years from the date of the training. The records will document the following:

- (1) The dates of the training session;
- (2) An outline describing the material presented;
- (3) The names and qualifications of persons conducting the training;
- (4) The names and job titles of all persons attending the training session.

c. Availability: All employee records will be made available to the employee in accordance with OAR 437-002-0015. All employee records will be made available to the Assistant Secretary of Labor for the Occupational Safety and Health Administration and the Director of the National Institute for Occupational Safety and Health upon request.

d. Transfer of Records: If this facility is closed or there is no successor employer to receive and retain the records for the prescribed period, the director of the NIOSH will be contacted for final disposition.

#### 16. Evaluation and Review

The safety committee is responsible for reviewing this program, its effectiveness and for updating this program as needed on an annual basis.

#### 17. Dates

All provisions required by this standard will be implemented by June 1, 1993.

#### 18. Consents and Waivers

If employees, source individuals or parents of source individuals refuse to sign any form requested, a Lane ESD employee will make a notation on the form that the individual refused to sign. The employee will then date and sign the form as a witness to this refusal.

#### 19. Outside Contractors

Outside contractors will be responsible for meeting OR-OSHA requirements for their employees.

**LANE EDUCATION SERVICE DISTRICT  
HEPATITIS B DECLINATION STATEMENT**

The following statement of declination of Hepatitis B vaccination must be signed by an employee who chooses not to accept the vaccine. The statement can only be signed by the employee following appropriate training regarding Hepatitis B, Hepatitis B vaccination, the efficacy, safety, method of administration and benefits of vaccination, and that the vaccine and vaccination are provided free of charge to the employee. The statement is not a waiver; employees can request and receive the Hepatitis B vaccination at a later date if they remain occupationally at risk for Hepatitis B.

**DECLINATION STATEMENT**

I understand that due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring Hepatitis B Virus (HBV) infection. I have been given the opportunity to be vaccinated with Hepatitis B vaccine, at no charge to me; however, I decline Hepatitis B vaccination at this time. I understand that by declining the vaccine I continue to be at risk of acquiring Hepatitis B, a serious disease. If, in the future, I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with Hepatitis B vaccine, I can receive the vaccination series at no charge to me.

---

Print Employee's Name \_\_\_\_\_ Employee's Social Security Number \_\_\_\_\_

---

Employee's Signature \_\_\_\_\_ Date \_\_\_\_\_

**E**

**T**

**E**

**LANE EDUCATION SERVICE DISTRICT  
BLOOD OR OTHER BODY FLUID POST-EXPOSURE REPORT**

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Reported by: \_\_\_\_\_

Description of incident (include route(s) and circumstances of exposure): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Person: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

EXPOSURE INFORMATION	
Source Individual _____	Exposed Employee
Name: _____	Name: _____
School: _____ Grade: _____	School: _____
DOB: _____ SS#: _____	Classroom/Site: _____
Home Address: _____	Home Address: _____
Parent/Guardian: _____	Date Referred to Physician: _____
Home Phone: _____ Work Phone: _____	Documents Sent to Physician (check below)
Physician Name: _____	Bloodborne Pathogen Exposure Report <input type="checkbox"/>
Physician Phone: _____	Hepatitis B Vaccination Consent/Waiver <input type="checkbox"/>
Physician Address: _____	Source Individual Consent/History <input type="checkbox"/>
	OR-OSHA Regulation <input type="checkbox"/>
Hepatitis B Status, if known: _____	
Parent Notified (date/time): _____	
Consent Form Sent: _____	
Consent Form Obtained: _____	
Consent Refused: _____	
Employee Notified of Refusal: _____	
Follow-Up _____	Follow-Up _____
Physician's Statement: _____	Physician's Statement _____
Date Returned and Attached: _____	Date Returned and Attached: _____

**LANE EDUCATION SERVICE DISTRICT  
HEPATITIS B VACCINATION RECORD**

**D** Employee's Name: \_\_\_\_\_ School/Facility: \_\_\_\_\_

Job Classification: \_\_\_\_\_ Social Security #: \_\_\_\_\_

<u>Series</u>	<u>Date</u>	<u>Administered By</u>	<u>Lot #</u>
#1			
#2			
#3			
#4			
#5			

**ANTIBODY/LAB TEST RESULTS**

Indicate any Hepatitis B lab results and dates done:

**L**  
HBsAg + \_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_

**E**  
HBsAg - \_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_

HBsAg + \_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_

**T**  
HBsAg - \_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_

HBsAg + \_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_

**E**  
HBsAg - \_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_

**LANE EDUCATION SERVICE DISTRICT  
SOURCE INDIVIDUAL HISTORY AND CONSENT**

I hereby authorize an exchange of information to occur between the agencies/physicians listed below. I am aware that I, or my child, have been identified as a source individual where an employee may have been exposed to blood or other potentially infectious body fluids.

1. Lane Education Service District  
1200 Highway 99 North  
PO Box 2680  
Eugene OR 97402
2. Employee's Medical Practitioner:

Name: \_\_\_\_\_  
Phone: \_\_\_\_\_ Address: \_\_\_\_\_

3. Student's Medical Practitioner:

Name: \_\_\_\_\_  
Phone: \_\_\_\_\_ Address: \_\_\_\_\_

I authorize a release of any or all information contained in the record of:

Name: \_\_\_\_\_  
Phone: \_\_\_\_\_ School: \_\_\_\_\_  
Other Names Used: \_\_\_\_\_

\_\_\_\_\_  
Signature of Parent or Guardian Date

-----  
Dr. \_\_\_\_\_: This student or employee is a source individual of a bloodborne pathogen or other potentially infectious body fluid exposure incident. The above-named employee, parent or guardian has been notified of OAR 437-002-0360 to -0375, exposure guideline on bloodborne pathogens. Please return the following medical information.

Results of:

HBsAg: \_\_\_\_\_ Date: \_\_\_\_\_  
HIV: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
M.D. Signature Date

**LANE EDUCATION SERVICE DISTRICT  
SOURCE INDIVIDUAL REFUSAL FOR BLOOD TESTING**

D

1200 Highway 99 North  
PO Box 2680  
Eugene OR 97402

Source Individual Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Parent/Guardian: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Date Employee Exposed: \_\_\_\_\_ Date Parent/Guardian Notified: \_\_\_\_\_

\_\_\_\_\_  
School Health Official Signature

\_\_\_\_\_  
Date

-----  
Please read, sign below and return to the human resources administrator at the address listed above.

I have been informed by \_\_\_\_\_ that I/my child have/has been identified as being a source individual in an employee exposure incident to blood or other potentially infectious body fluids.

I am aware of the risks to the employee and I have declined blood testing to be performed for Hepatitis B and HIV. I have been informed that if I had consented to this testing, this information would be released to the employee's medical provider and to Lane ESD's human resources administrator.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**LANE EDUCATION SERVICE DISTRICT  
BLOODBORNE PATHOGENS TRAINING SESSION ATTENDANCE ROSTER**

Date: **D** \_\_\_\_\_ Conducted By: \_\_\_\_\_

**ATTENDEES**

**NAME**

**JOB TITLE**

**E**

**L**

**E**

**T**

NOTE: Training summary of contents and qualification of person(s) conducting training attached. This record will be maintained for three years from the above date of training session and copies may be made available to the appropriate OR-OSHA representative upon request. **E**

**PHYSICIAN'S STATEMENT AND WRITTEN OPINION**

Lane Education Service District

1200 Highway 99 North

PO Box 2680

Eugene OR 97402

D

Please complete the following information and return to the human resources administrator at the address listed above. OR-OSHA requires that the employer will obtain and provide the employee with a copy of this written opinion within 15 days of completion of this medical evaluation. Please note that the following records are accompanied with this form to assist in your medical evaluation:

- OR-OSHA regulation regarding post-exposure protocol;
- Bloodborne pathogen exposure report;
- Hepatitis B vaccination history/waiver;
- Source individual's medical information and release of confidential information.

E

**Hepatitis B Prophylaxis**

1. Is Hepatitis B vaccination indicated?  YES  NO
2. If so, was vaccination given?  YES  NO DATE GIVEN: \_\_\_\_\_  
If yes, projected date for next dose: \_\_\_\_\_
3. Are there any medical contraindications?  YES  NO  
If yes, please explain: \_\_\_\_\_
4. Was HBIG given?  YES  NO  
If yes, date received: \_\_\_\_\_

L

**Antibody Testing**

1. Date blood drawn: \_\_\_\_\_
2. Baseline Hepatitis B result: \_\_\_\_\_
3. Baseline HIV completed: \_\_\_\_\_  
(If employee does not give consent initially for HIV serologic testing, the sample must be preserved for at least 90 days. The employee may later elect to have the baseline done during this 90-day period.)

E

**Post-Exposure Counseling and Follow-Up**

Further recommendations: \_\_\_\_\_

T

I certify that the employee has been informed of the results of this medical evaluation, has been advised about any medical conditions resulting from exposure to blood or other potentially infectious materials and has been advised about any further evaluation or treatment.

Physician's Signature

Date

E

**LANE EDUCATION SERVICE DISTRICT  
ACCIDENTAL BODY FLUID EXPOSURE LOG**

Facility Name: \_\_\_\_\_  
Facility Address: \_\_\_\_\_  
School Health Official: \_\_\_\_\_

Name of Exposed: \_\_\_\_\_ Student  Staff  DOB: \_\_\_\_\_  
Source Individual, if known: \_\_\_\_\_  
Reported By: \_\_\_\_\_ Title: \_\_\_\_\_  
Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Description of Incident: \_\_\_\_\_

Was consultation with health care provider sought:     YES     NO  
If so, name of health care provider: \_\_\_\_\_  
Recommendation of health care provider: \_\_\_\_\_

Facility Name: \_\_\_\_\_  
Facility Address: \_\_\_\_\_  
School Health Official: \_\_\_\_\_

Name of Exposed: \_\_\_\_\_ Student  Staff  DOB: \_\_\_\_\_  
Source Individual, if known: \_\_\_\_\_  
Reported By: \_\_\_\_\_ Title: \_\_\_\_\_  
Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Description of Incident: \_\_\_\_\_

Was consultation with health care provider sought:     YES     NO  
If so, name of health care provider: \_\_\_\_\_  
Recommendation of health care provider: \_\_\_\_\_



# Lane Education Service District

Code: JHCCC/EBBAA/GBEBC  
Adopted: 10/24/00  
Revised/Readopted: 7/10/01  
Orig. Code(s): JHCCC/EBBAA/GBEBC

## Infection Control - HIV, AIDS, HBV **Proposed Delete**

*(See EBBAA)*

Lane ESD shall use standard precautions for infection control at all times. Each employee or student is therefore treated as though an HIV, AIDS or HBV<sup>1</sup> infection exists.

The ESD shall develop an Exposure Control Plan that includes infection control procedures for employees and students.

Staff and students, as appropriate, shall receive an annual in-service that includes correct procedures for cleaning up body fluid spills and for personal clean up, appropriate disposal, immunization and personal hygiene, as well as the location and content of first-aid and clean-up kits. Kits shall be readily available to students and staff in ESD programs and facilities and in each ESD vehicle.

In addition to an annual in-service, staff and students on a regular basis will receive HIV, AIDS and HBV information.

This information will emphasize infection, how infection is spread, as well as how it is not spread.

Lane ESD will cooperate with the Oregon Department of Education and the Oregon Health Division in delivering HIV, AIDS and HBV education.

END OF POLICY

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### Legal Reference(s):

[OAR 437-002-0360](#)  
[OAR 437-002-0377](#)

[OAR 581-022-0705](#)  
[OAR 581-022-1440](#)

[OAR 581-053-0517 \(13\)\(c\)\(e\)](#)

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<sup>1</sup> HIV - Human Immunodeficiency Virus; AIDS - Acquired Immune Deficiency Syndrome; HBV - Hepatitis B Virus

# Lane Education Service District

Code: JHCCD/GBEBD  
Adopted: 6/28/94  
Revised/Readopted: 7/10/01  
Orig. Code(s): JHCCD/GBEBD

## HIV, AIDS and HBV Rumor Control – Students **Proposed Delete**

Lane ESD shall use a two-pronged approach for rumor control related to HIV, AIDS and HBV<sup>1</sup> before a rumor begins and during an “active” rumor.

In preparation for rumor control, the ESD shall annually notify employees, students, parents, media and the general public through handbooks and newspaper articles of confidentiality and individual rights requirements placed upon districts. The requirements are outlined in Oregon Revised Statutes and Oregon Administrative Rules. Individual rights include the right an employee or a student may have to continue working or attending school.

The ESD shall emphasize that if an employee or the student (parent/guardian) chooses not to divulge an HIV, AIDS or HBV condition, the ESD will have no information except to reiterate the requirements in the law regarding confidentiality and individual rights. This will be stated routinely and in cases of an “active” rumor.

If the employee or student (parent/guardian) wishes to divulge information and continues working or attending school, the ESD shall meet with the infected party or representative to develop a written procedure. This procedure will minimally outline what information will be given, who will give the information, when and where the information will be given, how the information will be given and who will receive the information. The procedures will be signed for approval by the infected party or representative.

The ESD shall appoint an ESD spokesperson who shall be responsible for responding to employees, students, parents, media and the general public.

Lane ESD staff working in component school districts, their parents, guardians or persons in parental relationship shall comply with component district policies and procedures.

END OF POLICY

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### Legal Reference(s):

[ORS 433.008](#)  
[ORS 433.045](#)

[OAR 333-012-0270](#)  
[OAR 333-018-0000](#)  
[OAR 333-018-0005 \(1\)\(a\)-0030](#)

[OAR 581-015-0005](#)

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<sup>1</sup> HIV - Human Immunodeficiency Virus; AIDS - Acquired Immune Deficiency Syndrome; HBV - Hepatitis B Virus

# Lane Education Service District

Code: JHCCE/KBCAA/GBEBE  
Adopted: 6/28/94  
Revised/Readopted: 7/10/01  
Orig. Code(s): JHCCE/KBCAA/GBEBE

## News/Media - HIV, AIDS or HBV\*\* **Proposed Delete**

Lane ESD shall appoint an ESD spokesperson who shall develop news releases or conduct news conferences regarding rumored or identified HIV, AIDS or HBV<sup>1</sup> cases.

The release/news conference shall stress:

1. ESD's and school districts are not informed of a person infected with HIV, AIDS or HBV unless the infected person or his/her parent or guardian releases the information;
2. ESD's and school districts, if informed, may not release the information unless the infected person or parent or guardian gives permission for such release;
3. ESD's and school districts may not prevent an employee from working if he/she is able to perform his/her job responsibilities. Students have a right to continue to attend school.

If a news conference is held, the ESD shall ask the local health department or other health authorities to assist the ESD spokesperson with the news conference.

END OF POLICY

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### Legal Reference(s):

[ORS 326.565](#)  
[ORS 326.575](#)  
[ORS 332.061](#)  
[ORS 336.187](#)  
[ORS 342.850 \(7\)](#)

[ORS 433.008](#)  
[ORS 433.045](#)  
  
[OAR 333-012-0270](#)  
[OAR 333-018-0000](#)

[OAR 333-018-0005](#)  
[OAR 333-018-0030](#)  
[OAR 581-015-0005](#)  
[OAR 581-022-1440](#)

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<sup>1</sup> HIV - Human Immunodeficiency Virus; AIDS - Acquired Immune Deficiency Syndrome; HBV - Hepatitis B Virus

# Lane Education Service District

Code: JHCCF  
Adopted: 6/27/06  
Orig. Code(s): JHCCF



## Pediculosis (Head Lice) – **Proposed Delete**

(Version 1)

(Excludes students with live lice only. Allows attendance of students with nits.)

The Board recognizes that district programs should be conducted in a manner that protects and enhances student and employee health and is consistent with recognized health practices. Consequently, in order to prevent the spread of pediculosis (head lice) in the school setting, district staff shall institute guidelines for classrooms that will assist in the prevention and spread of head lice. Students with suspected cases of lice will be referred to the school nurse or building administrator for assessment. Students found with live lice will be excluded from school. Students excluded from school will be readmitted after assessment by designated personnel to confirm no lice are present. Students found with nits (lice eggs) only or returning after exclusion with the presence of nits only will not be excluded, but will be subject to periodic checks to confirm continuing absence of live lice.

Successful treatment of head lice requires a coordinated approach and may involve the use of antilouse products, combing and implementation of preventative measures recommended by health authorities. The district will provide parents of students found to have contracted head lice with treatment information. It is the district's intent to not only eliminate the current infestation, but also to prevent a repeat episode.

The superintendent will develop administrative regulations, as necessary, to implement this policy.

END OF POLICY



### Legal Reference(s):

[ORS 433.255](#)

[ORS 433.260](#)

[OAR 437-002-0360](#)

[OAR 581-022-0705](#)



# Lane Education Service District

Code: JHCCF-AR  
Adopted: 05/23/06  
Orig. Code(s): JHCCF-AR

**D**

## **Pediculosis (Head Lice) Delete**

(Excludes students with live lice only. Allows attendance of students with nits.)

1. Suggested school measures for head lice control, as provided in “Health Services for the School Community” issued through the Oregon Department of Education will be followed;
2. Periodic student head lice checks are not recommended. Screening recommendations are as follows:
  - a. Criteria for screening an individual for lice are: persistent itching or scratching, known exposure to sibling or other close contact with head lice (e.g., seat mate in classroom, locker partners, overnight sleep activities, scouts, etc.), self (student or parent) referral;
  - b. Three nonrelated cases of head lice in a classroom within 10 consecutive school days requires that all children in the classroom be screened by the following school day;
  - c. If there is infestation among three percent of the entire student population within 10 consecutive school days, there should be a screening of all students in the school within one week. Multiple cases from a single household count as one case for purposes of calculating the percent of students infested.
3. As provided by OAR 333-019-0015, students found to have contracted head lice will be immediately excluded from school at the discretion of the local school or health district. The presence of nits (lice eggs) only is not considered excludable;
4. Treatment information, district policy requirements and readmittance provisions will be provided to the parent. Parents will be advised to:
  - a. Use a lice-killing agent which their health-care provider, school nurse or local health authority recommends on all family members who demonstrate symptoms of infestation;
  - b. Follow the personal and household cleaning instructions provided by the district, health-care provider or local health authority, as appropriate;
  - c. Remove all nits after treatment.
5. Following treatment the student will be readmitted to school;
6. Parents must either accompany their student to school for readmittance or provide a signed statement that treatment has been initiated;
7. The student will be subject to screening by designated personnel to determine the treatment’s effectiveness. The student will be readmitted to school or denied admittance, as appropriate. The absence of nits is not required for readmittance. In the event the student is not readmitted to school because of the continued presence of live lice, parents will be notified;
8. Students readmitted will be subject to follow-up screening by designated personnel;

9. In the event additional assistance and/or information is needed regarding the treatment of the student, other family members, close contacts and the home environment (bedding, linens, grooming equipment, etc.), parents should contact their local health department;
10. Students with chronic head lice may be referred for follow-up to the school's nurse or local health department, as appropriate;
11. Parents who identify head lice on their students at home are to complete treatment prior to the readmission of their student, as required above. Parents are also encouraged to notify the school of their student's condition so that appropriate preventative measures may be implemented at school.

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# Lane Education Service District

Code: JHCD/JHCDA  
Adopted: 12/06/17  
Revised/Readopted: 4/07/20  
Orig. Code(s): JHCD/JHCDA

## Medications\*\* **Proposed Delete** (Version 1)

*(See new JHCD)*

The ESD recognizes that administering a medication to a student and/or permitting a student to administer a medication to themselves, may be necessary when the failure to take such medication during school hours would prevent the student from attending school, and recognizes a need to ensure the health and well-being of a student who requires regular doses or injections of a medication as a result of experiencing a life-threatening allergic reaction or adrenal crisis<sup>1</sup>, or a need to manage hypoglycemia, asthma or diabetes. Accordingly, the ESD may administer or a student may be permitted to administer to themselves a prescription (injectable and noninjectable) and/or nonprescription (noninjectable) medication at school.

The ESD shall designate personnel authorized to administer medications to students. Annual training shall be provided to designated personnel as required by law in accordance with guidelines approved by the Oregon Department of Education (ODE). When a licensed health care professional is not immediately available, personnel designated by the ESD may administer epinephrine, glucagon or another medication to a student as prescribed and/or allowed by Oregon law.

Current first-aid and CPR cards are strongly encouraged for designated personnel. A current first-aid and CPR card is required for designated personnel.

The ESD reserves the right to reject a request for administration of medication at school, either by ESD personnel or student self-medication, if the medication is not necessary for the student to remain in school.

The superintendent and/or designee will require that an individualized health care plan and allergy plan is developed for every student with a known life-threatening allergy or a need to manage asthma, and an individualized health care plan for every student for whom the ESD has been given proper notice of a diagnosis of adrenal insufficiency. Such a plan will include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity.

A student may be allowed to self-administer a medication for asthma, diabetes, hypoglycemia or severe allergies as prescribed by an Oregon licensed health care professional, upon written and signed request of the parent or guardian and subject to age-appropriate guidelines. This self-administration provision also requires a written and signed confirmation the student has been instructed by the Oregon licensed health care professional on the proper use of and responsibilities for the prescribed medication.

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<sup>1</sup> Under proper notice given to the ESD by a student or student's parent or guardian.

A request to the ESD to administer or allow a student to self-administer prescription medication shall include a signed prescription and treatment plan from a prescriber<sup>2</sup>.

A request to the ESD to administer or allow a student to self-administer nonprescription that is not approved by the Food and Drug Administration (FDA) shall include a written order from the student's prescriber that meets the requirements of law.

A written request and permission form signed by a student's parent or guardian, unless the student is allowed to access medical care without parental consent under state law<sup>3</sup>, is required and will be kept on file.

If the student is deemed to have violated Board policy or medical protocol by the ESD, the ESD may revoke the permission given to a student to self-administer medication.

Prescription and nonprescription medication will be handled, stored, monitored, disposed of and records maintained in accordance with established ESD administrative regulations governing the administration of prescription or nonprescription medications to students, including procedures for the disposal of sharps and glass.

A process shall be established by which, upon parent or guardian written request, a back-up prescribed autoinjectable epinephrine is kept at a reasonably, secure location in the student's classroom as provided by state law.

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

<sup>4</sup>Naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing an overdose of an opioid drug.

This policy shall not prohibit, in any way, the administration of recognized first aid to a student by ESD employees in accordance with established state law, Board policy and administrative regulation.

A school administrator, teacher or other ESD employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration in good faith and pursuant to state law of prescription and/or nonprescription medication.

A school administrator, school nurse, teacher or other ESD employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of a student's self-

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<sup>2</sup> A registered nurse who is employed by a public or private school, ESD or local public health authority to provide nursing services at a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

<sup>3</sup> Subject to ORS 109.610, 109.640 and 109.675.

administration of medication, as described in Oregon Revised Statute (ORS) 339.866, if that person in good faith and pursuant to state law assisted the student in self-administration of the medication.

A school administrator, school nurse, teacher or other ESD employee designated by the school administration is not liable in a criminal action or for civil damages as a result of the use of medication if that person in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who that person believes in good faith is experiencing an overdose of an opioid drug.

The ESD and the members of the ESD Board are not liable in a criminal action or for civil damages as a result of the use of medication if any person in good faith, on school premises, including at a school, on school property under the jurisdiction of the ESD or at an activity under the jurisdiction of the ESD, administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who the person believes in good faith is experiencing an overdose of an opioid drug.

The superintendent shall develop administrative regulations as needed to meet the requirements of law and the implementation of this policy.

END OF POLICY

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**Legal Reference(s):**

[ORS 109.610](#)  
[ORS 109.640](#)  
[ORS 109.675](#)  
[ORS 334.125\(7\)](#)  
[ORS 339.866 - 339.871](#)

[ORS 433.800 - 433.830](#)  
[ORS 475.005 - 475.285](#)  
  
[OAR 166-400-0010\(17\)](#)  
[OAR 166-400-0060\(29\)](#)

[OAR 333-055-0000 - 055-0115](#)  
[OAR 581-021-0037](#)  
[OAR 581-022-2220](#)  
[OAR 851-047-0030](#)  
[OAR 851-047-0040](#)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).

OREGON HEALTH AUTHORITY AND OREGON DEPARTMENT OF EDUCATION, *Medication Administration: A Manual for School Personnel*.

# Lane Education Service District

Code: JHCD/JHCDA-AR  
Adopted: 5/24/95  
Revised/Readopted: 7/10/01; 9/27/05; 6/22/10;  
4/07/20; 10/26/10; 11/26/13;  
2/24/15; 8/11/16; 11/07/17;  
1/08/19  
Orig. Code(s): JHCD/JHCDA-AR

## Medications\*\* **Proposed Delete**

(Version 1)

*(See new JHCD-AR)*

Students may, subject to the provisions of this administrative regulation, have prescription or nonprescription medication administered by designated personnel, or may be permitted to administer prescription or nonprescription medication to themselves.

### 1. Definitions

- a. “Medication” means any drug, chemical compound, suspension or preparation in suitable form for use as a curative or remedial substance taken internally or externally but not injected except for premeasured doses of epinephrine, medication to treat adrenal insufficiency and glucagon to treat severe hypoglycemia. Medication includes any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student’s Oregon licensed health care professional for asthma or severe allergies.
- b. “Prescription medication” means any medication that under federal or state law requires a prescription by a prescriber.
- c. “Nonprescription medication” means medication that under federal law does not require a prescription from a prescriber.
- d. “Adrenal crisis” means adrenal crisis as defined in Oregon Revised Statute (ORS) 433.800.
- e. “Adrenal insufficiency” means adrenal insufficiency as defined in ORS 433.800.
- f. “Notice of a diagnosis of adrenal insufficiency” means written notice to the ESD from a student or the parent or guardian of a student who has been diagnosed as adrenal insufficient with a copy of an order from the student’s primary care provider that includes the student’s diagnosis, description of symptoms indicating the student is in crisis, prescription for medication to treat adrenal insufficiency crisis and instructions for follow-up care after medication to treat adrenal insufficiency crisis has been administered.
- g. “Prescriber<sup>1</sup>” means a doctor of medicine or osteopathy, a physician assistant licensed to practice by the Board of Medical Examiners for the state of Oregon, an Oregon-licensed, advance practice registered nurse with prescriptive authority, a dentist licensed by the Board of Dentistry for the state of Oregon, an optometrist licensed by the Board of Optometry for the state of Oregon, a naturopathic physician licensed by the Board of Naturopathy for the state of Oregon or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.
- h. “Qualified trainer” means a person who is familiar with the delivery of health services in a school setting and who is a registered nurse licensed by the Oregon State Board of Nursing, a

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<sup>1</sup> A registered nurse who is employed by a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

doctor of medicine or osteopathy or a physician assistant licensed by the Board of Medical Examiners for the state of Oregon or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.

- i. “Severe allergy” means a life-threatening hypersensitivity to a specific substance such as food, pollen, dust or insect sting.
- j. “Asthma” means a chronic inflammatory disorder of the airways that requires ongoing medical intervention.
- k. “Designated personnel” means the school personnel designated to administer medication pursuant to ESD policy and procedure.

## 2. Designated Staff/Training

- a. The principal will designate personnel authorized to administer prescription or nonprescription medication to a student while the student is in school, at an ESD-sponsored activity, under the supervision of ESD personnel, in a before-school or after-school care program on ESD-owned property and in transit to and from school or an ESD-sponsored activity, as required by Oregon law. The principal will supervise and ensure building and activity practices and procedures are consistent with the requirements of law, rules and this administrative regulation.
- b. The principal will ensure the training required by Oregon law is provided to designated personnel. Training must be conducted by a qualified trainer. Training will be provided annually to designated personnel authorized to administer medication to students. The first year and every third year of training requires in-person instruction; during the intervening years, designated personnel may complete an online training that has been approved by the Oregon Department of Education (ODE) so long as a trainer is available within a reasonable amount of time following the training to answer questions and provide clarification.
- c. Training will provide an overview of applicable provisions of Oregon law, administrative rules, ESD policy and administrative regulations and include, but not be limited to, the following: safe storage, handling, monitoring medication supplies, disposing of medications, record keeping and reporting of medication administration and errors in administration, emergency medical response for life-threatening side effects, allergic reactions or adrenal insufficiency and student confidentiality. Materials as recommended and/or approved by ODE will be used.
- d. A copy of the ESD’s policy and administrative regulation will be provided to all staff authorized to administer medication to students and others, as appropriate.

## 3. Administering Premeasured Doses of Epinephrine to a Student or Other Individual

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on ESD-owned premises who the personnel believe, in good faith, is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

## 4. Administering of Medication to a Student Experiencing Symptoms of Adrenal Crisis

A student experiencing symptoms of adrenal crisis while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, may be treated by designated personnel and shall be subject to the following:

- a. Upon notice of a diagnosis of adrenal insufficiency, as defined in Oregon Administrative Rule (OAR) 581-021-0037, the building principal will designate one or more school personnel to be responsible for administering the medication to treat adrenal insufficiency;
- b. The designated personnel will successfully complete training to administer medication to treat a student who has adrenal insufficiency and is experiencing symptoms of adrenal crisis in accordance with the rules adopted by the Oregon Health authority;
- c. The student or the student's parent or guardian must provide adequate supply of the student's prescribed medication to the ESD;
- d. The superintendent will require the development of an individualized health care plan for the student that includes protocols for preventing exposures to allergens, and establishes if or when a student may self-carry prescription medication when the student has not been approved to self-administer medication;
- e. In the event that a student experiences symptoms of adrenal crisis and the designated personnel determines the medication to treat adrenal insufficiency should be administered, any available staff member will immediately call 911 and the student's parent or guardian.

## 5. Administering Medication to a Student

- a. A request to permit designated personnel to administer medication to a student may be approved by the ESD and is subject to the following:
  - (1) A written request for designated personnel to administer prescription medication to a student, if because of the prescribed frequency or schedule, the medication must be given while the student is in school, at an ESD-sponsored activity, while under the supervision of ESD personnel and in transit to or from school or an ESD-sponsored activity, must be submitted to the school office and shall include:
    - (a) The written permission of the student's parent or guardian or the student if the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
    - (b) The written instruction from the prescriber for the administration of the medication to the student that includes:
      - (i) Name of the student;
      - (ii) Name of the medication;
      - (iii) Method of administration;
      - (iv) Dosage;
      - (v) Frequency of administration;
      - (vi) Other special instructions from the prescriber, if any; and
      - (vii) Signature of the prescriber.

The prescription label prepared by a pharmacist at the direction of the prescriber, will be considered to meet this requirement if it contains the information listed in (i)-(vi) above.

- (2) A written request for designated personnel to administer nonprescription medication to a student must be submitted to the school office and is subject to the following:
  - (a) The nonprescription medication is necessary for the student to remain in school;

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- (b) The nonprescription medication is provided in the original manufacturer's container by the parent or guardian of the student;
- (c) The written instruction from the student's parent or guardian for the administration of the nonprescription medication includes:
  - (i) Name of the student;
  - (ii) Name of the medication;
  - (iii) Method of administration;
  - (iv) Dosage;
  - (v) Frequency of administration;
  - (vi) Other special instruction, if any; and
  - (vii) Signature of the student's parent or guardian.

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If the written instruction is not consistent with the manufacturer's guidelines for the nonprescription medication, the written instruction must also include a written order allowing the inconsistent administration signed by a prescriber.

