

LANE EDUCATION SERVICE DISTRICT	BOARD MEETING
1200 Hwy 99 N	Tuesday, March 3, 2026
Eugene, Oregon 97402	Regular Meeting: 6:00 PM

**LANE ESD BOARD MEETING
AGENDA**

Tuesday, March 3, 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 Acknowledgment

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.

5. Agenda Review

Board Chair

6. Presentation: Lane ESD | District Equity Committee | Upbeat Survey

The Board of Directors of Lane ESD will hear a presentation from the district's Equity Committee members, Alyssa Leraas, Echo Ingram, Eric Anderson and Morgan Christensen.

District Equity Committee (DEC)

DEC - March Board Presentation

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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 February 3rd, 2026
2. Human Resource Report, dated March 1st, 2026
3. Authorize Contracts for Licensed Staff for 2026-27
4. Authorize Contracts for Licensed, Administrative Staff for 2026-27

Board Chair

Draft_LESD Board Minutes - Minutes- February, 3 2026	23
HR Board Report - March 2025	30
2026-27 Licensed Staff Recommendations	32
2026-27 Licensed Administrative Recommendations	35

B. Accept Financial Report

BE IT RESOLVED that the Board of Directors of Lane ESD accepts the Financial Report for January 2026.

Board Chair

January 2026 Financial Report	36
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C. Consideration of Possible Board Action Related to Executive Session Hearing

Consideration of possible Board action related to the hearing held in executive session.

Chair Harris

D. Grant Proposal | Rooted and Connect: A Youth-Centered Substance Use Prevention Initiative

The purpose of this grant is to provide funding to develop projects or expand services that promote community health and well-being by addressing upstream risk factors such as food insecurity, housing instability, and social isolation. Projects may include culturally responsive family supports, youth programming, and services that improve access to basic needs. The goal is to strengthen community resilience, reduce risk factors associated with

substance use, and advance health equity for those most impacted by social and economic disparities.

The proposal will impact students, schools, and communities that are directly and indirectly served by these programs positively.

Suggested motion:

BE IT RESOLVED that the Board of Directors of Lane ESD approves the Youth-Centered Substance Use Prevention Initiative grant proposal.

Superintendent Scurto

Grant Proposal - Lane ESD_Substance Use Prev Ed

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E. Local Service Plan Update

The following are districts who have submitted approval resolutions.

- Bethel
- Blachly
- Creswell
- Fern Ridge
- Junction City
- Pleasant Hill
- Marcola
- McKenzie
- Oakridge
- Springfield
- Siuslaw
- South Lane

Superintendent Scurto

1. Acknowledge Component District Approval of the 2025–2028 Local Service Plan - Year 2

Sample motion language:

BE IT RESOLVED: That the Board of Directors of Lane Education Service District acknowledge that the 2025-2027 Local Service Plan - Year 2 has been approved by a majority of component school districts representing a majority of the total ADM of the component districts, in accordance with statutory requirements.

Superintendent Scurto

F. 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 | Recommend Adopt | Parts JHFE/GBNAB to JOD

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

Presented for second read are parts JHFE/GBNAB to JOD of Section J. These updates were first read at the February 3rd, 2026 meeting of the Board of Directors.

Policy Section J: Students

- Suspected Abuse of a Child Reporting Requirements** JHFE/GBNAB - Proposed Adopt
- Reporting of Suspected Abuse of a Child JHFE/GBNABAR(1) - Proposed Adopt
- Abuse of a Child Investigations Conducted on ESD Premises JHFE/GBNABAR(2) - Proposed Adopt
- Suspected Sexual Conduct with Students and Reporting Requirements JHFF/GBNAA - Proposed Adopt
- Suspected Sexual Conduct Report Procedures and Form JHFF/GBNAA-AR - Proposed Adopt
- Student Fees, Fines and Charges JN - Proposed Adopt
- Education Records/Records of Students with Disabilities** JO/IGBAB - Proposed Adopt
- Education Records/Records of Students with Disabilities Management JO/IGBAB-AR - Proposed Adopt
- Directory Information** JOA - Proposed Adopt
- Personally Identifiable Information** JOB - Proposed Adopt
- Legal Names of Students JOC - Proposed Adopt

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

Chair, Superintendent Scurto

Section J - 3rd Part- Proposed Adopt - Combined 45

2. Section J: Students | Recommend Adopt Policy Deletions | Parts JHFE/GBNAB to JOD

The policy deletions for Section J were presented at the Regular Meeting of the Board for first read on February 3rd, 2026.

The following policies/administrative rules are recommended for deletion:

- Staff-Student Relations JM - Proposed Delete
- Education Records Management JO-AR - Proposed Delete
- Lane Education Service District Publicity Release**JOA-AR - Proposed Delete
- Media Access to Students JOD - Proposed Delete

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

Superintendent Scurto

Section J - 3rd Part- Proposed Delete - Combined

80

3. Section E: Support Services | Recommend Adopt

Presented for second read is Section E, previously presented at the Regular Meeting of the Board for first read on June 3rd, 2025.

Policy Section E: Administration

Safety Program EB - Proposed Adopt

Safety Committee EBAC - Proposed Adopt

Safety Committee EBAC-AR - Proposed Adopt

Integrated Pest Management EBB - Proposed Adopt

Student Health Services**EBBA - Proposed Adopt Ver. 2

Infection Control - HIV, AIDS, HBV EBBAA /GBEBC/JHCCC - Proposed Adopt Ver. 2

Injury or Illness Reports EBBB - Proposed Adopt

Life-Sustaining Emergency Care EBBC - Proposed Adopt

Emergency Procedures Plan and First Aid[**] EBC - Proposed Adopt Ver. 2

Emergency Procedure Drills and Instruction EBCB - Proposed Adopt

Emergency Closures EBCD - Proposed Adopt

Employee Identification Badge System ECAAAA - Proposed Adopt

Employee Identification Badge System ECAAAA-AR - Proposed Adopt

Vandalism, Malicious Mischief, or Theft** ECAB - Proposed Adopt

Video Surveillance ECAC - Proposed Adopt

Unmanned Aircraft System (UAS) a.k.a. Drone ECACB - Proposed Adopt

Traffic and Parking Controls ECD - Proposed Adopt

Buildings and Grounds Records and Reports ECE - Proposed Adopt (keep)

Authorized Use of ESD Equipment and Materials EDC/KGF - Proposed Adopt

Sustainability EDDA - Proposed Adopt

Student Transportation Services *EEA - Proposed Adopt

Use of ESD Activity Vehicles for Student Transportation EEACD - Proposed Adopt

Student Transportation in Private Vehicles EEAE - Proposed Adopt

District Vehicles EEBAA - Proposed Adopt

Use of Private Vehicles for ESD Business EEBB - Proposed Adopt

Rules for Using Private Vehicles for ESD Business EEBB-AR - Proposed Adopt

ESD Nutrition and Food Services EFAA - Recommended not adopt

Reimbursable Meals and Milk Programs EFAA-AR - Recommended not adopt

Reproduction of All Copyrighted Materials EGAAA - Proposed Adopt (this version)

Cell PhonesCellular Telephones EGACA - Proposed Adopt

Cell PhonesCellular Telephones EGACA-AR - - Proposed Adopt

Cybersecurity EHB - Proposed Adopt

Cybersecurity EHB-AR - Proposed Adopt

Insurance Programs EIA Proposed Adopt

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

Chair, Superintendent Scurto

Section E Drafts--First Read - June 3

94

Policy Section EEAE

220

4. Section E: Support Services | Recommend Adopt Policy Deletions

The policy deletions for Section E were presented at the Regular Meeting of the Board for first read on June 3rd, 2025.

The following policies/administrative rules are recommended for deletion:

Reporting of Hazards EB-AR(1) - **Proposed Delete**
Lockout/Tagout Regulations EB-AR(2) - **Proposed Delete**
Holiday Decorations EB-AR(3) - **Proposed Delete**
First Aid**EBBA - **Proposed Delete**
Handling and Disposing of Contaminated Fluids EBBA-AR - **Proposed Delete**
Infection Control and Bloodborne Pathogens EBBAA - **Proposed Delete**
HBV/Bloodborne Pathogens EBBAB/ GBEBAA/JHCCBA - **Proposed Delete**
Bloodborne Pathogen Exposure Control Plan EBBAB /GBEBAA/JHCCB A-AR - **Proposed Delete**
Emergency Plan EBC - **Proposed Delete**
Management of Buildings and Grounds EC - **Proposed Delete**
Reproduction of All Copyrighted Materials EGAAA - **Proposed Delete**
Use of Copyrighted Materials EGAAA-AR -- - **Proposed Delete**
Courier Service EGAB -- - **Proposed Delete**
Guidelines for Use of Courier Service EGAB-AR -- - **Proposed Delete**
Risk and Insurance Management EI -- - **Proposed Delete**

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

Superintendent Scurto

Section E Drafts--First Read - June 3 with Edits

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8. Discussion/Reports

A. Legislative Update

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

Superintendent Tony Scurto

B. Superintendent Report

Superintendent Tony Scurto

C. Pending Policy

Policy sections held over for OSBA updates or updated information.

Superintendent Scurto

1. Pending Policy from Section E: Support Services

Local Wellness EFA - **HOLD *updated draft to Policy Committee**
Health Insurance Portability and Accountability Act EHA - **HOLD**
Health Insurance Portability and Accountability Act EHA - **HOLD**

Superintendent Scurto

9. Information from Administrative Staff

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

Administrative Staff

SI - Board Update_03_03_26	434
SpEd Board Report _ March 2026	435
March 2026, IT Board Report	437

10. Board Member Reports and Comments/Agenda Planning

Lane ESD Board, Liaisons, Advisors

A. 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

B. 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

11. Announcements/Correspondence

Board Chair

A. Announcements

Board Chair

1. Classified Employee Appreciation Week

Classified Employee Appreciation Week is celebrated every year during the first full week of March. Classified employees are the backbone of our public education system by working directly with students, educators, parents, volunteers, business partners and community members.

Our classified employees support the smooth operation of offices, the safety and maintenance of buildings and property, and the safe transportation, healthy nutrition and direct instruction of students. They bring diverse talents and true dedication that nurture students throughout their school years.

The Board of Directors of Lane Education Service District recognize the contributions of its Classified Employees.

Superintendent Scurto, Board Chair

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

12. Adjournment

- The next regular meeting is scheduled to be held Tuesday, April 7th, at the Lane ESD Main Campus, 1200 Highway 99 N, Eugene.

Chair Harris

Lane ESD

Upbeat Survey Report

Fall 2025

The Road to UPBEAT

2021: Lane ESD Equity Advisory Committee (EAC) Established



12 members selected from Lane ESD staff representing the various roles, experiences, and identities of the agency

Lane EAC Mission



- Support implementation and development of the Lane ESD equity lens
- Increase representation from underrepresented groups

Inclusion Efforts



- Subcommittee work: (Trans/Gender Diverse Guidance, equity-focused PD, Multilingual Needs, Communication, etc.)
- Monthly communication meetings between EAC reps and management



Identified need for Culture and Climate data

2025: Lane ESD District Equity Committee (DEC) Formed



Structure similar to expectations of SB 732

Goals and Products:

- Revise & Implement Equity Lens
- Guide Equity Efforts & Organizational Transformation
- Amplify Underrepresented Voices

Support Staff Retention & Wellness.

Product: Use UpBeat Survey data for retention efforts and implement wellness activities



75% Participation Rate

Engagement Avg

Faculty 80%

Staff 56%

Department 88%

Lane ESD

Compared against Lane ESD, Spring 2025

FACULTY STAFF DEPARTMENT

Survey Metrics TOTAL QUESTIONS 66 COMPLETIONS 39 PARTICIPATION 80%
NO FILTERS SELECTED

CONSIDERATION	AVERAGE ENGAGEMENT SCORE	COMPARED WITH LANE ESD Spring 2025
District Results	61	

Results by Question Category % Positive % Neutral % Negative

CATEGORY	CATEGORY SUMMARY	COMPARISON
1	Parent/Teacher Communication	85 15
2	Professional Development	60 40
3	Autonomy	81 19
4	Principal/Teacher Trust	74 26
5	Instructional Leadership	56 44
6	School Safety & Order	79 21
7	Appreciation	51 49
8	Collaboration	72 28
9	Work/Life Balance	27 73
10	Resources & Facilities	47 53
11	Self-Efficacy	74 26

Faculty
Licensed
Teachers

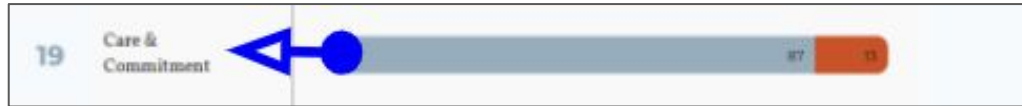
12	Evaluation	58 42
13	Teacher Voice & Leadership	53 47
14	Recruitment, Hiring & Onboarding	51 49
15	Compensation & Career Path	46 54
16	Belonging & Wellbeing	68 32
17	Equal Opportunities	81 19
18	Inclusive Practices	80 20
19	Care & Commitment	87 13
20	Satisfaction & Purpose	80 20
21	Future Commitment	71 29



Faculty - Licensed Teacher

Area of Strength: Care & Commitment (87% positive)

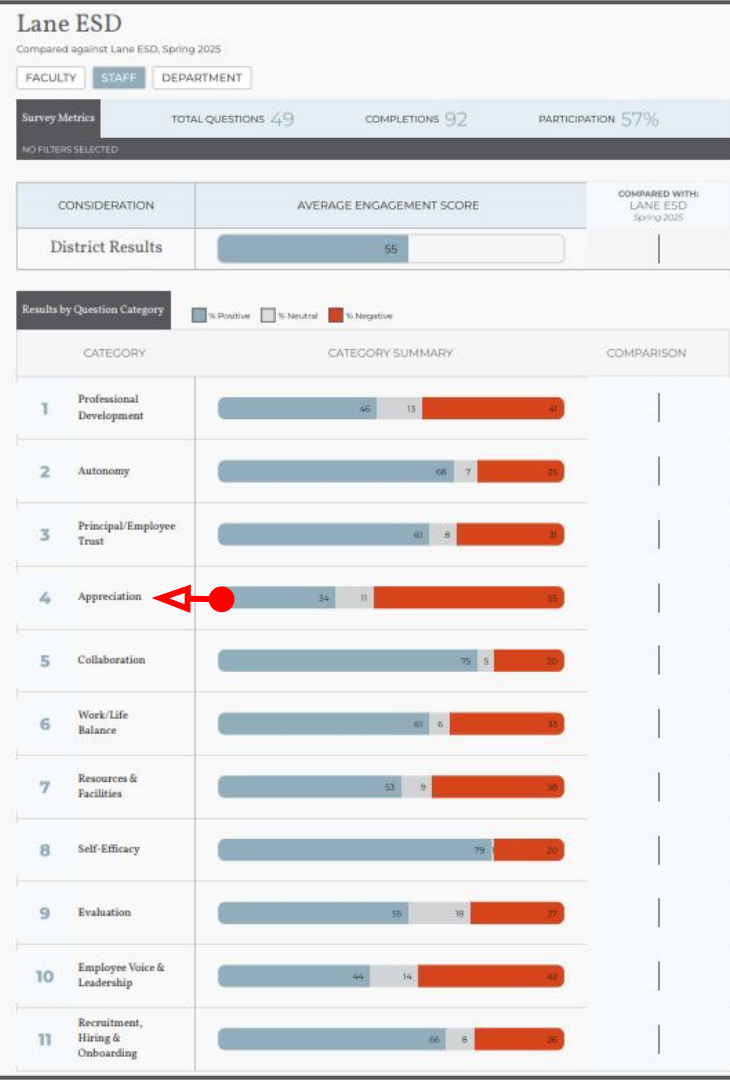
- Q60: 95% of teachers agreed teachers at Lane ESD care about the wellbeing of students.



Area of Improvement: Work/Life Balance (27% positive)

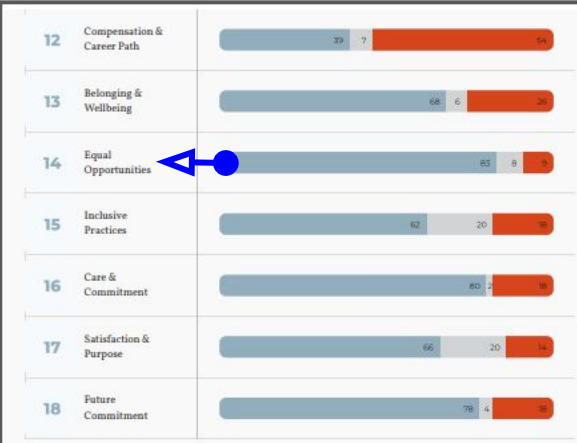
- Q24: 18% of teachers agreed the workload expected of teachers at Lane ESD is reasonable.





Staff

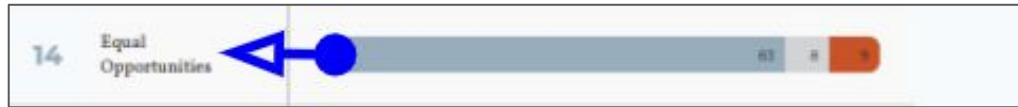
Instructional Assistants



Staff - Instructional Assistants

Area of Strength: Equal Opportunities (83% positive)

- Q38: 84% of staff agreed opportunities are accessible to all employees, regardless of their race, ethnicity, culture, or other aspects of personal identity.



Area of Improvement: Appreciation (34% positive)

- Q11: 27% of staff agreed employees are recognized publicly when they do outstanding work.



Lane ESD

Compared against Lane ESD, Spring 2025

FACULTY STAFF DEPARTMENT

Survey Metrics TOTAL QUESTIONS 48 COMPLETIONS 59 PARTICIPATION 88%
NO FILTERS SELECTED

CONSIDERATION	AVERAGE ENGAGEMENT SCORE	COMPARED WITH: LANE ESD Spring 2025
District Results	65	

Results by Question Category % Positive % Neutral % Negative

CATEGORY	CATEGORY SUMMARY	COMPARISON
1 Professional Development	50 15 35	
2 Autonomy	84 2 14	
3 Department Supervisor/Employee Trust	77 5 18	
4 Appreciation	68 8 24	
5 Collaboration	77 6 17	
6 Work/Life Balance	73 2 25	
7 Resources & Facilities	52 8 40	
8 Self-Efficacy	68 5 27	
9 Evaluation	70 15 15	
10 Employee Voice & Leadership	71 6 23	
11 Recruitment, Hiring & Onboarding	70 11 19	

Department
Main Campus

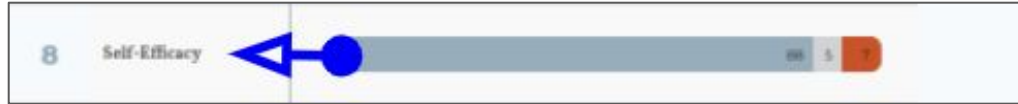
12 Compensation & Career Path	53 10 37
13 Belonging & Wellbeing	85 2 13
14 Equal Opportunities	83 5 12
15 Inclusive Practices	67 14 19
16 Care & Commitment	73 10 17
17 Satisfaction & Purpose	86 2 12
18 Future Commitment	80 7 13



Department - Main Campus

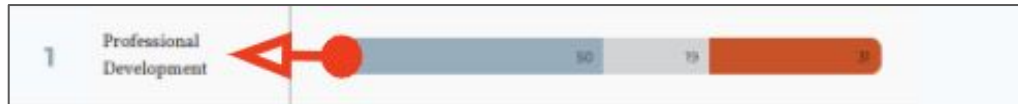
Area of Strength: Self-Efficacy (88% positive)

- Q21: 88% of staff agreed they feel successful as an employee.



Area of Improvement: Professional Development (50% positive)

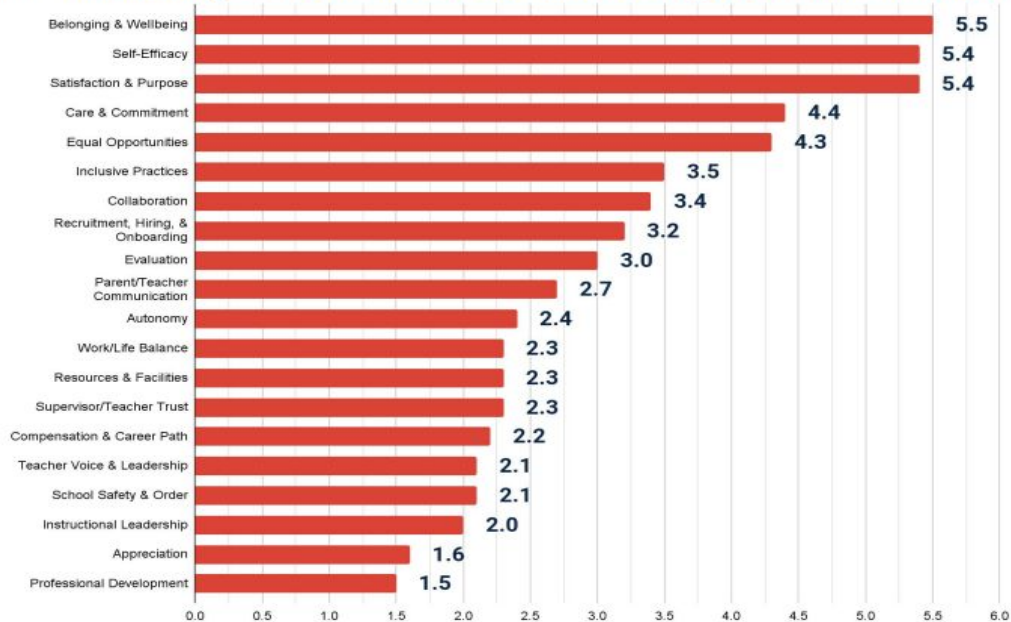
- Q2: 41% of staff agreed the professional development organized by their district helps them improve their work.



Upbeat Survey Domains & Retention

The relationships between **domain-specific measures of teacher working conditions** and **individual-level teacher turnover**

When positive perceptions of Belonging and Wellbeing increase by +10% at a school, individual teacher retention increases by +5.5%



Percentage point change in teacher retention for every 10-percentage point increase in school working conditions.

Upbeat Survey - At a Glance

	Faculty	Staff	Department	AVG
Belonging & Wellbeing	<u>68%</u>	68%	85%	74%
Self-Efficacy	74%	79%	<u>88%</u>	80%
Satisfaction & Purpose	80%	<u>66%</u>	86%	77%
Care & Commitment	<u>87%</u>	80%	<u>73%</u>	80%
Equal Opportunity	81%	<u>83%</u>	83%	82%

Thank you



LANE EDUCATION SERVICE DISTRICT

1200 Highway 99 North | 541.461.8200 | www.lesd.k12.or.us
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

February 3rd, 2026
Regular Meeting: 6:00 PM

1. Call Regular Meeting to Order

Chair Leslie Harris called the Regular Meeting to Order at 6:13 pm.

Note: A technical issue caused an interruption in the video and audio recording from approximately 6:14 p.m. to 6:41 p.m. and resumed during the CTE Student presentation. The meeting continued as scheduled. A quorum was present at the time the meeting was called to order at 6:14 p.m., there was no public comment or Board action during the gap in recording. The meeting continued uninterrupted.

2. Welcome

Guests attending the meeting were introduced.

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

Administrators and staff present: Superintendent Tony Scurto, Assistant Superintendent Eric Anderson, Executive Director of Human Resources, Morgan Christensen, Maria Schaad (recording secretary).

Advisors/Liaisons Present: Terry Agustadt (Superintendent, Marcola School District), Danna Brownell (McKenzie School District), Erika Thessen (Eugene 4J)

Guests: Cassadie Mitchell (Lane ESD), Maddy Ahearn (Lane ESD), Ana Arias-Quintero (Lane ESD), Shareen Vogel (Lane ESD), Andy Rice (Teacher, Marcola School District), Leah Lindahl-Schnetzky student, Marcola School District), Kim Schnetzky (Student's mother), Steve Schnetzky (Student's father), remote: Annie Galaxy (Lane ESD), Chris Peppin (LCEA)

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

The Statement was read aloud by Thomas Hiura

4. Public Participation

No public participation

5. Presentation: CTE | Construction

Lane ESD's CTE Specialist, Shareen Vogel opened the presentation by sharing information on Lane County Career Technical Education, the program growth and new pathways being introduced.

Ms. Vogel then introduced Andy Rice, a CTE teacher from Marcola. Mr Rice offered words of appreciation to Lane ESD and the support that made his CTE classroom accessible to students. Mr. Rice introduced Leah Lindahl-Schnetzky, an 8th grade student from Marcola School District. Ms. Lindahl-Schnetzky shared that this was her first year in woodshop class and presented the process



she followed to create a multi-colored, wood clipboard. Ms. Lindahl-Schnetzy walked the Board through each step, method, measurement, equipment and staining involved in completing the project.

Mr. Rice and student, Ms. Lindahl-Schnetzy presented clipboard gifts to the Lane ESD Board Directors and Superintendent Scurto.

6. Agenda Review

The agenda was reviewed. Chair Harris noted that there are last minute additions to the agenda, specifically, Agenda line items 7.C. *Consideration of Complaint*, 7.D. *Consideration of Request for Hearing*, and 7.E. *Legislative Updates | Lane ESD Designee*. The additions to the Agenda were accepted, without objection.

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 January 6th, 2026
2. Lane ESD Board Special Meeting Minutes for January 14th, 2025
3. Human Resource Report, February 2026

Director Huiira seconded, and the **MOTION CARRIED WITH DIRECTORS HAMILTON, HARRIS, KENT, TRUETT AND WILDE VOTING YES. (ESD Resolution #26-054)**

The vote passed unanimously (7:0:0)

7.B. Accept Financial Report

Superintendent Scurto presented the December 2025 Financial Report on behalf of Business Director Olivia Meyers-Buch highlighting \$19.5 million or 59.4% in operation revenue compared to \$18.6 million or 64.9% last year, at this time. The expenditures as of the end of December were about \$10.9 million, 37.7% in total budget operating expenditures compared to about \$9.6 million which was 37.6% last year. The percentages from this year align closely to last year's percentages. The ending fund balance is trending at 6.9% projected operating revenues. In some cases, this may change depending on transit dollars being held by districts.

DIRECTOR WILDE MOVE: BE IT RESOLVED than the Board of Directors of Lane ESD accepts the December 2025 Financial Report, as presented.

Director Hiura seconded, and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, TRUETT AND KENT VOTING YES. (ESD Resolution #26-055)**

The vote passed unanimously (7:0:0)

7.C. Consideration of Complaint

Prior to the regular open meeting, the Lane ESD Board was in executive session to discuss the merits of a complaint and deferred action to the open meeting.

DIRECTOR WILDE MOVED: BE IT RESOLVED that the Board of Directors of Lane ESD consider the complaint and proceed to conducting an investigation.



The motion was amended to state that the Lane ESD Board act on this complaint, proceed to conducting an investigation, and retain an investigator who is also a lawyer.

Director Truett seconded, and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HARRIS, HIURA, AND TRUETT VOTING YES. (ESD Resolution #26-056)**

During the discussion, Director Hamilton stated that her recommendation was to hire an independent investigator and not a lawyer and requested that her recommendation be reflected in the record.

Directors Hamilton and Kent voted NO.

The motion, as amended passed (5:0:2).

7. D. Consideration of Request for Hearing

Chair Harris brought about an action item ancillary to the complaint from the executive session specific to a request by the same complainant for a hearing from a personnel decision.

DIRECTOR HAMILTON MOVED: BE IT RESOLVED that the Board of Directors of Lane ESD grant a hearing.

Director Truett seconded, and the **MOTION CARRIED WITH DIRECTORS HARRIS, HIURA, KENT, AND WILDE VOTING YES. (ESD Resolution #26-057)**

Director Duerst-Higgins voted NO.

The motion passed (6:0:1)

7.E. Legislative Updates | Lane ESD Designee

Judy Newman, the Lane Region OSBA Legislative Policy Committee representative, reached out to Chair Harris asking that the Lane ESD Board designate a Lane ESD Director to be the primary contact to receive up-to-date legislative information from her to report on to this Board. Director Wilde offered interest and also would step aside to invite the participation of others. Director Hiura expressed an interest in being the primary contact.

DIRECTOR WILDE MOVED: BE IT RESOLVED that the Board of Directors of Lane ESD to appoint Director Hiura as liaison for the Lane ESD Board and act as legislative contact for Judy Newman.

Director Duerst-Higgins seconded, and the **MOTION CARRIED WITH DIRECTORS HAMILTON, HARRIS, HIURA, KENT, AND TRUETT VOTING YES. (ESD Resolution #26-058)**

The vote passed unanimously (7:0:0)

7.F. Grant Proposal | Approve School Improvement/School Safety and Prevention Specialist for District Accelerator Funds

Superintendent Scurto presented a grant proposal in support of work that Angie Elstone is doing in terms of suicide prevention with students and the executive training for district personnel. This is a \$10,000 grant and runs through the 26-27 school year starting in March. An approval to proceed with this grant proposal will support a continuation of the work with participating districts.

DIRECTOR WILDE MOVED: BE IT RESOLVED that the Board of Directors of Lane Education Service District approve the school safety and prevention specialist grant proposal.

Director Duerst-Higgins seconded, and the **MOTION CARRIED WITH DIRECTORS HAMILTON, HARRIS, HIURA, KENT, AND TRUETT. VOTING YES. (ESD Resolution #26-059)**



The vote passed (7:0:0)

7.G.Second Reading: Adopt Policy Updates and Recommendation

7.G.1 Move to adopt updates as presented in sections JFC to JHFCA.

Superintendent Scurto presented the second section of Policy J, including JFCA to JHFCA. Policy J was broken down into three parts. Section 7.G.1. are policies that the Policy Committee is recommending to adopt updates.

DIRECTOR WILDE MOVED: BE IT RESOLVED that the Board of Directors of Lane ESD to adopt policy updates as presented in section JFC to JHFCA.

Director Duerst-Higgins seconded, and the **MOTION CARRIED WITH DIRECTORS HAMILTON, HARRIS, HIURA, KENT, AND TRUETT VOTING YES. (ESD Resolution #26-060)**

The vote passed unanimously (7:0:0)

7.G.2 Move adopt deletions as presented in sections JFCA to

Superintendent Scurto offered policies that are recommended for deletion. Many of the policies recommended for deletion relate to medication dispensation and communicable diseases. Other policies included in this section are no longer required by law. OSBA's recommendation for policies no longer required by law is to delete. Section 7.G.2. are policies that the Policy Committee is recommended to delete.

DIRECTOR DUERST- HIGGINS MOVED: BE IT RESOLVED that the Board of Directors of Lane ESD adopt to adopt the 2025-27 Local Service Plan - Year Two.

Director Wilde seconded, and the **MOTION CARRIED WITH DIRECTORS HAMILTON, HARRIS, HIURA, KENT, AND TRUETT VOTING YES. (ESD Resolution #26-061)**

The vote passed unanimously (7:0:0)

8. Discussion/Reports

8.A. Legislative Update:

Superintendent Scurto opened the update to share that the Legislative short session began on February 2nd and runs until March 8th. There is hope to have more news from educational associations on the revenue forecast. There is optimism that this February's forecast will be similar to the previous one (better than expected) and that advocacy will help guide the legislature away from cuts and to fund what was already committed at the beginning of the year. At the Federal level, there has been some good news. A compromise from last week funded many of the federal title programs including, Title IC (Migrant Ed) and IDEA at approximately the same levels as they were funded last year.

8.B. Superintendent's Report

Superintendent Scurto updated the Board on the Local Service Plan - Year Two and Component District board visits. There have been Board visits to Springfield, Siuslaw, Creswell, Fern Ridge, McKenzie and South Lane School Districts. Superintendent Scurto and Director Hamilton will be visiting Eugene 4J tomorrow night. So far, there is positive support for the service plan with action already in support by several Boards.

Recently, the Oregon Association of Education Services Districts announced that they are looking for a new "home" or fiscal agent after this school year. Further research is needed to consider



whether Lane ESD is willing to take this task for OAESD. There may be other ESD's interested in stepping forward to host.

Teacher of the Year nominations are open. There are 33 nominations from Lane County. The goal is to increase the number. Nominations for Educator Professionals are also open until February 11th.

Director Wilde had some updates regarding OEASD Governance. There are some bylaw changes being considered for adoption. For example, the structure of the Officer's Council and an approval authority of the Council for expenditures or contracts over \$24,999. There is a desire to keep more control over the budget. Director Wilde invited questions from member directors. The governance council meets two to three times per year.

Superintendent Scurto updated the Board regarding the facility planning. The consultants are ready to present to the Board regarding their plans and the work they have been putting together from the assessments of both Main and Westmoreland Campuses.

8.C. Component District Visits

This section was covered in the Superintendent report.

8.D. UpBeat Survey

Superintendent Scurto introduced HR Director Morgan Christensen to provide an overview of the UpBeat Survey. The goal is to take the baseline data to make action plans and move forward with identifying areas of growth. Mr. Christensen provided an overview of the survey, the questions, the groups surveyed. He also introduced that the District Equity Committee is also reviewing the data for opportunities to be worked on and connecting groups with resources. The information presented is a high level perspective.

Director Wilde recognized the survey information and also hoped to have more specific data, within the contextual guidelines.

8.E. District Equity Committee Update

Assistant Superintendent Anderson presented a DEC update on the work being done on the Upbeat Survey. The DEC has been reviewing the survey results and processing through the data at a high level and the goal is to find common patterns. The hope is that members of the DEC will present at the next Board meeting to offer some updates work being done over the school year and updates on policy work, specifically JBB. In review of JBB, some concerns became apparent that the committee is working through policy language specific to graduation outcomes.

8.F. Supt. Search Update:

Chair Harris updated the Board about the Superintendent Search.

The recruitment window will close on February 13th. After which, each candidate will receive a telephone reference call. This call will help inform who may be considered to move forward.

On February 17th, Directors will have access to candidate application packets via a portal. The Board should be reviewing the candidate application materials before the February 23rd SLATE meeting.

The Confidential Community Interview Panel is being organized. At this time, Superintendent



Scurto, Chair Harris and HCE came up with categories and individuals who will be invited to serve on the panel. There will be superintendents from one large, three medium and one small component district. There will also be two licensed and two classified staff members - one will be selected and the other chosen via lottery. Executive representation will be Directors from Business, School Improvement and Special Education. Also a community and workforce partner will be recruited. There is communication being sent out tomorrow to staff inviting their participation. Also, Ms. Schaad (Board Secretary) will be making a hard copy of a confidentiality affidavit and electronic version for signatures.

8.G. Board Self Evaluation

The Board will conduct the evaluation later in the year. Chair Harris requested that the sample forms and material be sent in advance of the April meeting for a tentative work session in April.

8.H. Policy Updates | First Read

Each Board member received a paper copy of the third portion of Section J. If there are any concerns or recommendations, Director Harris invited Directors to communicate to Superintendent Scurto, Director Harris or Maria Schaad.

8.I. Pending Policy

The list of pending policy is to track policy that will be returned to the Board for review and action.

9. Information from Administrative Staff

Superintendent Scurto recognized reports from Administrative staff. There were no agenda items presented for future meetings. The Board Chair invited Directors to communicate with Superintendent Scurto or Maria Schaad for future agenda items.

10. Board Member Reports and Comments/Agenda Planning

10.A. Agenda Planning

Addressed above.

10.B. Board, Advisors and Liaisons

Liaisons

Danna Brownell, *McKenzie School District*, shared that their district has not experienced as many cuts as other districts. There will be more housing going up in the area. It is unknown whether the new housing will translate to more enrollment. There is a new publishing project for students to let people know about community and school events, for example, Donkey basketball.

Ericka Thessen, *Eugene School District 4J*, reported that the Board will be deciding on the 3rd phase of district cuts. It has been a long year working through \$30 million in cuts. It is a difficult time. There are no mid-year cuts - cuts will happen next year. The district just received graduation rate that showed decline in two comprehensive high schools, while there has been growth in the Alternative high school. There has been major changes to their CTE programming - specifically, the CALI program. CTE programs will be operated and offered at the building level. The CTE



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EQUITY COMMITMENT LEADERSHIP COLLABORATION INTEGRITY

options have also provided opportunities to offer innovation by students for students. There are some positives, for example: 4J won their federal lawsuit. Also, Superintendent Mickelsen has also been a great leader through these difficult times. The district also settled a collective bargaining agreement with the classified union for the next several years.

Terry Augustadt, Marcola School District Superintendent, shared words of appreciation to the Board of Directors for their service and to Superintendent Scurto for the invitation. Superintendent Augustadt reiterated his appreciation for the support offered by Lane ESD in supporting their CTE teacher Andy Rice, who he also nominated for Teacher of the Year.

In response to a Director's question regarding furlough days, the Superintendent shared that there are some districts considering mid-year furlough days. At this time, Crow-Applegate Lorane is one of the few districts showing enrollment growth.

10.C. Board Member Reports

Director Kent provided a written report attached to this agenda.

11. Announcements/Correspondence

11.A. Announcements

No announcements were made.

11.B. CTE Tours in Lane County

Briefly announced with the invitation to register and review the attached flyer.

11.C OAESD Spring Conference Spring Conference

Superintendent Scurto reminded Directors to let Maria know regarding registration for May 13th to the 15th room blocks have been made for accommodations for all Directors.

12. Adjournment

The next regular meeting is scheduled to be held Tuesday, March 3rd, 2026, at the Lane ESD Main Campus, 1200 Highway 99 N, Eugene. Chair Harris adjourned the meeting at 8:01 p.m.

Minutes Approved:

Leslie Harris, Chairperson

Tony Scurto, Superintendent



HR REPORT TO LESD BOARD

March 1, 2026

CLASSIFIED STAFF			
	Employee ID #	Position	Effective Date
<i>Appointments</i>	14203	Instructional Assistant, Life Skills	2/3/2026
	14238	Instructional Assistant, Life Skills	2/3/2026
	14261	Instructional Assistant, Life Skills	2/3/2026
	14262	Instructional Assistant, Life Skills	2/10/2026
	14260	Instructional Assistant, Life Skills	2/10/2026
	14267	Instructional Assistant, Life Skills	2/10/2026
<i>Discontinuation of Employment</i>	14135	Instructional Assistant, Life Skills	2/10/2026
	14149	Instructional Assistant, Life Skills	2/20/2026
	14067	Systems Admin	2/4/2026
LICENSED STAFF			
	Employee ID #	Position	Effective Date
<i>Appointments</i>			
<i>Discontinuation of Employment</i>			
MANAGEMENT STAFF			
	Employee ID #	Position	Effective Date
<i>Appointments</i>			
<i>Discontinuation of Employment</i>			
VACANCY NOTICES			
Posting #	Position		Closing Date
966	Speech Language Pathologist (Rural)		9/24/2025
1025	Substitute, Construction Manufacturing Teacher HOPE Factory (Candidate Pool)		Open Pool
1195	Special Education, Instructional Assistant (Candidate Pool)		Open Pool

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2026-27 Licensed Staff Recommendations for Contract Extension

Probationary Year 1

<i>EEID#</i>	<i>Position</i>	<i>Hire Date</i>	<i>25-26 Work Days</i>
14239	Teacher, Special Education Life Skills	11/24/2025	108
14253	Teacher, Special Education Life Skills	1/12/2026	105

Those not working at least 135 consecutive days in 2025-26 will remain in Probation 1 in 2026-27

Probationary Year 1 to Probationary Year 2

<i>EEID#</i>	<i>Position</i>	<i>Hire Date</i>
14218	School Counselor	9/23/2025
14190	School Nurse	8/21/2025
14146	School Nurse	12/17/2024
11605	Specialist, School Improvement	10/27/2025
14162	Specialist, School Improvement	3/4/2025
14219	Teacher Consultant, Special Education	9/23/2025
13906	Teacher, Hope Factory	3/14/2024
14195	Teacher, Special Education Life Skills	8/21/2025
14160	Teacher, Special Education Life Skills	2/25/2025
14027	Teacher, Special Education Life Skills	2/14/2024
14052	Teacher, Special Education Serbu	9/5/2025

Probationary Year 2 to Probationary Year 3

<i>EEID#</i>	<i>Position</i>	<i>Hire Date</i>
13987	Librarian of Record	11/27/2023
14046	School Nurse	4/8/2024
14092	Specialist, School Safety	8/1/2024
13888	Teacher Consultant	7/29/2024
12595	Teacher, Lane Sch-Sec	8/26/2024
14098	Teacher, Life Skills-Sec	8/26/2024
14065	Teacher, Pathways Program	7/1/2024

Probationary Year 3 to Non-Probationary

<i>EEID#</i>	<i>Position</i>	<i>Hire Date</i>
12667	Specialist, CTE Regional Coordinator	9/21/2023
12921	Specialist, English Language Development	8/21/2023
13892	Speech/Language Pathologist	8/28/2023
12844	Teacher, Deaf/Hard of Hearing	8/28/2023
13951	Teacher, Lane School	10/5/2023
13950	Teacher, Life Skills	10/5/2023

Non-Probationary

<i>EEID#</i>	<i>Position</i>	<i>Hire Date</i>
10155	School Psychologist	8/27/1997
12662	Specialist, Career and Technical Education	7/16/2018
13713	Specialist, Continuous Improvement & Design	11/30/2022
13089	Specialist, Continuous Improvement Design/Implementation	2/8/2021
11662	Specialist, Continuous Improvement Design/Implementation	11/15/2021
12744	Specialist, Language Arts/Social Studies	3/29/2021
12805	Specialist, Math Education	3/13/2023
13161	Specialist, Social and Emotional Learning	7/1/20121
13606	Specialist, Social Emotional Learning	6/27/2022
12810	Specialist, STEM Education	8/12/2019
13631	Specialist, STEM Education	8/10/2022
13560	Specialist, Youth Voice and Engagement	5/9/2022
11072	Speech/Language Pathologist	8/23/2006
12226	Speech/Language Pathologist	8/28/2015
13051	Speech/Language Pathologist	9/1/2020
13843	Speech/Language Pathologist	8/28/2023
10908	Teacher Consultant	8/22/2005
11877	Teacher Consultant	8/24/2012
11756	Teacher Consultant	8/28/2015
12220	Teacher Consultant	8/28/2015
12227	Teacher Consultant	8/28/2015
11461	Teacher Consultant	8/27/2019
13354	Teacher Consultant	8/30/2021
13641	Teacher Consultant	8/29/2022
12038	Teacher Consultant	8/28/2023
12314	Teacher, At Large	1/6/2020
12377	Teacher, At-Large	10/31/2022
12114	Teacher, Deaf/Hard of Hearing	8/22/2014
12116	Teacher, Deaf/Hard of Hearing	8/22/2014
12126	Teacher, Deaf/Hard of Hearing	8/22/2014
13359	Teacher, Deaf/Hard of Hearing	7/5/2022
11033	Teacher, Lane School	3/9/2006
12192	Teacher, Lane School	8/28/2015
11981	Teacher, Lane School	8/26/2016
11889	Teacher, Life Skills	8/28/2015
12280	Teacher, Life Skills	8/26/2016
12562	Teacher, Life Skills	8/25/2017
10815	Teacher, Life Skills	8/27/2019
13361	Teacher, Life Skills	8/30/2021
13633	Teacher, Life Skills	8/29/2022
13639	Teacher, Life Skills	8/29/2022
13476	Teacher, Life Skills	10/18/2022
10388	Teacher, SERBU	4/11/2002
12133	Teacher, SERBU	8/24/2018
12193	Teacher, State Hospital	5/4/2015
12115	Teacher, Visually Impaired	7/21/2014
12094	Teacher, Visually Impaired	7/25/2014
12119	Teacher, Visually Impaired	8/22/2014

Non-Renewal

<i>EEID#</i>	<i>Position</i>	<i>Hire Date</i>
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None

Non-Extension

	<i>EEID#</i>	<i>Position</i>	<i>Hire Date</i>
None			



Licensed Administrative Staff Recommendations for 2026-27 Contract Extension

Probationary Year 1

<i>EEID#</i>	<i>Position</i>	<i>Hire Date</i>
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Probationary Year 1 to Probationary Year 2

<i>EEID#</i>	<i>Position</i>	<i>Hire Date</i>
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Probationary Year 2 to Probationary Year 3

<i>EEID#</i>	<i>Position</i>	<i>Hire Date</i>
12110	Assistant Director, Special Education	5/15/2024
14029	Executive Director, Human Resources	7/15/2024
14068	Executive Director, Special Education	7/1/2024
12850	Program Supervisor, Special Education	7/5/2024

Probationary Year 3 to Non- Probationary

<i>EEID#</i>	<i>Position</i>	<i>Hire Date</i>
12519	Administrator, Integrated Guidance SSA	1/25/2023
13848	Program Supervisor, Special Education	7/24/2023
13895	Supervisor, Teacher Pathways/WREN	8/14/2023

Non-Probationary

<i>EEID#</i>	<i>Position</i>	<i>Hire Date</i>
12715	Executive Director, School Improvement	9/18/2018
11344	Executive Director, School Improvement	7/1/2022
12321	Program Supervisor, Special Education	8/6/2018
13619	Program Supervisor, Special Education	7/25/2022

Non-Renewal

<i>EEID#</i>	<i>Position</i>	<i>Hire Date</i>
None		

Non-Extension

<i>EEID#</i>	<i>Position</i>	<i>Hire Date</i>
None		



LANE EDUCATION SERVICE DISTRICT

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EQUITY COMMITMENT LEADERSHIP COLLABORATION INTEGRITY

Prepared for: Lane ESD Board of Directors
Prepared by: Olivia Meyers Buch, Executive Director of Business Services
Meeting Date: March 3, 2026

January 2026 Financial Report (Unaudited)

General Fund Financial Report

The Financial Report for the General Fund for the period ending January 31, 2026 follows this report. Year-to-date operating revenues through January 31, 2026 total \$21,306,308 or 64.8% of total budgeted operating revenues as compared to \$20,222,752 or 70.3% through January 31, 2025. As usual, state school fund formula revenue (which includes property taxes) constitutes the majority of funds received. Total projected resources of \$35,457,268 is \$581,722 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 January 31, 2026 total \$12,775,826 or 43.9% of total budgeted operating expenditures as compared to \$11,765,691 or 46.0% through January 31, 2025. Total projected operating expenditures of \$28,228,284 is \$863,859 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 \$3,709,201 is \$754,193 less than budgeted, which is due to changes made to district service orders (including a significant change by our largest component district) after the budget was adopted.