- (d) If the nonprescription medication is not approved by the Food and Drug Administration (FDA), a written order from the student's prescriber is required and will include:
  - (i) Name of the student;
  - (ii) Name of the medication;
  - (iii) Dosage;
  - (iv) Method of administration;
  - (v) Frequency of administration;
  - (vi) A statement that the medication must be administered while the student is in school;
  - (vii) Other special instructions, if any; and
  - (viii) Signature of the prescriber.

- b. An individualized health care and allergy plan will be developed for a student with a known life-threatening allergy and will include protocols for preventing exposures to allergens and procedures for responding to life-threatening allergic reactions while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, and will include a determination on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;
- c. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
- d. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that the school is informed in writing of any changes in medication instructions;
- e. In the event a student refuses medication, the parent or guardian will be notified immediately, except where a student is allowed to seek medical care without parental consent. No attempt will be made to administer medication to a student who refuses a medication;

- f. Any error in administration of a medication will be reported to the parent or guardian immediately, except where a student is allowed to seek medical care without parental consent, and documentation made on the ESD's Accident/Incident Report form. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dose, frequency of administration or method of administration;
- g. Medication shall not be administered until the necessary permission form and written instructions have been submitted as required by the ESD.

## 6. Administration of Medication by a Student to Themselves

- a. A student, including a student in grades K through 12 with asthma or severe allergies, may be permitted to administer medication to themselves without assistance from designated personnel and is subject to the following:
  - (1) A student must demonstrate the ability, developmentally and behaviorally, to self-administer prescription medication and must have:
    - (a) A permission form from a parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675, and other documentation requested by the ESD must be submitted for self-medication of all prescription medications;
    - (b) If the student has asthma, diabetes and/or a severe allergy, a medication that is prescribed by a prescriber and a written treatment plan developed by a prescriber or other Oregon licensed health care professional for managing of the student's asthma, diabetes and/or severe allergy, and directs use by the student while the student is in school, at an ESD-sponsored activity, while under the supervision of ESD personnel, in a before-school or after-school care program on ESD-owned property and in transit to or from school or an ESD-sponsored activity. The prescriber will include acknowledgment the student has been instructed in the correct and responsible use of the prescribed medication;
    - (c) The permission to self-administer the medication from a building administrator and a prescriber or a registered nurse practicing in a school setting.
  - (2) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication and must have:
    - (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675;
    - (b) The medication must have the student's name affixed to the manufacturer's original container; and
    - (c) The permission to self-administer medication from a building administrator.
  - (3) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication that is not approved by the FDA and must have:
    - (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
    - (b) A written order from the student's prescriber that includes:

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- (i) Name of the student;
- (ii) Name of the medication;
- (iii) Dosage;
- (iv) Method of administration;
- (v) Frequency of administration;
- (vi) A statement that the medication must be administered while the student is in school;
- (vii) Other special instructions, if any; and
- (viii) Signature of the prescriber.

- b. The student may have in their possession only the amount of medication needed for that school day except for manufacture's packaging that contains multiple dosage, the student may carry one package, such as but not limited to, autoinjectable epinephrine or bronchodilators/inhalers;
- c. Sharing and/or borrowing of any medication with another student is strictly prohibited;
- d. For a student who has been prescribed bronchodilators or epinephrine, the designated personnel will request that the parent or guardian provide back-up medication for emergency use by that student. Backup medication, if provided, will be kept at the student's school in a location to which the student has immediate access in the event the student has an asthma and/or severe allergy emergency.
- e. Upon written request from a parent or guardian, and with a prescriber's written statement that the lack of immediate access to a backup autoinjectable epinephrine may be life threatening to a student, and the location the school stores backup medication is not located in the student's classroom, a process shall be established to allow the backup autoinjectable epinephrine to be kept in a reasonably secure location in the student's classroom.
- f. A student shall not administer medication to themselves until the necessary permission form and written instructions have been submitted as required by the ESD;
- g. Permission for a student to administer medication to themselves may be revoked if the student violates Board policy and/or this administrative regulations;
- h. A student may be subject to discipline, up to and including expulsion, as appropriate;
- i. A student permitted to administer medication to themselves may be monitored by designated personnel to monitor the student's response to the medication.

## 7. Handling, Monitoring and Safe Storage of Medication Supplies for Administering Medication to Students

- a. Medication administered by designated personnel to a student or self-administered by a student, must be delivered to the school in its original container, accompanied by the permission form and written instructions, as required above.
- b. Medication in capsule or tablet form and categorized as a sedative, stimulant, anticonvulsant, narcotic analgesic or psychotropic medication will be counted by designated personnel in the presence of another school or ESD employee upon receipt, documented in the student's medication log and routinely monitored during storage and administration. Discrepancies will be reported to the principal immediately and documented in the student's medication log. For such medication not in capsule or tablet form, standard measuring and monitoring procedures will apply.
- c. Designated personnel will follow the written instructions of the prescriber and the student or the student's parent or guardian, and training guidelines as may be recommended by the ODE for administering all forms of prescription and/or nonprescription medications.
- d. Medication will be secured as follows:

- (1) Nonrefrigerated medications will be stored in a locked cabinet, drawer or box used solely for the storage of medication;
- (2) Medications requiring refrigeration will be stored in a locked box in a refrigerator;
- (3) Access to medication storage keys will be limited to the principal and designated school personnel.

- e. Designated personnel will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering and that the medication container is properly sealed and returned to storage.
- f. In the event medication is running low or an inadequate dosage is on hand to administer the medication, the designated personnel will notify the student's parent or guardian or the student (in situations involving ORS 109.610, 109.640 and 109.675) immediately.

## 8. Emergency Response

- a. Designated personnel will notify 911 or other appropriate emergency medical response systems and administer first aid, as necessary, in the event of life-threatening side effects that result from ESD-administered medication or from student self-medication or allergic reactions. The parent or guardian, school nurse and principal will be notified immediately.
- b. Minor adverse reactions that result from ESD-administered medication or from student self-medication will be reported to the parent or guardian immediately, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675.
- c. Any available ESD staff will immediately call 911 and the student's parent or guardian if the designated personnel believes the student is experiencing symptoms of adrenal crisis and plans to administer medication.

## 9. Disposal of Medications

- a. Medication not picked up by the student's parent or guardian, or the student when allowed pursuant to ORS 109.610, 109.640 and 109.675, at the end of the school year or within five school days of the end of the medication period, whichever is earlier, will be disposed of by designated personnel in a nonrecoverable fashion as follows:
  - (1) Medication will be removed from its original container and personal information will be destroyed;
  - (2) Solid medications will be crushed, mixed or dissolved in water, liquid medications will be mixed or dissolved in water; and
  - (3) Mixed with an undesirable substance, e.g., coffee grounds, kitty litter, flour; and
  - (4) Placed in impermeable non-descript containers, e.g., empty cans or sealable bags, and placed in the trash.

Prescriptions will be flushed down the toilet **only** if the accompanying patient information specifically instructs it is safe to do so.

Other medication will be disposed of in accordance with established training procedures including sharps and glass.

- b. All medication will be disposed of by designated personnel in the presence of another school employee and documented as described in Section 10 below.

10. Transcribing, Recording and Record Keeping

- a. A medication log will be maintained for each student administered medication by the ESD. The medication log will include, but not be limited to:

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- (1) The name of the student, name of medication, dosage method of administration, date and time of administration, frequency of administration and the name of the person administering the medication;
- (2) Student refusals of medication;
- (3) Errors in administration of medication;
- (4) Incidents of emergency and minor adverse reaction by a student to medication;
- (5) Discrepancies in medication supply;
- (6) Disposal of medication including date, quantity, manner in which the medication was destroyed and the signature of the staff involved.

- b. All records relating to administration of medications, including permissions and written instructions, will be maintained in a separate, medical file apart from the student's education records file unless otherwise related to the student's educational placement and/or individualized education plan. Records will be retained in accordance with applicable provisions of OAR 166-400-0040(14) and OAR 166-400-0060(29)
- c. Student health information will be kept confidential. Access shall be limited to those designated personnel authorized to administer medication to students, the student and their parent or guardian. Information may be shared with other staff with a legitimate educational interest in the student or others as may be authorized by the parent or guardian in writing or others as allowed under state and federal law.

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# Lane Education Service District

Code: JHFCA  
Adopted: 7/10/01  
Orig. Code(s): JHFCA

## **Student Skateboard/Rollerblade/Scooter Use\*\* **Proposed Delete****

*(If the ESD does not have a student handbook, consider keeping)*

Due to the inherent dangers both to participant and nonparticipant, combined with the potential liability assumption, the use of skateboards/rollerblades/scooters or similar devices on Lane ESD property is not allowed. Students will be informed they are not allowed to bring their skateboards/rollerblades/scooters to school and ESD programs. Skateboards/Rollerblades/Scooters will be confiscated by ESD authorities and placed in the ESD administrator's office for parents to retrieve.

END OF POLICY

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### **Legal Reference(s):**

[ORS 334.125 \(7\)](#)

[OAR 581-021-0050](#)

# Lane Education Service District Policy

Code: **KH**  
Adopted: 9/27/94  
Revised/Readopted: 2/26/02  
Orig. Code(s): KH

## **Gifts, Grants and Donations**

The Board accepts its responsibility to provide from public funds sufficient supplies and equipment for an effective program; it recognizes, however, that from time to time individuals and organizations in the community may wish to contribute additional supplies or equipment to enhance or extend the instructional program.

The superintendent will submit all gifts determined by the superintendent to be of a major nature to the Board for approval. The Board has the authority to accept such gifts and donations. The donor will be officially thanked and all major gifts accepted by Lane ESD will be publicly announced.

The superintendent is authorized to accept gifts to the ESD as determined by the superintendent to be of a minor nature and others whom he/she may designate will be authorized to accept such gifts for particular ESD programs on behalf of the Board. The donor will be officially thanked in the Board's name and all gifts will be reported to the Board and publicly announced.

The Board welcomes gifts of books and other materials that meet the same standards of selection as those applied to the purchase of instructional materials.

The Board reserves the right to refuse to accept any gift which does not contribute toward the achievement of the goals of the ESD or the ownership of which would tend to deplete the resources of the ESD.

Any gift accepted by the ESD shall become the property of the ESD, may not be returned without the approval of the ESD and is subject to the same controls and regulations as are other properties of the ESD.

Gifts accepted shall be used for the purpose for which they were donated if that purpose is consistent with the powers and duties of the ESD. If the purpose for which the gift is donated is inconsistent with the powers and duties of the ESD, the donor will be so notified and the gift returned or in the event the gift cannot be returned it will be used in the best interests of the Board and of the ESD.

In no case shall acceptance of a gift be considered to be an endorsement by the ESD of a commercial product, business enterprise or institution of learning.

END OF POLICY

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Legal Reference(s):

[ORS 294.326](#)

[ORS 334.125 \(6\)\(e\)\(7\)](#)

[ORS 334.215](#)

[OAR 581-024-0310](#)

Cross Reference(s):

IIA - Instructional Resources/Instructional Materials

# Lane Education Service District Policy

Code: **KH**  
Adopted: 9/27/94  
Revised/Readopted: 2/26/02  
Orig. Code(s): KH

## **Gifts, Grants and Donations**

The Board accepts its responsibility to provide from public funds sufficient supplies and equipment for an effective program; it recognizes, however, that from time to time individuals and organizations in the community may wish to contribute additional supplies or equipment to enhance or extend the instructional program.

The superintendent will submit all gifts determined by the superintendent to be of a major nature to the Board for approval. The Board has the authority to accept such gifts and donations. The donor will be officially thanked and all major gifts accepted by Lane ESD will be publicly announced.

The superintendent is authorized to accept gifts to the ESD as determined by the superintendent to be of a minor nature and others whom he/she may designate will be authorized to accept such gifts for particular ESD programs on behalf of the Board. The donor will be officially thanked in the Board's name and all gifts will be reported to the Board and publicly announced.

The Board welcomes gifts of books and other materials that meet the same standards of selection as those applied to the purchase of instructional materials.

The Board reserves the right to refuse to accept any gift which does not contribute toward the achievement of the goals of the ESD or the ownership of which would tend to deplete the resources of the ESD.

Any gift accepted by the ESD shall become the property of the ESD, may not be returned without the approval of the ESD and is subject to the same controls and regulations as are other properties of the ESD.

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In no case shall acceptance of a gift be considered to be an endorsement by the ESD of a commercial product, business enterprise or institution of learning.

END OF POLICY

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Legal Reference(s):

[ORS 294.326](#)

[ORS 334.125 \(6\)\(e\)\(7\)](#)

[ORS 334.215](#)

[OAR 581-024-0310](#)

Cross Reference(s):

IIA - Instructional Resources/Instructional Materials



2025-2027 (Year Two)

# Local Service Plan

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*Our shared commitment to equity, empowerment, and collaboration in education.*

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## About Lane Education Service District

Lane Education Service District (ESD) provides services to sixteen component districts in Lane County. Our purpose is to **SERVE** our communities!

**Support** - Provide comprehensive services in technology, school improvement, special education, and administrative services that support our component districts' missions to achieve equitable outcomes for all students.

**Empower** - Empower educators, students, and communities by offering professional development and innovative programs to enhance culturally responsive-sustaining learning experiences.

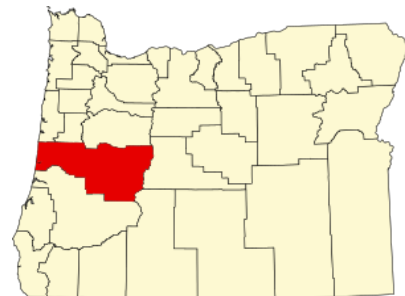
**Resource** - Deliver fiscally sound services that support equitable allocation for students countywide.

**Vision** - Cultivate a clear vision for educational excellence and equity, guiding strategic planning, and fostering a shared mission among Lane County's invested communities.

**Engage** - Promote engagement and collaboration among educators, families, and community partners to create a supportive educational environment that promotes justice-centered engagement for all invested communities.

## Component School Districts

Bethel	Mapleton
Blachly	Marcola
Creswell	McKenzie
Crow-Applegate-Lorane	Oakridge
Eugene	Pleasant Hill
Fern Ridge	Siuslaw
Junction City	South Lane
Lowell	Springfield



## Purpose of the Local Service Plan

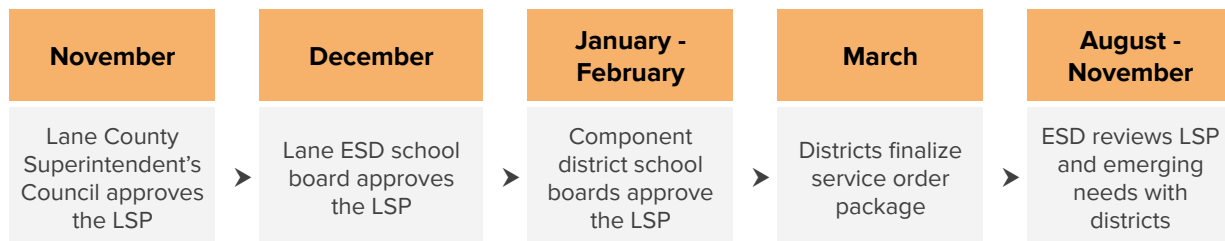
The Local Service Plan is a foundational document for Lane ESD and our component school districts, designed to outline the range of services and programs offered to support district needs. Its primary purpose is to define the services available and clarify how resources, staffing, and funding will be allocated to support districts effectively. With this document, districts can make informed decisions about which services best align with their unique needs and goals, selecting from available services each year.

Additionally, the Local Service Plan plays an essential role in promoting equity and access by ensuring that all districts—regardless of their size or individual resources—have the opportunity to access crucial educational services, especially in areas where Lane County’s smaller districts may struggle to provide these independently. The plan also promotes accountability and transparency, clearly documenting the services to be delivered and setting mutual expectations for the ESD and our component districts. This transparency enables stakeholders to assess service outcomes and effectiveness.

## Recommended Use of the Local Service Plan

The district may:

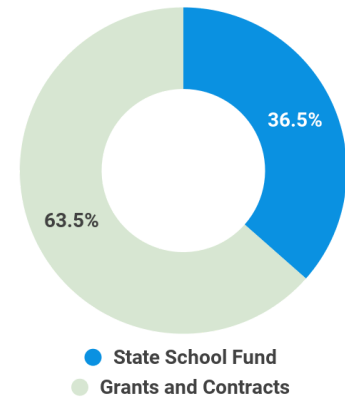
- familiarize itself with funding structures and services in the Local Service Plan.
- assess their needs and priorities to meet their goals and mission.
- determine which ESD services could provide valuable support or enhancement.
- submit its service order package to the ESD by March 31st, 2026.
- review the document throughout the year to determine if additional services are needed.



## How Services are Funded

**State School Fund** resources are provided to ESDs to offer services for children with special needs, technology, school improvement, and administrative support to component school districts as described in the Local Service Plan. Pursuant to ORS 327.019, 90% of these resources are allocated to component school districts based on weighted student population (ADMw). Of the amount allocated to districts, approximately 12% goes directly to services available to all districts (Core Services), while approximately 88% is allocated as flex funds, which can be used to purchase services through the local service plan menu (Menu Services or Custom Services).

Local Service Plan Resources



**Core Services** provide stability and flexibility in meeting student needs where the level of support may vary from district to district and year to year; this commitment supports the equitable distribution of resources for students county-wide and basic operational needs.

**Menu Services** are optional for districts to choose from using their allocated Flex funds and individual district budgets.

**Custom Services** can be requested by an individual district or group of districts based on a specific need. These services may include staffing or the provision of services.

**Grants and Contracts** support specialized, innovative, and often temporary programs or services with qualifying conditions at no cost to districts. The ESD intentionally applies for grants that extend the services of the four component areas provided through the State School Fund to support the educational mission of the county.

**State and Federal Contracts** are in place to ensure that the ESD supports school districts in implementing state and federal educational policies and programs, complies with mandates, and provides specialized services.

**Grants** are targeted funds that the ESD has identified and applied for to support specific educational programs and initiatives for the component districts.

## Core Services

Core services are available to all component districts at no cost and represent approximately 12% of the local service plan allocations to districts.

SERVICE AREA	SERVICE	DESCRIPTION
<i>Programs for Children with Special Needs</i>	<b>Life Skills High-Cost Pool</b>	Provides funds to districts with an overrepresentation of Life Skills students (including districts that do not participate in the ESD Life Skills consortium).
<i>Technology Support</i>	<b>Network Services</b>	Provide high-speed internet access, CIPA-compliant internet filtering, 24-7 internet connectivity monitoring, and utilization reporting with reliability and equitable access as the focus areas.
	<b>Professional Development</b>	Organize regional professional development opportunities and support local partnerships, including an internship program.
	<b>Technology Leadership</b>	Facilitate opportunities for regional technology leaders to provide problem-solving collaboration, job-alike groups, state and regional initiatives, consortium purchases, lifecycle plan assistance, and director mentoring and coaching.
	<b>Grant Support</b>	Assistance in the writing, coordination, and implementation of county-wide grant activities
	<b>Cybersecurity</b>	Assist with developing and maintaining incident response plans, cybersecurity handbooks, insurance compliance, vulnerability scanning and reports.
<i>School Improvement Services</i>	<b>Curriculum and Instruction*</b>	General education curriculum and instructional services include professional development, coaching, and consultation to assist districts in curriculum adoption, instruction, and assessment. Lane ESD has content specialists in Health, Social Studies/Ethnic Studies, English Language Arts, Math, Science, Career Connected Learning, and Project Based Learning.
	<b>Curriculum Leaders*</b>	This network meets monthly during the school year and comprises district and building administrators from all 16 component districts. Experts on topics of interest give presentations, the work of component districts is featured, resources are shared, and leaders can network with job-alikes across districts.

	<b>Promise Programs</b>	The Lane Regional Promise supports teachers in obtaining College Now endorsements to offer college credit for courses taken in high school.
	<b>Lane Career Academy</b>	The Lane Career Academy collaboration provides Lane County students with technical education to access high-wage, high-demand jobs. Current programming includes HOPE Factory (construction/manufacturing); future programming to include Emergency Medical Services (EMS) and Behavioral Health.
<b>Administrative and Support Services</b>	<b>Home School</b>	Home Schooling is a mandated service in which Lane ESD is responsible for accepting notifications from parents or guardians who intend to educate their children at home. Lane ESD is a primary information source for parents, students, schools, and districts. The ESD is also responsible for monitoring compliance with homeschool notification requirements, monitoring academic progress requirements, and providing detailed reports to districts.
	<b>Attendance and Truancy Services*</b>	Attendance and truancy support assist component school districts in meeting legal requirements regarding mandatory school attendance. This is a state-mandated service for districts with less than 1,000 students.
	<b>Connected Lane County</b>	A contribution to Connected Lane County supports the collaborative work between districts, industry partners, workgroups, and community organizations to create opportunities and prepare underserved youth for their lives beyond high school.
	<b>Oregon Licensed Contract Dashboard</b>	Subscriptions to RS2's interactive Oregon Licensed Contract Dashboard provide access to licensed salary, benefits, insurance contributions and work schedules with the ability to create custom comparison groups.

\* Services provided to support districts in making progress toward the goals of the Student Success Act (see page 11).

## Menu Services

*Menu services are available for individual districts to purchase as needed using flex funds or other district resources.*

SERVICE AREA	SERVICE	DESCRIPTION
<b>Programs for Children with Special Needs</b>	<b>Life Skills Consortium Placements</b>	<p>The Life Skills Education Program serves students with moderate, severe, and profound disabilities. Kindergarten through grade 12 classrooms are located in several elementary, middle, and high schools throughout Lane County. Students ages 18-21 are served in the Transitions Program.</p> <p>The Intensive Services Program (ISP) serves students whose support needs require environmental modifications that may not be feasible on a general education campus.</p>
	<b>Lane School Placements</b>	<p>Lane School is a structured behavior and academic program for kindergarten through grade eight students who experience significant behavioral, social, and educational difficulties.</p>
	<b>Behavior Disorder Consultants</b>	<p>Behavior Disorder Consultants provide in-service training and consultation to districts for behavior and classroom management and strategies for working with students identified as having emotional and behavioral disabilities.</p>
	<b>School Psychologists</b>	<p>School Psychologists provide assessments to assist districts in determining student eligibility for special education, coordination assistance, and consultation with district staff, parents, and other professionals.</p>
	<b>Speech Language Pathologists</b>	<p>Speech Language Pathologists (SLPs) support districts in assessing and providing Individualized Education Plan (IEP) related services to students with communication disorders, including articulation, cognition, language, literacy, social skills, fluency, voice, and hearing. SLPs also support Safe Eating Teams, helping establish and train protocols and guidelines for safe eating at school.</p>
	<b>Augmentative Communication</b>	<p>Augmentative Communication services include evaluation, IEP support, programming equipment, and consultation with classroom teachers and specialists.</p>

	<b>Direction Service</b>	Direction Service provides information and referral services to parents and districts regarding specialized services for families of students with disabilities. Direction Service also acts as a mediator between districts and parents of children with disabilities and focuses on collaborative dispute resolution.
	<b>Sign Language Interpretation Services</b>	Sign Language Interpreters facilitate communication for Deaf or Hard of Hearing (DHH) students during school hours and for school-related activities. Interpreters may also act as a resource or provide training to staff and students. Interpreters may also offer services to provide ADA accommodations for school staff and families.
	<b>MLK Jr. Education Center</b>	The Martin Luther King, Jr. Education Center is a partnership between Lane ESD and the Lane County Department of Youth Services, providing an educational program for students with an active case with the Department of Juvenile Justice.
	<b>Nursing Services</b>	School Nurses provide services for students with medical conditions that may interfere with their ability to participate in their educational program. School Nurses develop Health Management Protocols, which outline specific supports needed for each student, train staff to recognize and respond to students' medical needs, and delegate medication administration and health protocols.
<b>Technology Support</b>	<b>Application Hosting and Management</b>	Cloud and on-prem solutions, e.g. video streaming services, backup solutions, help desk solutions, cloud solutions and applications, and technology inventory solutions.
<b>School Improvement Services</b>	<b>Career and Technical Education</b>	Career and Technical Education (CTE) staff provide leadership and services to districts so that students can enhance their 21st-century technical skills, career exploration, and successful transition to work or extended schooling.
	<b>Library Services</b>	Library services support districts in meeting Division 22 library and media services standards. Professional development, coaching, and consultation are provided for districts that elect this service.
<b>Administrative and Support Services</b>	<b>Substitute Teacher List Subscription</b>	Lane ESD maintains a list of approved substitute teachers and provides support with registration, training, and orientation to applicants.
	<b>Courier Services</b>	Lane ESD's courier services provide an efficient and secure method of moving materials between the ESD, districts, and other public agencies.

## Grants and Contracts

Through support from grants and contracts, Lane ESD provides certain value-added services at no cost to districts. Programs and descriptions that are underlined have been identified by the state for potential cuts in 2026 - 2027.

SERVICE AREA	PROGRAM	DESCRIPTION
<u>Programs for Children with Special Needs</u>	<b>Early Intervention / Early Childhood Special Ed</b>	Contracted service with the University of Oregon Early Childhood CARES. Grant provides EI (birth-3) and ECSE (3-5) education services to all Lane County resident families with children with qualifying special education eligibility.
	<b>Lane Regional Inclusive Services</b>	LESD Regional Inclusive Services works in collaboration with Local School Districts, Early Intervention, Early Childhood Special Education (EI/ECSE) programs, Families, and Community Agencies to provide specialized educational support for children with low incidence disability eligibility, including Autism Spectrum Disorder (ASD), Orthopedic Impairments (OI), Traumatic Brain Injury (TBI), Visual Impairments (VI), Deaf/Hard of Hearing (DHH), and DeafBlind (DB). This grant also supports audiology referrals and a Hearing Assistive Technology Equipment Lending Library.
	<b>State Hospital</b>	The Oregon State Hospital Education Program offers opportunities for 18 to 21-year-olds to continue their education while in the hospital setting.
	<b>Juvenile Detention Education Program</b>	The Juvenile Detention Education Program (JDEP), funded by the Oregon Department of Education, provides educational and re-entry transitional services to students housed overnight in county juvenile detention facilities.
	<b>Regional Technical Assistance Program</b>	Lane ESD provides local-level options for professional development and technical assistance within the general supervision areas (special education and federal title programs).

**School Improvement Services**

**Western Regional Education Network**

The Western Regional Educator Network (WREN) encompasses the 28 school districts in Lane ESD and Linn-Benton-Lincoln ESD. It is an educator-led, improvement-focused network that elevates teachers' voices, emphasizes the Lane ESD Equity Lens to interrupt historical patterns of inequities, and supports educators in creating more inclusive and empowering school cultures. Professional development, coaching, and consultation are provided.

**Teacher Pathways\***

This Grow Your Own (GYO) grant funded program works to diversify the K-12 education workforce in Lane County by recruitment, selection, clinical practice, hiring placement, and induction support for pre-service teachers centered on building culturally responsive affinity groups.

**Social Emotional Learning\***

Professional development, coaching, and consultation are provided to component districts to meet their goals of authentic implementation of Oregon's Transformation Social Emotional Learning (TSEL) standards,

**School Safety and Prevention\***

Technical expertise, training, and system development is provided to districts in responding to threats of violence and suicide. Our SSPS is the lead responder and coordinator of the Tragedy Response Team.

**Student Voice\***

Professional development, coaching, and consultation are provided to implement ongoing student voice and engagement for district/school strategic planning and continuous improvement.

**LGBTQ2SIA+ Student Success**

This grant funds technical assistance, professional development, curriculum development, and resources, to ensure focal LGBTQ2SIA+ students and their families are safe, feel a sense of belonging, and are supported to achieve at high levels across all Lane County districts.

**Latinx Student Success**

This grant funds technical assistance, professional development, curriculum development, and resources to ensure focal LatinX Students are safe, feel a sense of belonging, and are supported to achieve at high levels across all Lane County districts.

**Native Youth Wellness\***

This grant funds the Native Youth Wellness program (NYW). NYW provides professional development on Tribal History/Shared History and TSEL, culture nights, student affinity groups, coaching on tribal education programs, equity, and culturally sustaining pedagogy.

**Advanced Manufacturing & Construction**

This grant supports a regional advisory committee and industry connections to strengthen the quality of CTE Programs of Study. This grant also sponsors the Construction Utility Career Day.

**Behavioral Health Career**

This grant provides curriculum, training, and work-based experiences focused on mental and behavioral health pathways between districts

<b>Pathways</b>	and industry partners via Lane Career Academy. Prioritizes rural and underserved communities.
<b>Team Oregon Build</b>	Professional development and technical assistance is provided on hands-on construction projects. The project provides pathways for career development while addressing the urgent need for safe and sustainable housing.
<b>Healthcare Workforce Development</b>	Coordinate scholarship and training support to remove cost barriers for students to participate in Behavioral Health and Emergency Services pathways within Lane Career Academy.
<b>LaneSTEM*</b>	<u>Lane ESD supports Science, Technology, Engineering, and Math (STEM) education in partnership with LaneSTEM through workshops, school site consultation, classroom coaching, and grant partnerships.</u>
<b>Early Literacy*</b>	Lane ESD supports district implementation of their Early Literacy plans by coordinating professional development via Oregon Department of Education contractors and community partners.
<b>Administrative Burden Reduction*</b>	Technical assistance completing state and federal required reporting, grant applications, and data collections. The focus is primarily on small/rural districts, but Integrated Guidance technical assistance is provided for all component districts.
<b>21st Century Community Learning Centers*</b>	Crow-Applegate-Lorane, McKenzie, Mapleton, and Siuslaw are in a consortium for the 21st Century Community Learning Centers (CCLC) grant. Lane ESD provides oversight and technical assistance on the completion of grant requirements.
<b>English Language Development*</b>	English Language Development (ELD) services include technical assistance relating to curriculum, instruction, assessment, and educational learning platforms. Train general education teachers to learn how to integrate the English Language Proficiency (ELP) standards into their regular curriculum.
<b>Migrant Education</b>	Lane ESD coordinates a regional Migrant Education Program (MEP) consortium serving Lane and Douglas counties, including 29 school districts. MEP provides supplemental instruction, community outreach, and parent involvement for eligible MEP students, including summer school, graduation, and preschool services for students ages 3-21.
<b>EA/IA Professional Development*</b>	Lane ESD contracts with Cultivate at the University of Oregon to provide professional development modules for Education / Instructional Assistants.

**Portrait of a Graduate\***

Lane ESD contracts with Cosgrave and Swanson to consult rural districts on developing and implementing Portrait of a Graduate.

*\* Services provided to support districts in making progress toward the goals of the Student Success Act (see page 11).*

## Appendix - Links to Other Information

### **Student Success Act Comprehensive Support Plan**

Lane ESD’s Student Success Act Comprehensive Support Plan is provided to assist districts with developing and implementing their Integrated Plans for the implementation of the Student Success Act. ***Services are detailed throughout this Local Service Plan and indicated with an (\*)***.

**Lane ESD Budget and Financial Reports** - Lane ESD’s annually adopted budgets and audit reports can be found on the Lane ESD website at <https://lesd.k12.or.us/administration/business-services>.

**Lane ESD Equity Lens** - Lane ESD's Vision, Mission, and Purpose are at the center of all decisions made within the agency in service of our county. We employ our Equity Lens and adapt our Equity Tools to meet the needs of the decision at hand by including multiple perspectives, determining the problem to be solved, evaluating potential positive and negative impacts on our students, families, and districts, examining resources available, and at all times orient ourselves toward justice centered engagement while operating in a fiscally responsible and responsive manner. See more at <https://lesd.k12.or.us/strategic-plan>.