Projected resources and requirements through January 31, 2026 result in an ending fund balance of \$3,519,783, with \$1,313,146 assigned (reserved) for districts. The remaining ending fund balance of \$2,206,637 is unassigned and represents 6.9% of projected operating revenues. The projected unassigned ending fund balance reflects an increase, or operating surplus, of \$165,561.

Appropriations

A summary of appropriations for all funds for the period ending January 31, 2026 follows this report. At this time, one appropriation in the Special Revenue Fund (Enterprise and Community Services) and one appropriation in the Internal Service Fund

(Instruction) 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%	\$1,329,391	\$4,425,763	\$3,508,985	\$2,246,169
Oregon LGIP (4513)	4.43%	\$9,004,504	\$3,078,463	\$1,775,000	\$10,307,967
Oregon LGIP (3676)	4.43%	\$562,036	\$87,344	\$0	\$649,380
Total		\$10,895,931	\$7,591,570	\$5,283,986	\$13,203,515

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 January 31, 2026.

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 January 1, 2026

	Fiscal Year 2024-25					Fiscal Year 2025-26					
	Final Budget	Actuals thru 1/31/2025	% of Budget	Projected thru 6/30/2025	% of Budget	Adopted Budget	Actuals thru 1/31/2026	% of Budget	Projected thru 6/30/2026	% of Budget	Budget Variance
RESOURCES											
State School Fund Formula Revenue											
State School Fund - General Support	\$ 16,240,313	\$ 10,962,829	67.5%	\$ 16,547,846	101.9%	\$ 18,679,394	\$ 11,676,257	62.5%	\$ 17,588,537	94.2%	\$ (1,090,857)
Property Taxes Levied by District	9,038,376	8,469,424	93.7%	8,985,472	99.4%	9,359,045	8,776,213	93.8%	9,329,720	99.7%	(29,325)
Other Local Revenues	86,659	15,421	17.8%	30,374	35.1%	47,000	9,962	21.2%	47,500	101.1%	500
Services Provided to Districts	2,209,514	58,091	2.6%	1,961,361	88.8%	3,441,349	164,354	4.8%	3,760,445	109.3%	319,096
Fees Charged to Grants	600,000	314,339	52.4%	787,830	131.3%	700,000	291,860	41.7%	700,000	100.0%	-
Other Revenues	580,000	402,647	69.4%	996,757	171.9%	662,700	387,662	58.5%	676,844	102.1%	14,144
Total Operating Revenues	\$ 28,754,862	\$ 20,222,752	70.3%	\$ 29,309,639	101.9%	\$ 32,889,488	\$ 21,306,308	64.8%	\$ 32,103,046	97.6%	\$ (786,442)
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
TOTAL RESOURCES	\$ 31,373,479	\$ 22,932,731	73.1%	\$ 32,019,618	102.1%	\$ 36,038,990	\$ 24,660,530	68.4%	\$ 35,457,268	98.4%	\$ (581,722)
REQUIREMENTS											
Salaries	\$ 11,436,471	\$ 5,349,679	46.8%	\$ 11,229,735	98.2%	\$ 12,931,449	\$ 5,848,238	45.2%	\$ 12,737,477	98.5%	\$ (193,972)
Associated Payroll Costs	7,495,703	3,137,195	41.9%	6,740,975	89.9%	8,752,295	3,516,619	40.2%	8,008,350	91.5%	(743,945)
Purchased Services	5,695,892	2,636,356	46.3%	5,696,187	100.0%	6,358,613	2,731,664	43.0%	6,485,785	102.0%	127,172
Supplies and Materials	662,884	378,793	57.1%	557,323	84.1%	724,853	371,409	51.2%	666,865	92.0%	(57,988)
Capital Outlay	-	-	#DIV/0!	39,123	#DIV/0!	-	-	#DIV/0!	-	#DIV/0!	-
Other Objects	269,700	263,668	97.8%	374,774	139.0%	324,933	307,895	94.8%	329,807	101.5%	4,874
Total Operating Expenditures	\$ 25,560,650	\$ 11,765,691	46.0%	\$ 24,638,117	96.4%	\$ 29,092,143	\$ 12,775,826	43.9%	\$ 28,228,284	97.0%	\$ (863,859)
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	1,551,175	47.0%	3,577,566	108.5%	4,010,894	2,031,042	50.6%	3,260,701	81.3%	(750,193)
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)
TOTAL REQUIREMENTS	\$ 31,373,479	\$ 13,745,866	43.8%	\$ 28,665,396	91.4%	\$ 36,038,990	\$ 15,231,867	42.3%	\$ 31,937,485	88.6%	\$ (4,101,505)
ENDING FUND BALANCE	-	\$ 9,186,865		\$ 3,354,222		-	\$ 9,428,663		\$ 3,519,783		
Assigned for Districts				\$ 1,074,947					\$ 1,313,146		
Unassigned Fund Balance				\$ 2,279,275	7.8%				\$ 2,206,637	6.9% *	
<i>* Percent of Operating Revenues</i>				\$ 3,354,222					\$ 3,519,783		

LANE EDUCATION SERVICE DISTRICT
Appropriation Monitoring
For the Period Ending January 31, 2026

		Fiscal Year 2025-26						
		Adopted Budget	Actuals thru 1/31/2026	% of Budget	Projected thru 6/30/2026	% of Budget	BUDGET VARIANCE	NOTES
GENERAL FUND	100							
Instruction		14,163,749	6,058,763	42.8%	13,641,319	96.3%	522,430	+
Support Services		14,928,394	6,717,063	45.0%	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	2,031,042	50.6%	3,260,701	81.3%	750,193	+
Contingencies		650,000	-	0.0%	-	0.0%	650,000	+
Unappropriated Ending Fund Balance		1,833,453	-	0.0%	-	0.0%	1,833,453	
Total		36,038,990	15,231,867	42.3%	31,937,485	88.6%	4,101,505	+
SPECIAL REVENUE FUND	200							
Instruction		3,739,197	1,484,593	39.7%	3,278,719	87.7%	460,478	+
Support Services		15,187,528	5,930,440	39.0%	14,665,562	96.6%	521,966	+
Enterprise and Community Services		80,000	22,011	27.5%	84,519	105.6%	(4,519)	- pending appropriation transfer
Apportionment of Funds by ESD		22,548,273	338,744	1.5%	22,092,806	98.0%	455,467	+
Total		41,554,998	7,775,789	18.7%	40,121,606	96.6%	1,433,392	+
DEBT SERVICE FUND	300							
Support Services		5	0	8.0%	1	20.0%	4	+
Debt Service		954,698	62,349	6.5%	954,697	100.0%	1	+
Total		954,703	62,349	6.5%	954,698	100.0%	5	+
CAPITAL PROJECTS FUND	400							
Support Services		139,161	17,584	12.6%	125,367	90.1%	13,794	+
Debt Service		135,839	63,067	46.4%	135,839	100.0%	-	+
Total		275,000	80,651	29.3%	261,206	95.0%	13,794	+
INTERNAL SERVICE FUND	600							
Instruction		-	22,649	#DIV/0!	22,649	#DIV/0!	(22,649)	- pending appropriation transfer
Support Services		545,020	152,616	28.0%	287,616	52.8%	257,404	+
Total		545,020	175,266	32.2%	310,265	56.9%	234,755	+
GRAND TOTAL	ALL	79,368,711	23,325,922	129.0%	33,463,655	42.2%	5,783,451	

Response Summary:

Grant Report

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

- Yes

Q4. Details

Project Name	Rooted and Connected: A Youth-Centered Substance Use Prevention Initiative
Department Submitting Proposal	SI
Person Submitting Proposal	Casey Reid
Potential Funder (please include link to RFP if available)	Lane County Substance Use Prevention and Education
Requested Funding Amount	36,000
Person who will manage grant if funded	Casey Reid

Q5. Grant Period

Length of grant	February 1, 2026 through December 31, 2027
Anticipated start date (mm/dd/yyyy)	03/01/2026
Anticipated end date (mm/dd/yyyy)	12/31/2027

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?

- Yes, but request has NOT been approved by the Lane Education Foundation

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

- Yes

Q47. What kind of reporting is being asked for?

A mid-term and final report -- see below for specific details

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

Casey Reid -- report requirements are copied below.

All mini-award recipients will submit narrative and visual documentation (stories, quotes, photos, or videos) that capture the outcomes of their funded projects. The purpose of reporting is to maintain transparency and demonstrate the value of local, community-led prevention efforts made possible through opioid settlement funds. The mid-term report helps ensure project progress and provides Lane County with an opportunity to offer technical or administrative support if needed. This report will be due halfway through the project period, with flexibility for unique timelines. Mid-term reports should include:

1. A brief project summary and restatement of objectives.
2. A short narrative (up to 350 words) describing progress, anticipated outcomes, and next steps.
3. A budget update showing funds spent and the remaining balance.

Lane County may also request a short (under 10-minute) interview—either over the phone or in person—to discuss project impact, lessons learned, and opportunities for collaboration. These brief interviews may be used to develop community features or social media posts highlighting prevention successes across the county.

The final report (1–2 pages) will summarize project results and highlight measurable outcomes, such as the number of people reached, services provided, resources distributed, or new partnerships created. Reports should include:

1. Project information summarizing background, needs, and objectives.
2. A short narrative (up to 540 words) summarizing project results and outcomes.
3. One short story, quote, or key takeaway offering qualitative insight.
4. Up to three optional images showing project activities, items purchased, or participants engaged.

All final reports will be published on the Lane County Prevention website to demonstrate transparency and community impact.

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

- No

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

The goal of the 2026 Substance Use Prevention Mini-Awards is to fund a wide variety of projects and services that directly or indirectly improve community health outcomes related to substance misuse. Projects may focus on prevention education, access to resources, community connection, or reducing stigma associated with seeking help. Lane County recognizes that long-term prevention depends on strengthening the conditions that support individuals' and family's well-being, including safe housing, healthy food access, and social belonging.

C. Background

1. Lane County's Substance Use Prevention and Education Program is launching an initiative to provide mini-award funding to Lane County Community-Based Organizations (CBOs) and other interested groups that serve our local communities. In 2023, Lane County successfully piloted an initial round of prevention mini-awards to strengthen community partnerships and expand upstream prevention across the county. In 2026, Lane County will continue this work using opioid settlement funds to support local organizations advancing health equity and addressing the social and environmental conditions that influence substance use. A total of \$214,00 has been allocated to Lane County for this purpose and will fund several projects for up to two years, with all awarded funds to be expended by the end of 2027.

2. These mini-awards are an opportunity for Lane County organizations to secure funding to develop projects or expand services that promote community health and well-being by addressing upstream risk factors such as food insecurity, housing instability, and social isolation. Projects may include culturally responsive family supports, youth programming, and services that improve access to basic needs. The goal is to strengthen community resilience, reduce risk factors associated with substance use, and advance health equity for those most impacted by social and economic disparities.

For more information, please see:

<https://www.cognitofrms.com/LaneCountyTechnologyServices/LaneCountyRFQ21412SubstanceUsePreventionEducationMiniAwards>

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.

Rooted & Connected aligns directly with Lane Education Service District's mission: Collaborating to empower all learners with justice-centered opportunities, equitable leadership, and a passion for lifelong learning. Each participating program contributes to this mission by advancing equity, centering youth leadership, and strengthening conditions that support wellness and academic success.

This effort represents the first concerted attempt to begin to build a transformative, intertwined framework for three Lane ESD SI programs: the Behavioral Health Pathway Program, Native Youth Wellness, and Student Voice. Our Rooted & Connected proposal improves community health outcomes related to substance misuse through prevention education, access to resources, community connection, and stigma reduction with an explicit focus on communities historically underserved and disproportionately impacted by substance use-related harms. The work is grounded in three foundational concepts:

1. Prevention is relational and upstream: addressing substance use risk requires strengthening protective factors such as belonging, identity, and access to trusted support.
2. Culture is prevention: culturally grounded practices are essential protective factors, particularly for American Indian/Alaska Native (AI/AN, Native) youth.
3. Youth knowledge, experience, and leadership are critical: young people are not only recipients of prevention efforts, but co-creators of solutions.

The Rooted & Connected project represents the coordinated efforts of three Lane Education Service District (LESD) programs: the Behavioral Health Pathway (BHP), Native Youth Wellness(NYW), and Student Voice—each serving distinct complementary roles in a unified, countywide substance use prevention strategy. Together, these programs center youth who experience elevated risk due to systemic inequities, including Native, LGBTQ2SIA+, rural, and youth experiencing social isolation or marginalization within school systems. Rather than operating as separate initiatives, we have worked hard to function as interconnected prevention platforms reinforcing consistent messages around wellness, stigma reduction, help-seeking, and community belonging.

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

- 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.

This proposal represents the voices of the Behavioral Health Pathway Program and its students, Native Youth Wellness (NYW), Student Voice, and School Safety and Prevention -- all programs that gather input from diverse student and staff perspectives across both Lane County's 16 school districts and their communities. This input is used to inform proposals like this one. We leaned into BHP, NYW, and Student Voice's collected information about student-requested need and programming. For example, Student Voice supports multiple youth advisory councils across Lane County and convenes an annual Youth Summit, creating platforms for youth leadership, collective problem-solving, and connection across school buildings and identities. Student-led initiatives and collaborations have elevated issues of harassment, discrimination, and violence within schools—factors closely linked to stress, isolation, and substance use risk. At the most recent Youth Summit, mental health emerged as the top priority identified by youth, underscoring the need for prevention strategies that address substance use indirectly through connection, voice, and access to support. Within this proposal, Student Voice supports BHP and NYW through a network of existing and emerging youth leadership collaborations that can convene, share learning, and collaborate on prevention-focused initiatives.

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

Rooted & Connected advances a culturally responsive, evidence-informed substance use prevention approach that prioritizes communities historically underserved and disproportionately impacted by substance use–related harms. Rather than relying on a single intervention, this proposal strengthens prevention by aligning curriculum, culture, and youth governance around shared protective factors. This integrated approach reflects best practices in contemporary substance use prevention, which emphasize sustained relationships, cultural relevance, and youth-driven engagement as essential to reducing risk and promoting long-term well-being.

The project employs evidence-based peer-led prevention strategies, anchored in Lane County's established Sources of Strength framework, which strengthens protective factors such as help-seeking, positive peer norms, and connection to trusted adults—key mechanisms shown to reduce risk for substance misuse and related behavioral health challenges. Prevention education is delivered both directly, through a credit-bearing high school health course within the BHP, and indirectly, through culturally grounded programming in the NYW and youth leadership platforms in Student Voice. BHP students are supported by trained BHP Coaches (college-aged near peers) who model help-seeking, boundary-setting, and connection to resources—core mechanisms of peer-led prevention. Research demonstrates peer-led, school-based prevention approaches emphasizing social connectedness and norm-setting are associated with reduced substance use risk and improved mental health outcomes, particularly when implemented within trusted relational networks. By intentionally integrating Sources of Strength within curriculum, culture, and youth leadership spaces, we strengthen the conditions that make prevention effective rather than relying on isolated or one-time interventions.

NYW centers Tribal Best Practices (TBPs) and community-defined approaches as its evidence base for prevention. TBPs are grounded in Indigenous knowledge systems, oral traditions, and intergenerational teachings that have sustained wellness and resilience over generations. Research consistently shows connectedness to family, school, community, and culture is a powerful protective factor against substance use among AI/AN youth (Mohatt et al., 2011; Whitesell et al. (2016); Barney, 2022).

Overall, Rooted & Connected addresses substance use and related health and social needs through prevention education, peer support, and community-building activities that strengthen protective factors and reduce stigma. The BHP delivers substance use prevention directly through a credit-bearing high school health course that integrates instruction on stress, coping, trauma, and help-seeking. Peer support and norm-setting are reinforced through a model aligned with Sources of Strength, emphasizing positive peer relationships and connection to trusted supports. NYW's culture nights and student unions provide culturally grounded spaces that foster belonging and reduce isolation, while Student Voices youth advisory councils and annual Youth Summit support peer mentoring, leadership, and collective problem-solving. Together, these activities provide both direct and indirect prevention impact across Lane County.

More specifically, BHP improves access to services and resources—students receive prevention education embedded within a credit-bearing health course; students collaboratively develop countywide resource guides and prevention campaigns increasing awareness of local behavioral health, substance use, and support services. This grows students' ability to navigate services for themselves and their peers, particularly in rural communities where access barriers are more pronounced.

We also improve access to food, services, and social connection - recognized protective factors that reduce substance use risk and strengthen overall community health. Access to food and culturally meaningful nourishment is advanced through NYW, which centers First Foods during monthly culture nights and annual First Foods Feast. These meals nourish the mind, body, and spirit and are the results of culturally grounded practices strengthening intergenerational connection, cultural identity, and community belonging. Shared preparation and community meals reduce isolation and create relational spaces where wellness, prevention, and support can be discussed organically. Student Voice convenes youth advisory councils and a countywide Youth Summit bringing together students across identities and geographies, strengthening relationships and expanding access to spaces of belonging and agency as another facet of dismantling systems of racism and oppression.

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

The proposal will impact students, schools, and communities that are directly and indirectly served by these programs positively. No negative impact is anticipated. Specifically, our integrated approach leverages staff knowledge and capacity to generate programming that is larger than the sum of our parts and sustainable. While the BHP is newly established, its pilot year has generated significant interest and demand with 65-70 students from 12 Lane County schools anticipated to complete the program in 2026, demonstrating strong appetite for health-centered, prevention-oriented coursework among Lane County schools and students. NYW is well established with demonstrated success in increasing school connectedness, cultural engagement, and youth participation in supportive services. Last year NYW served 300 youth via student unions, 500 families via culture nights, 50 youth via summer camp, and impacted over 3,000 students with new curricula and professional development for educators. Student Voice launched in 2021 and has resulted in several youth-led events, curricula, and processes amplifying collective

strengths and multiplying spaces of belonging.

By centering student voice and input, all efforts will be made to mitigate any potential negative impact.

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

All involved program collect program participant and impact data and disaggregate, discuss, and disseminate data regularly to make sure equitable outcomes are achieved. Data collected as part of this effort will involve student participant data, participant feedback surveys about new curriculum, participant event responses, and community partner feedback surveys. We will also collect all documents and materials created as part of the project in addition to meeting notes and other relevant information needed to document progress and grant deliverables.

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.

No new facilities use is anticipated except to maintain existing events. Meetings are anticipated to be held online and through existing meetings.

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

Other than maintaining existing staff for the involved programs (BHP, NYW, Student Voice), no other internal supports will be needed.

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.

Embedded Data:

N/A

Lane Education Service District

Code: JHFE/GBNAB
Adopted: 2/23/01
Revised/Readopted: 7/10/01; 12/06/05; 12/04/07;
5/19/09; 11/15/11; 8/28/12;
4/07/20
Orig. Code(s): JHFE

Suspected Abuse of a Child Reporting Requirements** **Propose Adopt**

{Required policy. ORS 339.372 requires school boards to adopt policy on reporting of suspected child abuse.}

Any ESD employee who has reasonable cause to believe that **any child** with whom the employee has come in contact has suffered abuse¹ shall immediately make a report to Oregon Department of Human Services (DHS) through the centralized child abuse reporting system^[2] or to a law enforcement agency within the county where the person making the report is located at the time of the contact. Any ESD employee who has reasonable cause to believe that **any person**³ with whom the employee is in contact has abused a child shall immediately report in the same manner.

The report must contain, if known, the names and addresses of the child and the parents of the child or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, including any evidence of previous abuse, the explanation given for the suspected abuse, any other information that the person making the report believes might be helpful in establishing the possible cause of the abuse and the identity of a possible perpetrator.

Abuse of a child by ESD employees, contractors⁴, agents⁵, volunteers⁶, or students is prohibited and will not be tolerated. All ESD employees, contractors, agents, volunteers and students are subject to this policy and the accompanying administrative regulations.

Any ESD employee who has reasonable cause to believe that another ESD employee, contractor, agent, volunteer or student has engaged in abuse, or that a student has been subjected to abuse by another ESD employee, contractor, agent, volunteer or student shall immediately report such to DHS through its centralized child abuse reporting system or to a law enforcement agency, and to a designated licensed administrator.

¹ Includes the neglect of a child as it is defined in ORS 419B.005.

² How to report abuse or neglect: [Oregon DHS](#). Call 855-503-SAFE (7233)

³ "Person" could include adult, student or other child.

⁴ "Contractor" means a person providing services to the ESD under a contract in a manner that requires the person to have direct, unsupervised contact with students.

⁵ "Agent" means a person acting as an agent for the ESD in a manner that requires the person to have direct, unsupervised contact with students.

⁶ "Volunteer" means a person acting as a volunteer for the ESD in a manner that requires the person to have direct, unsupervised contact with students.

The ESD designates a ⁷program director and an alternate, the assistant superintendent, in the event that the program director is the suspected abuser, for each school building to receive reports of suspected abuse of a child by ESD employees, contractors, agents, volunteers or students.

If the superintendent is the alleged perpetrator the report shall be submitted to the assistant superintendent who shall refer the report to the Board chair.

The ESD will post the names and contact information of the designees for each school building designated to receive reports of suspected abuse and the procedures in JHFE/GBNAB-AR(1) - Reporting of Suspected Abuse of a Child the designee will follow upon receipt of a report, the contact information for making a report to law enforcement or the centralized child abuse reporting system of DHS, and a statement that this duty to report suspected abuse is in addition to the requirements of reporting to the designated licensed administrator.