**Lane ESD Contact Information** - For questions, please contact [supt-office@lesd.k12.or.us](mailto:supt-office@lesd.k12.or.us)

# Lane Education Service District

Code: JFCF-AR  
Revised/Reviewed: 7/24/12; 11/07/23  
Orig. Code(s): JFCF-AR

## Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, or Teen Dating Violence Reporting Procedures – Student

The [assistant superintendent] has responsibility for investigations concerning acts of hazing, harassment, intimidation or bullying, menacing, acts of cyberbullying, and incidents of teen dating violence. The investigator(s) shall be a neutral party having had no involvement in the report presented.

All reports will be investigated in accordance with the following procedures:

Step 1 Any reports or information on acts of hazing, harassment, intimidation or bullying, menacing, acts of cyberbullying, or incidents of teen dating violence (e.g., complaints, rumors) shall be presented to the [assistant superintendent]. Reports against the principal shall be filed with the superintendent. Reports against the superintendent shall be filed with the Board chair. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.

Step 2 The ESD official(s) receiving the report shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The ESD official(s) will arrange such meetings as may be necessary with all concerned parties within five working days after receipt of the information or report. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the report will be reduced to writing. The ESD official(s) conducting the investigation shall notify the person making the report within 10 working days of receipt of the information or report, [and parents as appropriate,] in writing when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

A copy of the notification letter or the date and details of notification to the person making the report, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the superintendent.

Step 3 If the person making the report is not satisfied with the decision at Step 2, they may submit a written appeal to the superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The superintendent or designee will arrange such meetings with the person making the report and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the appeal within 10 working days.

Step 4 If the person making the report is not satisfied with the decision at Step 3, a written appeal may be filed with the Board. Such appeal must be filed within 10 working days after receipt of the Step 3 decision. The Board shall conduct a hearing at which time the person making the report

shall be given an opportunity to present the complaint. The Board shall provide a written decision to the person making the report within 30 days of receipt of the appeal by the Board.

Reports against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide in open session what action, if any, is warranted. A final decision will be made within 30 days of receipt of the report.

Reports against the Board as a whole or against an individual Board member should be made to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, in open session what action, if any, is warranted. A final decision will be made within 30 days of receipt of the report.

Reports against the Board chair may be made directly to the Board vice chair on behalf of the Board. The Board vice chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide in open session what action, if any, is warranted. A final decision will be made within 30 days of receipt of the report.

Timelines may be extended upon written agreement between both parties. This also applies to reports filed against the superintendent or any Board member.

Direct complaints of discriminatory harassment related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 Second Ave., Room 3310, Seattle, WA 98174-1099.

Documentation related to the incident may be maintained as a part of the student's education records. Additionally, a copy of all reported acts of hazing, harassment, intimidation or bullying, menacing, cyberbullying, and incidents of teen dating violence and documentation will be maintained as a confidential file in the ESD office.

# Lane Education Service District

Code: JFCF/GBNA-AR  
Adopted: 7/28/09/  
Readopted: 7/10/01, 8/27/02, 10/27/09  
Orig. Code(s): JFCF/GBNA-AR

## Hazing/Harassment/Intimidation/Bullying/Menacing Complaint Procedures - Proposed Delete

*(See JFCF-AR)*

The following definitions and procedures shall be used for reporting, investigating and resolving complaints of hazing, harassment, intimidation, bullying, cyberbullying and menacing.

### Definitions

1. "Third parties" include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at other ESD-sponsored programs and activities.
2. "District" includes district facilities, district premises and nondistrict property if the or employee is at any district-sponsored, district-approved or district-related activity or function, such as field trips or athletic events where students are under the control of the district or where the employee is engaged in district business.
3. "Hazing" includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student/staff for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored activity or grade level attainment, i.e., personal servitude, sexual stimulation/sexual assault, forced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a student/staff); requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article; assignment of pranks to be performed or other such activities intended to degrade or humiliate regardless of the person's willingness to participate.
4. "Harassment, intimidation or bullying" means any act that substantially interferes with a student's/staff's educational benefits, opportunities or performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, having the effect of:
  - a. Physically harming a student/staff or damaging a student's/staff's property;
  - b. Knowingly placing a student/staff in reasonable fear of physical harm to the student/staff or damage to the student's/staff's property;
  - c. Creating a hostile educational/work environment including interfering with the psychological well being of a student/staff.

“Harassment” also includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature on the basis of age, race, religion, color, national origin, disability, marital status, source of income, familial status sexual orientation, physical characteristic, cultural background, socioeconomic status or geographic location.

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

“Cyberbullying” is the use of any electronic communication device to convey a message in any form (text, image, audio or video) that defames, intimidates, harasses or is otherwise intended to harm, insult or humiliate another in a deliberate, repeated or hostile and unwanted manner under a person’s true or false identity. In addition, any communication of this form which substantially disrupts or prevents a safe and positive educational or working environment may also be considered cyberbullying. Staff [and students] will refrain from using personal communication devices or ESD property to harass or stalk another.

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

### **Retaliation/False Charges**

Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

### **Complaint Procedures**

Designated ESD administrators and the superintendent have responsibility for investigations concerning hazing, harassment, intimidation, bullying or menacing. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

Any employee who has knowledge of conduct in violation of this policy or feels he/she has been a victim of hazing, harassment, intimidation, bullying or menacing in violation of this policy shall immediately report his/her concerns.

Any student or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of hazing, harassment, intimidation, bullying or menacing in violation of this policy shall immediately report his/her concerns.

All complaints will be promptly investigated in accordance with the following procedures:

- Step 1 Any hazing, harassment, intimidation, bullying or menacing information (complaints, rumors, etc.) shall be presented to the designated ESD administrator or superintendent. Complaints against the principal shall be filed with the superintendent. Information may be presented

anonymously. Complaints against the superintendent shall be filed with the Board chair. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.

Step 2

The district official receiving the complaint shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The district official will arrange such meetings as may be necessary with all concerned parties within five working days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The district official(s) conducting the investigation shall notify the complainant and parents as appropriate, in writing, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

A copy of the notification letter or the date and details of notification to the complainant, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the superintendent.

Step 3

If the complainant is not satisfied with the decision at Step II, he/she may submit a written appeal to the superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step II decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant's appeal within 10 working days.

Step 4

If the complainant is not satisfied with the decision at Step III, a written appeal may be filed with the Board. Such appeal must be filed within 10 working days after receipt of the Step III decision. The Board shall, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the complaint. The Board shall provide a written decision to the complainant within 10 working days following completion of the hearing.

Documentation related to the incident may be maintained as a part of the student's education records or employee's personnel file. Additionally, a copy of all hazing, harassment, intimidation, bullying or menacing complaints and documentation will be maintained as a confidential file in the district office.

# Lane Education Service District

Code: JFCFA/GBNAA  
Adopted: 10/24/06  
Orig. Code(s): JFCFA/GBNAA



## Cyberbullying **Proposed Delete**

*(Cyberbullying is included in policy JFCF)*

The Board is committed to providing a positive and productive learning and working environment. Any form of harassment using electronic devices, commonly known as “cyberbullying,” by staff, students or third parties is prohibited and will not be tolerated in the district. “Cyberbullying” is the use of any electronic communication device to convey a message in any form (text, image, audio or video) that defames, intimidates, harasses or is otherwise intended to harm, insult or humiliate another in a deliberate, repeated or hostile and unwanted manner under a person’s true or false identity. In addition, any communication of this form which disrupts or prevents a safe and positive educational or working environment may also be considered cyberbullying. Staff and students will refrain from using personal communication devices or district property to harass or stalk another.

The district will take any report of cyberbullying seriously and will investigate credible reports promptly. Staff will take appropriate action and will bring it to the attention of the principal when students report an incident of cyberbullying. Staff will attempt to preserve evidence of the cyberbullying and will submit any evidence to the principal.

Staff whose behavior is found to be in violation of this policy will be subject to discipline, up to and including dismissal. Students whose behavior is found to be in violation of this policy will be subject to loss of privileges, discipline, up to and including expulsion. Third parties whose behavior is found to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the superintendent or Board. The district may also report individuals to law enforcement if necessary.

END OF POLICY

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### Legal Reference(s):

[ORS 163.190](#)  
[ORS 166.065](#)  
[ORS 166.155 - 166.165](#)  
[ORS 332.072](#)

[ORS 332.107](#)  
[ORS 339.240](#)  
[ORS 339.250](#)  
[ORS 339.351 - 339.364](#)



[OAR 581-021-0045](#)  
[OAR 581-021-0046](#)  
[OAR 581-021-0055](#)  
[OAR 581-022-1140](#)



# Lane Education Service District

Code: JFCG-AR  
Adopted: 9/14/94  
Revised/Readopted: 7/10/01  
Revised/Reviewed:  
Orig. Code(s): JFCG-AR

## **Discipline for Use, Possession, Distribution or Sale of Tobacco Products or Inhalant Delivery Systems**

The following guidelines will govern possession, use, distribution and sale of tobacco products or inhalant delivery systems, or violation of the district's prohibition of tobacco product or inhalant delivery system promotional items, including clothing, bags, hats and other personal items by students on district property or at school-sponsored activities.

Violation **may** result in the following:

1. First Offense - Conference with student including parent as appropriate and possible suspension from school for up to 10 school days;
2. Second Offense - Suspension from school for up to 10 school days and possible referral to other agencies, as appropriate.

or

Consistent refusal or neglect to obey the rules may lead to referral to other agencies, as appropriate. At any grade or offense level, as either an alternative to, or as a part of discipline, school or community service and/or attendance and successful completion of cessation and/or education classes or behavior modification plans may be assigned at the discretion of the principal or designee. Attendance at such classes not offered by the ESD will be voluntary and any associated costs are the sole responsibility of the student and a parent. A referral to law enforcement and/or local public health authority may be made.

Due process procedures shall be followed.

Lane ESD staff working in component school districts, their students and parents shall comply with component district policies and procedures.

# Lane Education Service District

Code: JFCG/JFCH/JFCI  
Adopted: 12/06/17  
Orig. Code(s): JFCG/JFCH/JFCI

## Use of Tobacco Products, Alcohol, Drugs or Inhalant Delivery Systems\*\*

Student substance abuse, possession, use, distribution or sale of tobacco products, inhalant delivery systems, alcohol or unlawful drugs, including drug paraphernalia or any substance purported to be an unlawful drug, on or near any ESD grounds, including parking lots, or while participating in ESD-sponsored programs and activities is prohibited and will result in disciplinary action. If possession or use occurred on ESD grounds or while participating in ESD-sponsored programs and activities, students will be subject to discipline up to and including expulsion. If possession or use occurred near ESD grounds, disciplinary action [will] may include removal from any or all extracurricular activities and forfeiture of any school honors or privileges. A student may [shall] be referred to law enforcement officials. Parents will be notified.

For the purpose of this policy, “tobacco products” is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew or snuff in any form. This does not include products that are USFDA-approved for sale as a tobacco cessation product or for any other therapeutic purpose, if marketed and sold solely for the approved purpose.

For the purpose of this policy, “inhalant delivery system” means a device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device; or a component of a device or a substance in any form sold for the purpose of being vaporized or aerosolized by a device, whether the component or substance is sold or not sold separately. This does not include products that are USFDA-approved for sale as a tobacco cessation product or for any other therapeutic purpose, if marketed and sold solely for the approved purpose.

Clothing, bags, hats and other personal items used to display, promote or advertise tobacco products, inhalant delivery systems, alcohol or unlawful drugs are prohibited on all ESD grounds, including parking lots, at ESD-sponsored activities and in ESD vehicles.

Any person under age 21 possessing a tobacco product or inhalant delivery system on ESD property, in an ESD facility or while attending an ESD-sponsored activity is in violation of state law and is subject to a court-imposed fine.

Any person who distributes, sells or allows to be sold, tobacco products or any substance sold for the purpose of being smoked, vaporized or aerosolized, in any form, a tobacco-burning or inhalant delivery system device, to a person under 21 years of age is in violation of state law and is subject to a court-imposed fine.

An “unlawful drug” is any drug as defined by the Controlled Substances Act including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP). As used in this policy, unlawful drug also means possession, use, sale or supply of prescription and nonprescription drugs in violation of Board policy and any accompanying administrative regulation.

Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of ESD property is a Class A felony, as provided by Oregon Revised Statute (ORS) 475.904.

END OF POLICY

**Legal Reference(s):**

[ORS 153.018](#)

[ORS 161.605](#)

[ORS 161.625](#)

[ORS 163.575](#)

[ORS 334.125\(7\)](#)

[ORS 336.067](#)

[ORS 336.222](#)

[ORS 336.227](#)

[ORS 339.240](#)

[ORS 339.250](#)

[ORS 339.883](#)

[ORS 431A.175](#)

[ORS 431A.178](#)

[ORS 433.835 to -433.990](#)

[ORS Chapter 475](#)

[OAR 581-021-0050 to -0075](#)

[OAR 581-021-0110](#)

[OAR 581-022-2045](#)

[OAR 581-053-0230\(9\)\(s\)](#)

[OAR 581-053-0330\(1\)\(m\)-\(o\)](#)

[OAR 581-053-0430\(12\)-\(14\)](#)

[OAR 581-053-0531\(11\)-\(13\)](#)

[OAR 581-053-0630](#)

[OAR 584-020-0040](#)

SB 754 (2017)

Controlled Substances Act, 21 U.S.C. § 812 (2012); Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11-1308.15 (2017).  
Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2012).

Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2012).

# Lane Education Service District

Code: JFCG/KGC/GBK  
Adopted: 6/14/11  
Orig. Code(s): JFCG/KGC/GBK

## Tobacco-Free Environment – Proposed Delete

*(See policy JFCG/JFCH/JFCI)*

The Board recognizes its responsibility to promote the health, welfare and safety of students, staff and others on ESD property and at school-sponsored activities. In light of scientific evidence that use of tobacco is hazardous to health, and to be consistent with ESD curriculum and Oregon law, it is the intent of the Board to establish a tobacco-free environment. Consequently, student possession, use, distribution or sale of tobacco, including any smoking device, on ESD premises, at district-sponsored activities on or off ESD premises, in ESD-owned, rented or leased vehicles, or otherwise while the student is under the jurisdiction of the school, is prohibited. Tobacco use, distribution or sale by staff on ESD property, at ESD sponsored events, in ESD owned, rented or leased vehicles or otherwise while on duty on or off ESD premises is prohibited. Tobacco use, distribution or sale by others on ESD property, in ESD vehicles or at ESD sponsored events on or off ESD premises is also prohibited. Staff and/or all others authorized to use private vehicles to transport ESD students to school-sponsored activities are prohibited from using tobacco in those vehicles while students are under their care.

For the purposes of this policy, “tobacco” is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew, snuff, in any form, nicotine or nicotine delivering devices, chemicals or devices that produce the physical effect of nicotine substances or any other tobacco substitute (e.g., e-cigarettes). This does not include FDA approved nicotine replacement therapy products used for the purpose of cessation.

Clothing, bags, hats and other personal items used by staff and students to display, promote or advertise tobacco products are prohibited on ESD grounds, at school-sponsored activities or in ESD vehicles. Tobacco advertising is prohibited in all school-sponsored publications in all school buildings and at all school-sponsored events. ESD acceptance of gifts or funds from the tobacco industry is similarly prohibited.

Student violations of this policy will lead to disciplinary action up to and including expulsion. Students may also be subject to removal from any or all extracurricular activities and/or denial or forfeiture of school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, field trips, senior trip, prom, etc.). School and/or community service may be required. A referral to law enforcement may be made. Parents shall be notified of all violations involving their student and action taken by the school.

Staff violations of this policy will lead to disciplinary action up to and including dismissal. When considering disciplinary action for a child with disabilities, the ESD must follow the requirements of Board policy JGDA/JGEA - Discipline of Students with Disabilities, including those involving functional behavioral assessment, change of placement, manifestation determination, and an interim alternative educational setting. Violations by others will result in appropriate sanctions as determined and imposed by the superintendent or Board.

Information about community resources and/or cessation programs to help staff and students overcome tobacco use will be provided.

The ESD will promote cessation resources and other positive alternatives to discipline. Tobacco use cessation programs may be established at ESD schools. Attendance or completion of tobacco use cessation programs by students may be allowed as a substitute to, or as a part of student discipline for possession, use, distribution or sale of tobacco at the discretion of the principal. Attendance at cessation programs not offered by the ESD is voluntary and related costs are the individual responsibility of the staff member, student and his/her parent and private health-care system.

As part of the ESD’s tobacco use prevention activities, the superintendent shall ensure that tobacco use instructional programs as recommended by the Oregon Department of Human Services, Health Services, Tobacco Prevention and Education Program and the Oregon Department of Education are an integral part of its drug and alcohol prevention curriculum. Programs must be integrated within the health education program and age- and developmentally-appropriate instruction provided at every level, pre-kindergarten through grade 12, with particular emphasis on grades six through eight. It is the expectation of the Board that tobacco use prevention concepts will be integrated into the instruction of other subject areas as practicable.

Staff responsible for teaching tobacco use prevention will be encouraged to collaborate with agencies and groups that conduct tobacco use prevention education and to participate in ongoing professional development activities that provide basic knowledge about the effects of tobacco use, effective instructional techniques and program-specific activities.

The superintendent shall consult with local officials to promote enforcement of law that prohibits the possession of tobacco by minors on or off ESD grounds.

This policy shall be enforced at all times. The superintendent will develop administrative regulations as necessary to implement this policy, including provisions for notification of the ESD’s policy, through such means as student/parent and staff handbooks, newsletters, inclusion on school event programs, signs at appropriate locations; disciplinary consequences; and procedures for filing and handling complaints about violations of the ESD’s policy.

The superintendent shall ensure that the ESD’s tobacco use prevention program, policies, curricula, training and cessation programs are evaluated at regular intervals. The input of students, staff, parents and others from the community will be encouraged.

END OF POLICY

**Legal Reference(s):**

- [ORS 332.107](#)
- [ORS 336.222](#)
- [ORS 336.227](#)
- [ORS 339.240](#)
- [ORS 339.250](#)
- [ORS 433.835 - 433.990](#)
- [OAR 581-021-0050 to -0075](#)
- [OAR 581-021-0110](#)
- [OAR 581-022-0413](#)
- [OAR 581-053-0015](#)
- [OAR 581-053-0545\(4\)\(c\)\(R\)-\(T\)](#)
- [OAR 581-053-0550\(5\)\(q\)-\(s\)](#)

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2006). Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084

# Lane Education Service District

Code: JFCJ  
Adopted: 7/10/01  
Revised/Readopted: 3/18/14; 12/03/19  
Orig. Code(s): JFCJ

## Weapons\*\*

Students shall not bring, possess, conceal or use a weapon on or at any ESD property under the jurisdiction of the ESD, any activities under the jurisdiction of the ESD or any interscholastic activities administered by a voluntary organization.

In accordance with the federal Gun-Free School Zone Act, possession or discharge of a firearm in a school zone is prohibited. A “school zone,” as defined by federal law means in or on school grounds or within 1,000 feet of school grounds.

For purposes of this policy, and as defined by state and federal law, weapon includes:

1. A “dangerous weapon” means any weapon, device, instrument, material or substance, which under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury;
2. A “deadly weapon” means any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;
3. A “firearm” means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, frame or receiver of any such weapon, any firearm muffler or silencer or any destructive device;
4. A “destructive device” includes but is not limited to any explosive, incendiary or poison gas component or any combination of parts either designed or intended for use in converting any device into any destructive device or from which a destructive device may be readily assembled. A destructive device does not include any device which is designed primarily or redesigned primarily for use as a signaling, pyrotechnic, line-throwing, safety or similar device.

Weapons may also include, but are not limited to, knives, metal knuckles, straight razors, noxious, irritating or poisonous gases, poisons, unlawful drugs or other items fashioned with the intent to use, sell, harm, threaten or harass students, staff members, parents and community members.

Replicas of weapons, fireworks and pocket knives are also prohibited by Board policy. Exceptions to the ESD’s replicas prohibition may be granted only with prior program supervisor approval for certain curriculum or ESD-related activities. Violations will result in appropriate discipline.

Prohibited weapons, replicas of weapons, fireworks and pocket knives are subject to seizure or forfeiture.

In accordance with Oregon law, any ESD employee who has reasonable cause to believe a student or other person, while in a school, is or within the previous 120 days has been in possession of a firearm or destructive device, as defined by this policy, shall immediately report such violation to an administrator or designee or law enforcement. Employees who report directly to law enforcement shall also immediately inform an administrator.

Administrators shall promptly notify the appropriate law enforcement agency of staff reports received and at any other time there is reasonable cause to believe violations for firearms or destructive devices have occurred or that a student has been expelled for bringing, possessing, concealing or using a dangerous or deadly weapon, firearm or destructive device. Parents will be notified of all conduct by their student that violates this policy.

A person making a report as described above who has reasonable grounds for making the report is immune from liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making or content of the report. The identity of a person participating in a good faith report as described above may not be disclosed except when allowed by law.

Employees shall promptly report all other conduct prohibited by this policy to an administrator.

Students determined to have brought, possessed, concealed or used a firearm, as defined in policy, in violation of this policy or state law will be referred to the student’s component district and expelled for a period of not less than one year. The component district superintendent may, on a case-by-case basis, modify this expulsion requirement. The component district superintendent may propose alternative programs of instruction or instruction combined with counseling that are appropriate and accessible to the student, and shall provide such information in writing to the student and the parent in accordance with law<sup>1</sup>.

Appropriate disciplinary and/or legal action will be taken against students or others who assist in activity prohibited by this policy.

Special education students shall be disciplined in accordance with federal law and Board policy JGDA – Discipline of Students with Disabilities and accompanying administrative regulation.

“Gun-Free School Zone” signs may be posted in cooperation with city and/or county officials as appropriate. Violations, unless otherwise excepted by law or this policy, shall be reported to the appropriate law enforcement agency.

The superintendent will annually report the name of each school and the number of students from each listed schools expelled for bringing, possessing, concealing or using a firearm to the Oregon Department of Education.

END OF POLICY

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**Legal Reference(s):**

[ORS 161.605](#)  
[ORS 166.210 – 166.370](#)  
[ORS 166.382](#)  
[ORS 334.125\(7\)](#)  
[ORS 339.115](#)

[ORS 339.240](#)  
[ORS 339.250](#)  
[ORS 339.315](#)  
[OAR 581-021-0050 – 021-0075](#)  
[OAR 581-053-0010](#)

[OAR 581-053-0230\(9\)\(k\)](#)  
[OAR 581-053-0330\(1\)\(r\)](#)  
[OAR 581-053-0430\(17\)](#)  
[OAR 581-053-0531\(16\)](#)

Gun-Free School Zones Act, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2018).  
Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2018).  
Youth Handgun Safety Act, 18 U.S.C. §§ 922(x), 924(a)(6) (2018).  
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101, 7111-7121 (2018).

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<sup>1</sup> At least once every six months or at any time the information changes because of the availability of new programs.

# Lane Education Service District

Code: JFCM  
Adopted: 10/24/00  
Readopted: 7/10/01; 5/19/09  
Orig. Code(s): JFCM

## Threats of Violence\*\*

The Board is committed to promoting healthy relationships and a safe learning environment. To this end, student threats of harm to self or others, threatening behavior or acts of violence, including threats to severely damage any ESD property, shall not be tolerated on ESD property or at activities under the jurisdiction of the ESD.

Students shall be instructed of the responsibility to inform a teacher, counselor or administrator regarding any information or knowledge relevant to conduct prohibited by this policy. Parents and others will be encouraged to report such information to the ESD. Staff shall immediately notify an administrator of any threat, threatening behavior or act of violence the staff member has knowledge of, has witnessed or received. All reports will be promptly investigated.

Students found in violation of this policy shall be subject to discipline up to and including expulsion. The [ ] program administrator [1] shall notify the parent or guardian of any student in violation of this policy and the disciplinary action imposed. A referral to law enforcement shall be made for any infraction involving a student bringing, possessing, concealing or using a weapon or destructive device as prohibited by state and federal law and Board policy.

The ESD shall enforce this policy consistently, fairly and without bias against any student, including a student from a protected class as defined in Oregon Revised Statute 659.850.

The [{}<sup>1</sup>] program administrator [in conjunction with an authorized representative from the student's resident district shall ensure notification is provided to:

1. The parent or guardian of a student, when the student's name appears on a targeted list at school that threatens violence or harm to the students on the list, or when threats of violence or harm to the student are made by another student at school;
2. Any ESD employee whose name appears on a targeted list at school threatening violence or harm to the ESD employee and when threats of violence or harm are made by a student or others at school.

The program administrator shall, in determining appropriate disciplinary action, consider:

1. Immediately removing from the classroom setting any student who has threatened to injure another person or to severely damage Lane ESD property;

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<sup>1</sup> {Statute says "superintendent or superintendent's designee" so allows designation of another, e.g., program administrator, principal, depending on practice in the ESD.}

2. Placing the student in a setting where the behavior will receive immediate attention from a program administrator, [counselor, licensed mental health professional or others;
3. Requiring the student to be evaluated by a licensed mental health professional before allowing the student to return to the classroom setting<sup>[2]</sup>.

Lane ESD will work with a student’s resident district to arrange for a licensed mental health professional to perform student evaluations as needed. Funds for evaluations or other disciplinary options as may be required by law are the responsibility of the resident district.

The [ ] program administrator [shall attempt to notify the above persons by telephone or in person promptly and within 12 hours of discovery of a targeted list or learning of a threat. Regardless, the [ program administrator [ ] shall issue a written follow-up notification within 24 hours of discovery of a targeted list or learning of a threat.

The ESD administration will provide necessary information regarding threats of violence to law enforcement, child protective services and health-care professionals in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. Additionally, the program administrator [ may provide such information to other school officials, including teachers, within the ESD or component districts who have a legitimate educational interest in the student(s) consistent with state and federal education records laws and ESD policies.

The ESD or person participating in good faith in making the notification required by ORS 339.327 is immune from any liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making or content of the notification.

Lane ESD staff working in component school districts, their students, parents, guardians or persons in a parental relationship shall comply with component district policies and procedures.

END OF POLICY

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**Legal Reference(s):**

[ORS 161.015](#)  
[ORS 166.210 - 166.370](#)  
[ORS 334.125\(7\)](#)  
[ORS 339.115](#)  
[ORS 339.240](#)  
[ORS 339.250](#)

[ORS 339.260](#)  
[ORS 339.327](#)  
[OAR 581-021-0050 - 021-0075](#)  
[OAR 581-053-0010](#)  
[OAR 581-053-0230\(9\)\(k\)](#)

[OAR 581-053-0330\(1\)\(r\)](#)  
[OAR 581-053-0430\(17\)](#)  
[OAR 581-053-0531\(16\)](#)  
[OAR 581-053-0630](#)

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2018).  
 Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2018).  
 Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).

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<sup>2</sup> [A student removed from the classroom setting for an evaluation may not be removed for more than 10 school days unless the principal is able to show good cause that an evaluation could not be completed in that time period.]

# Lane Education Service District

Code: JFD  
Adopted: 9/7/93  
Readopted: 7/10/01  
Orig. Code(s): JFD

## Students of Legal Age – **Proposed Delete**

*(Do not need a policy for this.)*

Every student attending Lane ESD programs 18 or older shall be deemed an adult and shall have the same rights and responsibilities as an adult. Adult students, like all other students, shall comply with Board policy, established rules, pursue the prescribed course of study and submit to the authority of teachers and administration.

A student under 18 may request adult status from the Lane County Juvenile Court through proof of emancipation from parent/guardian or person in a parental relationship. Any decree of emancipation must be submitted in writing to the superintendent and substantiate that the student is:

1. Released from parent/guardian/person in a parental relationship control;
2. Recognized as an adult;
3. Solely responsible for his/her food, shelter and clothing.

END OF POLICY

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### Legal Reference(s):

[ORS 109.510](#)  
[ORS 109.520](#)

[ORS 419B.550](#)  
[ORS 419B.552](#)

[ORS 419B.555](#)  
[ORS 419B.558](#)

# Lane Education Service District

Code: JFE  
Adopted:

**S**  
(Optional)

## Pregnant and/or Parenting Students\*\* **Proposed Adopt**

A pregnant and/or parenting student shall be encouraged to continue with an educational program and to participate in all ESD-sponsored activities unless physically unable. The ESD shall ensure that pregnant and/or parenting students receive special services as necessitated by their condition.

Neither pregnancy nor parenting constitute an exemption from Oregon compulsory attendance law.

No pregnant or parenting student shall be excluded from the public schools on the basis of pregnancy or parenthood.

The ESD shall, in considering and obtaining special services for pregnant and/or parenting students:

1. Inform pregnant and/or parenting students and their parents of the availability of such services;
2. Facilitate the provision of such services, including counseling, life skills and parenting education, child care, transportation, career development and health and nutrition services to pregnant and/or parenting students;
3. Inform pregnant and/or parenting students and their parents of the availability of resources provided by other agencies, including health and social services;
4. Provide educational programs and schedules that address the individual learning styles and needs of pregnant and/or parenting students;
5. Develop individualized educational programs or services, or both, to address the needs of pregnant and/or parenting students when their educational needs cannot be met by the regularly provided school program.

Lane ESD staff working in component school districts, their students, parents, guardians or persons in a parental relationship shall comply with all component district policies and procedures.

END OF POLICY

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### Legal Reference(s):

[ORS 334.125](#)  
[ORS 336.640](#)

[ORS 339.010](#)  
[ORS 339.030](#)

[OAR 581-021-0046](#)

# Lane Education Service District

Code: JFG  
Adopted: 7/10/01  
Orig. Code(s): JFG

## Student Searches\*\*

The Board seeks to ensure a learning environment which protects the health, safety and welfare of students and staff. To assist the Board in attaining these goals, Lane ESD officials may, subject to the requirements below, search a student's person and property, including property assigned by the ESD for the student's use. Such searches may be conducted at any time on ESD property or when the student is under the jurisdiction of the ESD at ESD-sponsored activities.

All student searches conducted by the ESD shall be subject to the following requirements:

1. The ESD official shall have individualized, "reasonable suspicion" based upon specific and articulated facts to believe that the student personally poses or is in possession of some item that poses an immediate risk or serious harm to the student, school officials and/or others at the school;
2. The search shall be "reasonable in scope." That is, the measures used are reasonably related to the objectives of the search, the unique features of the official's responsibilities and the area(s) which could contain the item(s) sought and not excessively intrusive in light of the age, sex, maturity of the student and nature of the infraction.

Routine inspections of ESD property assigned to students may be conducted at any time.

Use of drug-detection dogs and metal detectors, or similar detection devices, may be used only on the express authorization of the superintendent.

Lane ESD officials may seize any item which is evidence of a violation of law, Board policy, administrative regulation or rule, or which the possession or use of is prohibited by such law, policy, regulation or rule.

Students may be searched by law enforcement officials on ESD property or when the student is under the jurisdiction of the ESD. Law enforcement searches ordinarily shall be based upon a warrant. ESD officials will attempt to notify the student's parent(s) in advance and will be present for all such searches, whenever possible.

The superintendent shall develop an administrative regulation for implementing this policy in a manner which protects students' rights and provides a safe learning environment without unreasonable interference. Provisions for staff, student and parent notice of the Board's policy and accompanying regulation shall be included.

Lane ESD staff working in component school districts, their parents, guardians or persons in parental relationship shall comply with component district policies and procedures.

END OF POLICY

**Legal Reference(s):**

[ORS 334.125](#)

[OAR 581-021-0050 to -0075](#)

New Jersey v. T.L.O., 469 U.S. 325 (1985).

State ex. rel. Juv. Dept. v. M.A.D., 233 P3d. 437, 348 Or. 381 (2010).

State v. B.A.H., 263 P3d. 1046, 245 Or. App. 203 (2011).

State v. A.J.C., 326 P3d. 1195, 355 Or. 552 (2014).

# Lane Education Service District

Code: JFG-AR  
Adopted: 7/10/01  
Orig. Code(s): JFG-AR

## Student Searches

### 1. Definitions

- a. “Reasonable suspicion” is based upon specific and articulated facts to believe that the student personally poses or is in possession of some item that poses a risk of immediate and serious harm to the student, school officials and/or others at the school. The official’s knowledge may be based upon relevant past experience of the official, observation by the official and/or credible information from another person.
  - (1) “Past experience” may provide the ESD program administrator with information relevant to the violation as well as information which enables the official to evaluate the credibility of information from another person.
  - (2) “Credible information from another person” may include information which the ESD official reasonably believes to be true provided by another ESD employee, a student, a law enforcement or other government official or some other person.
- b. “Reasonable in scope” means that the manner and extent of the search are reasonably related to the objectives of the search, the unique features of the official’s responsibilities and limited to the particular student or students most likely to be involved in the infraction and the area(s) which could contain the item(s) sought, and not excessively intrusive in light of the student’s age, sex, maturity and the nature of the infraction.

### 2. Routine Inspection of ESD Property Assigned to Students

- a. Lockers, desks and other storage areas provided by the ESD and assigned to a particular student(s) are the property of the ESD, remain in the possession of the ESD and are under the control of the superintendent. Students have no expectation of privacy regarding these items/areas.
- b. Students may use ESD-owned storage areas for the limited purpose of temporarily keeping items needed for attendance and participation in ESD programs only. No other purpose is permitted.
- c. Students shall be provided notification that ESD-owned storage areas assigned to students are subject to routine inspection without prior notice for the following reasons:
  - (1) Ensure that no item which is prohibited on ESD premises is present;
  - (2) Ensure maintenance of proper sanitation;
  - (3) Ensure mechanical condition and safety;
  - (4) Reclaim overdue library books, texts or other instructional materials, property or equipment belonging to the ESD.

### 3. Voluntary Consent

When an ESD program administrator has the requisite justification to search either a particular ESD-owned storage area assigned to a student or the clothing or the personal property of a student, the administrator or designee has the option of making a search or asking the student to voluntarily provide the item(s) sought. Before making a search, the administrator or designee should ordinarily ask for the student's voluntary consent by requesting the student to empty the contents of the storage area, clothing or personal property. If the student refuses consent for their personal property, the official may elect to contact the students' parents to obtain consent for the search of personal property.

#### 4. Search Procedures

- a. With the requisite justification, a school official may search an individual student, an ESD-owned storage area assigned to a student or the personal property of a student. Personal property of a student includes, but is not limited to, wallets, purses, lunch boxes/sacks, book bag, backpack or other containers used to carry belongings.
- b. All searches of a student or a student's personal property shall be based on the required reasonable suspicion/risk, of immediate and serious harm and shall be reasonable in scope. A "strip search," requiring a student to remove clothing down to the student's underwear or including underwear is prohibited by Lane ESD.
- c. Searches will generally be conducted by an administrator or by other school personnel only as authorized by the superintendent. In certain circumstances the program administrator or designee may be assisted by a law enforcement official(s).
- d. The student will generally be permitted to be present during a search of an ESD-owned storage area assigned to the student or during a search of the student's personal property. The student's presence is not required, however.
- e. Search of a student's clothing will be limited to the student's "outer clothing" only. "Outer clothing" means the student's coat, jacket or other such outerwear garments worn by a student. A search of the clothing may include the search of a container inside the clothing, provided that the container is of a size and shape to hold the object of the search.
- f. Searches of a student's outer clothing will be conducted by an ESD administrator or designee of the same sex as the student.
- g. Where the object of the search may be felt by a "pat down" of clothing or personal property, the administrator or designee may first pat the clothing or property in an attempt to locate the object before searching inside the clothing or property.
- h. Searches will be conducted in privacy, out of the view of other students, staff and others and in the presence of an adult witness of the same sex as the student.
- i. Any item removed from the student as a result of the above procedures which is not evidence of a violation of a law, Board policy, administrative regulation or rule may be returned to the student, as appropriate.

#### 5. Other Searches<sup>1</sup>

- a. Student vehicles may be parked on ESD property on the condition that the student and parent(s) allows the vehicle and its contents, upon reasonable suspicion/risk of immediate serious harm, to be examined.

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<sup>1</sup> Consult with legal counsel prior to implementing procedures in this section, modifying as appropriate to meet local needs.

If a student or parent(s) refuses to allow access to a vehicle when requested under the circumstances described above, the student's privilege of bringing a vehicle onto ESD property will be terminated for the remainder of the school year. Law enforcement officials may [] be notified.

- b. Metal detectors, including walk-through and hand-held devices, may be used when the superintendent determines that there is a need for such detectors based upon reasonable information of a history of:
  - (1) Weapons or dangerous objects found on ESD property, at an ESD function or in the vicinity of the ESD; or
  - (2) Incidents of violence involving weapons on ESD property, at an ESD function or in the vicinity of the ESD.

Upon positive detection, a student will be asked to voluntarily remove the metal item. If the student refuses consent, the student will be held () and any personal property will be seized and secured while the parent(s) and law enforcement officials are summoned.

- c. Drug-detection dogs may be used when the superintendent determines that there is a need for use of such dogs based upon reasonable information of a history of:
  - (1) Drugs and/or drug paraphernalia use/possession on ESD property, at an ESD function or in the vicinity of the ESD; or
  - (2) Incidents of violence or health emergencies involving drugs and/or drug paraphernalia on ESD property, at an ESD function or in the vicinity of the ESD.

After such need has been determined, drug-detection dogs may be used to sniff out contraband in ESD-owned storage areas or in student vehicles parked on ESD property upon reasonable suspicion to believe that contraband is in the area or vehicle.

Drug-detection dogs will not be used for general or "dragnet" searches.

- d. Body fluid searches of students for the presence of alcohol or drugs are prohibited.
- e. The ESD may deploy breathalyzer devices at extracurricular events and activities. Students may be subject to testing procedures as a prerequisite to attending the event/activity. If a student refuses testing, the student will be detained and parents will be contacted to come and take the student home.

## 6. Discipline

- a. Possession or use of unauthorized, illegal, unhealthy or unsafe materials will result in the following:
  - (1) Seizure of the material:
    - (a) Property, the possession of which is a violation of law, Board policy, administrative regulation or rule will be returned to the parent or, if also a violation of law, turned over to law enforcement officials or destroyed by the ESD as deemed appropriate by the superintendent;
    - (b) Stolen property will be returned to its rightful owner;

(c) Unclaimed property may be disposed of in accordance with Board policy DN - Disposal of ESD Property.

(2) Discipline up to and including expulsion and notification given to law enforcement officials as appropriate or as otherwise required by law or Board policy.

## 7. Documentation

a. ESD administrators or designees shall document all searches.

b. Documentation shall consist of the following:

(1) Name, age and sex of student;

(2) Time and location of search;

(3) Justification for search and nature of the reasonable suspicion/risk of immediate and serious harm;

(4) Description of the object(s) of the search;

(5) Type/Scope of search (areas/items searched);

(6) Results of search, prohibited material(s) found, disposition of the material(s) seized and discipline imposed;

(7) Name of the witness to the search;

(8) Name of the ESD administrator or designee;

(9) Contacts with law enforcement and name/position of the contact(s).

c. Documentation will be maintained as a part of the student's education records and retained in accordance with applicable Oregon Administrative Rules governing records' retention.

## 8. Notice

a. Notice of the Board's policy and this administrative regulation will be provided to staff, students and their parent(s) annually, through such means as staff and student/parent handbooks.

## 9. Cooperation with Law Enforcement Officials

a. ESD administrators will meet with law enforcement officials annually to review:

(1) Official contact protocols;

(2) Applicable Board policies and administrative regulations;

(3) Circumstances in which the ESD will generally be requesting local law enforcement involvement in student searches and suspected crimes;

(4) Handling searches and evidence when involving law enforcement officials.

**Lane Education Service District  
Student Search Form**

1. Name, age and sex of student: \_\_\_\_\_  
\_\_\_\_\_
2. Date, time and location of search:  
\_\_\_\_\_
3. Basis for search and nature of reasonable suspicion. What factors caused you to have a reasonable suspicion that the search of this student, their person or property or property assigned by the ESD for student use would turn up evidence of some item that posed a risk of immediate and serious harm to the student, school officials and/or others at the school? Describe.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Describe items and areas searched: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. What did the search yield? Were any prohibited items/materials seized? Were seized items/materials turned over to police? Parents? Other? Why or why not? Explain and include name(s)/position(s) of law enforcement contacts.  
\_\_\_\_\_  
\_\_\_\_\_
6. Was discipline imposed? Why or why not? \_\_\_\_\_  
\_\_\_\_\_
7. Name of the title/position of the witness to the search: \_\_\_\_\_  
\_\_\_\_\_
8. Name and title/position of the ESD official conducting the search: \_\_\_\_\_  
\_\_\_\_\_

<hr/>	<hr/>
Signature of Witness	Signature of District Official
Date	Date
	Conducting Search

# Lane Education Service District

Code: JFH  
Adopted: 7/10/01  
Orig. Code(s): JFH

## Student Complaints **HOLD**

*(Still need this considering updated language in policy KL?)*

The Board recognizes the necessity for Lane ESD to develop and maintain an orderly procedure for resolving student complaints. The superintendent or designee shall involve staff and students in establishing procedures which fairly and quickly resolve student complaints. Procedures established should allow for:

1. Informal conferences between the parties concerned;
2. Written appeal to the program administrator for a hearing when step one does not resolve the problem;
3. Written appeal to the superintendent or designee, requesting a hearing when step two does not resolve the problem;
4. Written appeal to the Board, requesting a hearing when step three does not solve the problem;
5. The Board may hold a hearing related to the complaint.

It is the purpose of appeals and hearings to provide access to appropriate ESD officials when an informal conference cannot resolve the problem. It is not the purpose of appeals and hearings to provide a forum through which nonrelated issues are conveyed. It is recommended that as many student problems as possible be handled through informal conferences.

Lane ESD staff working in component school districts, their parents, guardians or persons in parental relationship shall comply with component district policies and procedures.

END OF POLICY

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### Legal Reference(s):

[ORS 334.125 \(7\)](#)

# Lane Education Service District

Code: JG  
Adopted: 7/10/01  
Orig. Code(s): JG

## Student Discipline

Discipline in the ESD is based upon a philosophy designed to produce behavioral changes that will enable students to develop the self-discipline necessary to remain in school and to function successfully in their educational and social environments.

Students are subject to discipline for conduct while traveling to and from school, at the bus stop, at school-sponsored events and at other schools operated by the ESD, and while off campus whenever such conduct causes substantial and material disruption of the educational environment or the invasion of rights of others.

The major objectives of the ESD discipline program are to teach the following fundamental concepts for living:

1. Understanding and respect for individual rights, dignity and safety;
2. Understanding and respect for the law, ESD policies, administrative regulations and school rules;
3. Understanding of and respect for public and private property rights.

The Board seeks to ensure a climate which is appropriate for learning and which assures the safety and welfare of personnel and students. The superintendent will develop procedures whereby those students who disrupt the educational setting or who endanger the safety of others will be subject to age appropriate and research effective disciplinary sanctions to correct behavioral problems, while supporting a students' attendance to school and classes. Examples include, but are not limited to, reprimands, conferences, detention and denial of participation in cocurricular and extracurricular activities. Title and/or privileges available or granted to students may be denied and/or revoked (e.g., including but not limited to, field trips, etc.). The superintendent may propose alternative programs of instruction or instruction combined with counseling prior to a student's expulsion or a student leaving school in accordance with law.

The ESD shall enforce consistently, fairly and without bias all student conduct policies, administrative regulations and school rules.

A student whose conduct or condition is seriously detrimental to the ESD's best interests may be suspended. Students may be expelled for conduct that poses a threat to the health or safety of students or employees; when other strategies to change student behavior have been ineffective, except that expulsion may not be used to address truancy; or when required by law. The ESD shall consider the age of the student and the past pattern of the student's behavior prior to imposing the suspension or expulsion. The ESD will ensure careful consideration of the age appropriateness, rights and needs of the individual concerned, as well as the best interests of other students and the ESD program as a whole.

The use of out-of-school suspension or expulsion for discipline of a student in the fifth grade or below, is limited to:



# Lane Education Service District

Code: JGA  
Adopted: 9/07/93  
Revised/Readopted: 7/10/01; 11/02/21  
Orig. Code(s): JGA

## Corporal Punishment\*\*

The use of corporal punishment in any form is strictly prohibited in the ESD. No student will be subject to the infliction of corporal punishment.

“Corporal punishment” is defined as the willful infliction of, or willfully causing the infliction of, physical pain. Corporal punishment does not include the use of physical force authorized in ORS 161.205 (2), (4) or (5) for the reasons specified therein, or physical pain or discomfort resulting from or caused by participation in athletic competition or other such recreational activity, voluntarily engaged in by a student.

No teacher, administrator, other ESD personnel or ESD volunteer will subject a student to corporal punishment or condone the use of corporal punishment by any person under their supervision or control. Permission to administer corporal punishment will not be sought or accepted from any parent.

A staff member is authorized to employ reasonable physical force upon a student only to the extent that the application of physical force is consistent with ORS 339.285-339.303 and is not corporal punishment as defined in ORS 339.250(9). Physical force shall not be used to discipline or punish a student. A staff member found in violation of this policy may be subject to discipline up to and including dismissal. A volunteer found in violation of this policy by administration may be subject to sanctions and/or prohibited from volunteer service in the ESD.

The superintendent shall inform all staff members and volunteers of this policy.

END OF POLICY

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### Legal Reference(s):

[ORS 161.205](#)  
[ORS 334.125](#)  
[ORS 339.240](#)

[ORS 339.250](#)

[OAR 581-021-0050 - 0075](#)

[OAR 584-020-0040](#)

# Lane Education Service District

Code: JGAB  
Adopted: 7/10/07  
Revised/Readopted: 7/13/10; 11/15/11; 3/18/14;  
9/23/14; 12/03/19  
Orig. Code(s): JGAB

## Use of Restraint and Seclusion\*\*

The Board is dedicated to the development and application of best practices within the ESD's public educational/behavioral programs. The Board establishes this policy and its administrative regulation to define the circumstances that must exist and the requirements that must be met prior to, during, and after the use of restraint or seclusion as an intervention with ESD students.

The use of the following types of restraint on a student in the ESD is prohibited:

1. Chemical restraint.
2. Mechanical restraint.
3. Prone restraint.
4. Supine restraint.
5. Any restraint that involves the intentional and nonincidental use of a solid object<sup>1</sup>, including a wall or the floor, to impede a student's movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.
6. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, neck or throat.
7. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, unless the restraint is necessary for the purpose of extracting a body part from a bite.
8. Any restraint that impedes, or creates a risk of impeding, breathing.
9. Any restraint that involves the intentional placement of the hands, feet, elbow, knee or any object on a student's neck, throat, genitals or other intimate parts.
10. Any restraint that causes pressure to be placed, or creates a risk of causing pressure to be placed, on the stomach or back by a knee, foot or elbow bone.
11. Any action designed for the primary purpose of inflicting pain.

The use of a seclusion cell is prohibited.

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<sup>1</sup> The use of a solid object, including furniture, a wall, or the floor, by ESD staff performing a restraint is not prohibited if the object is used for the staff's own stability or support while performing the restraint and not as a mechanism to apply pressure directly to the student's body.

Restraint or seclusion may not be used for discipline, punishment, retaliation or convenience of staff, contractors or volunteers of the ESD.

Restraint may be imposed on a student in the ESD only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and substantial physical or bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

Seclusion may be used on a student in the ESD only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and serious bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

If restraint or seclusion is used on a student, by trained staff or other staff available in the case of an emergency when trained staff are not immediately available due to the unforeseeable nature of the emergency, e.g., teacher, administrator it will be used only for as long as the student's behavior poses a reasonable risk of imminent and substantial physical or bodily injury to the student or others and less restrictive interventions would not be effective. Students will be continuously monitored by staff for the duration of the restraint or seclusion.

## Definitions

1. "Restraint" means the restriction of a student's actions or movements by holding the student or using pressure or other means.

"Restraint" does not include:

- a. Holding a student's hand or arm to escort the student safely and without the use of force from one area to another;
  - b. Assisting a student to complete a task if the student does not resist the physical contact; or
  - c. Providing reasonable intervention with the minimal exertion of force necessary if the intervention does not include a restraint prohibited under Oregon Revised Statute (ORS) 339.288 and the intervention is necessary to:
    - (1) Break up a physical fight;
    - (2) Interrupt a student's impulsive behavior that threatens the student's immediate safety, including running in front of a vehicle or climbing on unsafe structures or objects; or
  - d. Effectively protect oneself or another from an assault, injury or sexual contact with the minimum physical contact necessary for protection.
2. "Seclusion" means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. Seclusion includes, but is not limited to, the involuntary confinement of a student alone in a room with a closed door, whether the door is locked or unlocked.

"Seclusion" does not include the removal of a student for a short period of time to provide the student with an opportunity to regain self-control if the student is in a setting from which the student is not physically prevented from leaving, or a student being left alone in a room with a closed door for a brief period of time if the student is left alone for a purpose that is unrelated to the student's behavior.

3. “Seclusion cell” means a freestanding, self-contained unit that is used to isolate the student from other students or physically prevent a student from leaving the unit or cause the student to believe that the student is physically prevented from leaving the unit.
4. “Serious bodily injury” means any significant impairment of the physical condition of a person, as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else.
5. “Substantial physical or bodily injury” means any impairment of the physical condition of a person that requires some form of medical treatment.
6. “Mechanical restraint” means a device used to restrict the movement of a student or the movement or normal function of a portion of the body of a student.

“Mechanical restraint” does not include:

- a. A protective or stabilizing device ordered by a licensed physician; or
  - b. A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.
7. “Chemical restraint” means a drug or medication that is used on a student to control behavior or restrict freedom of movement that is not prescribed by a licensed physician or other qualified health professional acting under the professional’s scope of practice for standard treatment of the student’s medical or psychiatric condition; and administered as prescribed by a licensed physician or other qualified health professional acting under the professional’s scope of practice.
  8. “Prone restraint” means a restraint in which a student is held face down on the floor.
  9. “Supine restraint” means a restraint in which a student is held face up on the floor.

Any student being restrained or secluded within the scope of the ESD program whether in an emergency or as a part of a plan shall be constantly monitored by staff for the duration of the intervention. Any room used for seclusion of a student must meet the standards as outlined in Oregon Administrative Rule (OAR) 581-021-0568.

The ESD shall only utilize a training program for restraint or seclusion to train staff and use in the ESD which has been approved by the Oregon Department of Education (ODE).

The ESD shall preserve, and may not destroy, any records related to an incident of restraint or seclusion, including an audio or video recording. The records must be preserved in the original format and without alteration in accordance with law.

An annual review of the use of restraint and seclusion during the preceding school year shall be completed and submitted to ODE to ensure compliance with ESD policies and procedures.

The results of the review and annual report shall be documented and shall include at a minimum:

1. The total number of incidents involving restraint;
2. The total number of incidents involving seclusion;
3. The total number of seclusions in a locked room;
4. The total number of students placed in restraint;

5. The total number of students placed in seclusion;
6. The total number of incidents that resulted in injuries or death to students or staff as a result of the use of restraint or seclusion;
7. The total number of students placed in restraint or seclusion more than 10 times in a school year and an explanation of what steps have been taken by the ESD to decrease the use of restraint and seclusion for each student;
8. The total number of restraint or seclusion incidents carried out by untrained individuals;
9. The demographic characteristics<sup>3</sup> of all students upon whom restraint or seclusion was imposed;
10. The total number of rooms available for use by the ESD for seclusion of a student and a description of the dimensions and design of the rooms.

This annual report shall be made available to the public at the ESD’s main office and on the ESD’s website, to the Board, and to the component school districts of the ESD.

At least once each school year the parents and guardians of students of the ESD shall be notified about how to access the report.

The ESD shall investigate all complaints regarding the use of restraint and/or seclusion practices according to the procedures outlined in Board policy KL - Public Complaints and KL-AR - Public Complaint Procedure. The complaint procedure is available at the ESD’s administrative office and is available on the home page of the ESD’s website.

The complainant, whether an organization or an individual, may appeal a ESD’s final decision to the Oregon Department of Education pursuant to OAR 581-075-0001 - 581-075-0045.

The superintendent shall develop administrative regulations to carry out the requirements set forth in this policy and to meet any additional requirements established by law related to the use, reporting, and written documentation of the use of restraint or seclusion by ESD staff. A staff member who violates this policy or its administrative regulation may be subject to discipline, up to and including dismissal.

END OF POLICY

**Legal Reference(s):**

<a href="#">ORS 161.205</a>	<a href="#">ORS 339.300</a>	<a href="#">OAR 581-021-0563</a>
<a href="#">ORS 339.250</a>	<a href="#">ORS 339.303</a>	<a href="#">OAR 581-021-0566</a>
<a href="#">ORS 339.285</a>		<a href="#">OAR 581-021-0568</a>
<a href="#">ORS 339.288</a>	<a href="#">OAR 581-021-0061</a>	<a href="#">OAR 581-021-0569</a>
<a href="#">ORS 339.291</a>	<a href="#">OAR 581-021-0550</a>	<a href="#">OAR 581-021-0570</a>
<a href="#">ORS 339.294</a>	<a href="#">OAR 581-021-0553</a>	<a href="#">OAR 581-022-2370</a>
<a href="#">ORS 339.297</a>	<a href="#">OAR 581-021-0556</a>	<a href="#">OAR 581-022-2267</a>

<sup>3</sup> Including race, ethnicity, gender, disability status, migrant status, English proficiency and status as economically disadvantaged, unless the demographic information would reveal personally identifiable information about an individual student.

# Lane Education Service District

Code: JGAB-AR  
Adopted: 7/10/07  
Revised/Readopted: 11/15/11; 11/05/19  
Orig. Code(s): JGAB-AR

## Use of Restraint or Seclusion

### Procedure

1. If restraint or seclusion continues for more than 30 minutes, ESD staff will attempt to immediately notify parents or guardians verbally or electronically.
2. Following an incident involving the use of restraint or seclusion, school staff will provide parents or guardians of the student the following:
  - a. Verbal or electronic notice of the incident by the end of the school day when the incident occurred.
  - b. Written documentation of the incident within 24 hours that provides:
    - (1) A description of the restraint or seclusion including:
      - (a) The date of the physical restraint or seclusion;
      - (b) The time the physical restraint or seclusion began and ended; and
      - (c) The location of the incident.
    - (2) A description of the student's activity that prompted the use of restraint or seclusion.
    - (3) The efforts used to de-escalate the situation and the alternatives to restraint or seclusion that were attempted.
    - (4) The names of the of the staff of the ESD who administered the restraint or seclusion.
    - (5) A description of the training status of the staff of the ESD who administered the restraint or seclusion, including any information that may need to be provided to the parent or guardian.
  - c. Timely notification of a debriefing meeting to be held and of the parent's or guardian's right to attend the meeting.
  - d. Immediate<sup>1</sup>, written notification of the existence of any records<sup>2</sup> related to an incident of restraint or seclusion (including photos or audio or video recording). (include footnote)
3. If the restraint or seclusion was administered by a person without training, the administrator will ensure written notice is issued to the parent or guardian of the student which includes notice of the lack of training and the reason restraint or seclusion was administered by a person without training. The administrator will ensure written notice of the same to the superintendent.
4. An administrator will be notified as soon as practicable whenever restraint or seclusion has been used.

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<sup>1</sup> "Immediate" means to act as soon as possible without undue delay, but in no case later than within 24 hours of the incident. (OAR 581-021-0556(2)(e))

<sup>2</sup> {Such records shall be maintained in accordance with ORS 339.294(9).}

5. If restraint or seclusion continues for more than 30 minutes the student must be provided with adequate access to bathroom and water every 30 minutes. If restraint or seclusion continues for more than 30 minutes, every 15 minutes after the first 30 minutes an administrator for the ESD must provide written authorization for the continuation of the restraint or seclusion, including providing documentation for the reason the restraint or seclusion must be continued. Whenever restraint or seclusion extends beyond 30 minutes, staff of the ESD will immediately attempt to verbally or electronically notify a parent or guardian.
6. An ESD Restraint and/or Seclusion Incident Report must be completed and copies provided to those attending the debriefing meeting for review and comment. The completed Restraint and/or Seclusion Incident Report Form shall include the following:
  - a. Name of the student;
  - b. Name of staff member(s) administering the restraint or seclusion;
  - c. Date of the restraint or seclusion and the time the restraint or seclusion began and ended;
  - d. Location of the restraint or seclusion;
  - e. A description of the restraint or seclusion;
  - f. A description of the student's activity immediately preceding the behavior that prompted the use of restraint or seclusion;
  - g. A description of the behavior that prompted the use of restraint or seclusion;
  - h. Efforts to de-escalate the situation and alternatives to restraint or seclusion that were attempted;
  - i. Information documenting parent or guardian contact and notification.
7. A documented debriefing meeting must be held within two school days after the use of physical restraint and/or seclusion. The parent or guardian of the student must be invited to attending the meeting<sup>3</sup>, and the meeting will include staff members involved in the intervention and any other appropriate personnel. The debriefing team shall include an administrator. At the debriefing meeting, the ESD shall review, in its entirety, any audio or video recording<sup>4</sup> preserved as a record of the incident involving restraint or seclusion in accordance with law. Written notes shall be taken and a copy of the written notes shall be provided to the parent or guardian of the student.

The parent or guardian has the right to request another meeting in the event they were unable to attend the debriefing meeting scheduled to be held within two school days of the incident.

8. If serious bodily injury or death of a student occurs in relation to the use of restraint or seclusion:
  - a. Oral notification of the incident must be provided immediately to a parent or guardian of the student and to the Oregon Department of Human Services (DHS); and
  - b. Written notification of the incident must be provided to DHS within 24 hours of the incident.
9. If serious bodily injury or death of a staff member occurs in relation to the use of restraint or seclusion, written notification of the incident must be provided within 24 hours of the incident to the

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<sup>3</sup> "Meeting" means the debriefing meeting at which the audio or video recording will be viewed. (OAR 581-021-0556(9))

<sup>4</sup> [To the extent practicable without altering the meaning of the record, the ESD shall segregate or redact from such a record any personally identifiable information of other students before disclosure to the student's parent or guardian. If the ESD is unable to segregate or redact personally identifiable information of other students without altering the meaning of the record, the ESD shall disclose the record to the student's parent or guardian in its original format and without any alteration. "Disclose" means to inform the student's parent or guardian that the record exists; that the record in its original format and without alteration will be available for review by the parent or guardian privately and in the debriefing meeting; and that a copy of the record will be provided to the student's parent or guardian upon request in its original and unaltered format except to the extent that the redaction is needed to protect the personally identifiable information of another student. (ORS 339.294; OAR 581-021-0556(10))]

superintendent, to the Superintendent of Public Instruction, and, if applicable, to the union representative for the affected person.

10. The ESD shall maintain a record of each incident in which injuries or death occurs in relation to the use of restraint or seclusion.

**Restraint or seclusion as a part of a behavioral support plan in the student's Individual Education Program (IEP) or Section 504 plan.**

1. Parent participation in the plan is required.
2. The IEP team that develops the behavioral support plan shall include knowledgeable and trained staff, including a behavioral specialist and an ESD representative who is familiar with the restraint and seclusion training practices adopted by the ESD.
3. Prior to the implementation of any behavioral support plan that includes restraint and/or seclusion a functional behavioral assessment must be completed. The assessment plan must include an individual threshold for reviewing the plan.
4. When a behavior support plan includes restraint or seclusion the parents will be provided a copy of the ESD Use of Restraint or Seclusion policy at the time the plan is developed.
5. If a student is involved in five incidents in a school year, the team, including a parent or guardian of the student, will form for the purpose of reviewing and revising the student's behavior plan and ensuring the provision of any necessary behavioral supports.

**Use of restraint or seclusion in an emergency by school administrator, staff or volunteer to maintain order or prevent a student from harming themselves, other students or school staff.**

Use of restraint and/or seclusion under these circumstances with a student who does not have restraint and/or seclusion as a part of their IEP or Section 504 plan is subject to all of the requirements established by Board policy and this administrative regulation with the exception of those specific to plans developed in an IEP or Section 504 plan.

# Lane Education Service District

Code: JGB  
Adopted: 9/07/93  
Revised/Readopted: 7/10/01  
Orig. Code(s): JGB

## Detention of Students **Proposed Delete**

*(Does the ESD need this policy?)*

Lane ESD program administrators or teachers may detain a student for disciplinary reasons after school hours, provided the parent, guardian or person in a parental relationship has been notified of the detention and, in the case of bus students, arrangements have been made for the student's transportation home. In cases of suspected child abuse, students may be detained while waiting for a representative from Oregon Department of Human Services, Community Human Services, or law enforcement.

Parents, guardians or persons in a parental relationship may be asked to arrange for the transportation of the detained student; however, if the parent, guardian or person in a parental relationship cannot or will not provide it, an alternative disciplinary procedure must be substituted.

Students who are detained after school must not be left alone during their detention. Their supervision must be provided or arranged for by the teacher or administrator who detains them.

Lane ESD staff working in component school districts, their students, parents, guardians or persons in a parental relationship shall comply with component district policies and procedures.

END OF POLICY

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### Legal Reference(s):

[ORS 334.125 \(7\)](#)  
[ORS 339.250](#)

[OAR 581-021-0050 to -0075](#)

# Lane Education Service District

Code: JGD  
Adopted: 7/10/01  
Orig. Code(s): JGD

## Suspension

The Board authorizes the administration to suspend a student for one or more of the following reasons:

1. Willful disobedience and violation of ESD Board policies, administrative regulations or school rules;
2. Willful conduct which materially and substantially disrupts the rights of others to an education;
3. Willful conduct which endangers the student, other students or staff members;
4. Willful conduct which damages or injures ESD property.

A student whose conduct or condition is seriously detrimental to the school's best interests may be suspended. The ESD shall consider the age of the student and the student's past pattern of behavior prior to imposing the suspension. The ESD will ensure careful consideration of the rights and needs of the individual concerned, as well as the best interests of other students and the school program as a whole.

The use of out-of-school suspension for discipline of a student in the fifth grade or below, is limited to:

1. Nonaccidental conduct causing serious physical harm to a student or employee;
2. When a school administrator determines, based on the administrator's observation or upon a report from an employee, the student's conduct poses a threat to the health or safety of students or employees; or
3. When the suspension is required by law.

When an out-of-school suspension is imposed on a student in the fifth grade or lower, the ESD shall take steps to prevent the recurrence of the behavior that led to the out-of-school suspension, and return the student to a classroom setting to minimize the disruption of the student's academic instruction.

Each notice of suspension will include a statement of the reasons for suspension, the length of the suspension and a plan for readmission and may include a plan for the student to make up school work. No suspension shall extend beyond 10 school days. Lane ESD may require a student to attend school during nonschool hours as an alternative to suspension. Every reasonable and prompt effort must be made to notify the parents of suspended students.

In emergency situations that are a result of risk to health and safety, the ESD may postpone the suspension notice process above until the emergency condition has passed.

Students who are suspended may not attend after-school activities, be present on ESD property without a parent or participate in activities directed or sponsored by the ESD.