When a designee receives a report of suspected abuse, the designee will follow procedure established by the ESD and set forth in administrative regulation JHFE/GBNAB-AR(1) - Reporting of Suspected Abuse of a Child. All such reports of suspected abuse will be reported to a law enforcement agency or DHS for investigation, and the agency will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged abuser.

When there is reasonable cause to support a report, an ESD employee suspected of abuse shall be placed on paid administrative leave pending an investigation and the ESD will take necessary actions to ensure the student's safety. When there is reasonable cause to support a report, an ESD contractor, agent or volunteer suspected of abuse shall be removed from providing services to the ESD and the ESD will take necessary actions to ensure the student's safety.

The ESD will notify the person, as allowed by state and federal law, who was subjected to the suspected abuse about any actions taken by the ESD as a result of the report.

A substantiated report of abuse by an employee shall be documented in the employee's personnel file. A substantiated report of abuse by a student shall be documented in the student's education record.

The initiation of a report in good faith, pursuant to this policy, may not adversely affect any terms or conditions of employment or the work environment of the person initiating the report or who may have been subjected to abuse. If a student initiates a report of suspected abuse of a child by an ESD employee, contractor, agent, volunteer or student, in good faith, the student will not be disciplined by the ESD or any ESD employee, contractor, agent or volunteer. Intentionally making a false report of abuse of a child is a Class A violation.

The ESD shall provide information and training each school year to ESD employees on the prevention and identification of abuse, the obligations of ESD employees under ORS 339.388 and ORS 419B.005 - 419B.050 and as directed by Board policy to report suspected abuse of a child, and appropriate electronic communications with students. The ESD shall make available each school year the training described

⁷ {ORS 339.372 requires the ESD to post the names and contact information of the persons, i.e., a licensed administrator and an alternate licensed administrator, who are designated to receive reports of sexual abuse for a school building in the respective school building. A "licensed administrator" is a person employed as an administrator by the ESD and holds an administrative license issued by TSPC or may be a person employed by the ESD that does not hold an administrative license issued by TSPC.}

above to contractors, agents, volunteers, and parents and legal guardians of students attending ESD-operated schools, and will be made available separately from the training provided to ESD employees. The ESD shall provide each school year information on the prevention and identification of abuse, the obligations of ESD employees under Board policy to report abuse, and appropriate electronic communications with students to contractors, agents and volunteers. The ESD shall make available each school year training that is designed to prevent abuse to students attending ESD-operated schools.

The ESD shall provide to an ESD employee at the time of hire, or to a contractor, agent, or volunteer at the time of beginning service for the ESD, the following:

1. A description of conduct that may constitute abuse;
2. A description of the investigatory process and possible consequences if a report of suspected abuse is substantiated; and
3. A description of the prohibitions imposed on ESD employees, contractors, and agents when they attempt to obtain a new job, as provided under ORS 339.378. An ESD employee, contractor or agent will not assist another ESD employee, contractor or agent in obtaining a new job if the individual knows, or has reasonable or probable cause to believe the ESD employee, contractor or agent engaged in abuse, unless criteria found in ORS 339.378(2)(c) are applicable.

Nothing in this policy prevents the ESD from disclosing information required by law or providing the routine transmission of administrative and personnel files pursuant to law.

The ESD shall make available to students, ESD employees, contractors, agents, and volunteers a policy of appropriate electronic communications with students.

Any electronic communications with students by a contractor, agent or volunteer for the ESD will be appropriate and only when directed by ESD administration. When communicating with students electronically regarding school-related matters, contractors, agents or volunteers shall use mailing lists and/or other internet messaging approved by the ESD to a group of students rather than individual students or as directed by ESD administration. Texting or electronically communicating with a student through contact information gained as a contractor, agent or volunteer for the ESD is prohibited.

The superintendent shall develop administrative regulations as are necessary to implement this policy and to comply with state law.

END OF POLICY

Legal Reference(s):

[ORS 339.370 - 339.400](#)
[ORS 418.257 - 418.259](#)

[ORS 419B.005 - 419B.050](#)

[OAR 581-022-2205](#)

Greene v. Camreta, 588 F.3d 1011 (9th Cir. 2009), vacated in part by, remanded by Camreta v. Greene, 131 S. Ct. 2020 (U.S. 2011); vacated in part, remanded by Greene v. Camreta 661 F.3d 1201 (9th Cir. 2011).

Lane Education Service District

Code: JHFE/GBNAB-AR(1)
Adopted: 7/10/01
Revised/Readopted: 12/06/05; 4/28/09; 4/27/10;
7/24/12; 1/08/19
Orig. Code(s): JHFE-AR(1)

Reporting of Suspected Abuse of a Child **Propose Adopt**

{Required administrative regulation. ORS 339.372 requires school boards to have procedures for reporting on, and responding to reports of, suspected abuse of a child.}

Reporting

Any ESD employee having reasonable cause to believe that any child with whom the employee comes in contact has suffered abuse¹ shall make a report immediately to the Oregon Department of Human Services (DHS) through the centralized child abuse reporting system² or to a law enforcement agency within the county where the person making the report is at the time of their contact.

Any ESD employee who has reasonable cause to believe that **any person**³ with whom the employee is in contact has abused a child shall immediately report in the same manner.

The report must contain, if known, the names and addresses of the child and the parents of the child or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, including any evidence of previous abuse, the explanation given for the suspected abuse, any other information that the person making the report believes might be helpful in establishing the possible cause of the suspected abuse and the identity of a possible perpetrator.

If the superintendent is the alleged abuser the report shall be submitted to the insert {⁴A **“licensed administrator” is a person employed as an administrator by the ESD and holds an administrative license issued by TSPC or may be a person employed by the ESD that does not hold an administrative license issued by TSPC if the ESD does not require the administrator to be licensed by TSPC.**} licensed administrator position title who shall refer the report to the Board chair.

A written record of the abuse report shall be made by the employee reporting the suspected abuse of a student and will include: name and position of the person making the report; name of the student; name and position of any witness; description of the nature and extent of the abuse, including any information which could be helpful in establishing cause of abuse and identity of the abuser; description of how the report was made (i.e., phone or other method); name of the agency and individual who took the report;

¹ Includes the neglect of a child; abuse is defined in ORS 419B.005.

² [How to report abuse or neglect: [Oregon DHS](#). Call 855-503-SAFE (7233)]

³ “Person” could include adult, student or other child.

⁴A **“licensed administrator” is a person employed as an administrator by the ESD and holds an administrative license issued by TSPC or may be a person employed by the ESD that does not hold an administrative license issued by TSPC if the ESD does not require the administrator to be licensed by TSPC.**

date and time that the report was made; and name of ESD administrator who received a copy of the written report.

The written record of the abuse report shall not be placed in the student's educational record. A copy of the written report shall be retained by the employee making the report, and a copy shall be provided to the administrator designated to receive such reports.

When the designee receives a report of suspected abuse of a child by an ESD employee, and there is reasonable cause to support the report, the ESD shall place the ESD employee on paid administrative leave⁵ and take necessary actions to ensure the student's safety. The employee shall remain on leave until DHS or law enforcement determines that the report is substantiated and the ESD takes the appropriate employment action, or cannot be substantiated or is not a report of abuse and the ESD determines that either 1) an employment policy was violated and the ESD will take appropriate employment action against the employee, or 2) an employment policy has not been violated and no action is required by the ESD against the employee.

When the designee receives a report of suspected abuse by a contractor⁶, agent or volunteer, the ESD may [shall] prohibit the contractor, agent or volunteer from providing services to the ESD. If the ESD determines there is reasonable cause to support the report of suspected abuse, the ESD shall prohibit the contractor agent or volunteer from providing services. The ESD may reinstate the contractor, agent or volunteer, and such reinstatement may not occur until such time as a report of suspected abuse has been investigated⁷ and a determination has been made by law enforcement or DHS that the report is unsubstantiated.

The written record of each reported incident of abuse of a child, action taken by the ESD and any findings as a result of the report shall be maintained by the ESD.

If, following the investigation, the ESD decides to take an employment action, the ESD will inform the ESD employee of the employment action to be taken and provide information about the appropriate appeal process. The employee may appeal the employment action taken through the appeal process provided by the applicable collective bargaining agreement. [

If the ESD is notified that the employee decided not to appeal the employment action or if the determination of an appeal sustained the employment action, a record of the findings of the substantiated report and the employment action taken by the ESD will be placed in the records of the school employee maintained by the ESD. Such records created are confidential and not public records as defined in Oregon Revised Statute (ORS) 192.311, however the ESD may use the record as a basis for providing information required to be disclosed about an ESD employee under ORS 339.378(1). The ESD will notify the employee that information about substantiated reports may be disclosed to a potential employer.

Definitions

⁵ The ESD employee cannot be required to use any accrued leave during the imposed paid administrative leave.

⁶ If the contract is with a company and the person assigned to do the work is the alleged perpetrator, the ESD shall notify the company and request another company employee be assigned to complete the work.}

⁷ The ESD will investigate all reports of suspected abuse, unless otherwise requested by DHS or its designee or law enforcement pursuant to law.

1. Oregon law defines “abuse” in ORS 419B.005(1).
1. “Child” means an unmarried person who is under 18 years of age or a child in care, as defined in ORS 418.257.
2. A “substantiated report” means a report of abuse that a law enforcement agency or DHS determines is founded.

Confidentiality of Records

The name, address and other identifying information about the employee who made the report are confidential and are not accessible for public inspection.

Upon request from law enforcement or DHS the ESD shall immediately provide requested documents or materials to the extent allowed by state and federal law.

Failure to Comply

Any ESD employee who fails to report a suspected abuse of a child as provided by this policy and the prescribed Oregon law commits a violation punishable by law. An ESD employee who fails to comply with the confidentiality of records requirements commits a violation punishable by the prescribed law. If an employee fails to report suspected abuse of a child or fails to maintain confidentiality of records as required by policy or this administrative regulation, the employee will be disciplined up to and including dismissal.

Cooperation with Investigator

The ESD staff shall make every effort in suspected abuse of a child cases to cooperate with investigating officials as follows:

1. Any investigation of abuse of a child will be directed by the DHS or law enforcement officials as required by law. DHS or law enforcement officials wishing to interview a student shall present themselves at the school office and contact the school administrator unless the school administrator is the subject of the investigation. When an administrator is notified that the DHS or law enforcement would like to interview a student at school, the administrator must request that the investigating official fill out the appropriate form (See JHFE/GBNAB-AR(2) – Abuse of a Child Investigations Conducted on ESD Premises). The administrator or designee should not deny the interview based on the investigator’s refusal to sign the form. If the student is to be interviewed at the school, the administrator or designee shall make a private space available. The administrator or designee of the school may, at the discretion of the investigator, be present to facilitate the interview. If the investigating official does not have adequate identification the administrator shall refuse access to the student.

Law enforcement officials wishing to remove a student from the premises shall present themselves at the office and contact the administrator or designee. The law enforcement official shall sign the student out in accordance with ESD procedures;

2. When the subject matter of the interview or investigation is identified to be related to suspected abuse of a child, ESD employees shall not notify parents or anyone else other than DHS or law enforcement agency and any school employee necessary to enable the investigation;

3. The administrator or designee shall advise the investigator of any conditions of disability prior to any interview with the affected child;
4. ESD employees are not authorized to reveal anything that transpires during an investigation in which the employee participates, nor shall the information become part of the student's education records, except that the employee may testify at any subsequent trial resulting from the investigation and may be interviewed by the respective litigants prior to any such trial.
5. Nothing prevents the ESD from conducting its own investigation, unless another agency requests to lead the investigation or requests the ESD to suspend their investigation, or taking an employment action based on information available to the ESD before an investigation conducted by another agency is completed. The ESD will cooperate with agencies assigned to conduct such investigations.

Lane Education Service District

Code: JHFE/GBNAB-AR(2)
Revised/Reviewed: 4/27/10; 7/24/12; 11/07/17;
1/08/19
Orig. Code(s): JHFE-AR(2)

Abuse of a Child Investigations Conducted on ESD Premises **Propose Adopt**

The Department of Human Services (DHS) or a law enforcement agency has the authority to conduct an investigation of a report of child abuse on ESD premises according to Oregon Revised Statute (ORS) 419B.045. The ESD administrator must be notified that the investigation is to take place, unless the administrator is a subject of the investigation. The investigator is not required to reveal information about the investigation to the school as a condition of conducting the investigation.

After the investigator provides adequate identification, ESD staff shall allow access to the child and provide a private space for conducting the interview. The investigator shall be advised by an ESD administrator or a ESD staff member of a child's relevant disabling conditions, if any, prior to any interview with the child. The ESD administrator or designee may, at the investigator's discretion, be present to facilitate the investigation.

ESD staff may only notify DHS, the law enforcement agency or other ESD employees that are necessary to enable the investigation. ESD staff may not notify any other persons, including the child's parent(s) or guardian(s).

Investigator Name (Printed)

Name of Agency

Name of Worker's/Investigator's Supervisor

Supervisor Contact Information

Investigator Position and Badge or ID Number

Student Name

School

Investigator Signature

Date

Investigator refused to sign. The ESD administrator should not deny entry based on refusal to sign.

FOR COMPLETION BY ESD STAFF

- Student not available for interview
- Student refused to be interviewed
- Administrator participated in interview

Name of Administrator Notified

Name of Office Staff Involved

Name of Participating Administrator

This form should be placed in a separate secure file and not in the student's file.

Lane Education Service District

Code: JHFF/GBNAA
Adopted: 4/07/20
Revised/Readopted: 1/04/22
Orig. Code(s): JHFF/GBNAA

Suspected Sexual Conduct with Students and Reporting Requirements **Propose Adopt**

Sexual conduct by ESD employees, contractors¹, agents², and volunteers³ is prohibited and will not be tolerated. All ESD employees, contractors, agents, volunteers, and students⁴ are subject to this policy.

⁵“Sexual conduct,” means verbal or physical conduct or verbal, written or electronic communications by a school employee, a contractor, an agent or a volunteer that involve a student and that are sexual advances or requests for sexual favors directed toward the student, or of a sexual nature that are directed toward the student or that have the effect of unreasonably interfering with a student’s educational performance, or of creating an intimidating or hostile educational environment. “Sexual conduct” does not include touching or other physical contact that is necessitated by the nature of the school employee’s job duties or by the services required to be provided by the contractor, agent or volunteer, and for which there is no sexual intent; verbal, written or electronic communications that are provided as part of an education program that meets state educational standards or a policy approved by the Board; or conduct or communications described in the definition of sexual conduct herein if the school employee, contractor, agent or volunteer is also a student and the conduct or communications arise out of a consensual relationship between students, do not create an intimidating or hostile educational environment and are not prohibited by law, any policies of the ESD or any applicable employment agreements.

“Student” means any person who is in any grade from prekindergarten through grade 12 or 21 years of age or younger and receiving educational or related services from the ESD that is not a post-secondary institution of education, or who was previously known as a student by the person engaging in sexual conduct and who left school or graduated from high schools within one calendar year prior to the sexual conduct.

¹ “Contractor” means a person providing services to the ESD under a contract in a manner that requires the person to have direct, unsupervised contact with students.

² “Agent” means a person acting as an agent for the ESD in a manner that requires the person to have direct, unsupervised contact with students.

³ “Volunteer” means a person acting as a volunteer for the ESD in a manner that requires the person to have direct, unsupervised contact with students.

⁴ Student conduct may only be sexual conduct if the student is also an employee, contractor, agent, or volunteer.

⁵ This definition of “sexual conduct” affects all conduct that occurs before, on or after June 23, 2021, for purposes of reports that are made, investigations that are initiated, or a collective bargaining agreement, an employment contract, an agreement for resignation or termination, a severance agreement or any similar contract or agreement entered into, on or after June 23, 2021.

The ESD will post in each building the names and contact information of the employees designated for the respective school building(s) to receive reports of suspected sexual conduct and the procedures the designee will follow upon receipt of the report.

Any ESD employee, contractor, agent or volunteer who has reasonable cause to believe that a student has been subjected to sexual conduct by another ESD employee, contractor, agent or volunteer, or that another ESD employee, contractor, agent or volunteer has engaged in sexual conduct with a student, shall immediately report such suspected sexual conduct to the ⁶superintendent, or the assistant superintendent in the event the designated licensed administrator is the suspected perpetrator, for their building. If the conduct also constitutes child abuse, the employee must make mandatory reports in accordance with Board policy GBNAB/JHFE – Suspected Abuse of a Child Reporting Requirements.

If the superintendent is the alleged perpetrator the report shall be submitted to assistant superintendent who shall report the suspected sexual conduct to the Board chair.

If an employee fails to report suspected sexual conduct or fails to maintain confidentiality of records, the employee will be disciplined up to and including dismissal.

When a designated licensed administrator receives a report of suspected sexual conduct by an ESD employee, contractor, agent or volunteer, the administrator will follow procedures established by the ESD and set forth in the ESD’s administrative regulation JHFF/GBNAA-AR - Suspected Sexual Conduct Report Procedures and Form. All such reports will be reported to the Oregon Department of Education (ODE) or Teacher Standards and Practices Commission (TSPC) in accordance with such administrative regulation. The agency receiving a report will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged perpetrator.

When there is reasonable cause to support the report, an ESD employee suspected of sexual conduct shall be placed on paid administrative leave pending an investigation and the ESD will take necessary actions to ensure the student’s safety.

When there is reasonable cause to support the report, an ESD contractor, agent or volunteer suspected of sexual conduct shall be removed from providing services to the ESD and the ESD will take necessary actions to ensure the student’s safety.

The ESD will notify, as allowed by state and federal law, the person who was subjected to the suspected sexual conduct about any actions taken by the ESD as a result of the report.

An ESD employee, contractor or agent will not assist another ESD employee, contractor or agent in obtaining a new job if the individual knows, or has reasonable cause to believe the ESD employee, contractor or agent engaged in sexual conduct. Nothing in this policy prevents the ESD from disclosing information required by law or providing the routine transmission of administrative and personnel files pursuant to law.

⁶ {ORS 339.372 requires the ESD to have a policy that designates the licensed administrators and requires the ESD to post the names and contact information of the designees in the school building. A “licensed administrator” is a person employed as an administrator by the ESD and holds an administrative license issued by TSPC or may be a person employed by the ESD that does not hold an administrative license issued by TSPC if the ESD does not require the administrator to be licensed by TSPC.}

The initiation of a report in good faith about suspected sexual conduct may not adversely affect any terms or conditions of employment or the work environment of the person who initiated the report or who may have been subject to sexual conduct. If a student initiates a report of suspected sexual conduct by an ESD employee, contractor, agent or volunteer in good faith, the student will not be disciplined by the ESD or any ESD employee, contractor, agent or volunteer.

The ESD will provide to employees at the time of hire, or to a contractor, agent or volunteer at the time of beginning service for the ESD, the following:

1. A description of conduct that may constitute sexual conduct;
2. A description of the investigatory process and possible consequences if a report of suspected sexual conduct is substantiated; and
3. A description of the prohibitions imposed on ESD employees, contractors and agents when they attempt to obtain a new job, pursuant to ORS 339.378(2).

All ESD employees are subject to Board policy GCAB - Personal Electronic Devices and Social Media - Staff regarding appropriate electronic communications with students.

Any electronic communications with students by a contractor, agent or volunteer for the ESD will be appropriate and only when directed by ESD administration. When communicating with students electronically regarding school-related matters, contractors, agents or volunteers shall use mailing lists and/or other internet messaging approved by the ESD to a group of students rather than individual students or as directed by ESD administration. Texting or electronically communicating with a student through contact information gained as a contractor, agent or volunteer for the ESD is prohibited.

The superintendent shall develop administrative regulations to implement this policy and to comply with state law.

END OF POLICY

Legal Reference(s):

[ORS 334.125](#)

[ORS 339.370 - 339.400](#)

[ORS 419B.005 - 419B.045](#)

Every Student Succeeds Act, 20 U.S.C. § 7926 (2018).

House Bill 4160 (2024).

Lane Education Service District

Code: JHFF/GBNAA-AR
Revised/Reviewed: 4/07/20
Orig. Code(s): JHFF/GBNAA-AR

Suspected Sexual Conduct Report Procedures and Form **Propose Adopt**

The ESD posts in each school building the names and contact information of the employees in each school building designated to receive reports of suspected sexual conduct and the procedures the designee will follow upon receipt of the report.

When a designated licensed administrator² receives a report of suspected sexual conduct that may have been committed by a commission licensee³, the designee shall notify Teacher Standards and Practices Commission (TSPC). The designee shall notify the Oregon Department of Education (ODE) if the administrator receives a report of suspected sexual conduct that may have been committed by a school employee, contractor, agent or volunteer that is not a commission licensee.

If the superintendent is the alleged perpetrator the report shall be submitted to the assistant superintendent who shall refer the report to the Board chair.

The ESD will investigate all reports of suspected sexual conduct, unless otherwise requested by TSPC or ODE as appropriate.

When the designee receives a report of suspected sexual conduct by an ESD employee, and there is reasonable cause to support the report, the ESD shall place the ESD employee on paid administrative leave⁴ and take necessary actions to ensure the student's safety. The employee shall remain on leave until TSPC⁵ or ODE⁶ determines that the report is substantiated and the ESD takes appropriate employment action against the employee, or cannot be substantiated or is not a report of sexual conduct and the ESD determines either: 1) an employment policy was violated and the ESD will take appropriate employment action against the employee; or 2) an employment policy has not been violated and an employment action against the employee is not required.

When the designee receives a report of suspected sexual conduct by a contractor, an agent or a volunteer, the ESD may prohibit the contractor, agent or volunteer from providing services to the ESD. If the ESD determines there is reasonable cause to support a report of suspected sexual conduct, the ESD shall

² A "licensed administrator" is a person employed as an administrator by the ESD and holds an administrative license issued by TSPC or may be a person employed by the ESD that does not hold an administrative license issued by TSPC if the ESD does not require the administrator to be licensed by TSPC.

³ "Commission licensee," as is defined in ORS 342.120 (as amended by HB 2136 (2021)), means a person whom the TSPC has authority to investigate or discipline because the person is enrolled in an approved educator preparation program, is an applicant for a TSPC license or registration, holds a license or registration issued by TSPC, or has held a license or registration issued by the TSPC at any time during the previous five years.

⁴ The ESD employee cannot be required to use any accrued leave during the imposed paid administrative leave.

⁵ TSPC investigates reports on commission licensees.

⁶ ODE investigates reports on persons who are not commission licensees.

prohibit the contractor, agent or volunteer from providing services. The ESD may reinstate the contractor, agent or volunteer, and such reinstatement may not occur until such time as a report of suspected sexual conduct has been investigated and a determination has been made by TSPC or ODE, as appropriate, that the report is unsubstantiated.

Upon request from ODE or TSPC the ESD will provide requested documents or materials to the extent allowed by state and federal law.