A decision by the superintendent to suspend a student may be appealed to the Board through the ESD's complaint procedures (see Board policy KL - Public Complaints and its accompanying administrative regulations).

Students and parents are given notice of possible discipline actions resulting from student misconduct that may result in suspension in the [*Student/Parent Handbook*] code of conduct made available by the ESD.

Lane ESD staff working in component school districts, their parents, guardians or persons in parental relationship shall comply with component district policies and procedures.

END OF POLICY

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**Legal Reference(s):**

[ORS 334.125\(7\)](#)  
[ORS 339.240 to -339.250](#)

[OAR 581-021-0050](#)  
[OAR 581-021-0055](#)  
[OAR 581-021-0060](#)

[OAR 581-021-0065](#)  
[OAR 581-021-0075](#)

# Lane Education Service District

Code: JGDA  
Adopted: 10/24/00  
Readopted: 7/10/014; 8/27/02; 6/24/08  
Orig. Code(s): JGDA/JGEA

## Discipline of Students with Disabilities\*\*

When considering student disciplinary procedures that may result in removal of the student, the ESD follows all special education procedures and ensures the parent and the student are afforded the procedural safeguards of the Individuals with Disabilities Education Act (IDEA) if:

1. The student is receiving individualized education program (IEP) services;
2. For the student not yet identified as a student with a disability, the ESD had knowledge that the student had a disability and needed special education.

For a violation of a code of conduct, the district<sup>1</sup> may remove a student with a disability from a current educational placement to an appropriate interim alternative educational setting, another setting, or suspension, for up to 10 school days in a school year to the same extent, and with the same notice, as for students without disabilities, if the removals do not constitute a pattern. The district may remove a student with disabilities for additional periods of up to 10 days if the removals do not constitute a pattern. The determination regarding whether a series of removals constitutes a pattern is subject to review in an expedited due process hearing.

Disciplinary removal of a student with a disability constitutes a change in the student's educational placement when the removal is for more than 10 consecutive school days, or the removal is for more than 10 cumulative school days and constitutes a pattern of removals. When considering whether to order a disciplinary change of placement the district may consider any unique circumstances on a case-by-case basis. Any decision to initiate a disciplinary change in placement requires a determination of whether the conduct leading to the disciplinary removal was caused by, or was substantially related to, the student's disability or was a direct result of the district's failure to implement the student's IEP.

For a violation involving drugs, weapons or the infliction of serious bodily injury, the district may remove a student with a disability from the student's current educational placement to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than 45 school days in a school year without regard to whether the behavior is a manifestation of the student's disability. This removal is considered a change in placement.

The district will provide educational services to a student who is suspended or expelled for more than 10 school days in a school year. These services may be provided in a different location or interim alternative educational setting as determined by the IEP and placement teams.

END OF POLICY

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<sup>1</sup> "District" means the student's resident district.

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**Legal Reference(s):**

[ORS 326.565](#)  
[ORS 326.575](#)  
[ORS 336.187](#)  
[ORS 339.240](#)  
[ORS 339.250](#)  
[ORS 339.252](#)

[ORS 343.177](#)  
[OAR 581-015-2400](#)  
[OAR 581-015-2405](#)  
[OAR 581-015-2410](#)  
[OAR 581-015-2415](#)

[OAR 581-015-2420](#)  
[OAR 581-015-2425](#)  
[OAR 581-015-2430](#)  
[OAR 581-015-2435](#)  
[OAR 581-015-2440](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1415(k) (2012).  
Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.507, § 300.508(a)-(c); §§ 300.510-300.514; §§ 300.530-300.536 (2017).

# Lane Education Service District

Code: JGDA-AR  
Adopted: 7/10/01  
Orig. Code(s): JGDA/JGEA-AR

## Discipline of Students with Disabilities\*\* **HOLD**

*(The student's resident district.)*

### 1. Definitions

a. The following definitions when considering disciplinary action:

- (1) "Behavioral intervention plan" means an individualized plan, including positive interventions, designed to assist a student to decrease inappropriate behavior and increase or teach an alternative appropriate behavior.
- (2) "Current educational placement" means the type of educational placement of the student as described in the student's "annual determination of placement" document at the time of the disciplinary removal. It does not mean the specific location or school but the types of placement on the continuum of placement options.
- (3) "Disciplinary removal" means suspension, expulsion or other removal from school for disciplinary reasons, including removals pending completion of a risk assessment. It does not include:
  - (a) Removals by other agencies;
  - (b) Removals for public health reasons (e.g., head lice, immunizations, communicable diseases);
  - (c) In-school suspensions if the student continues to have access to the general curriculum and to special education and related services as described in the student's IEP, and continues to participate with nondisabled students to the extent they would in their current placement; or
  - (d) Bus suspensions, unless the student's IEP includes transportation as a related service, the district makes no alternative transportation arrangements for the student, and the student does not attend school as a result of the bus suspension.
- (4) "Functional behavioral assessment" means an individualized assessment of the student that results in a team hypothesis about the function of a student's behavior and, as appropriate, recommendations for a behavior intervention plan.
- (5) "Suspension" means any disciplinary removal other than expulsion.

### 2. Disciplinary Change of Placement

a. Disciplinary removal of a student with a disability constitutes a change in the student's educational placement when:

- (1) The removal is for more than 10 consecutive school days; or
- (2) The removal is for more than 10 cumulative school days and constitutes a pattern of removals.

- b. The district<sup>1</sup> may consider any unique circumstances on a case-by-case basis when determining whether to order a disciplinary change in placement.

### 3. Manifestation Determination

- a. Within 10 days of any decision to initiate a disciplinary change in placement of a student with a disability, the district convenes a manifestation determination meeting.
- b. The district follows all required special education procedures for determining whether a student's conduct that led to a disciplinary removal from school was caused by, or had a substantial relationship to, the student's disability or was a direct result of the district's failure to implement the student's IEP.

### 4. Disciplinary Removals for up to 10 School Days

- a. The district may remove students with disabilities from their current educational placement, to an appropriate interim alternative educational setting, another setting, or suspension, for up to 10 school days in a school year to the same extent, and with the same notice, for violation of a code of conduct as for students without disabilities. These removals are not considered a change in placement.
- b. During disciplinary removals for up to 10 school days:
  - (1) The district is not required to provide access to special education and the general curriculum unless students without disabilities are provided access during this time.
  - (2) The district is not required to determine whether the student's behavior resulting in the disciplinary removal is a manifestation of the student's disability.
  - (3) The district counts days of suspension for the purposes of procedural safeguards as follows:
    - (a) Suspensions of a half day or less will be counted as a half day; and
    - (b) Suspensions of more than a half day will be counted as a whole day;
    - (c) If a student moves from another school district in Oregon, any days of suspension from the former district apply, unless the ESD does not have knowledge of previous suspensions.

### 5. Disciplinary Removals of More than 10 Cumulative School Days and Pattern of Removal

- a. The district may remove students with disabilities from their current educational placement to an appropriate interim alternative educational setting, another setting or suspension for additional periods of up to 10 days in a school year to the same extent, and with the same notice as for students without disabilities, if the removals do not constitute a pattern. These removals do not constitute a change in placement.
- b. In determining whether removals of additional periods of up to 10 school days constitute a pattern or removals, district personnel will consider, on a case by case basis:
  - (1) Whether the behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and

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<sup>1</sup> "District" means the

- (2) Additional factors such as the length of each removal, the total number of days of removal, and the proximity of removals to one another.
  - c. During removals of additional periods of up to 10 school days in a school year that do not constitute a pattern, the district will provide services that are necessary to enable the student to:
    - (1) Continue to participate in the general education curriculum;
    - (2) Progress toward achieving the goals in the student’s IEP; and
    - (3) The services and location for delivery of services in this section will be determined by district personnel, in consultation with at least one of the student’s teachers, or by the student’s IEP team.
6. a series of removal constitutes a Removal to an Interim Alternative Educational Setting for Not More Than 45 Days by the District under Special Education Circumstances
- a. The district may remove a student with a disability from the student’s current educational placement to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than 45 school days in a school year for a drug or weapon violation, or for infliction of serious bodily injury, without regard to whether the behavior is manifestation of the student’s disability. This removal is considered a change in placement. School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order such a removal.
  - b. For the purpose of determining a drug or weapon violation or serious bodily injury, the district will apply the following definitions:
    - (1) “Drug” means illegal drug or controlled substance but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or otherwise legally possessed. It does not include alcohol or tobacco.
    - (2) “Drug violation” means the use, possession, sale or solicitation of drugs at school or a school function.
    - (3) “Infliction of serious bodily injury” means serious bodily injury caused by a student to another person while at school, on school premises or at a school function under the jurisdiction of ODE or an ESD.
    - (4) “Serious bodily injury” means bodily injury, which involves substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty.
    - (5) “Weapon” means a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that it does not include a pocket knife with a blade of less than 2 ½ inches in length.
    - (6) “Weapon violation” means carrying a weapon to school or to a school function or acquiring a weapon at school.
  - c. On the date that the district decides to remove a student to an interim alternative educational placement because of a drug or weapon violation or for serious bodily injury, the district notifies that parent(s) of the decision and gives the parent(s) a Procedural Safeguards Notice.
  - d. Within 10 school days of any decision to remove the student to an interim alternative educational placement because of a drug or weapon violation or for serious bodily injury, the district:

- (1) Convenes a meeting to determine whether the behavior is a manifestation of the student's disability; and
- (2) Conducts, as appropriate, a functional behavior assessment, and develops a behavior intervention plan based on the functional behavior assessment that is designed to address the behavior so it does not recur.
- (3) .

7. Removal to an Interim Alternative Educational Setting for Not More than 45 Days by Administrative Law Judge for Injurious Behavior

- a. The district may request an expedited due process hearing to obtain an administrative law judge's order to remove a student to an interim alternative educational setting for not more than 45 school days if the student is exhibiting injurious behavior. For the purpose of this request, "injurious behavior" is defined as behavior that is substantially likely to result in injury to the student or to others.
- b. The interim alternative educational setting must meet the requirements of the "Interim Alternative Educational Setting" section.

8. Interim Alternative Educational Setting

When a student with a disability is placed in an interim alternative educational setting, the setting:

- a. Is determined by the student's IEP; and
- b. Enables the student to:
  - (1) Continue to participate in the general curriculum, although in another setting;
  - (2) Progress toward achieving the goals in the student's IEP; and
  - (3) Receive services and modifications designed to address the misconduct that led to placement in the interim alternative educational setting and to prevent the misconduct from recurring.

9. Placement Pending Appeal

If a parent disagrees with the manifestation determination or any decision about placement related to the disciplinary removal and requests a due process hearing, the student will remain in the interim alternative educational setting pending the decision of the administrative law judge, or until the end of the disciplinary removal, whichever is shorter, unless the parent and the district agree to another placement pending the hearing.

10. Conduct and Outcome of a Manifestation Determination

- a. Within 10 school days of any decision to change the placement of a student with a disability for disciplinary reasons, the district convenes a manifestation determination meeting.
- b. The team that determines whether a student's behavior that led to a disciplinary removal from school was caused by, or had a substantial relationship to the student's disability or was a direct result of the district's failure to implement the student's IEP, includes the parent(s), district representatives and other relevant members of the IEP team, as determined by the parent and the district.

- (1) The team reviews all relevant student information, including the student's IEP, teacher observations and information provided by the parent.
  - (2) The team concludes that the conduct in question is a manifestation of the student's disability if it determines the behavior was caused by, or had a substantial relationship to, the child's disability, or if it was the direct result of the district's failure to implement the IEP.
- c. If the team determines that the district did not implement the student's IEP or identifies other deficiencies in the student's IEP or placement, the district corrects the identified deficiencies immediately.
  - d. Regardless of whether the behavior was a manifestation of the student's disability, the district may remove the student to an interim alternative educational setting for weapons or drug violations or for infliction of serious bodily injury for up to 45 days.
  - e. When behavior is a manifestation of disability.

If the team concludes that the behavior was a manifestation of the student's disability:

- (1) The district will not proceed with a disciplinary removal for more than 10 days.
  - (2) The district conducts a functional behavioral assessment and develops a behavior plan to address the behavior that led to the disciplinary action. If the district has already conducted a functional behavioral assessment or if the student already has a behavior intervention plan regarding that behavior, the district reviews, modifies as necessary and implements the plan to address the behavior.
  - (3) The district may review and revise the student's IEP and placement through normal IEP and placement processes.
  - (4) The district may enter into an agreement with the parent to change the student's placement as part of the modification of the behavioral intervention plan.
  - (5) If the district believes that maintaining the current placement of the child is substantially likely to result in injury to the student or to others, the district may appeal the decision of the manifestation determination team by requesting an expedited due process hearing. An administrative law judge who concludes that maintaining the current educational placement is substantially likely to result in injury to the student or to others may order a change in placement to an interim alternative educational setting for no more than 45 days.
- f. When behavior is not a manifestation of disability.

If the IEP team determines that the student's behavior is not a manifestation of the student's disability the district may proceed with disciplinary removals, in the same manner and for the same duration, as would be applied to students without disabilities. If the district takes such action, applicable to all students, the district:

- (1) Notifies the parent(s) of the decision to remove the student on the date that decision is made and gives the parents a Procedural Safeguards Notice;
- (2) Give the parent(s) prior written notice of any proposed change in placement;
- (3) Provides services to the student in an interim alternative educational setting that is determined by the IEP team; and
- (4) Provides, as appropriate, a functional behavioral assessment, develops appropriate behavioral interventions to address the behavior and implements those interventions.

11. Protections for Students not yet Eligible for Special Education

- a. The district will follow all special education disciplinary procedures for a student who has not yet been identified as a student with a disability if the district had knowledge that the student had a disability and needed special education.
- b. The district is presumed to have such knowledge if, before the behavior that precipitated the disciplinary action occurred:
  - (1) The student's parent(s) expressed a concern in writing to supervisory or administrative school personnel, or to a teacher of the student, that the student is in need of special education and related services;
  - (2) The student's parent(s) requested a special education evaluation of the student; or
  - (3) The student's teacher or other school personnel expressed specific concerns about a pattern of behavior demonstrated by the student directly to the district's special education director or other district supervisory personnel.
  - (4) district The parent has not allowed an evaluation of the student or has refused the initial provision of special education services to the student; or
  - (5) The student has been evaluated and found not eligible for special education services.
- c. If the district did not have knowledge before taking disciplinary action against the student, the district may take the same disciplinary actions as applied to students without disabilities who engaged in comparable behaviors. However:
  - (1) If a special education evaluation is requested, or if the district initiates a special education evaluation, the evaluation will be conducted in an expedited manner;
  - (2) Until the evaluation is completed, the student will remain in the educational placement determined by district personnel, which can include suspension, expulsion or placement in alternative education;
  - (3) Upon completion of the evaluation, if the student is determined to be a student with a disability, the district will conduct an IEP meeting to develop an IEP and determine placement and will provide special education and related services in accordance with the IEP;
  - (4) The district will apply the Individuals with Disabilities Education Act (IDEA) discipline provisions beginning on the date of the eligibility determination.

# Lane Education Service District

Code: JGE  
Adopted: 12/05/23  
Orig. Code(s): JGE

## Expulsion\*\*

{Required policy. ORS 339.250(2) requires “each district school board” to have a policy on expulsion. Some of the contents of this model sample come from OAR 581-021-0070, which do not apply to ESDs.}

A principal, after reviewing available information, may recommend to the superintendent that a student be expelled. Expulsion of a student shall not extend beyond one calendar year.

A student may only be expelled for any of the following circumstances:

1. When a student’s conduct poses a threat to the health or safety of students or employees;
2. When other strategies to change the student’s conduct have been ineffective, except that expulsion may not be used to address truancy; or
3. When required by law.

The use of expulsion for discipline of a student in fifth grade or lower is limited to:

1. Nonaccidental conduct causing serious physical harm to a student or employee;
2. When a school administrator determines, based on the administrator’s observations or upon a report from an employee, the student’s conduct poses a direct threat to the health or safety of students or employees; or
3. When the expulsion is required by law.

The age of the student and the past pattern of behavior will be considered prior to imposing the expulsion.

No student may be expelled without a hearing unless the student’s parents, or the student if 18 years of age, waive the right to a hearing, either in writing or by failure to appear at a scheduled hearing.

The Board delegates the authority to decide on an expulsion to the superintendent. The superintendent may designate another person to handle the potential expulsion, and the superintendent, a designee or another individual may act as the hearings officer. The ESD may contract with an individual who is not employed by the ESD to serve as the hearings officer. The hearings officer will not be associated with the initial actions of the building administrators. The hearings officer will conduct the hearing and make a final decision regarding the expulsion. A decision of the hearings officer may be appealed by the parent or the student if age 18 or over to the Board for review.

If the decision of the hearings officer is appealed to the Board for review, the findings as to the facts and the hearings officer’s decision will be submitted to the Board, and will be available in identical form to the Board, the student and the student’s parents at the same time. At a future meeting, the Board will review the hearings officer’s decision and will affirm, modify or reverse the decision.

When a recommendation for an expulsion is made and a hearing is not waived, the following procedure is required:

1. Notice will be given to the student and the parent by personal service<sup>1</sup> or by certified mail<sup>2</sup> at least five days prior to the scheduled hearing. Notice shall include:
  - a. The specific charge or charges and the specific facts that support the charge or charges;
  - b. A statement of the intent to consider the charges as reason for expulsion;
  - c. The student's right to a hearing;
  - d. When and where the hearing will take place; and
  - e. The student may be represented by counsel or other persons.
2. If the parent or student does not understand the English language, the ESD will provide an interpreter during the hearing. All communications will be in a manner that is understandable to the parents and student;
3. The student shall be permitted to have representation present at the hearing to advise and to present arguments. The representation may be an attorney, parent or other person. The ESD's attorney may be present;
4. The student shall be afforded the right to present their version of the events underlying the expulsion recommendation and to introduce evidence by testimony, writings or other exhibits;
5. The student shall be permitted to be present and to hear the evidence presented by the ESD;
6. The hearings officer or the student may record the hearing;
7. Strict rules of evidence shall not apply to the proceedings. However, this shall not limit the hearings officer's control of the hearing;
8. A Board review of the hearings officer's decision will be conducted in executive session unless the student or the student's parent requests a public hearing. If an executive session is held by the Board or a private hearing held by the hearings officer, the following will not be made public:
  - a. The name of the minor student;
  - b. The issues involved, including a student's confidential record;
  - c. The discussion;
  - d. The vote of Board members, which may be taken in executive session when considering an expulsion.

Prior to expulsion for reasons other than a weapons violation, the ESD must notify the student and parents of alternative programs of instruction or instruction combined with counseling and document this notification.

END OF POLICY

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<sup>1</sup> The person serving the notice shall file a return of service. (OAR 581-021-0070)

<sup>2</sup> When "certified mail is given to a parent of a suspended student, the notice shall be placed in the mail at least five days before the date of the hearing." (OAR 581-021-0070)

**Legal Reference(s):**

[ORS 192.660](#)  
[ORS 332.061](#)  
[ORS 334.125](#)

[ORS 336.615 - 336.665](#)  
[ORS 339.115](#)  
[ORS 339.240](#)

[ORS 339.250](#)  
[OAR 581-021-0050 - 021-0075](#)

# Lane Education Service District

Code: JHC  
Adopted: 10/24/00  
Readopted: 7/10/01; 2/07/23  
Orig. Code(s): JHC

## Student Health Services and Requirements\*\* **Proposed Delete**

Although the ESD's primary responsibility is to educate students, the students' health and general welfare is also an important Board responsibility. The Board believes school programs should be conducted in a manner that protects and enhances student and employee health and is consistent with good health practices.

The ESD shall provide:

1. One registered nurse or school nurse for every 125 medically fragile students;
2. One registered nurse or school nurse or one licensed practical nurse under the supervision of a registered nurse or school nurse for each nursing-dependent student; and
3. One registered nurse or school nurse for every 225 medically complex students.

The ESD may use the most cost effective means available to meet the above requirements.

The nurse(s) employed by the ESD shall be licensed to practice as a registered nurse or nurse practitioner in Oregon and will function as an integral member of the instructional staff, serving as a resource person to teachers in securing appropriate information and materials on health-related topics.

Any nurse(s) providing services to the ESD shall follow all applicable requirements of Oregon Revised Statutes (ORS) Chapter 678 and Oregon Administrative Rule (OAR) Chapter 851. This includes, but is not limited, delegation in accordance with OAR 851-047, which includes performing a nursing assessment of the patient prior to delegation, providing adequate supervision during the delegation, and evaluating the skills, ability and willingness of the delegee.<sup>1</sup>

The ESD shall maintain a prevention-oriented health services program which provides:

1. Pertinent health information on the students, as required by Oregon statutes or rules;
2. Health appraisal to include screening for possible vision or hearing problems;
3. Health counseling for students and parents, when appropriate;
4. Health-care and first-aid assistance that are appropriately supervised and isolates the sick or injured child from the student body;

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<sup>1</sup> For additional delegation requirements, see OAR [851-047-0030](#).

5. Control and prevention of communicable diseases as required by Oregon Health Authority, Public Health Division and the county health department;
6. Assistance for students in taking prescription and/or nonprescription medication according to established ESD procedures;
7. Services for students who are medically fragile or have special health-care needs;
8. Integration of school health services with school health education programs.

The Board directs its ESD health staff to coordinate with health personnel from other public agencies in matters pertaining to health instruction or the general health of students and employees.

In accordance with the requirements of federal law, the ESD recognizes its responsibility to notify parents in advance of any nonemergency, invasive physical examination<sup>2</sup> or screening that is required as condition of attendance; administered and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students. Notification will be provided at least annually at the beginning of the school year or when enrolling students for the first time in school and will include the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

Procedures shall be developed and implemented to carry out this policy. All ESD employees will be appraised of their responsibilities in this area. Parents shall have the opportunity to request their students be exempt from participation in vision or hearing screening. The ESD will abide by those requests.

END OF POLICY

**Legal Reference(s):**

[ORS 329.025](#)  
[ORS 336.201](#)

[ORS 336.211](#)  
[OAR 581-022-2050](#)

[OAR 581-022-2220](#)  
[OAR 581-022-2225](#)

Protection of Pupil Rights, 20 U.S.C. § 1232h (2018); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2022).

Every Student Succeeds Act of 2015, 20 U.S.C. § 8548 (2018).

Family Education Rights and Privacy Act 20 U.S.C. § 1232g (2018).

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<sup>2</sup> The term “invasive physical examination,” as defined by law, means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening. The term does not include any physical examination or screening that is permitted or required by state law, including physical examinations or screenings that are permitted without parental notification.

# Lane Education Service District

Code: JHCA  
Adopted: 9/07/93  
Revised/Readopted: 7/10/01  
Orig. Code(s): JHCA/JHCB

## Immunizations

The Board requires all students in its programs to be immunized in accordance with Oregon law, unless specifically exempt for religious, philosophical beliefs and/or medical exemption or immunity documentation.<sup>1</sup>

All students enrolling in Lane ESD programs must provide proof of immunization that meets the minimum requirements for immunization required by Oregon law.

The superintendent or designee or the local or county health department will exclude from school any student who fails to comply with these requirements for immunization.

END OF POLICY

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### Legal Reference(s):

[ORS 326.580](#)

[ORS 336.479](#)

[ORS 336.485](#) - [ORS 336.490](#)

[ORS 433.235](#) - [433.280](#)

[OAR 333-019-0010](#)

[OAR 333-050-0010](#) - [050-0120](#)

[OAR 581-021-0041](#)

McKinney-Vento Homeless Assistance Act, Subtitle VII-B, reauthorized by Title IX-A of the Every Student Succeeds Act, 42 U.S.C. §§ 11431-11435 (2018).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2024).

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<sup>1</sup> Documentation requirements for exemptions are outlined in [ORS 433.267](#).

# Lane Education Service District

Code: JHCC  
Adopted: 6/28/94  
Revised/Readopted: 7/10/01; 12/06/17  
Orig. Code(s): JHCC

## Communicable Disease – Students **Proposed Delete**

*(See policy GBEB and its AR)*

The ESD shall provide reasonable protection against the risk of exposure to communicable disease for students. The ESD will follow the Oregon Department of Education and the state and local health authorities' rules and regulations pertaining to communicable diseases. Reasonable protection from communicable disease is generally attained through immunization, exclusion or other measures as provided by Oregon law, by the local health department or in the Communicable Disease Guidance published by the Oregon Department of Education (ODE) and the Oregon Health Authority (OHA). Services will be provided to students as required by law.

When an administrator has reason to suspect that a student has or has been exposed to any restrictable disease for which the student is required to be excluded, the administrator involved shall exclude the student from school and if the disease is a reportable disease, will report the occurrence to the local health department. The administrator will also take whatever reasonable steps it considers necessary to organize and operate its programs in a way which both furthers the education and protects the health of students and others.

In cases when a restrictable or reportable disease is diagnosed and confirmed for a student, the administrator shall inform the appropriate employees with a legitimate educational interest to protect against the risk of exposure.

The ESD may, for the protection of both the student who has a restrictable disease and the exposed student, provide an educational program in an alternative setting

The ESD shall protect the confidentiality of each student's health condition and record to the extent possible and consistent with federal and state law.

The superintendent will develop administrative regulations necessary to implement this policy.

END OF POLICY

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### Legal Reference(s):

[ORS 431.150](#) to -431.157  
[ORS 433.001](#) to -433.526

[OAR 333-018](#)  
[OAR 333-019-0010](#)  
[OAR 333-019-0014](#)

[OAR 437-002-0360](#)  
[OAR 437-002-0377](#)  
[OAR 581-022-2220](#)

# Lane Education Service District

Code: JHCC-AR  
Adopted: 7/10/01  
Readopted: 8/27/02; 11/07/17  
Orig. Code(s): JHCC-AR

## Communicable Diseases – Student **Proposed Delete**

*(See policy GBEB and its AR)*

In accordance with state law, administrative rule, the local health authority and the *Communicable Disease Guidance*, the procedures established below will be followed.

1. “Restrictable diseases” are defined by rule and include but are not limited to chickenpox, diphtheria, hepatitis A, measles, mumps, pertussis, rubella, Salmonella enterica serotype Typhi infection, scabies, Shiga-toxigenic Escherichia coli (STEC) infection, shigellosis and tuberculosis disease, and may include a communicable stage of hepatitis B infection if, in the opinion of the local health officer, the person poses an unusually high risk to others (e.g., a child that exhibits uncontrollable biting or spitting). Restrictable disease also includes any other communicable disease identified in an order issued by the Oregon Health Authority or the local public health officer as posing a danger to the public’s health. A disease is considered to be a restrictable disease if it is listed in Oregon Administrative Rule (OAR) 333-019-0010, or it has been designated to be a restrictable disease by Board policy<sup>1</sup> or by the local health administrator, after determining that it presents a significant public health risk in the school setting.
2. ”Susceptible” means being at risk of contracting a restrictable disease by virtue of being in one or more categories described in law.
3. “Reportable diseases” means a human reportable disease, infection, microorganism or condition as specified in OAR Chapter 333, Division 18.

### Restrictable Diseases

1. An administrator that has reason to suspect that a student has or has been exposed to any restrictable disease for which the student is required to be excluded, shall exclude that student from school and send him/her home. If the disease is reportable, the administrator will report the occurrence to the local health department.
2. The student will be excluded in such instances until such time as the student or the parent or guardian of the student presents a certificate from a physician, a physician assistant licensed under Oregon Revised Statute (ORS) 677.505-677.525, a nurse practitioner licensed under ORS 678.375-678.390, local health department nurse or school nurse stating that the student does not have or is not a carrier of any restrictable diseases.
3. An administrator will exclude a susceptible student that has been exposed to a restrictable disease that is also a reportable disease unless the local health officer determines that exclusion is not necessary to protect the public’s health, or the local health officer states the diseases is no longer

<sup>1</sup> “OAR 333-019-0010(7) Nothing in these rules prohibits a school or children’s facility from adopting more stringent exclusion standards under ORS 433.284.”

communicable to others or that adequate precautions have been taken to minimize the risk of transmission. The administrator may request the local health officer to make a determination as allowed by law.

4. The ESD may, for the protection of both the student who has a restrictable disease and the exposed student, provide an educational program in an alternative setting. A student may remain in an alternative educational setting until such time as a certificate from a physician, physician assistant, nurse practitioner, local health department nurse or school nurse states that the student does not have or is not a carrier of any restrictable disease, or until such time as a local health officer states that the disease is no longer communicable to others or that adequate precautions have been taken to minimize the risk of transmission. A restrictable disease exclusion for chickenpox, scabies, staphylococcal skin infections, streptococcal infections, diarrhea or vomiting may also be removed by a school nurse or health care provider.
5. More stringent exclusion standards for students from school may be adopted by the local health department or by the ESD through Board adopted policy.
6. A disease is considered to be a restrictable disease if it is listed in OAR 333-019-0010, or it has been designated to be a restrictable disease through Board policy or by the local health administrator, after determining that it presents a significant public health risk in the school setting.
7. The ESD's emergency plan shall address the ESD's plan with respect to a declared public health emergency at the local or state level.

### **Reportable Diseases Notification**

1. All employees shall comply with all reporting measures adopted by the ESD and with all rules set forth by the Oregon Health Authority, Public Health Division and the local health department.
2. An administrator may seek confirmation and assistance from the local health officer to determine the appropriate ESD response when the administrator is notified that a student or an employee has been exposed to a restrictable disease that is also a reportable disease.
3. An administrator shall determine other persons with a legitimate educational interest who may be informed of the communicable nature of an individual student's disease, or an employee's communicable disease, within guidelines allowed by law.

### **Education**

1. The administrator or designee shall seek information from the ESD's school nurse or other appropriate health officials regarding the health needs/hazards of all students and the impact on the educational needs of a student diagnosed with a restrictable disease or exposed to a restrictable disease.
2. The administrator or designee shall, utilizing information obtained above, determine an educational program for such a student and implement the program in an appropriate (i.e., regular or alternative) setting.
3. The administrator or designee shall review the appropriateness of the educational program and the educational setting of each individual student.

## Equipment and Training

1. The administrator or designee shall, on a case-by-case basis, determine what equipment and/or supplies are necessary in a particular classroom or other setting in order to prevent disease transmission.
2. The administrator or designee shall consult with the ESD's school nurse or other appropriate health officials to provide special training in the methods of protection from disease transmission.
3. All ESD personnel will be instructed annually to use the proper precautions pertaining to blood and body fluid exposure per the Occupational Safety and Health Administration (OSHA).

# Lane Education Service District

Code: JHCCA  
Adopted: 12/05/00  
Readopted: 7/10/01; 10/22/13  
Orig. Code(s): JHCCA

## Students - HIV, HBV and AIDS\*\* **Proposed Delete**

The ESD will adhere strictly in policies and procedures to the Oregon Revised Statutes and the Oregon Administrative Rules as they relate to a student infected with HIV or HBV or diagnosed with AIDS<sup>1</sup>.

The ESD recognizes a parent (student) has no obligation to inform the ESD of an HIV, HBV or AIDS condition, and that the student has a right to attend school. If the ESD is informed of such a student, written guidelines shall be requested of the parent (student). These guidelines shall include who may have the information, who will give the information, how the information will be given and where and when the information will be given.

When informed of the infection, and with written permission from the parent (student), the ESD will develop procedures for formulating an evaluation team. The team shall address the nature, duration and severity of risk as well as any modification of activities. The team shall continue to monitor the student's condition.

Notification of alternative education programs shall be made to the parent or eligible student, if an HIV, HBV or AIDS student withdraws from school.

Lane ESD shall also develop procedures for rumor control, infection control, student accommodations and public relations/media.