The name, address and other identifying information about the employee who made the report are confidential and are not accessible for public inspection.

An “investigation” means a detailed inquiry into the factual allegations of a report of suspected sexual conduct that is based on interviews with the person who initiated the report, the person who may have been subjected to sexual conduct, witnesses and the person who is the subject of the report, and results in a finding that the report is a substantiated report, cannot be substantiated, or is not a report of sexual conduct. If the subject of the report is an ESD employee represented by a contract or a collective bargaining agreement, the investigation must meet any negotiated standards of such employment contract or agreement.

Nothing prevents the ESD from conducting its own investigation, unless another agency requests to lead the investigation or requests the ESD to suspend their investigation, or taking an employment action based on information available to the ESD before an investigation conducted by another agency is completed. The ESD will cooperate with agencies assigned to conduct such investigations.

A “substantiated report” means a report of sexual conduct that TSPC or ODE determines is founded.

If, following the investigation, the ESD decides to take an employment action, the ESD will inform the ESD employee of the employment action to be taken and provide information about the appropriate appeal process. *(choose one)* The employee may appeal the employment action taken through the appeal process provided by the applicable collective bargaining agreement. [

If the ESD is notified that the employee decided not to appeal the employment action or if the determination of an appeal sustained the employment action, the ESD shall create a record of the findings of the substantiated report and the employment action taken by the ESD will be placed in the records on the school employee maintained by the ESD. Such records created are confidential and not public records as defined in Oregon Revised Statute (ORS) 192.311, however the ESD may use the record as a basis for providing information required to be disclosed about an ESD employee under ORS 339.378(1). The ESD will notify the employee that information about substantiated reports may be disclosed to a potential employer.

Training

The ESD shall provide information and training each school year to ESD employees on the following:

1. Prevention and identification of sexual conduct;
2. Obligations of ESD employees under ORS 339.388 and 419B.005 - 419B.050 and under adopted board policies to report suspected sexual conduct; and
3. Appropriate electronic communications with students.

The ESD shall make available each school year the training described above to contractors, agents, volunteers and to parents and legal guardians of students attending ESD-operated schools, and will be made available separately from the training provided to ESD employees.

The ESD shall provide to contractors, agents and volunteers each school year information on the following:

1. Prevention and identification of sexual conduct;
2. Obligations of ESD employees under adopted board policies to report suspected sexual conduct; and
3. Appropriate electronic communications with students.

The ESD shall make available each school year training that is designed to prevent sexual conduct to students attending ESD-operated schools.

Lane Education Service District

SUSPECTED SEXUAL CONDUCT REPORT FORM

Name of person making report: _____

Position of person making report: _____

Name of person suspected of sexual conduct: _____

Date and place of incident or incidents: _____

Description of suspected sexual conduct: _____

Name of witnesses (if any): _____

Evidence of suspected sexual conduct, e.g., letters, photos, etc. (attach evidence if possible): _____

Any other information: _____

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

Signature: _____ Date: _____

Lane Education Service District

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: JN
Adopted:

Student Fees, Fines and Charges **Propose Adopt**

The Board recognizes the need for student fees to fund certain school activities which are not sufficiently funded by the ESD.

No student will be denied an education because of an inability to pay supplementary fees.

No student, however, is exempt from charges for lost or damaged books, locks, materials, supplies and equipment.

All student fees and charges, both optional and required, will be listed and described annually in the student/parent handbook, or in some other written form, and distributed to each student. Students will be advised of the due dates for such fees and charges as well as of possible penalties for failure to pay them.

In accordance with the law and ESD policy, certain restrictions and/or penalties may be imposed until such fees, fines or charges are paid. Students or parents will receive written notice at least 10 days in advance of any restrictions and/or penalties to be imposed until the debt is paid. The notice will include the reason the student owes money to the ESD, an itemization of the fees, fines or damages owed and the right of parents to request a hearing. The ESD may pursue the fees, fines or damages through a private collection agency or other method available to the district. The ESD may waive fees, fines and charges if the student or parents cannot pay, the payment of the debt could impact the health and safety of the student or if the cost of collection would be more than the total collected or there are mitigating circumstances, as determined by the superintendent.

Education records shall not be withheld for student fees, fines and charges if requested in circumstances described in Oregon Revised Statute (ORS) 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

Prior to collection of debts, the superintendent will ensure that notice has been provided as required by ORS 339.270.

END OF POLICY

Legal Reference(s):

[ORS 326.565](#)
[ORS 326.575](#)

[ORS 334.125\(7\)](#)
[ORS 339.115](#)

[ORS 339.155](#)
[ORS 339.270](#)

Lane Education Service District

Code: JO/IGBAB
Adopted: 11/15/11
Readopted: 8/28/12
Orig. Code(s): JO/IGBAB

Education Records/Records of Students with Disabilities****Propose Adopt**

Education records are those records maintained by the ESD that are directly related to a student.

The ESD shall maintain confidential education records of students in a manner that conforms with state and federal laws and regulations.

Information recorded on official education records should be carefully selected, accurate, verifiable and should have a direct and significant bearing upon the student's educational development.

The ESD annually notifies parents or adult students that it forwards educational records requested by an educational agency or institution in which the student seeks to enroll or receive services, including special education evaluation services.

The ESD shall comply with a request from parents or an adult student to inspect and review records without unnecessary delay. The ESD provides to parents of a student with a disability or to an adult student with a disability the opportunity at any reasonable time to examine all of the records of the district pertaining to the student's identification, evaluation, educational placement and free appropriate public education. The ESD provides parents or an adult student, on request, a list of the types and locations of education records collected, maintained and used by the ESD.

The ESD annually notifies parents of all students, including adult students, currently in attendance that they have to right to:

1. Inspect and review the student's records;
2. Request the amendment of the student's educational records to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy or other rights;
3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the student educational record rules authorize disclosure without consent. (See Board policy JOB – Personally Identifiable Information);
4. File with the U.S. Department of Education a complaint concerning alleged failures by the ESD to comply with the requirements of the Family Educational Rights and Privacy Act; and
5. Obtain a copy of the ESD's education records policy.

The ESD's notice includes criteria for determining legitimate educational interest and the criteria for determining which school officials within the agency have legitimate educational interests. ESD officials may also include a volunteer or contractor who performs an institutional service on behalf of the ESD.

The ESD annually notifies parents and adult students of what it considers to be directory information and the disclosure of such. (see Board policy JOA – Directory Information)

The ESD shall give full rights to education records to either parent, unless the ESD has been provided legal evidence that specifically revokes these rights. Once the student reaches age 18 those rights transfer to the student.

A copy of this policy and administrative regulation shall be made available upon request to parents and students 18 years of age or older or an emancipated student and the general public.

Records requested by another school district or ESD to determine a student’s appropriate placement may not be withheld.

END OF POLICY

Legal Reference(s):

[ORS 30.864](#)
[ORS 107.154](#)
[ORS 326.565](#)
[ORS 326.575](#)

[ORS 326.580](#)
[ORS 339.270](#)
[ORS 343.177\(3\)](#)
[OAR 166-400-0010 to 166-400-0065](#)

[OAR 581-021-0220 to -0430](#)
[OAR 581-022-2260](#)
[OAR 581-022-2270](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2012).

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).

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.501 (2017).

Lane Education Service District

Code: JO/IGBAB-AR
Revised/Reviewed: 6/26/01; 8/27/02; 7/24/12;
9/24/12
Orig. Code(s): JO/IGBAB-AR

Education Records/Records of Students with Disabilities Management **Propose Adopt**

1. Education Record

Student education records are those records that are directly related to a student and maintained by the ESD, or by a party acting for the ESD; however, this does not include the following:

- a. Records of instructional, supervisory and administrative personnel and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record, used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- b. Records of the law enforcement unit of the ESD subject to the provisions of Oregon Administrative Rule (OAR) 581-021-0225;
- c. Records relating to an individual who is employed by the ESD that are made and maintained in the normal course of business that relate exclusively to the individual in that individual's capacity as an employee and that are not available for use for any other purpose. Records relating to an individual in attendance at the ESD who is employed as a result of status as a student are education records and are not excepted under this section;
- d. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:
 - (1) Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in a professional capacity or assisting in a paraprofessional capacity;
 - (2) Made, maintained or used only in connection with treatment of the student; and
 - (3) Disclosed only to individuals providing the treatment. For purposes of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the ESD.
- e. Records that only contain information relating to activities in which an individual engaged after the individual is no longer a student at the ESD;
- f. Medical or nursing records which are made or maintained separately and solely by a licensed healthcare professional who is not employed by the ESD, and which are not used for education purposes or planning.

The ESD shall keep and maintain a permanent record on each student which includes the:

- a. Name and address of educational agency or institution;
- b. Full legal name of the student;
- c. Student birth date and place of birth;
- d. Name of parents;

- e. Date of entry in school;
- f. Name of school previously attended;
- g. Courses of study and marks received;
- h. Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;
- i. Credits earned;
- j. Attendance;
- k. Date of withdrawal from school; and
- l. Such additional information as the district may prescribe.

The ESD may also request the social security number of the student and will include the social security number on the permanent record only if the eligible student or parent complies with the request. The request shall include notification to the eligible student or the student's parent(s) that the provision of the social security number is voluntary and notification of the purpose for which the social security number will be used.

The ESD shall retain permanent records in a minimum one-hour fire-safe place in the ESD, or keep a duplicate copy of the permanent records in a safe depository in another ESD location.

2. Confidentiality of Student Records

- a. The ESD shall keep confidential any record maintained on a student in accordance with OAR 581-021-0220 through 581-021-0430.
- b. Each ESD shall protect the confidentiality of personally identifiable information at collection, storage, disclosure and destruction stages.
- c. Each ESD shall identify one official to assume responsibility for ensuring the confidentiality of any personally identifiable information.
- d. All persons collecting or using personally identifiable information shall receive training or instruction on state policies and procedures.

3. Rights of Parents and Eligible Students

The ESD shall annually notify parents and eligible students through the ESD student/parent handbook or any other means that are reasonably likely to inform the parents or eligible students of their rights. This notification shall state that the parent(s) or **an** eligible student has a right to:

- a. Inspect and review the student's education records;
- b. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy or other rights;
- c. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the applicable state or federal law authorizes disclosure without consent;
- d. Pursuant to OAR 581-021-0410, file with the Family Policy Compliance Office, United States Department of Education a complaint under 34 C.F.R. § 99.64 concerning alleged failures by the ESD to comply with the requirements of federal law; and
- e. Obtain a copy of the ESD policy with regard to student education records.

The notification shall also inform parents or eligible students that the ESD forwards education records requested under OAR 581-021-0255. The notification shall also indicate where copies of the ESD policy are located and how copies may be obtained.

If the eligible student or the student's parent(s) has a primary or home language other than English, or has a disability, the ESD shall provide effective notice.

These rights shall be given to either parent unless the ESD has been provided with specific written evidence that there is a court order, state statute or legally binding document relating to such matters as divorce, separation or custody that specifically revokes these rights.

When a student becomes an eligible student, which is defined as a student who has reached 18 years of age or is attending only an institution of postsecondary education and is not enrolled in a secondary school, the rights accorded to, and the consent required of, the parents transfer from the parents to the student. Nothing prevents the ESD from giving students rights in addition to those given to parents.

4. Parent's or Eligible Student's Right to Inspect and Review

The ESD shall permit an eligible student or student's parent(s) or a representative of a parent or eligible student, if authorized in writing by the eligible student or student's parent(s), to inspect and review the education records of the student, unless the education records of a student contain information on more than one student. In that case the eligible student or student's parent(s) may inspect, review or be informed of only the specific information about the student.

The ESD shall comply with a request for access to records:

- a. Within a reasonable period of time and without unnecessary delay;
- b. For children with disabilities before any meeting regarding an individualized education program (IEP), or any due process hearing, or any resolution session related to a due process hearing;
- c. In no case more than 45 days after it has received the request.

The ESD shall respond to reasonable requests for explanations and interpretations of the student's education record.

The parent(s) or an eligible student shall comply with the following procedure to inspect and review a student's education record:

- d. Provide a written, dated request to inspect a student's education record; and
- e. State the specific reason for requesting the inspection.

The written request will be permanently added to the student's education record.

The ESD shall not destroy any education record if there is an outstanding request to inspect and review the education record.

While the ESD is not required to give an eligible student or student's parent(s) access to treatment records under the definition of "education records" in OAR 581-021-0220(6)(b)(D), the eligible student or student's parent(s) may, at their expense, choose a physician or other appropriate professional and have those records reviewed.

If an eligible student or student's parent(s) so requests, the ESD shall give the eligible student or student's parent(s) a copy of the student's education record. The ESD may recover a fee for providing a copy of the record, but only for the actual costs of reproducing the record unless the imposition of a fee effectively prevents a parent or eligible student from exercising the right to inspect and review the student's educational records. The ESD may not charge a fee to search for or to retrieve the education records of a student.

The ESD shall not provide the eligible student or student's parent(s) with a copy of test protocols, test questions and answers and other documents described in Oregon Revised Statutes (ORS) 192.345(4) unless authorized by federal law.

The ESD will maintain a list of the types and locations of education records maintained by the ESD and the titles and addresses of officials responsible for the records.

Students' education records will be maintained at the school building at which the student is in attendance except for special education records which may be located at another designated location within the ESD. The administrator/principal or designee shall be the person responsible for maintaining and releasing the education records.

5. Release of Personally Identifiable Information

Personally identifiable information shall not be released without prior written consent of the eligible student or student's parent(s) except in the following cases:

- a. The disclosure is to other school officials, including teachers, within the ESD who have a legitimate educational interest.

As used in this section, "legitimate educational interest" means an ESD official employed by the ESD as an administrator, supervisor, instructor or staff support member; a person serving on an ESD or component district Board; who need to review an educational record in order to fulfill his or her professional responsibilities, as delineated by their job description, contract or conditions of employment. Contractors, consultants, volunteers or other parties to whom an agency or institution has outsourced institutional services or functions may be considered a school official provided that party performs an institutional service or function for which the ESD would otherwise use employees, is under the direct control of the district with respect to the use and maintenance of education records, and is subject to district policies concerning the redisclosure of personally identifiable information.

The ESD shall maintain, for public inspection, a listing of the names and positions of individuals within the ESD who have access to personally identifiable information with respect to students with disabilities.

- b. The disclosure is to officials of another department within the ESD;
- c. The disclosure is to authorized representatives of:

The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division in connection with an audit or evaluation of federal or state-supported education programs or the enforcement of or compliance with federal or state-supported education programs or the enforcement of or compliance with federal or state regulations.

- d. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:
- (1) Determine eligibility for the aid;
 - (2) Determine the amount of the aid;
 - (3) Determine the conditions for the aid; or
 - (4) Enforce the terms and condition of the aid.

As used in this section “financial aid” means any payment of funds provided to an individual that is conditioned on the individual’s attendance at an educational agency or institution.

- e. The disclosure is to organizations conducting studies for, or on behalf of, the ESD to:
- (1) Develop, validate or administer predictive tests;
 - (2) Administer student aid programs; or
 - (3) Improve instruction.

The ESD may disclose information under this section only if disclosure is to an official listed in paragraph (c) above and who enters into a written agreement with the district that:

- (4) Specifies the purpose, scope and duration of the study and the information to be disclosed;
- (5) Limits the organization to using the personally identifiable information only for the purpose of the study;
- (6) The study is conducted in a manner that does not permit personal identification of parents or students by individuals other than representatives of the organization; and
- (7) The information is destroyed when no longer needed for the purposes for which the study was conducted.

For purposes of this section, the term “organization” includes, but is not limited to, federal, state and local agencies, and independent organizations.

- f. The district may disclose information under this section only if the disclosure is to an official listed in paragraph (c) above who is conducting an audit related to the enforcement of or compliance with federal or state legal requirements and who enters into a written agreement with the district that:

- (1) Designates the individual or entity as an authorized representative;
- (2) Specifies the personally identifiable information being disclosed;
- (3) Specifies the personally identifiable information being disclosed in the furtherance of an audit, evaluation or enforcement or compliance activity of the federal or state-supported education programs;
- (4) Describes the activity with sufficient specificity to make clear it falls within the audit or evaluation exception; this must include a description of how the personally identifiable information will be used;

- (5) Requires information to be destroyed when no longer needed for the purpose for which the study was conducted;
 - (6) Identifies the time period in which the personally identifiable information must be destroyed; and
 - (7) Establishes policies and procedures which are consistent with Family Education Rights and Privacy Act (FERPA) and other federal and state confidentiality and privacy provisions to insure the protection of the personally identifiable information from further disclosure and unauthorized use.
- g. The disclosure is to accrediting organizations to carry out their accrediting functions;
 - h. The disclosure is to comply with a judicial order or lawfully issued subpoena. The ESD may disclose information under this section only if the ESD makes a reasonable effort to notify the eligible student or student's parent(s) of the order or subpoena in advance of compliance, unless an order or subpoena of a federal court or agency prohibits notification to the parent(s) or student;
 - i. The disclosure is to comply with a judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependency matters;
 - j. The disclosure is to the parent(s) of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;
 - k. The disclosure is in connection with a health or safety emergency. The ESD shall disclose personally identifiable information from an education record to law enforcement, child protective services and healthcare professionals, and other appropriate parties 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. If the ESD determines that there is an articulable and significant threat, the ESD will document the information available at that time of determination and the rationale basis for the determination for the disclosure of the information from the educational records.

In making a determination whether a disclosure may be made under the health or safety emergency, the district may take into account the totality of the circumstances pertaining to a threat to the health to safety of a student or other individuals. As used in this section a "health or safety emergency" includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnap, abduction or custodial interference and law enforcement or child protective services efforts to respond to a report of child abuse or neglect pursuant to applicable state law, or other such reasons that the ESD may in good faith determine a health or safety emergency.

- l. The disclosure is information the ESD has designated as "directory information" (See Board policy JOA - Directory Information);
- m. The disclosure is to the parent(s) of a student who is not an eligible student or to an eligible student;
- n. The disclosure is to officials of another school, school system, institution of postsecondary education, an education service district (ESD), state regional program or other educational agency that has requested the records and in which the student seeks or intends to enroll or is enrolled or in which the student receives services. The term "receives services" includes, but is not limited to, an evaluation or re-evaluation for purposes of determining whether a student has a disability;
- o. The disclosure is to the Board during an executive session pursuant to ORS 332.061.

The ESD will use reasonable methods to identify and authenticate the identity of the parents, students, school officials and any other parties to whom the district discloses personally identifiable information from educational records;

- p. The disclosure is to a caseworker or other representative, who has the right to access the student's case plan, of a state or local child welfare agency or tribal organization that are legally responsible for the care and protection of the student, provided the personally identifiable information will not be disclosed unless allowed by law.

6. Record-Keeping Requirements

The ESD shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student. Exceptions to the record-keeping requirements shall include the parent, eligible student, school official or assistant responsible for custody of the records and parties authorized by state and federal law for auditing purposes. The ESD shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure the record must include:

- a. The party or parties who have requested or received personally identifiable information from the education records; and
- b. The legitimate interests the parties had in requesting or obtaining the information.

The following parties may inspect the record of request for access and disclosure to a student's personally identifiable information:

- c. The parent(s) or an eligible student;
- d. The ESD official or assistants who are responsible for the custody of the records;
- e. Those parties authorized by state or federal law for purposes of auditing the record-keeping procedures of the district.

7. Request for Amendment of Student's Education Record

If an eligible student or student's parent(s) believes the education records relating to the student contain information that is inaccurate, misleading or in violation of the student's rights of privacy or other rights, the student or parent(s) may ask the building level principal/ESD official where the record is maintained to amend the record.

The principal/ESD official shall decide, after consulting with the necessary staff, whether to amend the record as requested within a reasonable time after the request to amend has been made.

The request to amend the student's education record shall become a permanent part of the student's education record.

If the principal/ESD official decides not to amend the record as requested, the eligible student or the student's parent(s) shall be informed of the decision and of a right to appeal the decision by requesting a hearing.

8. Hearing Rights of Parents or Eligible Students

If the building level principal/ESD official decides not to amend the education record of a student as requested by the eligible student or the student's parent(s), the eligible student or student's parent(s) may request a formal hearing for the purpose of challenging information in the education record as inaccurate, misleading or in violation of the privacy or other rights of the student. The ESD shall appoint a hearings officer to conduct the formal hearing requested by the eligible student or student's parent. The hearing may be conducted by any individual, including an official of the ESD, who does not have a direct interest in the outcome of the hearing. The hearings officer will establish a date, time and location for the hearing, and give the student's parent or eligible student notice of date, time and location reasonably in advance of the hearing. The hearing will be held within 10 working days of receiving the written or verbal request for the hearing.

The hearings officer will convene and preside over a hearing panel consisting of:

- a. The principal/ESD official or designee;
- b. A member chosen by the eligible student or student's parent(s); and
- c. A disinterested, qualified third party appointed by the superintendent.

The parent or eligible student may, at own expense, choose one or more individuals to assist or represent them, including an attorney. The hearing shall be private. Persons other than the student, parent, witnesses and counsel shall not be admitted. The hearings officer shall preside over the panel. The panel will hear evidence from the school staff and the eligible student or student's parent(s) to determine the point(s) of disagreement concerning the records. Confidential conversations between a licensed employee or district counselor and a student shall not be part of the records hearing procedure. The eligible student or student's parent(s) has the right to insert written comments or explanations into the record regarding the disputed material. Such inserts shall remain in the education record as long as the education record or a contested portion is maintained and exists. The panel shall make a determination after hearing the evidence and make its recommendation in writing within 10 working days following the close of the hearing. The panel will make a determination based solely on the evidence presented at the hearing and will include a summary of the evidence and the reason for the decision. The findings of the panel shall be rendered in writing not more than 10 working days following the close of the hearing and submitted to all parties.

If, as a result of the hearing, the panel decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the eligible student or the student's parent(s) of the right to place a statement in the record commenting on the contested information in the record or stating why there is disagreement with the decision of the panel. If a statement is placed in an education record, the district/ESD will ensure that the statement:

- d. Is maintained as part of the student's records as long as the record or a contested portion is maintained by the district/ESD; and
- e. Is disclosed by the district/ESD to any party to whom the student's records or the contested portion are disclosed.

If, as a result of the hearing, the panel decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall:

- f. Amend the record accordingly; and
- g. Inform the eligible student or the student's parent(s) of the amendment in writing.

9. Duties and Responsibilities When Requesting Education Records

The ESD shall, within 10 days of a student seeking initial enrollment in or services from the district, notify the public or private school, ESD, institution, agency or detention facility or youth care center in which the student was formerly enrolled, and shall request the student's education records.

10. Duties and Responsibilities When Transferring Education Records

The ESD shall transfer originals of all requested student education records, including any ESD records, relating to the particular student to the new educational agency when a request to transfer the education records is made to the ESD. The transfer shall be made no later than 10 days after receipt of the request. For students in substitute care programs, the transfer must take place within five days of a request. Readable copies of the following documents shall be retained:

- a. The student's permanent records, for one year;
- b. Such special education records as are necessary to document compliance with state and federal audits, for five years after the end of the school year in which the original was created. In the case of records documenting speech pathology and physical therapy services, until the student reaches age 21 or 5 years after last seen, whichever is longer.

Note: Education records shall not be withheld for student fees, fines and charges if requested in circumstances described in ORS 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

Disclosure Statement

Required for use in collecting personally identifiable information related to social security numbers.

On any form that requests the social security number (SSN), the following statement shall appear just above the space for the SSN:

“Providing your social security number (SSN) is voluntary. If you provide it, the ESD will use your SSN for record-keeping, research, and reporting purposes only. The ESD will not use your SSN to make any decision directly affecting you or any other person. Your SSN will not be given to the general public. If you choose not to provide your SSN, you will not be denied any rights as a student. Please read the statement on the back of this form that describes how your SSN will be used. Providing your SSN means that you consent to the use of your SSN in the manner described.”

On the back of the same form, or attached to it, the following statement shall appear:

“OAR 581-021-0250 (1)(j) authorizes districts¹ to ask you to provide your social security number (SSN). The SSN will be used by the district for reporting, research and record keeping. Your SSN will also be provided to the Oregon Department of Education. The Oregon Department of Education gathers information about students and programs to meet state and federal statistical reporting requirements. It also helps districts and the state research, plan and develop educational programs. This information supports the evaluation of educational programs and student success in the workplace.”

The district and Oregon Department of Education may also match your SSN with records from other agencies as follows:

The Oregon Department of Education uses information gathered from the Oregon Employment Division to learn about education, training and job market trends. The information is also used for planning, research and program improvement.

State and private universities, colleges, community colleges and vocational schools use the information to find out how many students go on with their education and their level of success.

Other state agencies use the information to help state and local agencies plan educational and training services to help Oregon citizens get the best jobs available.

Your SSN will be used only for statistical purposes as listed above. State and federal law protects the privacy of your records.

¹ OAR 581-021-0220(5) defines school districts to include ESDs.

Lane Education Service District

Code: JOB
Adopted: 3/29/94
Readopted: 7/10/01; 8/27/02; 6/24/08;
8/28/12; 10/22/13
Orig. Code(s): JOB

Personally Identifiable Information** **Propose adopt**

Personally identifiable information includes, but is not limited to:

1. Student's name, if excluded from directory information, as requested by the student/parent in writing;
2. Name of the student's parent(s) or other family member;
3. Address of the student or student's family, if excluded from directory information, as requested by the student/parent in writing;
4. Personal identifier such as the student's social security number or student ID number or biometric record;
5. A list of personal characteristics that would make the student's identity easily traceable such as student's date of birth, place of birth and mother's maiden name;
6. Other information alone or in combination that would make the student's identity easily traceable;
7. Other information requested by a person who the ESD reasonably believes knows the identity of the student to whom the educational record relates.

Prior Consent to Release

Personally identifiable information will not be released without prior signed and dated consent of the parent or the student 18 years of age or older or an emancipated student.

Notice of and/or request for release of personally identifiable information shall specify the records to be disclosed, the purpose of disclosure and the identification of person(s) to whom the disclosure is to be made. Upon request of the parent or eligible student, the ESD will provide a copy of the disclosed record.

Exceptions to Prior Consent

The ESD may disclose personally identifiable information without prior consent under the following conditions:

1. To personnel within the district who have legitimate educational interests;
2. To personnel of an education service district or state regional program where the student is enrolled or is receiving services;

3. To personnel of another school, another district, state regional program or institution of postsecondary education where the student seeks or intends to enroll;
4. To authorized representatives of the U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division in connection with an audit or evaluation of federal or state supported education programs or the enforcement of or compliance with federal or state -supported education programs or the enforcement of or compliance with federal or state regulations;
5. To personnel determining a financial aid request for the student;
6. To personnel conducting studies for or on behalf of the district;
7. To personnel in accrediting organizations fulfilling accrediting functions;
8. To comply with a judicial order or lawfully issued subpoena;
9. For health or safety emergency;
10. By request of a parent of a student who is not 18 years of age;
11. By request of a student who is 18 years of age or older or emancipated;
12. Because information has been identified as “directory information”;
13. To the courts when legal action is initiated;
14. To a court and state and local juvenile justice agencies;
15. A judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependent matters;
16. To a caseworker or other representative of a state or local child welfare agency or tribal organization that are legally responsible for the care and protection of the student including educational stability of children in foster care.

END OF POLICY

Legal Reference(s):

[ORS 30.864](#)
[ORS 107.154](#)
[ORS 326.565](#)

[ORS 326.575](#)
[ORS 336.187](#)

[OAR 581-015-2000](#)
[OAR 581-021-0220 to -0430](#)
[OAR 581-022-2260](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2012).
 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 (2012).
 Uninterrupted Scholars Act (USA), 2013 (P.L. 112-278, Jan. 14, 2013), 20 U.S.C. § 1221 (2012).

Lane Education Service District

Code: JOC
Adopted:

S

Legal Names of Students **Propose adopt**

The ESD will consider requests to use names other than the student's legal name. Such requests, if honored, may be entered into the computer system so long as a cross-referencing system is established to locate the student's records with the student's legal name.

Legal last names will be changed by the ESD only upon receipt of a copy of a court order.

END OF POLICY

A

Legal Reference(s):

[OAR 581-022-2270](#)

M

P

L

E

Lane Education Service District

Code: JOA
Adopted: 2/22/94
Readopted: 7/10/01; 6/24/08; 5/19/09;
8/28/12; 12/06/17
Orig. Code(s): JOA

Directory Information** **Propose adopt**

“Directory information” means those items of personally identifiable information contained in a student education record which is not generally considered harmful or an invasion of privacy if released. The following categories are designated as directory information. The following directory information may be released to the public through appropriate procedures:

1. Student’s name;
2. Student’s photograph;
3. [Dates of attendance;]
4. [Grade level;]

Public Notice

The ESD will give annual public notice to parents of students in attendance and students 18 years of age or emancipated. The notice shall identify the types of information considered to be directory information, the ESD’s option to release such information and the requirement that the ESD must, by law upon request, release secondary students’ names, addresses and telephone numbers to military recruiters and/or institutions of higher education, unless parents or eligible students request the ESD withhold this information. Such notice will be given prior to release of directory information.

Exclusions

Exclusions from any or all directory categories named as directory information or release of information to military recruiters and/or institutions of higher education must be submitted in writing to the principal/ESD official by the parent, student 18 years of age or emancipated student within 15 days of annual public notice. A parent or student 18 years of age or an emancipated student may not opt out of directory information to prevent the ESD from disclosing or requiring a student to disclose their name or from requiring a student to disclose a student ID card or badge that exhibits information that has been properly designated directory information by the ESD in this policy.

Directory information shall be released only with administrative direction.

Directory information considered by the ESD to be detrimental will not be released.

Information will not be given over the telephone except in health and safety emergencies.

At no point will a student's Social Security Number or student identification number be considered directory information. The ESD shall not, in accordance with state law, disclose personal information for the purpose of enforcement of federal immigration laws.

END OF POLICY

Legal Reference(s):

[ORS 30.864](#)
[ORS 107.154](#)
[ORS 180.805](#)

[ORS 326.565](#)
[ORS 326.575](#)
[ORS 336.187](#)

[OAR 581-021-0220 - 0430](#)
[OAR 581-022-2060](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2012).
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).
Every Student Succeeds Act, 20 U.S.C. § 7908 (2012).

Lane Education Service District

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

Staff-Student Relations **Recommend Delete**

(Is there a student/parent handbook (which might be a better way to communicate this)?)

The relationship between staff and student should be one of mutual cooperation, understanding and respect. Each Lane ESD staff member has a responsibility to provide an atmosphere conducive to learning and to motivate each student to perform to their capacity and abilities.

The staff will strive to secure individual and group discipline and should be treated with respect by students. Staff should extend to students the same respect and courtesy which they, as staff members, have a right to demand.

END OF POLICY

Legal Reference(s):

ORS 334.125

Lane Education Service District

Code: JO-AR
Adopted: 9/13/95
Revised/Readopted: 7/10/01, 8/27/02
Orig. Code(s): JO-AR

Education Records Management **Recommend Delete**

(See JO/IGBAB-AR)

1. Student Education Record

Student education records are those records that are directly related to a student served by the ESD and maintained by the ESD, or by a party acting for the ESD.

Students, including home-schooled students, served by Lane ESD will be subject to ESD education records, policies and administrative rules.

2. The ESD shall provide a notification form to parents or guardians wishing to enroll a student in home-schooling and shall keep and maintain that notification form as a permanent record on each home-schooled student. The notification form shall include the following information:

- a. Full name of the child;
- b. Child's birth date;
- c. Name of parents/guardians;
- d. Address;
- e. Phone number;
- f. Resident school district;
- g. Whether or not the child is eligible for special education services;
- h. Name of school previously attended month and year the student was withdrawn.

The permanent record shall also include the following:

- i. Date of entry in home schooling;
- j. Date of withdrawal from home schooling;
- k. Test scores; and
- l. Such additional information as the district may prescribe.

Permanent records currently in use shall be maintained in a minimum one-hour fire-safe place in an ESD facility, or a duplicate copy of the permanent records shall be kept in a safe depository in another ESD location.

3. Education records for home schooled students will not include the following:

- a. Records of instructional, supervisory and administrative personnel and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- b. Records of a law enforcement unit of the ESD, but only if education records maintained by the ESD are not disclosed to the unit, and the law enforcement records are:

- (1) Maintained separately from education records;
- (2) Maintained solely for law enforcement purposes; and
- (3) Disclosed only to law enforcement officials of the same jurisdiction.

- c. Records relating to an individual who is employed by the ESD that are made and maintained in the normal course of business, that relate exclusively to the individual in that individual's capacity as an employee and that are not available for use for any other purpose. Records relating to an individual in attendance at the ESD who is employed as a result of his/her status as a student are education records and are not excepted under this section;
- d. Records on a student who is 18 years of age or older or is attending an institution of postsecondary education, that are:
- (1) Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his/her professional capacity or assisting in a paraprofessional capacity;
 - (2) Made, maintained or used only in connection with treatment of the student; and
 - (3) Disclosed only to individuals providing the treatment. For purposes of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the district.
- e. Records that only contain information relating to activities in which an individual engaged after he/she is no longer a student at the ESD;
- f. Medical or nursing records which are made or maintained separately and solely by a licensed health-care professional and which are not used for education purposes or planning.

4. Rights of Parents and Eligible Students

Parents or guardians of students served by Lane ESD and parents or guardians registering a child for home-schooling shall receive information which explains that the parent or eligible student has the right to:

- a. Inspect and review the student's education records;
- b. Request the amendment of the student's education record to ensure that it is not inaccurate, misleading or otherwise in violation of the student's privacy or other rights;
- c. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the applicable state or federal law authorizes disclosure without consent;
- d. Pursuant to Oregon Administrative Rule 581-021-0305, file with the United States Department of Education a complaint under 34 CFR §99.64 concerning alleged failures by the ESD to comply with the requirements of federal law; and
- e. Obtain a copy of the ESD policy with regards to student education records.

The notification shall also indicate where copies of the ESD policy are located and how copies may be obtained.

If the eligible student or the student's parent(s) has a primary or home language other than English, the ESD shall provide effective notice.

These rights shall be given to either parent unless the ESD has been provided with specific written evidence that there is a court order, state statute or legally binding document relating to such matters as divorce, separation or custody that specifically revokes these rights.

D When a student becomes an eligible student, which is defined as a student who has reached 18 years of age or is attending only an institution of postsecondary education and is not enrolled in a secondary school, the rights accorded to, and the consent required of, the parents transfer from the parents to the student. Nothing prevents the ESD from giving students rights in addition to those given to parents.

5. Parent's or Eligible Student's Right to Inspect and Review

The ESD shall permit an eligible student or student's parent(s) or a representative of a parent or eligible student, if authorized in writing by the eligible student or student's parent(s), to inspect and review the education records of the student, unless the education records of a student contain information on more than one student. In that case the eligible student or student's parent(s) may inspect, review or be informed of only the specific information about the student.

The parent(s) or eligible student shall comply with the following procedure to inspect and review a student's education record:

- a. Provide a written, dated request to inspect a student's education record; and
- b. State the specific reason for requesting the inspection.

The written request will be permanently added to the student's education record.

The ESD shall comply with a request for access to a student's education record within a reasonable period of time, but in no case more than 45 days after it has received the request.

The ESD shall respond to reasonable requests for explanations and interpretations of the student's education record.

The ESD shall not destroy any education records if there is an outstanding request to inspect and review the education record.

While the ESD is not required to give an eligible student or student's parent(s) access to treatment records under the definition of "education records" in OAR 581-021-0220 (5)(b)(D), the eligible student or student's parent(s) may, at his/her expense, have those records reviewed by a physician or other appropriate professional of his/her choice.

If an eligible student or student's parent(s) so requests, the ESD shall give the eligible student or student's parent(s) a copy of the student's education record. The ESD may recover a fee for providing a copy of the record, but only for the actual costs of reproducing the record. The ESD shall not provide the eligible student or student's parent(s) with a copy of test protocols, test questions and answers and other documents described in ORS 192.501(4).

The ESD may deny a request for a copy or copies of the education record when the ESD believes that a legitimate cause exists for such a denial, including but not limited to, a request to copy the

education record that would require the education record to be copied off district property or copied by an individual other than ESD personnel.

Fees for copies of education records may be charged. Any such fees will be established by the superintendent to reasonably reimburse the ESD for actual costs of making copies of the education records. However, the superintendent or designee may provide copies of education records without a fee, if requested by the parent or eligible student, and if the superintendent or designee determines that a failure to provide such copies would effectively prevent the person from exercising the right to inspect and review such records.

The ESD will maintain a list of the types and locations of education records maintained by the ESD and the titles and addresses of officials responsible for the records.

All student education records will be maintained at the school building or ESD program site at which the student is in attendance. The ESD program administrator or designee shall be the person responsible for maintaining and releasing the education records.

6. Release of Personally Identifiable Information

Personally identifiable information shall not be released without prior written consent of the parent or the eligible student except in the following cases:

- a. The disclosure is to other ESD officials, including teachers, within the ESD who have a legitimate educational interest.

As used in this section, “legitimate educational interest” means, a licensed staff member having the student in class, the student’s counselor or other licensed staff due to special referral or participating in staffings, programming or case review of a specifically named student.

The ESD shall maintain, for public inspection, a listing of the names and positions of individuals within the ESD who have access to personally identifiable information with respect to students with disabilities.

- b. The disclosure is to officials of another program within the ESD, another school system or an institute of postsecondary education where the student seeks or intends to enroll;
- c. The disclosure is to authorized representatives of:

- (1) The Comptroller General of the United States;
- (2) The Secretary of the United States Department of Education; or
- (3) State and local educational authorities.

- d. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:

- (1) Determining eligibility for the aid;
- (2) Determining the amount of the aid;
- (3) Determining the conditions for the aid; or
- (4) Enforcing the terms and condition of the aid.

As used in this section “financial aid” means any payment of funds provided to an individual that is conditioned on the individual’s attendance at an educational agency or institution.

- D** e. The disclosure is to organizations conducting studies for, or on behalf of, the district to:
- (1) Develop, validate or administer predictive tests;
 - (2) Administer student aid programs; or
 - (3) Improve instruction.

The ESD may disclose information under this section only if:

- (1) The study is conducted in a manner that does not permit personal identification of parents or students by individuals other than representatives of the organization; and
- (2) The information is destroyed when no longer needed for the purposes for which the study was conducted.

For purposes of this section, the term “organization” includes, but is not limited to, federal, state and local agencies, and independent organizations.

- f. The disclosure is to accrediting organizations to carry out their accrediting functions;
- g. The disclosure is to comply with a judicial order or lawfully issued subpoena. The ESD may disclose information under this section only if the ESD makes a reasonable effort to notify the eligible student or student’s parent(s) of the order or subpoena in advance of compliance;
- h. The disclosure is to parents of a dependent student, as defined in section 152 of the Internal Revenue Code of 1986;
- i. The disclosure is in connection with a health or safety emergency. The ESD shall disclose personally identifiable information from an education record to law enforcement, child protective services and health-care professionals, and other appropriate parties 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.

As used in this section a “health or safety emergency” includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnap, abduction or custodial interference and law enforcement or child protective services efforts to respond to a report of child abuse or neglect pursuant to applicable state law.

- j. The disclosure is information the ESD has designated as “directory information”;
- k. The disclosure is to the parent of a student who is not an eligible student or to an eligible student;
- l. The disclosure is to an education service district, state regional program or an educational agency other than those requesting a transfer of the student’s education record as outlined in OAR 581-021-0250 (1)(1), if the student seeks or intends to enroll in or receives services from the educational agency. The term “receives services” includes, but is not limited to, an evaluation or reevaluation for purposes of determining whether a student has a disability;
- m. The disclosure is to Lane ESD’s Board of Directors during an executive session pursuant to ORS 332.061.

7. Record Keeping Requirements

Lane ESD shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student. Exceptions to the record-keeping requirements shall include the parent, eligible student, school official or his/her assistant responsible for custody of the records and parties authorized by state and federal law for auditing purposes. The ESD shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure the record must include:

- a. The party or parties who have requested or received personally identifiable information from the education records; and
- b. The legitimate interests the parties had in requesting or obtaining the information.

The following parties may inspect the record of request for access and disclosure to a student's personally identifiable information:

- a. The parent or eligible student;
- b. The ESD program administrator or his/her assistants who are responsible for the custody of the records;
- c. Those parties authorized by state or federal law for purposes of auditing the record-keeping procedures of the ESD.

8. Request for Amendment of Student's Education Record

If an eligible student or student's parent(s) believes the education records relating to the student contain information that is inaccurate, misleading or in violation of the student's rights of privacy or other rights, he/she may ask the appropriate ESD program administrator where the record is maintained to amend the record.

The appropriate ESD program administrator shall decide, after consulting with the necessary staff, whether to amend the record as requested within a reasonable time after the request to amend has been made.

The request to amend the student's education record shall become a permanent part of the student's education record.

If the appropriate ESD program administrator decides not to amend the record as requested, the eligible student or the student's parent(s) shall be informed of the decision and of his/her right to appeal the decision by requesting a hearing.

9. Hearing Rights of Parents or Eligible Students

If the appropriate ESD program administrator decides not to amend the education record of a student as requested by the eligible student or the student's parent(s), the eligible student or student's parent(s) may request a formal hearing for the purpose of challenging information in the education record as inaccurate, misleading or in violation of the privacy or other rights of the student. The ESD shall appoint a hearings officer to conduct the formal hearing requested by the eligible student or student's parent. The hearing may be conducted by any individual, including an official of the ESD, who does not have a direct interest in the outcome of the hearing. The hearings officer will establish a date, time and location for the hearing. The hearing will be held within 10 working days of receiving the written or verbal request for the hearing.

The hearings officer will convene and preside over a hearing panel consisting of:

- a. The appropriate ESD program administrator or designee;
- b. A member chosen by the eligible student or student's parent(s); and
- c. A disinterested, qualified third party appointed by the superintendent.

The parent or eligible student may, at his/her own expense, be assisted or represented by one or more individuals of his/her own choice, including an attorney. The hearing shall be private. Persons other than the student, parent, witnesses and counsel shall not be admitted. The hearing officer shall preside over the panel. The panel will hear evidence from the school staff and the eligible student or student's parent(s) to determine the point(s) of disagreement concerning the records. Confidential conversations between a licensed employee or ESD counselor and a student shall not be part of the records hearing procedure.

The eligible student or student's parent(s) has the right to insert written comments or explanations into the record regarding the disputed material. Such inserts shall remain in the education record as long as the education record or contested portion is maintained and exists. The panel shall make a determination after hearing the evidence and makes its recommendation in writing within 10 working days following the close of the hearing.

The panel will make a determination based solely on the evidence presented at the hearing and will include a summary of the evidence and the reason for the decision. The findings of the panel shall be rendered in writing not more than 10 working days following the close of the hearing and submitted to all parties.

If, as a result of the hearing, the panel decides that the information in the education record is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the eligible student or student's parent(s) of the right to place a statement in the record commenting on the contested information in the record stating why he/she disagrees with the decision of the panel. If a statement is placed in an education record, the ESD will ensure that the statement:

- a. Is maintained as part of the student's records as long as the record or contested portion is maintained by the ESD; and
- b. Is disclosed by the ESD to any party to whom the student's records or the contested portion are disclosed.

If, as a result of the hearing, the panel decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall:

- a. Amend the record accordingly; and
- b. Inform the parent or the eligible student of the amendment in writing.

10. Transfer of Education Records

The ESD shall, subject to ORS 339.260, transfer originals of all requested student education records, relating to the particular student to the new educational agency when a request to transfer the education records is made to the ESD. The transfer shall be made no later than 10 days after receipt of the request. Readable copies of the following documents shall be retained:

- a. The student's permanent records, for one year;
- b. Such special education records as are necessary to document compliance with state and federal audits, or five years after the end of the school year in which the original was created. In the case of records documenting speech pathology and physical therapy services, until the student reaches age 21 or 5 years after last seen, whichever is longer.

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LANE EDUCATION SERVICE DISTRICT

REQUEST TO FORWARD STUDENT RECORDS

Student's Full Name: _____

Student's Date of Birth: _____

School Year(s) Student was Enrolled in Home School: _____

Parent's/Guardian's Full Name: _____

Parent's/Guardian's Current Address: _____

Parent's/Guardian's Current Phone Number: _____

I am requesting that Lane ESD forward copies of my student's records to: _____

Parent's/Guardian's Signature: _____

Date: _____

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**Lane Education Service District
Disclosure Statement**

Required for use in collecting personally identifiable information
related to social security numbers.

On any form that requests the social security number (SSN), the following statement shall appear just above the space for the SSN:

“Providing your social security number (SSN) is voluntary. If you provide it, Lane ESD will use your SSN for record keeping, research, and reporting purposes only. The ESD will not use your SSN to make any decision directly affecting you or any other person. Your SSN will not be given to the general public. If you choose not to provide your SSN, you will not be denied any rights as a student. Please read the statement on the back of this form that describes how your SSN will be used. Providing your SSN means that you consent to the use of your SSN in the manner described.”

On the back of the same form, or attached to it, the following statement shall appear:

OAR 581-021-0250 (1)(j) authorizes ESD’s and school districts to ask you to provide your social security number (SSN). The SSN will be used by the ESD for reporting, research and record keeping. Your SSN will also be provided to the Oregon Department of Education. The Oregon Department of Education gathers information about students and programs to meet state and federal statistical reporting requirements. It also helps ESD’s, school districts and the state research, plan and develop educational programs. This information supports the evaluation of educational programs and student success in the workplace.