END OF POLICY

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### Legal Reference(s):

[ORS 326.565](#)  
[ORS 326.575](#)  
<http://landru.leg.state.or.us/ors/334.htm>  
[IORS 334.125\(7\)](#)  
[ORS 336.187](#)

[ORS 339.030](#)  
[ORS 433.008](#)  
[ORS 433.045](#)  
[OAR 333-018-0000](#)

[OAR 333-018-0005](#)  
[OAR 581-022-0705](#)  
[OAR 581-022-1660](#)

OREGON SCHOOL HEALTH SERVICES MANUAL: COMMUNICABLE DISEASES APPENDIX IV. GUIDELINES FOR SCHOOLS WITH CHILDREN WHO HAVE BLOODBORNE PATHOGENS, OREGON DEPARTMENT OF EDUCATION 2012.

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<sup>1</sup> HIV - Human Immunodeficiency Virus; HBV - Hepatitis B Virus; AIDS - Acquired Immune Deficiency Syndrome

# Lane Education Service District

Code: JHCCBA/EBBAB/GBEBAA  
Adopted: 6/28/94  
Readopted: 7/10/01, 8/27/02  
Orig. Code(s): JHCCBA/EBBAB/GBEBAA

## HIV/Bloodborne Pathogens **Proposed Delete**

*(See EBBAA)*

The Board recognizes that staff/students incur some risk of infection and illness each time they are exposed to blood or other potentially infectious materials. While the risk to staff/students of exposure to body fluids due to casual contact with individuals in the school environment is very low, the Board regards any such risk as serious.

Consequently, the Board directs adherence to standard precautions. Standard precautions require that staff and students approach infection control as if all direct contact with human blood and body fluids is known to be infectious for HIV, HBV and/or other bloodborne pathogens<sup>1</sup>.

In order to reduce the risk to staff/students by minimizing or eliminating staff exposure incidents to bloodborne pathogens, the Board directs the superintendent to develop and implement an Exposure Control Plan. The plan shall be reviewed and updated at least annually and whenever necessary to reflect new or modified tasks and procedures which affect occupational exposure and to reflect new or revised employee positions with occupational exposure. The review and update shall also:

1. Reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens;
2. Annually, document consideration and implementation of appropriate commercially available and effective safer medical devices designed to eliminate or minimize occupational exposure.

The plan shall include training followed by an offer of immunization with Hepatitis B vaccine and vaccination series for all staff who are required to provide first aid to students and/or for all staff who have occupational exposure as determined by the ESD. Training shall be provided at the time of initial assignment to tasks where occupational exposure may take place and at least annually thereafter. Personal protective equipment appropriate to job tasks shall be provided by the ESD. A post-exposure evaluation and follow-up shall be made available to any employee sustaining an occupational exposure.

The ESD recognizes that, as required by OAR 437-002-1030, employees who use medical sharps in the performance of their duties (e.g., administering injectable medicines to students, such as epinephrine and glucagon) must, at least annually, be provided with the opportunity to identify, evaluate and select engineering and work practice controls (e.g., sharps disposal containers, self-sheathing needles, safer medical devices, such as sharps with engineered sharps injury protections and needleless systems). The ESD will implement such work practice controls, as appropriate.

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<sup>1</sup> Bloodborne pathogens - pathogenic microorganisms that are present in human blood and can cause disease in humans. These include, but are not limited to, Hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

Documentation, including a sharps injury log, will be maintained as required by OAR 437-002-1035 and 437-002-1030 (3).

END OF POLICY

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**Legal Reference(s):**

[OAR 437-002-0360](#)  
[OAR 437-002-0377](#)

[OAR 437-002-1030](#)  
[OAR 437-002-1035](#)

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# Lane Education Service District

Code: JHCCBA/EBBAB/GBEBAA-AR  
Adopted: 9/11/96  
Revised/Readopted: 7/10/01  
Orig. Code(s): JHCCBA/EBBAB/GBEBAA-AR

## Bloodborne Pathogen Exposure Control Plan **Proposed Delete**

For Compliance with OR-OSHA Standard - OAR 437-002-0360 to -0375

*(See EBBAA)*

### Definitions

The following definitions apply to this document and the OR-OSHA administrative rules on bloodborne pathogens:

“Blood”: Human blood, human blood components and products made from human blood.

“Bloodborne Pathogens”: Pathogenic micro-organisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV).

“Clinical Laboratory”: A workplace where diagnostic or other screening procedures are performed on blood or other potentially infectious materials.

“Contaminated”: The presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

“Contaminated Laundry”: Laundry which has been soiled with blood or other potentially infectious materials or may contain sharps.

“Contaminated Sharps”: Any contaminated object that can penetrate the skin including, but not limited to, needles, scalpels, broken glass, broken capillary tubes and exposed ends of dental wires.

“Decontamination”: The use of physical or chemical means to remove, inactivate or destroy bloodborne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use or disposal.

“Engineering Controls”: Controls (e.g., sharps disposal containers, self-sheathing needles) that isolate or remove the bloodborne pathogens hazard from the workplace.

“Exposure Incident”: A specific eye, mouth or other mucous membrane, nonintact skin or parenteral contact with blood or other potentially infectious materials that results from the performance of any employee’s duties.

“Handwashing Facilities”: A facility providing an adequate supply of running potable water, soap and single use towels or hot air drying machines.

“Licensed Health-Care Professional”: A person whose legally permitted scope of practice allows him/her to independently perform the activities required by OAR 437-002-0360 (f) (Hepatitis B Vaccination of Post-Exposure Evaluation and Follow up).

“HBV”: Hepatitis B Virus.

“HIV”: Human Immunodeficiency Virus.

“Hazard”: An actual or potential exposure to risk.

“Occupational Exposure”: Reasonably anticipated skin, eye, mucous membrane or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee’s duties.

### **Other Potentially Infectious Materials:**

- Semen;
- Vaginal secretions;
- Cerebrospinal fluid;
- Synovial fluid;
- Pleural fluid;
- Pericardial fluid;
- Peritoneal fluid;
- Amniotic fluid;
- Saliva in dental procedures;
- Any body fluid that is visibly contaminated with blood;
- All body fluids where it is difficult to differentiate between body fluids;
- Any unfixated tissue or organ (other than intact skin) from a human (living or dead).

“Parenteral”: Piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts and abrasions.

“Personal Protective Equipment”: Specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (e.g., uniforms, pants, shirts or blouses) not intended to function as protection against a hazard are not considered to be personal protective equipment (PPE).

“Regulated Waste”: Liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials.

“Source Individual”: Any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to the employee. Examples include, but are not limited to:

- Hospital and clinic patients;
- Clients in institutions for the developmentally disabled;
- Trauma victims;
- Clients of drug and alcohol treatment facilities;
- Residents of hospices and nursing homes;
- Human remains;
- Individuals who donate or sell blood or blood components.

“Sterilize”: The use of a physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.

“Standard Precautions”: An approach to infection control. All human blood and certain human fluids are treated as if known to be infectious for HIV, HBV and other bloodborne pathogens.

“Work Practice Controls”: Controls that reduce the likelihood of exposure by altering the manner in which a task is performed (e.g., prohibiting recapping of needles by a two-handed technique).

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**BLOODBORNE PATHOGEN EXPOSURE CONTROL PLAN  
LANE EDUCATION SERVICE DISTRICT (LANE ESD)**

In accordance with OR-OSHA Bloodborne Pathogens Standard, OAR 437-002-0360 to -0375 the following Exposure Control Plan has been developed:

1. Purpose

The purpose of this Exposure Control Plan is to:

- a. Eliminate or minimize employee occupational exposure to blood or certain other body fluids;
- b. Comply with the OR-OSHA Bloodborne Pathogens Standard, OAR 437-002-0360 to -0375.

2. Exposure Determination

OR-OSHA requires employers to perform an exposure determination concerning which employees may incur occupational exposure to blood or other potentially infectious materials or high risk occupations. Lane ESD does not have any occupations that are in a high-risk category.

However, when a contact has been made with infectious materials, fluids or persons with Hepatitis B, Lane ESD will make available, at no cost to the employee, any necessary, confidential medical evaluation and follow-up as required by OSHA. Also, Lane ESD will provide training in prevention of exposure to infectious situations and how to dispose of contaminated waste.

In addition, OR-OSHA requires a listing of job classifications in which some employees may have occupational exposure. Not all the employees in these categories would be expected to incur exposure to blood or other potentially infectious materials. Job classifications and tasks or procedures that would cause these employees to have occupational exposure are listed as follows:

<b>JOB CLASSIFICATION</b>	<b>TASK/PROCEDURE</b>
Directors and Supervisors	Program Dependent
Custodian(s) working at ESD	General facility cleaning
Teachers/Educational assistants for Lane School, Skipworth and the MSMR Program staff as well as support personnel, such as speech and language therapists and adaptive PE teacher	Changing menstrual pads Tooth brushing Emesis clean-up Cleaning nose/mouth secretions General health care Blood glucose monitoring
Persons who may provide first aid to students/staff	First aid for injuries

3. Implementation Schedule and Methodology

OR-OSHA requires that this plan include a schedule and method of implementation for the various requirements of the standard. The following complies with this requirement.

#### 4. Compliance Method

Standard precautions will be observed at Lane ESD in order to prevent contact with blood or other potentially infectious materials.

Engineering controls and work practices will be utilized to eliminate or minimize exposure to employees at Lane ESD. Injured parties will be encouraged to care for themselves when feasible. Where occupational exposure remains after institution of these controls, personal protective equipment will also be utilized. At Lane ESD, the following engineering controls and work practices will be utilized:

- a. Leak-proof containers lined with a red plastic bag for disposal of bloody waste;
- b. Sharps containers for needle, blade and lancet disposal;
- c. Students will cleanse their own bloody wounds when possible, using gauze, soap and water;
- d. Pressure will be applied using gauze and gloved hands when the student needs assistance.

The above controls will be examined and maintained on a regular schedule. The schedule for reviewing the effectiveness of the controls is as follows:

- a. On a daily basis as needed, the custodian will remove the red plastic bag, clean and decontaminate the container as necessary. A new red plastic bag will be put in place;
- b. A custodian will take filled sharps containers to Lane County Health Department for proper disposal;
- c. Hand washing facilities will be made available to employees who incur exposure to blood or other potentially infectious materials. OR-OSHA requires that these facilities be readily accessible after incurring exposure. (If hand washing facilities are not feasible, Lane ESD will provide antiseptic towelettes or an antiseptic cleanser and paper towels. The hands are to be washed with soap and running water as soon as possible. Playground aides will be provided with packets which will contain latex gloves, paper towels, antiseptic towelettes, gauze pads and a plastic sack for waste materials.);
- d. Supervisors will ensure that after the removal of gloves, employees will wash hands and any other potentially contaminated skin area immediately or as soon as feasible with soap and water;
- e. Supervisors will ensure that employees who incur exposure to their skin or mucous membranes will wash or flush exposed areas with water as soon as feasible following the contact;
- f. The use of disposable gloves is necessary for care givers who give first aid when body fluids are present (cleaning cuts and scrapes, helping with a bloody nose, examining secreting rashes). When applicable, those care givers who handle diapers or student's clothing soiled by feces or urine must take similar precautions and wear protective clothing (a vinyl apron, for example) if contamination is anticipated;
- g. If unanticipated contact with body fluids occurs, hands and all other affected skin areas must be washed thoroughly with soap and running water as soon as possible. Effective hand washing requires the use of soap and vigorous washing under a stream of running water for at least 30 seconds. Use paper towels to dry hands well and to turn off hand-operated faucet;
- h. Any articles used to clean body fluid spills must be handled with gloved hands and disposed of in a plastic bag or a receptacle labeled with a biohazard sign. If an absorbent agent is used, sweepings must be disposed of in a similar manner. Brooms and dust pans must be cleaned with a disinfectant;
- i. Freshly mixed household bleach in a 1:10 solution (one part bleach to nine parts cool water) is recommended for sanitizing. Bleach solution should be made fresh every 24 hours in order to be effective. A tightly sealed bottle marked with a line for one part bleach and another line for nine parts water can be kept handy. The fresh solution can be stored out of direct light. The bottle must be clearly labeled;

- j. Wash contaminated surfaces with soap and water to remove all visible contamination. The surface to be sanitized must be visibly clean and free of all soap residue. Do not mix bleach with soap or detergent, as any organic material will inactivate the active ingredient. The contaminated surface must be in contact with bleach solution for at least 10 minutes.

## 5. Needles

Contaminated needles or other contaminated sharps will not be bent, recapped, removed, sheared or purposely broken. OR-OSHA allows an exception to this if the procedure would require that the contaminated needle be recapped or removed and no alternative is feasible and the action is required by the medical procedure. If such action is required, then the recapping or removal of the needle must be done by a mechanical device or a one-handed technique. Empty immunization vials will be disposed of in the sharps container.

## 6. Work Area Restriction

Employees are not to eat, drink, apply cosmetics or lip balm, smoke or handle contact lenses in the health room. Food and beverages are not to be kept in refrigerators, freezers, shelves, cabinets or on counter tops or bench tops where blood or other potentially infectious materials are present. Hands must be washed before and after assisting with first aid, before and after meals and after toileting.

All procedures will be conducted in a manner which will minimize splashing, spraying, splattering and generation of droplets of blood or other potentially infectious materials. Methods employed to accomplish this goal are:

- a. The custodian will be called when body fluids need to be cleaned up;
- b. Employees involved in activities which might cause splattering of infectious materials will wear gloves and/or vinyl aprons as necessary.

## 7. Contaminated Equipment

The custodian is responsible for ensuring that equipment which has become contaminated with blood or other potentially infectious materials will be examined and decontaminated as necessary as soon as possible.

## 8. Personal Protective Equipment (PPE)

- a. General: Supervisors are responsible for ensuring that latex gloves are provided without cost to employees. The nature of anticipated exposure to body fluids at a school requires latex gloves (and when applicable, a vinyl apron) to be the only personal protective equipment that is generally needed. If the employee's clothing should become contaminated with body fluids, the employee will be given time to change clothing. Soiled clothing will be placed in a plastic bag and sent home with the owner and handled in accordance with standard precautions.

A CPR mask with a one-way valve will be provided at each instructional site.

- b. PPE Use (Personal Protective Equipment): Supervisors will ensure that the employee uses appropriate PPE unless it is shown that the employee temporarily and briefly declined to use PPE when under rare and extraordinary circumstances it was the employee's professional judgment that in the specific instance its use would have prevented the delivery of health care or posed an increased hazard to the safety of the worker or co-worker. When the employee makes this judgment, the circumstances will be investigated and documented in order to determine whether changes can be instituted to prevent such occurrences in the future.
- c. PPE Accessibility: Supervisors will ensure that appropriate PPE in the appropriate sizes is readily accessible at the work site or is issued without cost to employees. Hypoallergenic

gloves, glove liners, powderless gloves or other similar alternatives will be readily accessible to those employees who are allergic to the gloves normally provided.

- d. PPE Cleaning, Laundering and Disposal: All personal protective equipment will be cleaned, laundered and/or disposed of by the employer at no cost to the employees. All repairs and replacements of PPE will be made by Lane ESD at no cost to the employees. All garments which are penetrated by blood will be removed immediately or as soon as feasible. All PPE will be removed prior to leaving the work area.

When PPE is removed, it will be placed in an appropriately designated area or container for storage, washing, decontamination or disposal. Reusable items, such as CPR masks and vinyl aprons will be sanitized using a freshly made 1:10 (one part bleach, nine parts cool water) bleach solution.

- e. Gloves: Gloves will be worn when it is reasonably anticipated that employees will have hand contact with blood, other potentially infectious materials, nonintact skin or mucous membranes; when handling or touching contaminated items or surfaces.

Disposable latex gloves are not to be washed or decontaminated for re-use and are to be replaced as soon as practical if they are torn, punctured or when their ability to function as a barrier is compromised. Utility gloves may be decontaminated for re-use provided that the integrity of the glove is not compromised. Utility gloves will be discarded if they are cracked, peeling, torn, punctured or exhibit other signs of deterioration or when their ability to function as a barrier is compromised. Disposable latex gloves will be removed by grasping the cuff and pulling them wrong side out. Soiled gloves will be placed in the plastic bag with other contaminated waste material, double bagged and disposed of according to state and local regulations.

- f. Eye and Face Protection: A CPR mask with a one-way valve is to be used in the event of cardiac or respiratory arrest. Ordinary school activities do not require other masks, goggles or face shields to prevent splashes, splatter or droplets of blood.

- g. Additional Protection: The need for additional protective clothing is not anticipated in the normal course of school activities. (Vinyl aprons are to be made available for staff when appropriate.)

## 9. Housekeeping

All bins, pails, cans and similar receptacles will be inspected and decontaminated on a regularly scheduled basis once a month by the custodian and cleaned and decontaminated immediately or as soon as feasible upon visible contamination.

Decontamination will be accomplished by utilizing the following materials:

- a. Blood or body fluid spills: A Quaternary disinfectant or a freshly made 1:10 bleach solution (one part bleach and nine parts cool water);
- b. Counters and sink: A Quaternary disinfectant or bleach solution;
- c. Broken glassware: Not to be picked up directly with the hands.

## 10. Regulated Waste Disposal

Gauze and other first-aid products used to cleanse bloody wounds in the health room will be placed in a plastic bag-lined waste can. The bag will be securely tied and disposed of daily. The state of Oregon does not require special disposal practices for this type of waste.

## 11. Laundry Procedures

Laundry contaminated with blood or other potentially infectious materials generated in school or at a work site will be handled using standard precautions. Such laundry will be placed in a plastic bag and sent home with the owner, if possible, to be handled according to standard precautions.

## 12. Hepatitis B Vaccine and Exposure Evaluation and Follow-Up

- a. General: Lane ESD will make available the Hepatitis B vaccine and post-exposure follow-up to all employees who have occupational exposure as determined by the district and/or to all employees who have had an exposure incident.

Lane ESD will ensure that all medical evaluations and procedures including the Hepatitis B vaccine and vaccination series and post-exposure follow-up including prophylaxis, are:

- (1) Made available at no cost to the employee;
- (2) Made available to the employee at a reasonable time and place;
- (3) Performed by or under the supervision of a licensed physician or by or under the supervision of another licensed health care professional;
- (4) Provided according to the recommendations of the U.S. Public Health Service.

All laboratory tests will be conducted by an accredited laboratory at no cost to the employee.

- b. Hepatitis B Vaccination: The human resources administrator is in charge of the Hepatitis B vaccination program, if any are needed.

Hepatitis B vaccination will be made available after the employee has received the training in occupational exposure and within 10 working days of initial assignment to all employees who have occupational exposure, unless the employee has previously received the complete Hepatitis B vaccination series, antibody testing has revealed that the employee is immune or the vaccine is contraindicated for medical reasons.

Participation in a pre-screening program will not be a prerequisite for receiving Hepatitis B vaccination.

If the employee initially declines Hepatitis B vaccination, but at a later date, while still covered under the standard, decides to accept the vaccination, the vaccination will be made available.

All employees who decline the Hepatitis B vaccination offered will sign the OR-OSHA required declination statement indicating their refusal. (See Hepatitis B Declination Statement form, page 11-19). If the employee refuses to sign the declination statement, the supervisor will make a notation on the form and sign as a witness to the employee's refusal.

If a routine booster dose of Hepatitis B vaccine is recommended by the U.S. Public Health Service at a future date, such booster doses will be made available.

- c. Post-Exposure Evaluation and Follow-Up: All exposure incidents will be reported, investigated and documented. When the employee incurs an exposure incident, it will be reported to the immediate supervisor and an incident report will be completed immediately, conjointly with a health professional.

Following a report of an exposure incident, the exposed employee will immediately receive a confidential medical evaluation and follow-up, including at least the following elements:

D

- (1) Documentation of the route of exposure and the circumstances under which the exposure incident occurred;
- (2) Identification and documentation of the source individual, unless it can be established that identification is not feasible or prohibited by state or local law;
- (3) The source individual's blood will be tested as soon as possible and after consent is obtained in order to determine HBV and HIV infectivity. Laboratory tests requested by Lane ESD will be paid for by the ESD. If consent is not obtained, the human resources manager will establish that legally required consent cannot be obtained. When the source individual's consent is not required by law, the source individual's blood, if available, will be tested and the results documented;
- (4) When the source individual is already known to be infected with HBV or HIV, status need not be repeated;
- (5) Results of the source individual's testing will be made available to the exposed employee and the employee will be informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual;
- (6) The exposed employee's blood will be collected and tested for HBV and HIV status as soon as possible after exposure and consent is obtained. The employee will have the option of having the blood sample preserved for up to 90 days to allow the employee time to consider the ramifications of testing. Any employee who wants to participate in the medical evaluation program must agree to have blood drawn.

All employees who incur an exposure incident will be offered post-exposure evaluation testing and treatment in accordance with OR-OSHA standard. All post-exposure follow-up will be performed by a physician under contract with Lane ESD.

- d. Information Provided to the Health Care Professional: The human resources administrator will ensure that the physician responsible for the employee's Hepatitis B (HBV) vaccination is provided with the following:

- (1) A copy of OAR 437-002-0360 with confidentiality being emphasized;
- (2) A written description of the exposed employee's duties as they related to the exposure incident;
- (3) Written documentation of the route of exposure and circumstances under which exposure occurred;
- (4) Results of the source individual's blood testing, if available;
- (5) All medical records relevant to the appropriate treatment of the employee including HBV vaccination status, the staff member's current emergency information record and the most recent medical occurrences.

- e. Health Care Professional's Written Opinion: The human resources administrator will obtain and provide the employee with a copy of the evaluating health care professional's written opinion within 15 days of the completion of the evaluation. The information in the report will be confidential. The health care professional's written opinion for post-exposure follow-up will be limited to the following information:

- (1) A statement that the employee has been informed of the results of the evaluation;
- (2) A statement that the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment;
- (3) Whether the Hepatitis B vaccination is recommended;
- (4) Whether the employee has received the Hepatitis B vaccination.

NOTE: All other findings remain confidential and will not be included in the written report.

### 13. Labels and Signs

Lane ESD will not ordinarily produce regulated waste products. Plastic or biohazard labeled waste containers that are leakproof, with lids, will be used to collect absorbent gauze pads, disposable gloves and contaminated paper. These plastic bags will be removed when filled, tied in a knot at the top and disposed of.

### 14. Information and Training

In accordance with applicable regulations, the human resources administrator will ensure that training is provided at the time of initial assignment to tasks potentially involving occupational exposure. Review will be provided annually for all returning employees. Additional training will be provided to employees when there are any changes of tasks or procedures affecting the employee's occupational exposure. Training and review will be tailored to the employee's education and language level and will be offered during regular work hours at no cost to the employee. The training will be interactive and will cover the following:

- a. Where a copy of the OR-OSHA standard is available and an explanation of its contents;
- b. A discussion of the epidemiology and symptoms of bloodborne diseases;
- c. An explanation of the modes of transmission of bloodborne pathogens;
- d. An explanation of Lane ESD Bloodborne Pathogen Exposure Control Plan and a method for obtaining a copy;
- e. An explanation of the appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials;
- f. An explanation of the use and limitations of methods to reduce exposure, for example: engineering controls, work practices and personal protective equipment (PPE);
- g. Information of the types, use, location, removal, handling, decontamination and disposal of PPE's;
- h. An explanation of the rationale for selection of PPE's;
- i. Information regarding the Hepatitis B vaccination including efficacy, safety, method of administration, benefits and that it will be offered free of charge;
- j. Information on the appropriate actions to take and persons to contact in an emergency involving blood or other potentially infectious materials;
- k. An explanation of the procedures to follow if an exposure incident occurs including the method of reporting and medical follow-up;
- l. Information regarding the post-exposure evaluation and follow-up required after an employee exposure incident;
- m. An explanation of the signs, labels and color-coding systems.

The person conducting the training will be knowledgeable in the subject matter.

### 15. Record Keeping

- a. Medical Records: Medical records will be maintained by the human resources department in accordance with OAR 437-002-0015 in a locked file cabinet in the human resources office area. These records will be kept confidential and must be maintained for at least the duration of employment plus 30 years. (Long-term storage will be in the human resources office.) The records will include the following:
  - (1) The name and social security number of employee;
  - (2) A copy of the employee's HBV vaccination status including the dates of vaccination and any medical records related to the employee's ability to receive vaccination;
  - (3) A copy of all results of examinations, medical testing and follow-up procedures;

- (4) A copy of the health care professional's written opinion - whether Hepatitis B vaccination is indicated and if the employee has received such vaccination;
- (5) A copy of the information provided to the health care professional including a description of the employee's duties as they related to the exposure incident and documentation of the routes of exposure and circumstances of the exposure.

**D** b. Training Records: The human resources administrator is responsible for maintaining the training records. These records will be kept in the human resources office. Training records will be maintained for three years from the date of the training. The records will document the following:

- (1) The dates of the training session;
- (2) An outline describing the material presented;
- (3) The names and qualifications of persons conducting the training;
- (4) The names and job titles of all persons attending the training session.

c. Availability: All employee records will be made available to the employee in accordance with OAR 437-002-0015. All employee records will be made available to the Assistant Secretary of Labor for the Occupational Safety and Health Administration and the Director of the National Institute for Occupational Safety and Health upon request.

d. Transfer of Records: If this facility is closed or there is no successor employer to receive and retain the records for the prescribed period, the director of the NIOSH will be contacted for final disposition.

#### 16. Evaluation and Review

The safety committee is responsible for reviewing this program, its effectiveness and for updating this program as needed on an annual basis.

#### 17. Dates

All provisions required by this standard will be implemented by June 1, 1993.

#### 18. Consents and Waivers

If employees, source individuals or parents of source individuals refuse to sign any form requested, a Lane ESD employee will make a notation on the form that the individual refused to sign. The employee will then date and sign the form as a witness to this refusal.

#### 19. Outside Contractors

Outside contractors will be responsible for meeting OR-OSHA requirements for their employees.

**LANE EDUCATION SERVICE DISTRICT  
HEPATITIS B DECLINATION STATEMENT**

The following statement of declination of Hepatitis B vaccination must be signed by an employee who chooses not to accept the vaccine. The statement can only be signed by the employee following appropriate training regarding Hepatitis B, Hepatitis B vaccination, the efficacy, safety, method of administration and benefits of vaccination, and that the vaccine and vaccination are provided free of charge to the employee. The statement is not a waiver; employees can request and receive the Hepatitis B vaccination at a later date if they remain occupationally at risk for Hepatitis B.

**DECLINATION STATEMENT**

I understand that due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring Hepatitis B Virus (HBV) infection. I have been given the opportunity to be vaccinated with Hepatitis B vaccine, at no charge to me; however, I decline Hepatitis B vaccination at this time. I understand that by declining the vaccine I continue to be at risk of acquiring Hepatitis B, a serious disease. If, in the future, I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with Hepatitis B vaccine, I can receive the vaccination series at no charge to me.

---

Print Employee's Name L Employee's Social Security Number

---

Employee's Signature Date

E

T

E

**LANE EDUCATION SERVICE DISTRICT  
BLOOD OR OTHER BODY FLUID POST-EXPOSURE REPORT**

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Reported by: \_\_\_\_\_

Description of incident (include route(s) and circumstances of exposure): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Person: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

EXPOSURE INFORMATION	
Source Individual _____	Exposed Employee
Name: _____	Name: _____
School: _____ Grade: _____	School: _____
DOB: _____ SS#: _____	Classroom/Site: _____
Home Address: _____	Home Address: _____
Parent/Guardian: _____	Date Referred to Physician: _____
Home Phone: _____ Work Phone: _____	Documents Sent to Physician (check below)
Physician Name: _____	Bloodborne Pathogen Exposure Report <input type="checkbox"/>
Physician Phone: _____	Hepatitis B Vaccination Consent/Waiver <input type="checkbox"/>
Physician Address: _____	Source Individual Consent/History <input type="checkbox"/>
	OR-OSHA Regulation <input type="checkbox"/>
Hepatitis B Status, if known: _____	
Parent Notified (date/time): _____	
Consent Form Sent: _____	
Consent Form Obtained: _____	
Consent Refused: _____	
Employee Notified of Refusal: _____	
Follow-Up _____	Follow-Up _____
Physician's Statement: _____	Physician's Statement _____
Date Returned and Attached: _____	Date Returned and Attached: _____

**LANE EDUCATION SERVICE DISTRICT  
HEPATITIS B VACCINATION RECORD**

**D** Employee's Name: \_\_\_\_\_ School/Facility: \_\_\_\_\_

Job Classification: \_\_\_\_\_ Social Security #: \_\_\_\_\_

<u>Series</u>	<u>Date</u>	<u>Administered By</u>	<u>Lot #</u>
#1			
#2			
#3			
#4			
#5			

**ANTIBODY/LAB TEST RESULTS**

Indicate any Hepatitis B lab results and dates done:

**L**  
HBsAg + \_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_

**E**  
HBsAg - \_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_

HBsAg + \_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_

**T**  
HBsAg - \_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_

HBsAg + \_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_

**E**  
HBsAg - \_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_

**LANE EDUCATION SERVICE DISTRICT  
SOURCE INDIVIDUAL HISTORY AND CONSENT**

I hereby authorize an exchange of information to occur between the agencies/physicians listed below. I am aware that I, or my child, have been identified as a source individual where an employee may have been exposed to blood or other potentially infectious body fluids.

1. Lane Education Service District  
1200 Highway 99 North  
PO Box 2680  
Eugene OR 97402
2. Employee's Medical Practitioner:

Name: \_\_\_\_\_  
Phone: \_\_\_\_\_ Address: \_\_\_\_\_

3. Student's Medical Practitioner:

Name: \_\_\_\_\_  
Phone: \_\_\_\_\_ Address: \_\_\_\_\_

I authorize a release of any or all information contained in the record of:

Name: \_\_\_\_\_  
Phone: \_\_\_\_\_ School: \_\_\_\_\_  
Other Names Used: \_\_\_\_\_

\_\_\_\_\_  
Signature of Parent or Guardian Date

-----  
Dr. \_\_\_\_\_: This student or employee is a source individual of a bloodborne pathogen or other potentially infectious body fluid exposure incident. The above-named employee, parent or guardian has been notified of OAR 437-002-0360 to -0375, exposure guideline on bloodborne pathogens. Please return the following medical information.

Results of:

HBsAg: \_\_\_\_\_ Date: \_\_\_\_\_  
HIV: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
M.D. Signature Date

**LANE EDUCATION SERVICE DISTRICT  
SOURCE INDIVIDUAL REFUSAL FOR BLOOD TESTING**

D

1200 Highway 99 North  
PO Box 2680  
Eugene OR 97402

Source Individual Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Parent/Guardian: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Date Employee Exposed: \_\_\_\_\_ Date Parent/Guardian Notified: \_\_\_\_\_

\_\_\_\_\_  
School Health Official Signature

\_\_\_\_\_  
Date

-----  
Please read, sign below and return to the human resources administrator at the address listed above.

I have been informed by \_\_\_\_\_ that I/my child have/has been identified as being a source individual in an employee exposure incident to blood or other potentially infectious body fluids.