The ESD and Oregon Department of Education may also match your SSN with records from other agencies as follows:

The Oregon Department of Education uses information gathered from the Oregon Employment Division to learn about education, training and job market trends. The information is also used for planning, research and program improvement.

State and private universities, colleges, community colleges and vocational schools use the information to find out how many students go on with their education and their level of success.

Other state agencies use the information to help state and local agencies plan educational and training services to help Oregon citizens get the best jobs available.

Your SSN will be used only for statistical purposes as listed above. State and federal law protects the privacy of your records.

Lane Education Service District

Code: JOA-AR
Adopted: 3/14/94
Readopted: 7/10/01
Orig. Code(s): JOA-AR

Lane Education Service District Publicity Release** **Recommend Delete**

Child's Name: _____

I grant my permission to Lane ESD and [_____] School District for release of my child's name, photograph, address and any other information about him/her for public information purposes to such extent and in such manner and for such public information as deemed appropriate by Lane ESD and [_____] School District. Parents/Guardians will be informed of each release.

Signature _____

Date _____

NOTE: Parents/Guardians will be notified before each release.

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Lane Education Service District

Code: JOD
Adopted: 2/27/96
Revised/Readopted: 7/10/01
Orig. Code(s): JOD

Media Access to Students **Propose delete**

The Board recognizes the important role the media serves in reporting information about Lane ESD's programs, services and activities. Therefore, the ESD will make every reasonable effort to provide media access to students.

School and ESD program administrators shall be authorized to grant permission and set parameters for media access to students in their respective schools and programs. The media may interview and photograph students involved in instructional programs and school or ESD activities including athletic events. Such media access shall not be unduly disruptive and shall comply with Board policies and ESD goals.

Media representatives shall be required to report to the administration for prior approval before accessing students involved in instructional programs and activities not attended by the general public.

Information obtained by media representatives directly from students does not require parental approval prior to publication by the media. Parents who do not want their student interviewed or photographed by the media may direct their student accordingly. Students may also choose not to be interviewed or photographed.

Lane ESD employees may release student information to the media only in accordance with applicable provisions of the education records law and Board policies governing directory information and personally identifiable information.

Parents will be advised of this policy at the time of the student's registration and each fall in the student/parent handbook.

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

Legal Reference(s):

[ORS 30.864](#)
[ORS 107.154](#)
[ORS 326.565](#)

[ORS 326.575](#)
[OAR 581-021-0220 to -0440](#)

[OAR 581-022-2060](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2012).
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).

Lane Education Service District

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The following symbol is used on some policies:

** As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005(4) and 125.300-125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.

Lane Education Service District

Code: EB
Adopted: 3/29/94
Readopted: 1/22/02
Orig. Code(s): EB

Safety Program

The Board recognizes its responsibility for the safety of students, Lane ESD employees and others citizens while they are on and in the facilities of the ESD.

~~The Board shall provide, publish and post rules for safety and the prevention of accidents; shall ensure that students, teachers and other staff members are instructed in safety and accident prevention; shall provide protective devices where they are required for the safety of students and employees and shall provide suitable and safe equipment for the conduct of the program and the operation of the ESD. It shall be the policy of the Board to carry out the intent of the Oregon Safe Employment Act.~~

~~The superintendent shall prepare rules governing safety and the prevention when possible of accidents, Safe buildings, grounds and equipment will be maintained in order to prevent accidents or injury to students, employees and others from fire, natural disasters, mechanical and electrical malfunction, natural disasters and other hazards which shall include as a minimum the requirements of law and the applicable rules and regulations of various departments of state government. He/She shall appoint a staff member as safety officer, charged with responsibility for implementing the ESD's safety program.~~

Buildings will be planned, equipped and maintained in accordance with appropriate local, state and federal safety regulations.

Buildings will be provided with alarm systems, fire extinguishers and other safety devices required by state and federal laws and regulations.

The superintendent will develop and implement a safety program which will include, but not be limited to, compliance with and enforcement of all state and federal laws, rules and regulations. [The superintendent shall appoint a staff member as safety officer, charged with responsibility for implementing the ESD's safety program.] ~~[The superintendent is appointed as safety officer and is charged with responsibility for implementing the ESD's safety program.]~~

END OF POLICY

Legal Reference(s):

[ORS 654.003 to -654.022](#)

[OAR 437-001-0760](#)

[OAR 437-002-0020 to -0081](#)

[OAR 437-002-0100](#)

[OAR 437-002-0140](#)

[OAR 437-002-0144](#)

[OAR 437-002-0145](#)

[OAR 437-002-0180 to -0182](#)

[OAR 437-002-0260 to -0268](#)

[OAR 437-002-0360](#)

[OAR 437-002-0368](#)

[OAR 437-002-0377](#)

[OAR 437-002-0390](#)

[OAR 437-002-0391](#)

[OAR 581-024-0275](#)

Fazzolari v. Portland Sch. Dist. No. 1J, 303 Or. 1 (1987).
Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2006); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2006).

Lane Education Service District

Code: EB-AR(1)
Adopted: 4/15/94
Readopted: 4/23/02
Orig. Code(s): EB-AR(1)

Reporting of Hazards

(This does not usually rise to the level of AR. Internal procedure? Is it current?)

Before purchases or requisitions of any chemical which is a physical or health hazard can be made by any ESD personnel, a Material Safety Data Sheet (MSDS) from the supplier must be on file with the facilities manager, ESD front desk and in the work area that the material will be used.

When the purchase or requisition is made, the purchaser must do the following:

1. Request that the supplier provide a National Fire Protection Association (NFPA) label as specified in the Material Hazard Analysis (MHA) on each package shipped;
2. Request an MSDS from the supplier;
3. File the forms in the appropriate binders.

Definitions

1. Health Hazard: A chemical for which there is statistically significant evidence based at least on study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed employees. The term "health hazard" includes chemicals which are carcinogens, toxic or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatotoxins, nephrotoxins, neurotoxins, agents which act on the hematopoietic system and agents which damage the lungs, skin, eyes or mucous membranes.
2. Physical Hazard: A chemical for which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive) or water-reactive.

Container Labeling

1. The supervisor of each work area shall verify that all containers received for use will:
 - a. Be clearly labeled as to the contents;
 - b. Note the appropriate hazard warning;
 - c. List the name and address of the manufacturer.
2. The supervisor of each work area will ensure that all secondary containers are labeled with either an extra copy of the original manufacturer's label or with a locally produced label listing all the hazard warnings of the original label.
3. The supervisor of each work area will review the labeling requirements every month and update as required.

Written Hazard Communication Forms

1. The supervisor of each work area will be responsible for obtaining and maintaining the Material Hazard Analysis (MHA) sheets.
2. The supervisor of each work area will review incoming Material Hazard Analysis sheets for new and significant health/safety information. They shall see that any new information is passed on to the affected employees.
3. Copies of Material Safety Data Sheets (MSDS's) for all hazardous chemicals to which employees may be exposed will be kept in the administrative services area.
4. MSDS's will be available to all employees at the ESD front desk and that information contained on the MSDS's will be provided to the work areas by means of the Material Hazard Analysis Sheet. If MHA sheets are not available for new chemicals in use, contact Coop Purchasing.
5. A written description identifying chemical composition and hazards of each hazardous waste shall be provided to the facilities manager.

List of Hazardous Chemicals

1. A comprehensive listing of all known hazardous chemicals shall be compiled and kept by the facilities manager. Information on each listed chemical can be obtained by reviewing the MHA sheet located in the work area and the MSDS located at the ESD front desk.

Hazardous Nonroutine Tasks

1. Periodically, employees are required to perform hazardous nonroutine tasks. Prior to starting work on such projects, each involved employee will be given information by the work area supervisor about hazardous chemicals to which they may be exposed during such activity.
2. Examples of nonroutine tasks performed by employees:
 - a. Cleaning up hazardous materials spills.

INFORMING CONTRACTORS

In the Building

1. It is the responsibility of the administrator to provide outside contractors with the following information concerning operations:
 - a. Hazardous chemicals to which contractor personnel may be exposed while performing work within the building;
 - b. Precautions the employees may take to lessen the possibility of exposure by usage of appropriate protective measures.
2. Contractors shall provide the facilities manager with an MSDS for all hazardous materials to be brought on board before work is to commence.

Outside the Building

1. Each contractor shall establish a hazard control zone for outside work. It is the responsibility of the contractor to protect and inform all personnel entering the contractor's control zone as required by state and federal regulations.

Employee Training and Information

1. The safety committee is responsible for the Hazardous Materials employee training program. The committee will make sure that all elements specified below are carried out.
2. Prior to starting work each new employee will receive information and training on the following:
 - a. Chemicals present in their workplace operations;
 - b. Location and availability of this written hazard communication program;
 - c. Physical and health effects of the hazardous chemicals;
 - d. Methods and observation techniques used to determine the presence or release of hazardous chemicals in the work area;
 - e. Emergency procedures to follow if they are exposed to these chemicals;
 - f. How to read labels and review MHA sheets and MSDS's to obtain appropriate hazard information;
 - g. Location of MSDS file and location of hazardous chemical list.
3. After attending the training class, each employee will sign a form to verify that he/she has attended the training and understand the policy on hazardous chemicals and the hazard communication

program.

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Lane Education Service District

Code: EB-AR(2)
Adopted: 8/17/94
Readopted: 4/23/02
Orig. Code(s): EB-AR(2)

Lockout/Tagout Regulations

(This does not usually rise to the level of AR. Internal procedure? Is it current?)

Lane ESD shall establish a program consisting of energy control procedures, employee training and periodic inspections. The program will ensure that before any employee performs any servicing or maintenance on a machine or equipment, the machine or equipment shall be isolated from the energy source and rendered inoperative.

To further the ESD's effort to protect employees from harm, the following regulation has been established:

All power equipment shall be completely isolated from all power during servicing and maintenance. This will be accomplished by affixing appropriate lockout or tagout devices to energy isolating devices. Machines and equipment will all be disabled to further prevent unexpected energization, start-up or release of stored energy. This will be done for the purpose of preventing injury to all employees during servicing or maintenance of power equipment.

1. Responsibility and Training

- a. Authorized employees are those employees authorized to implement the lockout/tagout procedure.

Each authorized employee will receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace and the methods and means necessary to obtain a "Zero Energy State."

- b. Affected employees are those employees who operate equipment from which power may be isolated so that servicing can be performed or who work in areas where servicing will be performed on energy-isolated equipment. Each affected employee will be instructed in the purpose and use of the energy control procedure.
- c. Other employees whose work operations are or may be in an area where energy control procedures may be utilized will be instructed about the procedure and about the prohibition relating to attempts to restart or re-energize machines or equipment which are locked out or tagged out.

Employees will also be trained in the following limitations of tags:

- a. Tags are essentially warning devices affixed to energy-isolating devices and do not provide the physical restraint on those devices that is provided by a lock;
- b. When a tag is attached to an energy-isolating device, it is not to be removed without approval of the authorized person responsible for it and it is never to be bypassed, ignored or otherwise defeated;
- c. Tags will be legible and understandable by all authorized employees, affected employees and all other employees whose work operations are or may be in the area, in order to be effective;

- d. Tags and their means of attachment will be made of materials which will withstand the environmental conditions encountered in the workplace;
- e. It is important that tags do not evoke a false sense of security. To avoid this, their meaning needs to be understood as part of the overall energy control program;
- f. Tags will be securely attached to energy-isolating devices so that they cannot be inadvertently or accidentally detached during use.

2. Periodic Inspection

Period inspections of the energy control procedure will be conducted at least annually to ensure the procedure and the requirements are being followed.

- a. The periodic inspection will be performed by a designated management representative other than the one(s) utilizing the energy control procedure being inspected.
- b. The periodic inspection is designed to correct any deviations or inadequacies observed.
- c. Where lockout is used for energy control, the periodic inspection will include a review, between the inspector and each authorized employee, of that employee's responsibilities under the energy control procedure being inspected.
- d. Where tagout is used for energy control, the periodic inspections will include a review, between the inspector and each authorized and affected employee, of that employee's responsibilities under the energy control procedure being inspected and the elements set forth under Responsibilities and Training.

The consequences of deviating from provisions in this rule can be severe in terms of human suffering and loss. Deviations from these procedures will include a determination of how to improve the procedures so

that no future deviations will occur.

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Lane Education Service District

Code: EB-AR(3)
Adopted: 1/10/96
Readopted: 4/23/02
Orig. Code(s): EB-AR(3)

Holiday Decorations

(This does not usually rise to the level of AR. Internal procedure? Is it current?)

Decorations may be used in Lane ESD buildings in accordance with Oregon Fire Safety Regulations. The following guidelines are to be used:

1. Candles or any other sources of open flame are not allowed;
2. Decorative lighting may be used only under the following conditions:
 - a. All decorative lighting shall conform to the Uniform Fire and Electrical Code;
 - b. Miniature electrical lights and decorations may be used in work area decorations and on trees under six feet tall. Lights must be UL-listed and in perfect condition. Only UL-listed heavy-duty extension cords in perfect condition with built-in overload protection may be used;
 - c. Electrical decorations may not be used on artificial metallic trees or decorations or on trees over six feet tall.
3. All decorations shall be either inherently fire retardant or treated with a flame-retardant to be flame resistant. Decorations shall not exceed 20 percent of a wall or door;
4. Christmas trees shall not be placed in any required exit path and shall be mounted securely in a tree stand with a water-type reservoir. Fresh water shall be added daily.
5. Natural cut trees and decorations (such as boughs and wreaths) shall be removed immediately at any indication of dryness such as brittleness, loss of color or falling needles.

The ESD safety committee may be consulted with regard to questions about decorations and is the final authority regarding the use of such decorations. In cases where decorations are deemed to be unsafe according to these regulations or Oregon Fire Safety Regulations, the safety committee shall require the decorations to be removed.

Lane Education Service District

Code: EBAC
Adopted: 1/22/02
Orig. Code(s): EBAC

Safety Committee

A safety committee shall be established to implement Lane ESD's safety program as part of an ongoing effort to help ensure the safety of students, staff and others while on ESD property.

The superintendent [or designee] will coordinate the efforts of the ESD's safety committee efforts and maintain all necessary records.

The superintendent will develop administrative regulations rules as may be necessary to implement this policy and meet the applicable Oregon Occupational Safety and Health Division Administration requirements.

END OF POLICY

Legal Reference(s):

[ORS 654.176](#)
[ORS 654.182](#)

[OAR 437-001-0765](#)
[OAR 581-024-0275\(3\)](#)

Lane Education Service District

Code: EBAC-AR
Adopted: 4/15/94
Revised/Readopted: 4/23/02
Orig. Code(s): EBAC-AR

Safety Committee

ESD Safety Officer

The superintendent shall designate an ESD safety officer. The safety officer shall:

1. Establish an ESD safety committee, ~~advisory to advise the safety officer on implementing, to implement and monitoring~~ monitor the ESD's district safety program.;
2. Be responsible for writing and implementing an ESD safety program (The written program shall include reporting procedures and in-service safety training program.);
3. Coordinate all matters relating to safety and shall make, or cause to be made, periodic inspections of sites.;
4. Maintain a liaison relationship with applicable agencies outside the ESD.;
5. Assist all administrators and department supervisors as necessary in the preparation and implementation of their site safety programs.;
6. Maintain the accident record system; make necessary reports, personally investigate fatal, serious and potentially serious accidents; and check corrective action taken by teachers or other personnel to eliminate causes of accidents.;
7. Establish specific goals for the ESD's safety program and evaluate goals and accomplishments on a regular basis.

~~[ESD Safety Committee]¹~~

~~An safety committee may be established by the safety officer. The primary functions of this committee shall be to assist the safety officer in planning, implementing and evaluating a comprehensive safety program and to assist the site safety committees in the coordination of safety activities. Reasonable efforts shall be made to ensure that committee members are representative of the ESD's various sites where employees work and students and patrons of the ESD may gather. This committee shall be chaired by the safety officer. This committee shall meet at least three times each year. The members of the committee may change but shall include at least the following employees:~~

8. ~~[The safety officer;]~~

¹ [If item 1 above is selected, this section is recommended.]

9. ~~[The technology services program administrator;]~~
10. ~~[The special education program administrator;]~~
11. ~~[The human resources program administrator;]~~
12. ~~[Other program administrator;]~~
13. ~~[A principal;] [and]~~
14. ~~[Representatives from appropriate agencies when there is a need (e.g. workers' compensation carrier, insurance agent of record).]~~

ESD Safety Committee

~~An ESD~~The safety committee shall be established by the superintendent to represent the safety and health concerns of ESD employees and students.

The ~~district~~ safety committee shall be composed of an equal number of employer and employee representatives [at the site]. When agreed upon by employees and the ESD, the number of employees on the committee may be greater than the number of ESD representatives. ~~[The committee will consist of no fewer than 2 members for [an ESD] with 20 or less employees.] [The committee will consist of no fewer than 4 members for [an ESD] districts with more than 20 employees.]~~ , preferably from our 4 major service areas—Technology, Special Education, School Improvement and Business/HR.

A reasonable attempt will be made to ensure that committee members represent major work activities.

Employee representatives shall be volunteers or elected by their peers unless there is a provision in the collective bargaining agreement that addresses the selection of employee representatives. Members of the committee shall serve at least a continuous one-year term. Terms shall be staggered to provide continuity. There shall be a chair elected by the district safety committee.

Employee representatives attending safety committee meetings outside the regularly scheduled workday shall be compensated by the employer at the regular hourly wage.

The ESD safety committee will:

1. Hold regular meetings at least once a month except months when quarterly workplace safety inspections are made. This does not exclude other months from ESD safety committee meetings if more frequent safety inspections are conducted. Quarterly safety committee meetings may be substituted for monthly meetings when the committee's sole area of responsibility involves low hazard work environments such as the ESD district office;
2. Provide written agendas for each meeting which shall set the order of business;
3. Make written records of each meeting which the ESD shall review and maintain for three years for inspection;
4. Post and send copies of meeting records to committee members;

5. Assist in creating a hazard-free work environment by:

- a. Recommending to the ESD how to eliminate hazards in the workplace and promote promoting employee adherence to safe work practices; and
- b. Using lines of communications to promote cooperative attitudes between all persons involved in the operations of the workplace.

Duties of the site safety committee will include:

1. Establishing procedures for minimum quarterly workplace safety inspections of a safety committee inspection team to locate and identify safety and health hazards. The safety inspection team shall include employer and employee representatives. The team shall document the location and identity of the hazards and make recommendations as to how and when the hazards will be corrected;
2. Establishing procedures for investigating all significant safety-related incidents including injury accidents, illnesses and deaths for the purpose of recommending corrective action necessary to prevent similar events from recurring;
3. Evaluating ESD policies which may affect safety and health in the workplace and make recommendations for changes to existing policies or adoption of new policies;
4. Evaluating all the accident and illness prevention programs brought to the committee's attention and making recommendations necessary to make the programs more applicable to the workplace;
5. Establishing a system whereby the safety committee can obtain information that would help in creating a hazard-free work environment, directly from all persons involved in the operations of the workplace. The information obtained shall be reviewed at the next safety committee meeting;
6. Establishing procedures for the review of all safety and health inspection reports made by the committee and making necessary recommendations;
7. Establishing procedures for the review of corrective action taken on the committee's recommendations or determining the reasons why no corrective action was taken;
8. Making all reports, evaluations and recommendations of the safety committee a part of the minutes of the safety committee; and
9. Evaluating employee/supervisor training needs.

Degree of Authority

The ESD safety committee is authorized to make written suggestions to the ESD safety officer, based on its experiences, inspections and input from other employees, students and ESD patrons, as appropriate.

Lane Education Service District

Code: EBB
Adopted: 11/15/11
Readopted: 2/24/15
Orig. Code(s): EBB

Integrated Pest Management

To ensure the health and safety concerns of student, staff and community members, the ESD shall adopt an integrated pest management plan (IPM)[†] which emphasizes the least possible risk to students, staff and community members and shall adopt a list of low-impact pesticides for use with the IPM plan.

The IPM plan is a proactive strategy that:

1. Focuses on the long-term prevention or suppression of pest problems through economically sound measures that:
 - a. Protect the health and safety of students and staff;
 - b. Protect the integrity of ESD buildings and grounds;
 - c. Maintain a productive learning environment; and
 - d. Protect local ecosystem health.
2. Focuses on the prevention of pest problems by working to reduce or eliminate conditions of property construction, operation and maintenance that promote or allow for the establishment, feeding, breeding and proliferation of pest populations or other conditions that are conducive to pests or that create harborage for pests;
3. Incorporates the use of sanitation, structural remediation or habitat manipulation or of mechanical, biological and chemical pest control measures that present a reduced risk or have a low-impact and, for the purpose of mitigating a declared pest emergency, the application of pesticides that are not low-impact pesticides;
4. Includes regular monitoring and inspections to detect pests, pest damage and unsanctioned pesticide usage;
5. Evaluates the need for pest control by identifying acceptable pest population density levels;
6. Monitors and evaluates the effectiveness of pest control measures;
7. Excludes the application of pesticides on a routine schedule for purely preventive purposes, other than applications of pesticides designed to attract or be consumed by pests;
8. Excludes the application of pesticides for purely aesthetic purposes;
9. Includes ESD staff education about sanitation, monitoring, inspection and pest control measures;

[†] See Model Integrated Pest Management Plan for Oregon Schools at http://www.ipmnet.org/tim/IPM_in_Schools/Model_School_IPM_Plan_Main_Page.html

10. Gives preference to the use of nonchemical pest control measures;
11. Allows the use of low-impact pesticides if nonchemical pest control measures are ineffective; and
12. Allows the application of a pesticide that is not a low-impact pesticide only to mitigate a declared pest emergency or if the application is by, or at the direction or order of, a public health official.

The ESD shall designate the [facilities manager] as the Integrated Pest Management Plan Coordinator give them the authority for overall implementation and evaluation of the IPM plan.