I am aware of the risks to the employee and I have declined blood testing to be performed for Hepatitis B and HIV. I have been informed that if I had consented to this testing, this information would be released to the employee's medical provider and to Lane ESD's human resources administrator.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**LANE EDUCATION SERVICE DISTRICT  
BLOODBORNE PATHOGENS TRAINING SESSION ATTENDANCE ROSTER**

Date: **D** \_\_\_\_\_ Conducted By: \_\_\_\_\_

**ATTENDEES**

**NAME**

**JOB TITLE**

**E**

**L**

**E**

**T**

NOTE: Training summary of contents and qualification of person(s) conducting training attached. This record will be maintained for three years from the above date of training session and copies may be made available to the appropriate OR-OSHA representative upon request. **E**

**PHYSICIAN'S STATEMENT AND WRITTEN OPINION**

Lane Education Service District

1200 Highway 99 North

PO Box 2680

Eugene OR 97402

D

Please complete the following information and return to the human resources administrator at the address listed above. OR-OSHA requires that the employer will obtain and provide the employee with a copy of this written opinion within 15 days of completion of this medical evaluation. Please note that the following records are accompanied with this form to assist in your medical evaluation:

- OR-OSHA regulation regarding post-exposure protocol;
- Bloodborne pathogen exposure report;
- Hepatitis B vaccination history/waiver;
- Source individual's medical information and release of confidential information.

E

**Hepatitis B Prophylaxis**

1. Is Hepatitis B vaccination indicated?  YES  NO
2. If so, was vaccination given?  YES  NO DATE GIVEN: \_\_\_\_\_  
If yes, projected date for next dose: \_\_\_\_\_
3. Are there any medical contraindications?  YES  NO  
If yes, please explain: \_\_\_\_\_
4. Was HBIG given?  YES  NO  
If yes, date received: \_\_\_\_\_

L

**Antibody Testing**

1. Date blood drawn: \_\_\_\_\_
2. Baseline Hepatitis B result: \_\_\_\_\_
3. Baseline HIV completed: \_\_\_\_\_  
(If employee does not give consent initially for HIV serologic testing, the sample must be preserved for at least 90 days. The employee may later elect to have the baseline done during this 90-day period.)

E

**Post-Exposure Counseling and Follow-Up**

Further recommendations: \_\_\_\_\_

T

I certify that the employee has been informed of the results of this medical evaluation, has been advised about any medical conditions resulting from exposure to blood or other potentially infectious materials and has been advised about any further evaluation or treatment.

Physician's Signature

Date

E

**LANE EDUCATION SERVICE DISTRICT  
ACCIDENTAL BODY FLUID EXPOSURE LOG**

Facility Name: \_\_\_\_\_  
Facility Address: \_\_\_\_\_  
School Health Official: \_\_\_\_\_

Name of Exposed: \_\_\_\_\_ Student  Staff  DOB: \_\_\_\_\_  
Source Individual, if known: \_\_\_\_\_  
Reported By: \_\_\_\_\_ Title: \_\_\_\_\_  
Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Description of Incident: \_\_\_\_\_

Was consultation with health care provider sought:     YES     NO  
If so, name of health care provider: \_\_\_\_\_  
Recommendation of health care provider: \_\_\_\_\_

Facility Name: \_\_\_\_\_  
Facility Address: \_\_\_\_\_  
School Health Official: \_\_\_\_\_

Name of Exposed: \_\_\_\_\_ Student  Staff  DOB: \_\_\_\_\_  
Source Individual, if known: \_\_\_\_\_  
Reported By: \_\_\_\_\_ Title: \_\_\_\_\_  
Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Description of Incident: \_\_\_\_\_

Was consultation with health care provider sought:     YES     NO  
If so, name of health care provider: \_\_\_\_\_  
Recommendation of health care provider: \_\_\_\_\_



# Lane Education Service District

Code: JHCCC/EBBAA/GBEBC  
Adopted: 10/24/00  
Revised/Readopted: 7/10/01  
Orig. Code(s): JHCCC/EBBAA/GBEBC

## Infection Control - HIV, AIDS, HBV **Proposed Delete**

*(See EBBAA)*

Lane ESD shall use standard precautions for infection control at all times. Each employee or student is therefore treated as though an HIV, AIDS or HBV<sup>1</sup> infection exists.

The ESD shall develop an Exposure Control Plan that includes infection control procedures for employees and students.

Staff and students, as appropriate, shall receive an annual in-service that includes correct procedures for cleaning up body fluid spills and for personal clean up, appropriate disposal, immunization and personal hygiene, as well as the location and content of first-aid and clean-up kits. Kits shall be readily available to students and staff in ESD programs and facilities and in each ESD vehicle.

In addition to an annual in-service, staff and students on a regular basis will receive HIV, AIDS and HBV information.

This information will emphasize infection, how infection is spread, as well as how it is not spread.

Lane ESD will cooperate with the Oregon Department of Education and the Oregon Health Division in delivering HIV, AIDS and HBV education.

END OF POLICY

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### Legal Reference(s):

[OAR 437-002-0360](#)  
[OAR 437-002-0377](#)

[OAR 581-022-0705](#)  
[OAR 581-022-1440](#)

[OAR 581-053-0517 \(13\)\(c\)\(e\)](#)

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<sup>1</sup> HIV - Human Immunodeficiency Virus; AIDS - Acquired Immune Deficiency Syndrome; HBV - Hepatitis B Virus

# Lane Education Service District

Code: JHCCD/GBEBD  
Adopted: 6/28/94  
Revised/Readopted: 7/10/01  
Orig. Code(s): JHCCD/GBEBD

## HIV, AIDS and HBV Rumor Control – Students **Proposed Delete**

Lane ESD shall use a two-pronged approach for rumor control related to HIV, AIDS and HBV<sup>1</sup> before a rumor begins and during an “active” rumor.

In preparation for rumor control, the ESD shall annually notify employees, students, parents, media and the general public through handbooks and newspaper articles of confidentiality and individual rights requirements placed upon districts. The requirements are outlined in Oregon Revised Statutes and Oregon Administrative Rules. Individual rights include the right an employee or a student may have to continue working or attending school.

The ESD shall emphasize that if an employee or the student (parent/guardian) chooses not to divulge an HIV, AIDS or HBV condition, the ESD will have no information except to reiterate the requirements in the law regarding confidentiality and individual rights. This will be stated routinely and in cases of an “active” rumor.

If the employee or student (parent/guardian) wishes to divulge information and continues working or attending school, the ESD shall meet with the infected party or representative to develop a written procedure. This procedure will minimally outline what information will be given, who will give the information, when and where the information will be given, how the information will be given and who will receive the information. The procedures will be signed for approval by the infected party or representative.

The ESD shall appoint an ESD spokesperson who shall be responsible for responding to employees, students, parents, media and the general public.

Lane ESD staff working in component school districts, their parents, guardians or persons in parental relationship shall comply with component district policies and procedures.

END OF POLICY

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### Legal Reference(s):

[ORS 433.008](#)  
[ORS 433.045](#)

[OAR 333-012-0270](#)  
[OAR 333-018-0000](#)  
[OAR 333-018-0005 \(1\)\(a\)-0030](#)

[OAR 581-015-0005](#)

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<sup>1</sup> HIV - Human Immunodeficiency Virus; AIDS - Acquired Immune Deficiency Syndrome; HBV - Hepatitis B Virus

# Lane Education Service District

Code: JHCCE/KBCAA/GBEBE  
Adopted: 6/28/94  
Revised/Readopted: 7/10/01  
Orig. Code(s): JHCCE/KBCAA/GBEBE

## News/Media - HIV, AIDS or HBV\*\* **Proposed Delete**

Lane ESD shall appoint an ESD spokesperson who shall develop news releases or conduct news conferences regarding rumored or identified HIV, AIDS or HBV<sup>1</sup> cases.

The release/news conference shall stress:

1. ESD's and school districts are not informed of a person infected with HIV, AIDS or HBV unless the infected person or his/her parent or guardian releases the information;
2. ESD's and school districts, if informed, may not release the information unless the infected person or parent or guardian gives permission for such release;
3. ESD's and school districts may not prevent an employee from working if he/she is able to perform his/her job responsibilities. Students have a right to continue to attend school.

If a news conference is held, the ESD shall ask the local health department or other health authorities to assist the ESD spokesperson with the news conference.

END OF POLICY

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### Legal Reference(s):

[ORS 326.565](#)  
[ORS 326.575](#)  
[ORS 332.061](#)  
[ORS 336.187](#)  
[ORS 342.850 \(7\)](#)

[ORS 433.008](#)  
[ORS 433.045](#)  
[OAR 333-012-0270](#)  
[OAR 333-018-0000](#)

[OAR 333-018-0005](#)  
[OAR 333-018-0030](#)  
[OAR 581-015-0005](#)  
[OAR 581-022-1440](#)

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<sup>1</sup> HIV - Human Immunodeficiency Virus; AIDS - Acquired Immune Deficiency Syndrome; HBV - Hepatitis B Virus

# Lane Education Service District

Code: JHCCF  
Adopted: 6/27/06  
Orig. Code(s): JHCCF



## Pediculosis (Head Lice) – **Proposed Delete**

(Version 1)

(Excludes students with live lice only. Allows attendance of students with nits.)

The Board recognizes that district programs should be conducted in a manner that protects and enhances student and employee health and is consistent with recognized health practices. Consequently, in order to prevent the spread of pediculosis (head lice) in the school setting, district staff shall institute guidelines for classrooms that will assist in the prevention and spread of head lice. Students with suspected cases of lice will be referred to the school nurse or building administrator for assessment. Students found with live lice will be excluded from school. Students excluded from school will be readmitted after assessment by designated personnel to confirm no lice are present. Students found with nits (lice eggs) only or returning after exclusion with the presence of nits only will not be excluded, but will be subject to periodic checks to confirm continuing absence of live lice.

Successful treatment of head lice requires a coordinated approach and may involve the use of antilouse products, combing and implementation of preventative measures recommended by health authorities. The district will provide parents of students found to have contracted head lice with treatment information. It is the district's intent to not only eliminate the current infestation, but also to prevent a repeat episode.

The superintendent will develop administrative regulations, as necessary, to implement this policy.

END OF POLICY



### Legal Reference(s):

[ORS 433.255](#)

[ORS 433.260](#)

[OAR 437-002-0360](#)

[OAR 581-022-0705](#)



# Lane Education Service District

Code: JHCCF  
Adopted:

## Pediculosis (Head Lice)

(Version 2)  
{Optional policy.}

A student with a suspected case of head lice may be referred to designated trained staff for a screening. The screening will be done in a confidential manner by trained personnel.

School personnel will notify the parent or guardian of a student found with head lice and may provide information on treatment. The student will be allowed to remain in school.

Suggested school measures for head lice provided in [Communicable Disease Guidance for Schools](#) issued by the Oregon Department of Education and Oregon Health Authority will be consulted.

Lane ESD staff working in component school districts, their students, parents, guardians or persons in a parental relationship shall comply with component district policies and procedures.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

# Lane Education Service District

Code: JHCCF-AR  
Adopted: 05/23/06  
Orig. Code(s): JHCCF-AR

**D**

## **Pediculosis (Head Lice) Delete**

(Excludes students with live lice only. Allows attendance of students with nits.)

1. Suggested school measures for head lice control, as provided in “Health Services for the School Community” issued through the Oregon Department of Education will be followed;
2. Periodic student head lice checks are not recommended. Screening recommendations are as follows:
  - a. Criteria for screening an individual for lice are: persistent itching or scratching, known exposure to sibling or other close contact with head lice (e.g., seat mate in classroom, locker partners, overnight sleep activities, scouts, etc.), self (student or parent) referral;
  - b. Three nonrelated cases of head lice in a classroom within 10 consecutive school days requires that all children in the classroom be screened by the following school day;
  - c. If there is infestation among three percent of the entire student population within 10 consecutive school days, there should be a screening of all students in the school within one week. Multiple cases from a single household count as one case for purposes of calculating the percent of students infested.
3. As provided by OAR 333-019-0015, students found to have contracted head lice will be immediately excluded from school at the discretion of the local school or health district. The presence of nits (lice eggs) only is not considered excludable;
4. Treatment information, district policy requirements and readmittance provisions will be provided to the parent. Parents will be advised to:
  - a. Use a lice-killing agent which their health-care provider, school nurse or local health authority recommends on all family members who demonstrate symptoms of infestation;
  - b. Follow the personal and household cleaning instructions provided by the district, health-care provider or local health authority, as appropriate;
  - c. Remove all nits after treatment.
5. Following treatment the student will be readmitted to school;
6. Parents must either accompany their student to school for readmittance or provide a signed statement that treatment has been initiated;
7. The student will be subject to screening by designated personnel to determine the treatment’s effectiveness. The student will be readmitted to school or denied admittance, as appropriate. The absence of nits is not required for readmittance. In the event the student is not readmitted to school because of the continued presence of live lice, parents will be notified;
8. Students readmitted will be subject to follow-up screening by designated personnel;

9. In the event additional assistance and/or information is needed regarding the treatment of the student, other family members, close contacts and the home environment (bedding, linens, grooming equipment, etc.), parents should contact their local health department;
10. Students with chronic head lice may be referred for follow-up to the school's nurse or local health department, as appropriate;
11. Parents who identify head lice on their students at home are to complete treatment prior to the readmission of their student, as required above. Parents are also encouraged to notify the school of their student's condition so that appropriate preventative measures may be implemented at school.

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# Lane Education Service District

Code: JHCD  
Adopted:  
Orig. Code(s): JHCD/JHCDA

## Medications\*\*/\*

(Version 2)

{Required policy. The requirement for policy comes from ORS 339.866 (2) and if the ESD operates a school.}

*(Replaces JHCD/JHCDA)*

The ESD recognizes administering a medication to a student and/or permitting a student to administer a medication to themselves, may be necessary to allow the student to attend school. Therefore, the ESD allows medication, including injectable medications, to be administered to a student by designated personnel and the administration of medication by a student to themselves without assistance from designated personnel, subject to criteria established by the ESD and in accordance with Oregon law.

The ESD shall designate personnel authorized to administer medications to students. Medications, including injectable medications, may be administered by designated ESD personnel as part of a formal delegation by a registered nurse. Annual training shall be provided to designated personnel in accordance with law. The training will align with the ODE Medication Administration Training and include discussion of this policy, procedures and materials, including but not limited to, procedures outlined in administrative regulation JHCD-AR - Medications.

When a licensed health care professional is not immediately available, trained personnel designated by the ESD may administer epinephrine, glucagon, treatment for adrenal insufficiency, or another medication to a student as prescribed and/or as otherwise allowed by Oregon law.

A current first-aid/CPR/AED card is required for designated personnel.

The ESD reserves the right to reject a request for administration of medication at school, either by ESD personnel or student self-administration, if the medication is not necessary for the student to remain in school.

The ESD may revoke permission given to a student to self-administer medication if the student does not responsibly self-administer the medication or abuses the use of the medication, as determined by ESD personnel.

Medications will be handled, stored, monitored, disposed of and records maintained in accordance with law and established ESD procedures governing the administration of prescription or nonprescription medications to students, including procedures for the disposal of sharps and glass.

A process shall be established by which, upon parent or guardian written request, a backup medication is kept at a reasonably, secure location in the student's classroom as provided by state law.

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on ESD premises who the person believes in good faith is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

{<sup>1</sup>} A non-injectable short-acting opioid antagonist may be administered to any student or other individual by ESD personnel (whether or not they have received training on administering medications) on ESD premises who the individual administering the short-acting opioid antagonist believes in good faith is experiencing an opioid overdose.

A school administrator, teacher or other school employee, may administer a short-acting opioid antagonist to a student who experienced or is experiencing an opioid overdose without written permission and instructions of the student’s parents or guardian.

This policy shall not prohibit, in any way, the administration of recognized first aid to a student by ESD employees in accordance with established state law, Board policy and administrative regulation.

The superintendent shall develop administrative regulations to meet the requirements of law and the implementation of this policy.

Lane ESD staff working in component school districts, their students, parents, guardians or persons in a parental relationship shall comply with component district policies and procedures.

END OF POLICY

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**Legal Reference(s):**

[ORS 334.125](#)

[ORS 339.866 - 339.871](#)

[ORS 433.800 - 433.830](#)

[ORS 689.800](#)

[OAR 166-400-0010\(17\)](#)

[OAR 166-400-0060\(29\)](#)

[OAR 333-055-0000 - 0035](#)

[OAR 581-021-0037](#)

[OAR 581-022-2220](#)

[OAR 851-047-0000 - 0030](#)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).

OREGON HEALTH AUTHORITY AND OREGON DEPARTMENT OF EDUCATION, *Medication Administration: A Manual for School Personnel*.

House Bill 1552 (2024).

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<sup>1</sup> {The ESD is not required to provide or administer this medication. If the ESD is going to provide for, and administer this medication, this policy language is required. If the ESD does not intend to provide or administer this medication, there is no requirement to include this language in this policy.}

# Lane Education Service District

Code: JHCD-AR  
Adopted:  
Orig. Code(s): JHCD/JHCDA-AR

## Medications\*\*/\* **HOLD (Edits incoming)**

(Version 2)

{Required administrative regulation. The requirement comes from ORS 339.866 (2) and if the ESD operates a school.}

*(Replaces JHCD/JHCDA-AR; aligns with rewrite of OAR 581-021-0037)*

Students may, subject to the provisions of this administrative regulation, have prescription or nonprescription medication administered by designated ESD personnel, or may be permitted to administer prescription or nonprescription medication to themselves.

### 1. Definitions<sup>1</sup>

- a. ["Administer" means the direct application of a drug or device whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by: (1) a practitioner or the practitioner's authorized agent; or (2) the patient or research subject at the direction of the practitioner. (ORS 689.005)]
- b. "Adrenal crisis" means a sudden, severe worsening of symptoms associated with adrenal insufficiency, such as severe pain in the lower back, abdomen or legs, vomiting, diarrhea, dehydration, low blood pressure or loss of consciousness. (ORS 433.800)
- c. "Adrenal insufficiency" means a hormonal disorder that occurs when the adrenal glands do not produce enough adrenal hormones. (ORS 433.800)
- d. "Asthma" means a chronic inflammatory disorder of the airways that requires ongoing medical intervention. (ORS 339.866)
- e. "Delegation" means a formal delegation of a nursing procedure by a registered nurse to ESD personnel in accordance with the Oregon Nurse Practice Act. (OAR Chapter 851)
- f. "Designated personnel" means the school personnel designated and trained to administer medication pursuant to ESD policy and procedure.
- g. "Medication" means medication that is not injected; premeasured doses of epinephrine that are injected; medication that is available for treating adrenal insufficiency; and Naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug. "Medication" also means any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student's Oregon licensed health care professional for asthma or severe allergies. "Medication" does not include nonprescription sunscreen. (ORS 339.866; ORS 339.867)
- h. "Nonprescription medication" means nonprescription drugs as defined in ORS 689.005, which means drugs that may be sold without prescription and that are prepackaged for use by the consumer and labeled in accordance with the requirements of the statutes and regulations of this state and the federal government. (OAR 581-021-0037)
- i. "Notice of a diagnosis of adrenal insufficiency" means written notice to the ESD from the parent or guardian of a student who has been diagnosed as adrenal insufficient with a copy of an order from the student's primary care provider that includes the student's diagnosis,

<sup>1</sup> There are several laws that apply to medications in schools. Some of these laws have unique definitions that may apply in specific situations. If the applicable law uses a definition that varies from the definition here, use the definition in the law.

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description of symptoms indicating the student is in crisis, prescription for medication to treat adrenal insufficiency crisis, and instructions for follow-up care after medication to treat adrenal insufficiency crisis has been administered. (OAR 581-021-0037)

- j. [“Opioid overdose” means a medical condition that causes depressed consciousness, depressed respiratory function or the impairment of vital bodily functions as a result of ingesting opioids. (ORS 689.800)]
- k. “Prescriber<sup>2</sup>” means a “practitioner” as defined in ORS 689.005, which means a person licensed and operating within the scope of such license to prescribe, dispense, conduct research with respect to or administer drugs in the course of professional practice or research: (a) in this state; or (b) in another state or territory of the U.S. if the person does not reside in Oregon and is registered under the federal Controlled Substances Act. (OAR 581-021-0037)
- l. “Prescription medication” means a “prescription drug” as defined in ORS 689.005, which means a drug that is: required by federal law, prior to being dispensed or delivered, to be labeled with “Caution: Federal law prohibited dispensing without prescription” or “Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian”; or required by any applicable federal or state law or regulation to be dispensed on prescription only or is restricted to use by practitioners only.
- m. “Severe allergy” means a life-threatening hypersensitivity to a specific substance such as food, pollen, or dust. (ORS 339.866)
- n. “Short-acting opioid antagonist” means any short-acting drug approved by the U.S. Food and Drug Administration for the complete or partial reversal of an opioid overdose. (ORS 689.800)

## 2. Designated Staff/Training

- a. Medications, including injectable medications, may be administered by trained personnel as part of a formal delegation by a registered nurse.
- b. The [program administrator] [principal], in consultation with the school nurse, will designate ESD personnel authorized to administer prescription or nonprescription medication to a student which takes into account when the student is in school, at an ESD-sponsored activity, under the supervision of ESD personnel, or in transit to or from school-or ESD-sponsored activities, and may include when a student is in a before-school or after-school care program on school-owned property when required by law. The [program administrator] [principal] will supervise and ensure building and activity practices and procedures are consistent with the requirements of law, rules, policy and this administrative regulation.
- c. The ESD will provide staff who are designated personnel to administer prescription or nonprescription medication access to a school nurse.
- d. The [program administrator] [principal] will ensure the annual training required by Oregon law is provided to designated ESD personnel. Training must be conducted by a qualified trainer, which is a person who is familiar with the delivery of health services in a school setting and who is either a registered nurse licensed by the Oregon State Board of Nursing or a prescriber. ESD personnel designated to administer epinephrine, glucagon, and medication to treat adrenal insufficiency shall be trained using related training developed by the Oregon Health Authority (OHA). The first training and every third training thereafter shall be provided in-person<sup>3</sup>.

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<sup>2</sup> A registered nurse who is employed by an ESD or local public health authority to provide nursing services at the ESD or a district may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the district for not more than 90 days.

<sup>3</sup> An online training may qualify as “in-person” when these measures are met: content is provided via synchronous, interactive online sessions with a trainer and learners visible on screen; trainers must be licensed and work within their scope of practice;

- P e. During subsequent years, designated ESD personnel may complete an online training so long as a trainer is available following the training to answer questions and provide clarification. The training for ESD personnel will provide an overview of applicable provisions of Oregon law, administrative rules, ESD policy and administrative regulations and include, but not be limited to, discussion of the following: safe storage, administration, handling and disposing of medications; accessibility of medication during an emergency; record keeping; whether response to medication should be monitored by designated personnel and the role of designated personnel in such monitoring; emergency medical response procedures following administration of the medication; confidentiality of health information; and assessment of gained knowledge. Training as recommended and/or approved by ODE will be used.
- f. The ESD shall maintain documentation of ESD personnel's completion of training in accordance with OAR 166-400-0010.

### 3. Administering Premeasured Doses of Epinephrine to a Student or Other Individual

A premeasured dose of epinephrine may be administered by trained ESD personnel to any student or other individual on ESD premises who the person believes in good faith is experiencing a severe allergic response, regardless of whether the student or individual has a prescription for epinephrine.

### 4. Administering Short-Acting Opioid Antagonists

[<sup>4</sup>] A short-acting opioid antagonist may be administered by any ESD personnel<sup>5</sup> to any student or other individual, on school premises who the individual administering the short-acting opioid antagonist believes in good faith is experiencing an overdose of an opioid drug.

The [program administrator] [principal] [or [school] [ESD] nurse] shall immediately notify the parent or guardian of a minor student enrolled in a school operated by the ESD when a short-acting opioid antagonist is administered to the student while at school, on school property under the jurisdiction of the ESD or at any activity under the jurisdiction of the ESD.]

The ESD shall provide to the parent or legal guardian of each minor student enrolled in a school in the ESD information regarding short-acting opioid antagonists. The information will include at least:

- a. A description of short-acting opioid antagonists and their purpose;
- b. A statement regarding, in an emergency situation, the risks of administering to an individual a short-acting opioid antagonist and the risks of not administering to an individual a short-acting opioid antagonist;
- c. A statement identifying which schools in the ESD, if any, have short-acting opioid antagonists, and the necessary medical supplies to administer short-acting opioid antagonists, onsite and available for emergency situations; and

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and include in-person, skills demonstration for training developed by the Oregon Health Authority for epinephrine, glucagon, and for medication to treat adrenal insufficiency.

<sup>4</sup> {If the ESD plans to provide for, and administer a short-acting opioid antagonist, this bracketed language is highly recommended. If the ESD does not intend to provide and/or administer this medication, there is no requirement to include this language.}

<sup>5</sup> Including ESD personnel who have not received medication administration training.

- d. A statement that a representative of the ESD may administer a short-acting opioid antagonist to a student in an emergency if the student appears to be unconscious and experiencing an opioid overdose.

## 5. Administering of Medication to a Student Experiencing Symptoms of Adrenal Crisis

A student experiencing symptoms of adrenal crisis while the student is in school, at an ESD-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and/or in transit to or from a school or an ESD-sponsored activity, may be treated by designated personnel and shall be subject to the following:

- a. Upon notice of a diagnosis of adrenal insufficiency, as defined in Oregon Administrative Rule (OAR) 581-021-0037, the [program administrator] [principal] of the school the student attends will designate one or more ESD personnel to receive training and be responsible for administering the medication to treat adrenal insufficiency to a student in the event the student exhibits symptoms the ESD personnel believe in good faith indicate the student is experiencing symptoms of adrenal crisis;
- b. The designated personnel will successfully complete required training to administer medication to treat a student who has adrenal insufficiency and is experiencing symptoms of adrenal crisis;
- c. The student's parent or guardian must provide adequate supply of the student's prescribed medication to the ESD;
- d. The ESD will develop an individualized health care plan for the student;
- e. In the event that a student experiences symptoms of adrenal crisis and the designated personnel determines the medication to treat adrenal insufficiency should be administered, any available ESD staff member will immediately call 911 and the student's parent or guardian.

## 6. Administering Medication to a Student

- a. A request to permit designated personnel to administer medication to a student may be approved by the ESD and is subject to the following:
  - (1) A written request for designated personnel to administer prescription medication to a student, if because of the prescribed frequency or schedule, the medication must be given while the student is in school, at a school-sponsored activity, while under the supervision of school personnel and in transit to or from school or a school-sponsored activity, must be submitted to the school office and shall include:
    - (a) The written permission of the student's parent or guardian; and
    - (b) The written instruction from the prescriber for the administration of the medication to the student that includes:
      - (i) Name of the student;
      - (ii) Name of the medication;
      - (iii) Method of administration;
      - (iv) Dosage;
      - (v) Frequency of administration;
      - (vi) Other special instructions from the prescriber, if any; and
      - (vii) Signature of the prescriber.

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The prescription medication is provided in the original prescription packaging by the student’s parent or guardian. The prescription label prepared by a pharmacist at the direction of the prescriber, will be sufficient to meet this requirement if it contains the information listed in (i)-(vi) above.

- (2) A written request for designated personnel to administer nonprescription medication to a student must be submitted to the school office and is subject to the following:

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- (a) The nonprescription medication is necessary for the student to remain in school;
- (b) The nonprescription medication is:
  - (i) Provided in the original manufacturer’s container by the student’s parent or guardian; or
  - (ii) Is part of the ESD’s stock medication program in compliance with the Oregon Board of Pharmacy rules including OAR 855-035-0005.
- (c) The written instruction and permission from the student’s parent or guardian for the administration of the nonprescription medication<sup>6</sup> includes:
  - (i) Name of the student;
  - (ii) Name of the medication;
  - (iii) Method of administration;
  - (iv) Dosage;
  - (v) Frequency of administration;
  - (vi) Other special instructions, if any; and
  - (vii) Signature of the student’s parent or guardian.

If the written instruction is not consistent with the manufacturer’s guidelines for the nonprescription medication, the written instruction must also include a written order allowing the inconsistent administration signed by a prescriber.

- (d) If the nonprescription medication is not approved by the Food and Drug Administration (FDA), a written order from the student’s prescriber is required and will include:
  - (i) Name of the student;
  - (ii) Name of the medication;
  - (iii) Dosage;
  - (iv) Method of administration;
  - (v) Frequency of administration;
  - (vi) A statement that the medication must be administered while the student is in school;
  - (vii) Other special instructions, if any; and
  - (viii) Signature of the prescriber.

<sup>6</sup> For nonprescription medication that is not approved by the Food and Drug Administration (FDA), see requirements in 6.a.(2)(d).

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- b. The [program administrator] [principal] or designee will require an individualized health care plan or allergy plan be developed for every student with a need to manage asthma or a known life-threatening allergy. A plan will include protocols for preventing exposures to allergens and procedures for responding to life-threatening allergic responses, and include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity;
- c. A student being administered a medication may be monitored by designated personnel to monitor the student's response to the medication;
- d. A determination will be made by the ESD on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;
- e. It is the student's parent or guardian's responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
- f. It is the student's parent or guardian's responsibility to ensure that the school is informed in writing of any changes in medication instructions;
- g. In the event a student refuses medication, the parent or guardian will be notified immediately. No attempt will be made to administer medication to a student who refuses a medication;
- h. Any error in administration of a medication will be reported to the parent or guardian immediately and documented on a medication administration record. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dose, frequency of administration or method of administration;
- i. Medication shall not be administered until the necessary permission form and written instructions have been submitted and received as required by the ESD.

#### 7. Administration of Medication by a Student to Themselves

- a. A student, including a student in grade K through 12 with asthma or severe allergies, may be permitted to administer prescription or nonprescription medication to themselves without assistance from designated personnel and is subject to the following:
  - (1) A student must demonstrate the ability, developmentally and behaviorally, to self-administer prescription medication and must have:
    - (a) The written permission from a parent or guardian and other documentation requested by the ESD must be submitted for self-medication of all prescription medications;
    - (b) If the student has asthma or a severe allergy, a medication that is prescribed by a prescriber and a written treatment plan developed by a prescriber or other Oregon licensed health care professional for managing of the student's asthma, diabetes and/or severe allergy, and directs use by the student while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity. The prescriber will include acknowledgment that the student has been instructed in the correct and responsible use of the prescribed medication;
    - (c) The permission to self-administer the medication from a building administrator and a prescriber or registered nurse practicing in an ESD setting.

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- (2) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication<sup>7</sup> and must have:
  - (a) The written permission of the student's parent or guardian;
  - (b) The student's name affixed to the manufacturer's original container; and
  - (c) The permission to self-administer medication from a building administrator.
  
- (3) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication that is not approved by the FDA and must have:
  - (a) The written permission of the student's parent or guardian; and
  - (b) A written order from the student's prescriber that includes:
    - (i) Name of the student;
    - (ii) Name of the medication;
    - (iii) Dosage;
    - (iv) Method of administration;
    - (v) Frequency of administration;
    - (vi) A statement that the medication must be administered while the student is in school, at an ESD-sponsored activity, under the supervision of ESD personnel, or in transit to or from school or ESD-sponsored activities;
    - (vii) Other special instructions, if any; and
    - (viii) Signature of the prescriber.

- b. A determination will be made by the ESD on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;
- c. A student may have in their possession only the amount of medication needed for that school day, except for manufacturer's packaging that contains multiple dosage, the student may carry one package, such as, but not limited to, autoinjectable epinephrine or bronchodilators/inhalers;
- d. The sharing and/or borrowing by a student of any medication with another student is strictly prohibited<sup>8</sup>;
- e. The ESD personnel will request backup medication, when the medication is to treat a student's asthma or severe allergy emergency, from the student's parent or guardian. Backup medication, if provided by a student's parent or guardian, will be kept at the student's school in a location to which the student has immediate access in the event the student has an asthma and/or severe allergy emergency;
- f. A student shall not administer medication to themselves until the necessary permission form and written instructions have been submitted as required by the ESD;
- g. The permission for a student to administer medication to themselves may be revoked if the student does not responsibly self-administer the medication or abuses the use of the medication as determined by ESD personnel;
- h. A student may be subject to discipline, up to and including expulsion, as appropriate for violations of these procedures;

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<sup>7</sup> For nonprescription medication that is not approved by the Food and Drug Administration (FDA), see requirements in 7.a.(3).

<sup>8</sup> [Except for short-acting opioid antagonists.]

- i. A student permitted to administer medication to themselves may be monitored by designated personnel to monitor the student's response to the medication[.] [;]
- j. [The ESD allows the application of and use by students of nonprescription sunscreen, including sunscreen that contains para-aminobenzoic acid, without any required documentation from a licensed health care professional per ORS 339.874.]

## 8. Handling, Monitoring and Safe Storage of Medication Supplies for Administration of Medication

- a. Any medication must be delivered to the school in its original manufacturer's or current prescription container, accompanied by the permission form and written instructions, as required above.
- b. Prescription medication must always be the most current prescription and kept in the original, labeled container.
- c. Nonprescription medication must be kept in original manufacturer's bottle or box.
- d. [Never administer medication sent to school in unlabeled containers.]
- e. [Never repackage medication into a plastic bag or other container for any reason.]
- f. [Medication in any form categorized as a sedative, stimulant, anti-convulsive, narcotic analgesic or psychotropic medication will be counted or measured by designated personnel or parent or guardian in the presence of another ESD employee upon receipt [and initialed by the two individuals who counted or witnessed the procedure], documented in the student's medication administration record (MAR) and routinely monitored during storage and administration. Any discrepancies will be reported to the [school nurse] [ESD nurse] or [program administrator] [principal] immediately and documented in the student's MAR. For such medication not in capsule or tablet form, standard measuring and monitoring procedures will apply.]
- g. Designated personnel will follow the written instructions of the prescriber and the student's parent or guardian, and training guidelines as may be recommended by ODE for administering all forms of prescription and/or nonprescription medications.
- h. [Medication will be secured as follows:
  - (1) Nonrefrigerated medications will be stored in a locked cabinet, drawer or box in a secure area;
  - (2) Medications requiring refrigeration will be stored in a locked box in a refrigerator or in a separate refrigerator used solely for the storage of medication in a secure area;
  - (3) Access to medication storage keys will be limited to the [program administrator] [principal] and designated personnel.]
- i. [Designated personnel will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering and that the medication container is properly sealed and returned to storage.]
- j. When medication is running low or an inadequate dosage is on hand to administer the medication, the designated personnel will notify the student's parent or guardian immediately.

## 9. Emergency Response

- a. Designated personnel will immediately call 911 or other appropriate emergency medical response systems and administer first aid, as necessary, in the event of life-threatening side effects and allergic reactions, including the administration of epinephrine. The parent or guardian[, [[school] [ESD] nurse] and [program administrator] [principal] will be notified immediately.

- b. Adverse reactions which result from ESD-administered medication or from student self-medication will be reported to the parent or guardian immediately.
- c. Any available ESD staff will immediately call 911 and the student's parent or guardian if the designated personnel believes the student is experiencing symptoms of adrenal crisis and plans to administer medication.
- d. Any available staff will immediately call 911 when a short-acting opioid antagonist is administered to any student or other individual on ESD premises.

## 10. Disposal of Medications

- a. [Medication not picked up by the student's parent or guardian, at the end of the school year or within [five] school days of the end of the medication period, whichever is earlier, will be disposed of by designated personnel in the presence of another school employee. The medication may be disposed through a designated drug take-back collection program or in a nonrecoverable fashion as follows:
  - (1) Medication will be removed from its original container and personal information will be destroyed;
  - (2) Mix with an undesirable substance, e.g., coffee grounds, used cat litter;
  - (3) Place in a plastic bag or other sealable container, e.g., such as an empty plastic container; and
  - (4) Place the sealed container with the mixture in the trash as close to garbage pickup time as possible, to prevent theft and misuse.]
- b. [Prescriptions will never be flushed down the toilet or drain or burnt with other waste.]
- c. [Sharps and glass will be disposed of in accordance with state guidelines.]
- d. [All medication will be disposed of by designated personnel following DEQ guidelines and documented on the student's MAR as described below.]

## 11. Transcribing, Recording and Record Keeping

- a. A medication administration record (MAR) will be maintained for each student administered medication by the ESD. [The MAR will be in paper<sup>9</sup> or electronic form and will include, but not be limited to:
  - (1) The full name of the student, date of birth, name of medication, dosage, method of administration, date and time of administration, frequency of administration and the name of the person administering the medication;
  - (2) Student refusals of medication;
  - (3) Errors in administration of medication;
  - (4) Incidents of emergency and minor adverse reaction by a student to medication;
  - (5) Discrepancies in medication supply;
  - (6) Disposal of medication including date, quantity, manner in which the medication was destroyed and the signature of the staff involved.]
- b. A MAR for medication administered as part of an IEP goal should be maintained in the IEP record at the end of each school year.

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<sup>9</sup> If a paper record is kept, the record will be documented in blue or black ink, and never in pencil or with use of white-out.

- c. All records relating to administration of medications, including permissions and written instructions, will be maintained. Records will be retained in accordance with applicable provisions of OAR 166-400-0010(17) and OAR 166-400-0060(29).
- d. All records relating to the training of designated ESD personnel will be maintained by the ESD in accordance with applicable provisions of OAR 166-400-0010.
- e. Student health information will be kept confidential. Access shall be limited to those designated personnel authorized to administer medication to students, the student and their parent or guardian. Information may be shared with school personnel with a legitimate educational interest in the student or others authorized by the parent or guardian in writing or others as allowed under state and federal law.

### **[Non-liability Provisions for Administration of Prescription and Nonprescription Medications and Short-Acting Opioid Antagonists**

A school administrator, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration of nonprescription medication, if the school administrator, teacher or other school employee in good faith administers nonprescription medication to a student pursuant to written permission and instructions of the student's parents or guardian.

A school administrator, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration of prescription medication, if the school administrator, teacher or other school employee in compliance with the instructions of a physician, physician assistant, nurse practitioner, naturopathic physician or clinical nurse specialist, in good faith administers prescription medication to a student pursuant to written permission and instructions of the student's parents or guardian.

A person may not maintain an action for injury, death or loss that results from acts or omissions of a school administrator, teacher or other school employee during the administration of a short-acting opioid antagonist unless it is alleged and proved by the complaining party that the school administrator, teacher or other school employee was grossly negligent in administering the short-acting opioid antagonist unless other conditions exist and which are outlined in Oregon law in ORS 339.870.

The civil and criminal immunities provided for above do not apply to an act or omission accounting to gross negligence or willful and wanton misconduct.

### **Non-Liability Provisions for Self-Administration and Autoinjectable Epinephrine**

A school administrator, school nurse, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of a student's self-administration of medication, as described in ORS 339.866, if the school administrator, school nurse, teacher or other school employee, in compliance with the instructions of the student's Oregon licensed health care professional, in good faith assists the student's self-administration of the medication, if the medication is available to the student pursuant to written permission and instructions of the student's parent, guardian or Oregon licensed health care professional.

A school administrator, school nurse, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the use of medication if the school administrator, school nurse, teacher or other school employee in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-

administer the medication regardless of whether the student or individual has a prescription for epinephrine.

The ESD and the members of an ESD Board are not liable in a criminal action or for civil damages as a result of the use of medication if any person in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine; and the person administered the autoinjectable epinephrine on school premises, including at a school, on school property under the jurisdiction of the ESD or at an activity under the jurisdiction of the ESD.

The civil and criminal immunities described above (which are identified in ORS 339.871) do not apply to an act or omission to gross negligence or willful and wanton misconduct.]

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# Lane Education Service District

Code: JHCD/JHCDA  
Adopted: 12/06/17  
Revised/Readopted: 4/07/20  
Orig. Code(s): JHCD/JHCDA

## Medications\*\* **Proposed Delete** (Version 1)

*(See new JHCD)*

The ESD recognizes that administering a medication to a student and/or permitting a student to administer a medication to themselves, may be necessary when the failure to take such medication during school hours would prevent the student from attending school, and recognizes a need to ensure the health and well-being of a student who requires regular doses or injections of a medication as a result of experiencing a life-threatening allergic reaction or adrenal crisis<sup>1</sup>, or a need to manage hypoglycemia, asthma or diabetes. Accordingly, the ESD may administer or a student may be permitted to administer to themselves a prescription (injectable and noninjectable) and/or nonprescription (noninjectable) medication at school.

The ESD shall designate personnel authorized to administer medications to students. Annual training shall be provided to designated personnel as required by law in accordance with guidelines approved by the Oregon Department of Education (ODE). When a licensed health care professional is not immediately available, personnel designated by the ESD may administer epinephrine, glucagon or another medication to a student as prescribed and/or allowed by Oregon law.

Current first-aid and CPR cards are strongly encouraged for designated personnel. A current first-aid and CPR card is required for designated personnel.

The ESD reserves the right to reject a request for administration of medication at school, either by ESD personnel or student self-medication, if the medication is not necessary for the student to remain in school.

The superintendent and/or designee will require that an individualized health care plan and allergy plan is developed for every student with a known life-threatening allergy or a need to manage asthma, and an individualized health care plan for every student for whom the ESD has been given proper notice of a diagnosis of adrenal insufficiency. Such a plan will include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity.

A student may be allowed to self-administer a medication for asthma, diabetes, hypoglycemia or severe allergies as prescribed by an Oregon licensed health care professional, upon written and signed request of the parent or guardian and subject to age-appropriate guidelines. This self-administration provision also requires a written and signed confirmation the student has been instructed by the Oregon licensed health care professional on the proper use of and responsibilities for the prescribed medication.

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<sup>1</sup> Under proper notice given to the ESD by a student or student's parent or guardian.

A request to the ESD to administer or allow a student to self-administer prescription medication shall include a signed prescription and treatment plan from a prescriber<sup>2</sup>.

A request to the ESD to administer or allow a student to self-administer nonprescription that is not approved by the Food and Drug Administration (FDA) shall include a written order from the student's prescriber that meets the requirements of law.

A written request and permission form signed by a student's parent or guardian, unless the student is allowed to access medical care without parental consent under state law<sup>3</sup>, is required and will be kept on file.

If the student is deemed to have violated Board policy or medical protocol by the ESD, the ESD may revoke the permission given to a student to self-administer medication.

Prescription and nonprescription medication will be handled, stored, monitored, disposed of and records maintained in accordance with established ESD administrative regulations governing the administration of prescription or nonprescription medications to students, including procedures for the disposal of sharps and glass.

A process shall be established by which, upon parent or guardian written request, a back-up prescribed autoinjectable epinephrine is kept at a reasonably, secure location in the student's classroom as provided by state law.

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

<sup>4</sup>Naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing an overdose of an opioid drug.

This policy shall not prohibit, in any way, the administration of recognized first aid to a student by ESD employees in accordance with established state law, Board policy and administrative regulation.

A school administrator, teacher or other ESD employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration in good faith and pursuant to state law of prescription and/or nonprescription medication.

A school administrator, school nurse, teacher or other ESD employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of a student's self-

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<sup>2</sup> A registered nurse who is employed by a public or private school, ESD or local public health authority to provide nursing services at a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

<sup>3</sup> Subject to ORS 109.610, 109.640 and 109.675.

administration of medication, as described in Oregon Revised Statute (ORS) 339.866, if that person in good faith and pursuant to state law assisted the student in self-administration of the medication.

A school administrator, school nurse, teacher or other ESD employee designated by the school administration is not liable in a criminal action or for civil damages as a result of the use of medication if that person in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who that person believes in good faith is experiencing an overdose of an opioid drug.

The ESD and the members of the ESD Board are not liable in a criminal action or for civil damages as a result of the use of medication if any person in good faith, on school premises, including at a school, on school property under the jurisdiction of the ESD or at an activity under the jurisdiction of the ESD, administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who the person believes in good faith is experiencing an overdose of an opioid drug.

The superintendent shall develop administrative regulations as needed to meet the requirements of law and the implementation of this policy.

END OF POLICY

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**Legal Reference(s):**

[ORS 109.610](#)  
[ORS 109.640](#)  
[ORS 109.675](#)  
[ORS 334.125\(7\)](#)  
[ORS 339.866 - 339.871](#)

[ORS 433.800 - 433.830](#)  
[ORS 475.005 - 475.285](#)  
  
[OAR 166-400-0010\(17\)](#)  
[OAR 166-400-0060\(29\)](#)

[OAR 333-055-0000 - 055-0115](#)  
[OAR 581-021-0037](#)  
[OAR 581-022-2220](#)  
[OAR 851-047-0030](#)  
[OAR 851-047-0040](#)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).

OREGON HEALTH AUTHORITY AND OREGON DEPARTMENT OF EDUCATION, *Medication Administration: A Manual for School Personnel*.

# Lane Education Service District

Code: JHCD/JHCDA-AR  
Adopted: 5/24/95  
Revised/Readopted: 7/10/01; 9/27/05; 6/22/10;  
4/07/20; 10/26/10; 11/26/13;  
2/24/15; 8/11/16; 11/07/17;  
1/08/19  
Orig. Code(s): JHCD/JHCDA-AR

## Medications\*\* **Proposed Delete**

(Version 1)

*(See new JHCD-AR)*

Students may, subject to the provisions of this administrative regulation, have prescription or nonprescription medication administered by designated personnel, or may be permitted to administer prescription or nonprescription medication to themselves.

### 1. Definitions

- a. “Medication” means any drug, chemical compound, suspension or preparation in suitable form for use as a curative or remedial substance taken internally or externally but not injected except for premeasured doses of epinephrine, medication to treat adrenal insufficiency and glucagon to treat severe hypoglycemia. Medication includes any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student’s Oregon licensed health care professional for asthma or severe allergies.
- b. “Prescription medication” means any medication that under federal or state law requires a prescription by a prescriber.
- c. “Nonprescription medication” means medication that under federal law does not require a prescription from a prescriber.
- d. “Adrenal crisis” means adrenal crisis as defined in Oregon Revised Statute (ORS) 433.800.
- e. “Adrenal insufficiency” means adrenal insufficiency as defined in ORS 433.800.
- f. “Notice of a diagnosis of adrenal insufficiency” means written notice to the ESD from a student or the parent or guardian of a student who has been diagnosed as adrenal insufficient with a copy of an order from the student’s primary care provider that includes the student’s diagnosis, description of symptoms indicating the student is in crisis, prescription for medication to treat adrenal insufficiency crisis and instructions for follow-up care after medication to treat adrenal insufficiency crisis has been administered.
- g. “Prescriber<sup>1</sup>” means a doctor of medicine or osteopathy, a physician assistant licensed to practice by the Board of Medical Examiners for the state of Oregon, an Oregon-licensed, advance practice registered nurse with prescriptive authority, a dentist licensed by the Board of Dentistry for the state of Oregon, an optometrist licensed by the Board of Optometry for the state of Oregon, a naturopathic physician licensed by the Board of Naturopathy for the state of Oregon or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.
- h. “Qualified trainer” means a person who is familiar with the delivery of health services in a school setting and who is a registered nurse licensed by the Oregon State Board of Nursing, a

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<sup>1</sup> A registered nurse who is employed by a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

doctor of medicine or osteopathy or a physician assistant licensed by the Board of Medical Examiners for the state of Oregon or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.

- i. “Severe allergy” means a life-threatening hypersensitivity to a specific substance such as food, pollen, dust or insect sting.
- j. “Asthma” means a chronic inflammatory disorder of the airways that requires ongoing medical intervention.
- k. “Designated personnel” means the school personnel designated to administer medication pursuant to ESD policy and procedure.

## 2. Designated Staff/Training

- a. The principal will designate personnel authorized to administer prescription or nonprescription medication to a student while the student is in school, at an ESD-sponsored activity, under the supervision of ESD personnel, in a before-school or after-school care program on ESD-owned property and in transit to and from school or an ESD-sponsored activity, as required by Oregon law. The principal will supervise and ensure building and activity practices and procedures are consistent with the requirements of law, rules and this administrative regulation.
- b. The principal will ensure the training required by Oregon law is provided to designated personnel. Training must be conducted by a qualified trainer. Training will be provided annually to designated personnel authorized to administer medication to students. The first year and every third year of training requires in-person instruction; during the intervening years, designated personnel may complete an online training that has been approved by the Oregon Department of Education (ODE) so long as a trainer is available within a reasonable amount of time following the training to answer questions and provide clarification.
- c. Training will provide an overview of applicable provisions of Oregon law, administrative rules, ESD policy and administrative regulations and include, but not be limited to, the following: safe storage, handling, monitoring medication supplies, disposing of medications, record keeping and reporting of medication administration and errors in administration, emergency medical response for life-threatening side effects, allergic reactions or adrenal insufficiency and student confidentiality. Materials as recommended and/or approved by ODE will be used.
- d. A copy of the ESD’s policy and administrative regulation will be provided to all staff authorized to administer medication to students and others, as appropriate.

## 3. Administering Premeasured Doses of Epinephrine to a Student or Other Individual

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on ESD-owned premises who the personnel believe, in good faith, is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

## 4. Administering of Medication to a Student Experiencing Symptoms of Adrenal Crisis

A student experiencing symptoms of adrenal crisis while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, may be treated by designated personnel and shall be subject to the following:

- a. Upon notice of a diagnosis of adrenal insufficiency, as defined in Oregon Administrative Rule (OAR) 581-021-0037, the building principal will designate one or more school personnel to be responsible for administering the medication to treat adrenal insufficiency;
- b. The designated personnel will successfully complete training to administer medication to treat a student who has adrenal insufficiency and is experiencing symptoms of adrenal crisis in accordance with the rules adopted by the Oregon Health authority;
- c. The student or the student's parent or guardian must provide adequate supply of the student's prescribed medication to the ESD;
- d. The superintendent will require the development of an individualized health care plan for the student that includes protocols for preventing exposures to allergens, and establishes if or when a student may self-carry prescription medication when the student has not been approved to self-administer medication;
- e. In the event that a student experiences symptoms of adrenal crisis and the designated personnel determines the medication to treat adrenal insufficiency should be administered, any available staff member will immediately call 911 and the student's parent or guardian.

## 5. Administering Medication to a Student

- a. A request to permit designated personnel to administer medication to a student may be approved by the ESD and is subject to the following:
  - (1) A written request for designated personnel to administer prescription medication to a student, if because of the prescribed frequency or schedule, the medication must be given while the student is in school, at an ESD-sponsored activity, while under the supervision of ESD personnel and in transit to or from school or an ESD-sponsored activity, must be submitted to the school office and shall include:
    - (a) The written permission of the student's parent or guardian or the student if the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
    - (b) The written instruction from the prescriber for the administration of the medication to the student that includes:
      - (i) Name of the student;
      - (ii) Name of the medication;
      - (iii) Method of administration;
      - (iv) Dosage;
      - (v) Frequency of administration;
      - (vi) Other special instructions from the prescriber, if any; and
      - (vii) Signature of the prescriber.

The prescription label prepared by a pharmacist at the direction of the prescriber, will be considered to meet this requirement if it contains the information listed in (i)-(vi) above.

- (2) A written request for designated personnel to administer nonprescription medication to a student must be submitted to the school office and is subject to the following:
  - (a) The nonprescription medication is necessary for the student to remain in school;

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- (b) The nonprescription medication is provided in the original manufacturer's container by the parent or guardian of the student;
- (c) The written instruction from the student's parent or guardian for the administration of the nonprescription medication includes:
  - (i) Name of the student;
  - (ii) Name of the medication;
  - (iii) Method of administration;
  - (iv) Dosage;
  - (v) Frequency of administration;
  - (vi) Other special instruction, if any; and
  - (vii) Signature of the student's parent or guardian.

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If the written instruction is not consistent with the manufacturer's guidelines for the nonprescription medication, the written instruction must also include a written order allowing the inconsistent administration signed by a prescriber.

- (d) If the nonprescription medication is not approved by the Food and Drug Administration (FDA), a written order from the student's prescriber is required and will include:
  - (i) Name of the student;
  - (ii) Name of the medication;
  - (iii) Dosage;
  - (iv) Method of administration;
  - (v) Frequency of administration;
  - (vi) A statement that the medication must be administered while the student is in school;
  - (vii) Other special instructions, if any; and
  - (viii) Signature of the prescriber.

- b. An individualized health care and allergy plan will be developed for a student with a known life-threatening allergy and will include protocols for preventing exposures to allergens and procedures for responding to life-threatening allergic reactions while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, and will include a determination on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;
- c. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
- d. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that the school is informed in writing of any changes in medication instructions;
- e. In the event a student refuses medication, the parent or guardian will be notified immediately, except where a student is allowed to seek medical care without parental consent. No attempt will be made to administer medication to a student who refuses a medication;

- f. Any error in administration of a medication will be reported to the parent or guardian immediately, except where a student is allowed to seek medical care without parental consent, and documentation made on the ESD's Accident/Incident Report form. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dose, frequency of administration or method of administration;
- g. Medication shall not be administered until the necessary permission form and written instructions have been submitted as required by the ESD.

## 6. Administration of Medication by a Student to Themselves

- a. A student, including a student in grades K through 12 with asthma or severe allergies, may be permitted to administer medication to themselves without assistance from designated personnel and is subject to the following:
  - (1) A student must demonstrate the ability, developmentally and behaviorally, to self-administer prescription medication and must have:
    - (a) A permission form from a parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675, and other documentation requested by the ESD must be submitted for self-medication of all prescription medications;
    - (b) If the student has asthma, diabetes and/or a severe allergy, a medication that is prescribed by a prescriber and a written treatment plan developed by a prescriber or other Oregon licensed health care professional for managing of the student's asthma, diabetes and/or severe allergy, and directs use by the student while the student is in school, at an ESD-sponsored activity, while under the supervision of ESD personnel, in a before-school or after-school care program on ESD-owned property and in transit to or from school or an ESD-sponsored activity. The prescriber will include acknowledgment the student has been instructed in the correct and responsible use of the prescribed medication;
    - (c) The permission to self-administer the medication from a building administrator and a prescriber or a registered nurse practicing in a school setting.
  - (2) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication and must have:
    - (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675;
    - (b) The medication must have the student's name affixed to the manufacturer's original container; and
    - (c) The permission to self-administer medication from a building administrator.
  - (3) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication that is not approved by the FDA and must have:
    - (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
    - (b) A written order from the student's prescriber that includes:

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- (i) Name of the student;
- (ii) Name of the medication;
- (iii) Dosage;
- (iv) Method of administration;
- (v) Frequency of administration;
- (vi) A statement that the medication must be administered while the student is in school;
- (vii) Other special instructions, if any; and
- (viii) Signature of the prescriber.

- b. The student may have in their possession only the amount of medication needed for that school day except for manufacture's packaging that contains multiple dosage, the student may carry one package, such as but not limited to, autoinjectable epinephrine or bronchodilators/inhalers;
- c. Sharing and/or borrowing of any medication with another student is strictly prohibited;
- d. For a student who has been prescribed bronchodilators or epinephrine, the designated personnel will request that the parent or guardian provide back-up medication for emergency use by that student. Backup medication, if provided, will be kept at the student's school in a location to which the student has immediate access in the event the student has an asthma and/or severe allergy emergency.
- e. Upon written request from a parent or guardian, and with a prescriber's written statement that the lack of immediate access to a backup autoinjectable epinephrine may be life threatening to a student, and the location the school stores backup medication is not located in the student's classroom, a process shall be established to allow the backup autoinjectable epinephrine to be kept in a reasonably secure location in the student's classroom.
- f. A student shall not administer medication to themselves until the necessary permission form and written instructions have been submitted as required by the ESD;
- g. Permission for a student to administer medication to themselves may be revoked if the student violates Board policy and/or this administrative regulations;
- h. A student may be subject to discipline, up to and including expulsion, as appropriate;
- i. A student permitted to administer medication to themselves may be monitored by designated personnel to monitor the student's response to the medication.

## 7. Handling, Monitoring and Safe Storage of Medication Supplies for Administering Medication to Students

- a. Medication administered by designated personnel to a student or self-administered by a student, must be delivered to the school in its original container, accompanied by the permission form and written instructions, as required above.
- b. Medication in capsule or tablet form and categorized as a sedative, stimulant, anticonvulsant, narcotic analgesic or psychotropic medication will be counted by designated personnel in the presence of another school or ESD employee upon receipt, documented in the student's medication log and routinely monitored during storage and administration. Discrepancies will be reported to the principal immediately and documented in the student's medication log. For such medication not in capsule or tablet form, standard measuring and monitoring procedures will apply.
- c. Designated personnel will follow the written instructions of the prescriber and the student or the student's parent or guardian, and training guidelines as may be recommended by the ODE for administering all forms of prescription and/or nonprescription medications.
- d. Medication will be secured as follows:

- (1) Nonrefrigerated medications will be stored in a locked cabinet, drawer or box used solely for the storage of medication;
- (2) Medications requiring refrigeration will be stored in a locked box in a refrigerator;
- (3) Access to medication storage keys will be limited to the principal and designated school personnel.

- e. Designated personnel will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering and that the medication container is properly sealed and returned to storage.
- f. In the event medication is running low or an inadequate dosage is on hand to administer the medication, the designated personnel will notify the student's parent or guardian or the student (in situations involving ORS 109.610, 109.640 and 109.675) immediately.

## 8. Emergency Response

- a. Designated personnel will notify 911 or other appropriate emergency medical response systems and administer first aid, as necessary, in the event of life-threatening side effects that result from ESD-administered medication or from student self-medication or allergic reactions. The parent or guardian, school nurse and principal will be notified immediately.
- b. Minor adverse reactions that result from ESD-administered medication or from student self-medication will be reported to the parent or guardian immediately, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675.
- c. Any available ESD staff will immediately call 911 and the student's parent or guardian if the designated personnel believes the student is experiencing symptoms of adrenal crisis and plans to administer medication.

## 9. Disposal of Medications

- a. Medication not picked up by the student's parent or guardian, or the student when allowed pursuant to ORS 109.610, 109.640 and 109.675, at the end of the school year or within five school days of the end of the medication period, whichever is earlier, will be disposed of by designated personnel in a nonrecoverable fashion as follows:
  - (1) Medication will be removed from its original container and personal information will be destroyed;
  - (2) Solid medications will be crushed, mixed or dissolved in water, liquid medications will be mixed or dissolved in water; and
  - (3) Mixed with an undesirable substance, e.g., coffee grounds, kitty litter, flour; and
  - (4) Placed in impermeable non-descript containers, e.g., empty cans or sealable bags, and placed in the trash.

Prescriptions will be flushed down the toilet **only** if the accompanying patient information specifically instructs it is safe to do so.

Other medication will be disposed of in accordance with established training procedures including sharps and glass.

- b. All medication will be disposed of by designated personnel in the presence of another school employee and documented as described in Section 10 below.

10. Transcribing, Recording and Record Keeping

- a. A medication log will be maintained for each student administered medication by the ESD. The medication log will include, but not be limited to:

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- (1) The name of the student, name of medication, dosage method of administration, date and time of administration, frequency of administration and the name of the person administering the medication;
- (2) Student refusals of medication;
- (3) Errors in administration of medication;
- (4) Incidents of emergency and minor adverse reaction by a student to medication;
- (5) Discrepancies in medication supply;
- (6) Disposal of medication including date, quantity, manner in which the medication was destroyed and the signature of the staff involved.

- b. All records relating to administration of medications, including permissions and written instructions, will be maintained in a separate, medical file apart from the student's education records file unless otherwise related to the student's educational placement and/or individualized education plan. Records will be retained in accordance with applicable provisions of OAR 166-400-0040(14) and OAR 166-400-0060(29)
- c. Student health information will be kept confidential. Access shall be limited to those designated personnel authorized to administer medication to students, the student and their parent or guardian. Information may be shared with other staff with a legitimate educational interest in the student or others as may be authorized by the parent or guardian in writing or others as allowed under state and federal law.

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# Lane Education Service District

Code: JHF  
Adopted: 9/07/93  
Revised/Readopted: 7/10/01  
Orig. Code(s): JHF

## Student Safety

The Board directs the development and approval of a comprehensive safety program. The plan is designed to assure every student a safe, healthy environment in which to learn. The plan will comply with federal, state and local laws and regulations and with Board policy.

Lane ESD safety committee will ensure that general safety regulations are reviewed with staff and students, as appropriate, to assure student safety.

Safety instruction will assist students to:

1. Learn how to work, play and exercise safely, and to prevent accidents;
2. Learn proper procedures to reduce the possibility of accidents;
3. Develop habits of good cleanliness, proper storage and proper handling of materials;
4. Become familiar with personal protective equipment and the proper clothing to be worn for safety purposes;
5. Develop skills in the safe use of tools and equipment;
6. Learn how to cooperate with others in the promotion and operation of a safety program in the ESD;
7. Respond to emergency situations in all settings.

Safety instruction will precede the use of materials and equipment by students in applicable units of work in the courses listed above. Instructors will teach and enforce all safety rules set up for these particular courses. Rules will include, but not be limited to, wearing personal protective equipment in appropriate activities.

Students will be asked to sign off upon completion of reading safety policies and materials and upon the completion of safety instruction, when applicable.

A student will report any accident sustained by themselves while on ESD property to an ESD staff member. ALL accidents will be promptly investigated. As a result of the investigation any corrective measures needed will be acted upon.

Lane ESD staff working in component school districts, their parents, guardians or persons in parental relationship shall comply with component district policies and procedures.

END OF POLICY

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**Legal Reference(s):**

[ORS 329.095](#)

[OAR 581-022-2225](#)

# Lane Education Service District

Code: JHFA  
Adopted: 9/07/93  
Readopted: 7/10/01  
Orig. Code(s): JHFA

## Supervision of Students

All students in Lane ESD programs will be under assigned adult supervision when they are in school, traveling under ESD auspices or engaging in ESD-sponsored activities. Staff may not always be in the same location as the students they supervise, such as students at work sites or students learning to ride a public bus. ESD personnel assigned responsibility for supervision of these activities are expected to act as prudent adults in providing for the safety of students in their charge.

No teacher or other staff member will leave their assigned group unsupervised except in an emergency situation when other arrangements have been made.

During school hours, or while engaging in ESD-sponsored activities, students will be released only into the custody of parents, guardians, persons in a parental relationship or other persons designated by the parents, guardians or persons in a parental relationship.

Parents will be notified of the established hours during the day when supervision will be provided. There is no ESD responsibility for the supervision of students before and after these hours.

Lane ESD staff working in component school districts, their students, parents, guardians or persons in a parental relationship shall comply with component district policies and procedures.

END OF POLICY

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### Legal Reference(s):

[ORS 332.072](#)

[ORS 332.107](#)

# Lane Education Service District

Code: JHFCA  
Adopted: 7/10/01  
Orig. Code(s): JHFCA

## **Student Skateboard/Rollerblade/Scooter Use\*\* Proposed Delete**

*(If the ESD does not have a student handbook, consider keeping)*

Due to the inherent dangers both to participant and nonparticipant, combined with the potential liability assumption, the use of skateboards/rollerblades/scooters or similar devices on Lane ESD property is not allowed. Students will be informed they are not allowed to bring their skateboards/rollerblades/scooters to school and ESD programs. Skateboards/Rollerblades/Scooters will be confiscated by ESD authorities and placed in the ESD administrator's office for parents to retrieve.

END OF POLICY

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### **Legal Reference(s):**

[ORS 334.125 \(7\)](#)

[OAR 581-021-0050](#)