Integrated Pest Management Plan Coordinator

The IPM Plan Coordinator shall:

1. Attend not less than six hours of IPM training each year. The training shall include at least a general review of integrated pest management principles and the requirements of IPM as required by Oregon statute;
2. Ensure appropriate prior notices are given and posted warnings have been placed when pesticide applications are scheduled;
3. Oversee pest prevention efforts;
4. Ensuring identification and evaluation of pest situation;
5. Determine the means of appropriately managing pest damage that will cause the least possible hazard to people, property and the environment;
6. Ensure the proper use and application of pesticide applications when non-pesticide controls have been unsuccessful;
7. Evaluate pest management results; and
8. Keep for at least four years following the application date, records of applied pesticides that include:
 - a. A copy of the label;
 - b. A copy of the Data Safety Data Sheet (SDS);
 - c. The brand name and U.S. Environmental Protection Agency (USEPA)² registration number of the product;
 - d. The approximate amount and concentration of pesticide applied;
 - e. The location of where the pesticide was applied;
 - f. The type of application and whether the application was effective;
 - g. The name(s) of the person(s) applying the pesticide;
 - h. The pesticide applicator's license numbers and pesticide trainee or certificate numbers of the person applying the pesticide;
 - i. The dates and times for the placement and removal of warning signs; and
 - j. Copies of all required notices given, including the dates the IPM Coordinator gave the notices.

²U.S. Environmental Protection Agency

9. Respond to inquiries about the IPM plan and refer complainants to Board policy KL - Public Complaints;
10. Conduct outreach to ESD staff about the ESD's IPM plan.

END OF POLICY

Legal Reference(s):

[ORS 634.116](#)

[ORS 634.700 to -634.750](#)

Lane Education Service District

Code: EBBA
Adopted: 4/26/94
Revised/Readopted: 1/22/02
Orig. Code(s): EBBA

First Aid** (Version 1)

(See revised policy EBC for information on First Aid)

In cases of sudden illness or injury to a student or staff member, assistance will be given by staff members trained in first aid. Staff shall notify the parent or designated contact of the emergency as quickly as possible. Further medical attention to students is the responsibility of parents or of someone the parents or guardians designate in case of emergency.

In all cases where the nature of the illness or injury is deemed so serious as to indicate the student's health would be endangered or undue suffering would be caused by delay, immediate emergency and medical/hospital services shall be arranged.

Each teacher and/or program supervisor is charged with providing for the immediate care of ill or injured persons within his/her area of control.

Staff members shall report self-administered first-aid treatment to an immediate supervisor.

Procedures for handling health emergencies will be established and made known to the staff. Each school and district vehicle will be equipped with first-aid supplies and equipment in accordance with Oregon Occupational Safety and Health Administration requirements.

All employees are expected to know where first-aid supplies and equipment are kept in their work areas. Designated employees shall hold current first-aid cards. The names of designated first-aid providers shall be posted in all ESD facilities.

END OF POLICY

Legal Reference(s):

ORS 329.025	ORS 336.211 - 336.214	OAR 581-021-0590
ORS 334.125	OAR 581-021-0017	OAR 581-022-2050
ORS 336.201	OAR 581-021-0031	OAR 581-022-2220
ORS 336.204	OAR 581-021-0587	OAR 581-022-2515

Every Student Succeeds Act of 2015, 20 U.S.C. § 8548 (2018).
Family Education Rights and Privacy Act 20 U.S.C. § 1232g (2018).

Lane Education Service District

Code: EBBA
Adopted:

Student Health Services**

(Version 2)

{Highly recommended policy for ESDs that operate schools. The requirement for ESDs to develop and implement a health services plan comes from OAR 581-022-2220.}

(This policy would replace JHC if present in the ESD's manual.)

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. A health services plan shall be developed, implemented, and updated annually. The plan shall describe a health services program for all students at each facility that is owned or leased where students are present for regular programming.

The ESD shall maintain a written prevention-oriented health services plan for all students. The health services plan will¹:

1. Explain available health care space that is appropriately supervised and adequately equipped for providing health care and administering medication or first aid;
2. Refer to available communicable disease prevention and management plan that includes school-level protocols²;
3. Outline an ESD-to-school communication plan³;
4. Provide information about health screenings, including immunizations and TB certificate requirements;
5. Describe how services for all students, including those who are medically complex, medically fragile or nursing dependent, and those who have approved 504 plans, individual education program plans, and individualized health care plans or special health care needs are managed⁴;
6. Integrate school health services with school health education programs and coordinate with health
7. Describe how hearing, vision and dental screenings are managed and/or verified for required students⁵ and social service agencies, public and private;

¹ For exact language and complete requirement see OAR 581-022-2220(1).

² For specific protocol content requirements see OAR 581-022-2220(1)(b).

³ For requirements of this plan see OAR 581-022-2220(1)(c).

⁴ For more information regarding these requirements see ORS 336.201 and 339.869, OARs 581-021-0037, 581-015-2040, 581-015-2045, 851-045-0040 – 0060, and 851-047-0010 – 0030.

⁵ For vision screening or eye examination or dental screening information see ORS 336.211 and 336.213.

8. Include a process to assess and determine a student’s health services needs, including availability of a nurse to assess student nursing needs upon, during, and following enrollment with one or more new medical diagnose(s) impacting a student’s access to education, and implement a student’s individual health plan prior to attending school⁶;
9. Comply with OR-OSHA Bloodborne Pathogens Standards for all persons who are assigned to job tasks which may put them at risk for exposure to body fluids⁷;
10. Refer to adopted policy and procedures for medications in accordance with Oregon law⁸;
11. Include guidelines for the management of students who are medically complex, medically fragile, or nursing dependent as defined by ORS 336.201, including students with life-threatening food allergies and adrenal insufficiency while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before-school or after-school care programs on school-owned property, and in transit to or from school or school-sponsored activities⁹[; and][.]
12. [List the positions in the ESD which shall be required to obtain and maintain a first-aid/CPR/AED card in accordance with OAR 581-022-2220 (3).]

[Any nurse(s) employed by the ESD and providing services to students and the ESD shall be licensed in Oregon to practice as a registered nurse or nurse practitioner or be a licensed practical nurse (LPN) in alignment with LPN supervision requirements of OAR 851-045-0050 - 0060.

A nurse employed by 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 a student prior to delegation, providing adequate supervision during the delegation, and evaluating the skills, ability and willingness of the delegee.¹⁰

A nurse employed by the ESD 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.]

[The ESD provides a menstrual product dispenser with a variety of products in every student bathroom¹¹ which meets the requirements of law.]

END OF POLICY

⁶ For definitions for this policy see ORS 336.201.

⁷ OAR 437-002-0360 lists various health and safety regulations that apply in the employment setting.

⁸ Medication laws can be found in ORS 339.866 – 339.874 and OAR 581-021-0037; relevant Board policy includes JHCD/JHCDA - Medications.

⁹ For guideline requirements see OAR 581-022-2220(1)(k).

¹⁰ For additional delegation requirements see OAR [851-047-0030](#).

¹¹ [“Student bathroom” means a bathroom that is accessible by students, including a gender-neutral bathroom, a bathroom designated for females, and a bathroom designated for males. (OAR 581-021-0587)]

Legal Reference(s):

[ORS 329.025](#)
[ORS 334.125](#)
[ORS 336.201](#)
[ORS 336.204](#)

[ORS 336.211 - 336.214](#)
[OAR 581-021-0017](#)
[OAR 581-021-0031](#)
[OAR 581-021-0587](#)

[OAR 581-021-0590](#)
[OAR 581-022-2050](#)
[OAR 581-022-2220](#)
[OAR 581-022-2515](#)

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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Lane Education Service District

Code: EBBA-AR
Adopted: 6/15/94
Revised/Readopted: 1/22/02
Orig. Code(s): EBBA-AR

Handling and Disposing of Contaminated Fluids

(Refer to current training requirements.)

Health Division information about the transmission of diseases including AIDS and Hepatitis B focuses on “body fluids” as a possible carrier of organisms that can infect others. The term includes drainage from cuts and scrapes, vomit, urine, feces, respiratory secretions (nasal discharge), saliva, semen and blood. While any contact with the body fluids of another person represents a risk, the level of risk is very low. The risk is increased if the fluid comes in contact with a break in the skin of another individual. Generally, simple, consistent standards and procedures of cleanliness minimize risk.

The following procedures are precautionary measures against the transmission of diseases. Prudent actions are to be employed by all staff and students. These actions should focus primarily on steps that staff members can take to ensure their own well-being.

Those who administer first aid, provide physical care or may otherwise incur occupational exposure to blood or other potentially infectious materials as determined by the district will be specifically protected through Lane ESD’s Exposure Control Plan.

The following procedures are a review for all staff and students of appropriate hygienic and sanitation practices:

1. Standard precautions are to be followed at all times. Standard precautions require the assumption 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;
2. Whenever possible, students should be directed to care for their own minor bleeding injury. This includes encouraging students to apply their own bandaids. If assistance is required, bandaids may be applied after removal of gloves if caregiver will not come into contact with blood or wound drainage;
3. Food and Drug Administration (FDA) approved gloves are required for all tasks in which an individual may come into contact with blood or other potentially infectious materials. Such tasks include cleaning body fluid spills, emptying trash cans, handling sharps/containers, handling contaminated broken glass, cleaning contaminated equipment and handling contaminated laundry/clothing. This also includes assisting with any minor wound care, treating bloody noses, handling clothes soiled by incontinence, diaper changing and cleaning up vomit;
4. Immediate, complete and effective hand washing with soap and running water of at least 30 seconds duration should follow any first aid or health care given a student or contact with potentially infectious materials;

5. If exposure to blood or other potentially infectious materials occurs through coughing, any first-aid procedure, or through an open sore or break in the skin, thorough washing, preferably with germicidal soap, is necessary;
6. In the event handwashing facilities are not readily available, thorough cleaning using an antiseptic cleanser and clean cloth/paper towels or antiseptic towelettes provided by the ESD as an alternative is necessary. In the event alternatives are used, hands must be washed with soap and running water as soon as feasible;
7. Any surface contaminated with blood or other potentially infectious materials must be cleaned after each use and at the end of the day with soap and water and then rinsed with an Environmental Protection Agency (EPA)¹ approved disinfectant following labeling instructions for use, or a freshly made solution of one part bleach to nine parts water, and allowed to air dry. Other disinfectants as recommended by the Center for Disease Control may be used. These surfaces include equipment, counters, mats (including those used in physical education and athletic events) or changing tables;
8. An EPA-approved disinfectant must be used when cleaning fluids such as blood or vomit from the floor or other such contaminated surfaces;
9. Contaminated laundry such as clothing and towels must be placed and transported in bags and containers in accordance with the ESD's standard recognized precautions. All such items must be laundered in hot or cold water and soap and placed in a dryer;
10. Needles, syringes, broken glassware and other sharp objects found on ESD property must not be picked up by students at any time, nor by staff without appropriate puncture-proof gloves or mechanical device such as a broom, brush and dust pan. Any such items found must be disposed of in closable puncture resistant, leakproof containers that are appropriately labeled or color-coded;
11. All wastebaskets used to dispose of potentially infectious materials must be lined with a plastic bag liner that is changed daily;
12. Gloves and repellent gowns, aprons or jackets are required for tasks in which exposure to blood or other potentially infectious materials can be reasonably anticipated to contaminate street clothing. Type and characteristics of such protective clothing will depend on the task. Such tasks may include diapering/toileting with gross contamination, assisting with wound care, sorting or bagging contaminated laundry/clothing and disposing of regulated waste with gross contamination;
13. Maximum protection with gloves, face and/or eye protection and gowns are required whenever splashes, spray, spatter or droplets of blood or other potentially infectious materials may be generated and eye, nose or mouth contamination can be reasonably anticipated. Such tasks may
14. include feeding a student with a history of spitting or forceful vomiting and assisting with severe injury and wound with spurting blood;
15. If a first-aid situation occurs, students should report to a person in authority, staff should report to a supervisor.

¹ Disinfectants which can be used include Lysol, Purex, Clorox, Tough Act bathroom cleaner, Dow bathroom cleaner, Real Pine liquid cleaner, Pine Sol, Spic and Span, Tackle liquid, Comet and other products with EPA numbers.

Additional Precautions

The following additional precautions should be applied in all school settings. These procedures will help prevent transmission of many infections in addition to HIV and HBV:

1. A sink with soap, hot and cold running water and disposable towels should be available close to the classroom;
2. Sharing of personal toilet articles, such as toothbrushes and razors, should not be permitted;
3. Skin lesions that may ooze blood or serum should be kept covered with a dressing;
4. Exchange of saliva by kissing on the mouth, by sharing items that have been mouthed and by putting fingers in others' mouths should be discouraged.

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Lane Education Service District

Code: EBBAA/GBEBC/JHCCC
Adopted: 10/24/00
Revised/Readopted: 1/22/02
Orig. Code(s): EBBAA/GBEBC/JHCCC

Infection Control - HIV, AIDS, HBV (Version 1)

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 HBV¹ 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 Department of Human Services, Health Services, in delivering HIV, AIDS and HBV education.

END OF POLICY

Legal Reference(s):

[ORS 334.125](#)
[OAR 437-002-0161](#)
[OAR 437-002-0360](#)
[OAR 437-002-1030](#)

[OAR 437-002-1035](#)
[OAR 581-022-2050](#)
[OAR 581-022-2220](#)
[OAR 581-024-0275](#)

[OAR 581-053-0240\(23\)](#)
[OAR 581-053-0250\(1\)](#)
[OAR 581-053-0640\(2\)](#)

Occupational Safety and Health Standards, Bloodborne Pathogens, 29 C.F.R. §§ 1910.1020, 1910.1030.

¹ HIV - Human Immunodeficiency Virus; AIDS - Acquired Immune Deficiency Syndrome; HBV - Hepatitis B Virus

Lane Education Service District

Code:
Adopted:

EBBAA

Infection Control and Bloodborne Pathogens

(Version 2)

{Optional policy. Some of the requirements regarding an Exposure Control Plan and infection control are outlined below.}

The Board recognizes that staff [and 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 [and 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 bloodborne pathogens¹.

The ESD shall develop an Exposure Control Plan in accordance with the requirements in law².

The Exposure Control Plan shall be reviewed and updated at least annually and when 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 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^[3] thereafter. Staff will receive the annual training⁴ as well as the location and a content review of first-aid and clean-up kits. Kits shall be readily

¹ “Bloodborne pathogens” are pathogenic microorganisms 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). 29 CFR 1910.1030(b)

² See 29 CFR 1910.1030(c)(1) and OAR 437-002-1059 for more information about an Exposure Control Plan. {A template for an exposure control plan may be available from [Oregon OSHA](#).}

³ [Annual training for all employees shall be provided within one year of their previous training. (29 CFR 1910.1030(g)(2)(iv))]

⁴ See 29 CFR 1910.1030(g)(2) for information about training requirements.

available⁵ in close proximity⁶ to all employees in the building and for ESD [or school] vehicles, including each bus⁷.

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 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. The ESD will document the solicitation of input from such staff in the plan.

Documentation, including a sharps injury log, will be maintained in accordance with law⁸.

The Exposure Control Plan will be accessible to employees in accordance with law⁹.

~~[Students will be instructed in safe practices to prevent transmission of bloodborne pathogens in accordance with Oregon Health Standards.]~~

END OF POLICY

Legal Reference(s):

[ORS 334.125](#)
[OAR 437-002-0161](#)
[OAR 437-002-0360](#)
[OAR 437-002-1030](#)

[OAR 437-002-1035](#)
[OAR 581-022-7000](#)
[OAR 581-022-1020](#)
[OAR 581-024-0200](#)

[OAR 581-053-0240\(23\)](#)
[OAR 581-053-0250\(1\)](#)
[OAR 581-053-0640\(2\)](#)

Occupational Safety and Health Standards, Bloodborne Pathogens, 29 C.F.R. §§ 1910.1020, 1910.1030.

⁵ OAR 437-002-0161 (2) First-Aid Supplies. (a) The employer shall provide first-aid supplies based upon the intended use and types of injuries that could occur at the place of employment. The first-aid supplies shall be available in close proximity to all employees. Either bulk pack or unit pack supplies are acceptable. (b) “In proximity” is defined as that which is available nearby to ensure prompt treatment in the event of need.

⁶ “In proximity” is defined as that which is available nearby to ensure prompt treatment in the event of need. (OAR 437-002-0161(1)(b))

⁷ Emergency equipment for buses, includes, but is not limited to, body fluid cleanup and first-aid kits. (OAR 581-053-0240 (23); OAR 581-053-0640)

⁸ See OAR 437-002-1030(3) and OAR 437-002-1035.

⁹ See 29 CFR 1910.1020(e) for requirements on providing access.

Lane Education Service District

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

HBV/Bloodborne Pathogens

(See policy 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 pathogens¹.

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.

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

¹ 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).

Legal Reference(s):

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

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

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Lane Education Service District

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Bloodborne Pathogen Exposure Control Plan

(Plans do not generally rise to the AR level; are usually internal documents; and published when required. Current?)

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

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 unfixed 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.

D “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.

E “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:

JOB CLASSIFICATION	TASK/PROCEDURE
Directors and Supervisors	Program Dependent
Custodian(s) working at ESD	General facility cleaning
Teachers/Educational and Behavioral Assistants working directly with students	Changing menstrual pads Tooth brushing Emesis clean-up Cleaning nose/mouth secretions General health care Blood glucose monitoring Delegated nursing task
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.

Needles

- 5. 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.

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.

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- 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 worksite 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.

D 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 11-20). 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. **E** 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:

- (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. **F** 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;

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- (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 the 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.
- 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.

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**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

**LANE EDUCATION SERVICE DISTRICT
BLOOD OR OTHER BODY FLUID POST-EXPOSURE REPORT**

Policy Statement: Any exposure incident (a specific mouth, eye or other mucous membrane, nonintact skin or parenteral contact with blood or other potentially infectious material) that results from the performance of an employee's duties will be reported immediately to the human resources administrator.

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:	School:
Grade:	Grade:
DOB:	Classroom/Site:
SS#:	Home Address:
Home Address:	Home Address:
Parent/Guardian:	Date Referred to Physician:
Home Phone:	Work Phone:
Physician Name:	Documents Sent to Physician (check below)
Physician Phone:	Bloodborne Pathogen Exposure Report <input type="checkbox"/>
Physician Address:	Hepatitis B Vaccination Consent/Waiver <input type="checkbox"/>
	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:

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**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	E	_____	_____
#2		_____	_____
#3		_____	_____
#4		_____	_____
#5		_____	_____

ANTIBODY/LAB TEST RESULTS

Indicate any Hepatitis B lab results and dates done:

HBsAg _____ **L** _____ Date: _____

HBsAg _____ Date: _____

HBsAg _____ Date: _____

HBsAg _____ **E** _____ Date: _____

HBsAg _____ Date: _____

HBsAg _____ Date: _____

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**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.

HBsAg _____ Date: _____ HIV: _____ Date: _____

Results of:

M.D. Signature

Date

**LANE EDUCATION SERVICE DISTRICT
SOURCE INDIVIDUAL REFUSAL FOR BLOOD TESTING**

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Lane Education Service District
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

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PHYSICIAN'S STATEMENT AND WRITTEN OPINION

Lane Education Service District

1200 Highway 99 North

PO Box 2680

Eugene OR 97402

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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.

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

4. Was HBIG given? YES NO
If yes, please explain: _____
If yes, date received: _____

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.)

Post-Exposure Counseling and Follow-Up

Further recommendations: _____

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.

D

Physician's Signature

Date

E

L

E

T

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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 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: EBBB
Adopted: 10/24/00
Revised/Readopted: 1/22/02; 8/27/02; 2/25/14;
12/06/17
Orig. Code(s): EBBB

Injury/ or Illness Reports

All injuries or illnesses¹, sustained by the employee while in the actual performance of the duty of the employee, occurring on ESD premises, in ESD vehicles, at a ESD-sponsored activity or involving staff members who may be elsewhere on ESD business will be reported immediately to a supervisor. [Staff members will report self-administered first-aid² treatment to an immediate supervisor.] All accidents involving employees, students, visiting public or ESD property will be reported immediately to a supervisor.

A written report will be submitted within 24 hours to the ESD's safety officer. Reports will cover property damage as well as personal injury.

In the event of a work-related³ illness or injury to an employee resulting in in-patient overnight hospitalization, loss of an eye, amputation or avulsion⁴ for medical treatment⁵ other than first aid, the ESD safety officer shall report the incident to the Oregon Occupational Safety and Health Division (OR-OSHA). This report will be made within 24 hours after notification to the ESD of an illness or injury. Fatalities or catastrophes⁶ shall be reported⁷ to OSHA within eight hours.

ALL injuries or illnesses sustained by an employee, while in the actual performance of the duty of the employee, or by a student or visiting public and accidents involving {school or} ESD property, employees,

¹ The Oregon Occupational Safety and Health Division provides: "Injury or illness" means an abnormal condition or disorder. Injuries include cases such as, but not limited to, a cut, fracture, sprain, or amputation. Illnesses include both acute and chronic illnesses, such as, but not limited to, skin disease, respiratory disorder, or poisoning (record injuries and illnesses only if they are new, work-related cases that meet one or more of the recording criteria). (OAR 437-001-0015(39))

² For employees, "first aid" means any one-time treatment and subsequent observation of minor scratches, cuts, burns, splinters, or similar injuries that do not ordinarily require medical care. Such one-time treatment and subsequent observation is considered first aid even though it is provided by a physician or registered professional personnel. (OAR 437-001-0015(34))

³ An injury or illness is work-related if an event or exposure in the work environment either caused or contributed to the resulting condition or significantly aggravated a preexisting condition. injury or illness. (OAR 437-001-0700(6))

⁴ Amputations and avulsions are only required to be reported if they result in bone loss. (OAR 437-001-0704(4))

⁵ Medical treatment includes managing or caring for a patient for the purpose of combatting disease or disorder. The following are not considered medical treatment: visits to a doctor or health care professional solely for observation or counseling; diagnostic procedures including administering prescription medications used solely for diagnostic purposes; and any procedure that can be labeled first aid.

⁶ "Catastrophe A catastrophe" is an accident in which two or more employees are fatally injured, or three or more employees are admitted to a hospital or an equivalent medical facility. (OAR 437-001-0015(11))

⁷ Reporting must be done in person or by telephone. (OAR 437-001-0704(3))

students or visiting public will be promptly investigated. As a result of the investigation any corrective measures needed will be acted upon.

The ESD safety officer will maintain records and reports on serious injuries/illnesses, including accidents involving ESD property or employees, students or visiting publics, and periodic statistical reports on the number and types of injuries/illnesses occurring in the ESD, as well as on the measures being taken to prevent such injuries/illnesses in the future.

The records will include monthly reporting information and an analysis of the data and trends will be conducted at least annually. The ESD safety officer will maintain records on injuries, illnesses, and accidents involving ESD property, employees, students or visiting publics. These records will include prevention measures taken, reporting information, periodic statistical reports on the number and types of injuries, illnesses and accidents occurring in the ESD, and monthly and annual analyses of accident data. Such reports will be submitted to the superintendent for review annually.

END OF POLICY

Legal Reference(s):

[ORS 339.309](#)

[OAR 437-001-0015](#)

[OAR 437-001-0700](#)

[OAR 437-001-0704](#)

[OAR 437-001-0760](#)

[OAR 437-002-0360](#)

[OAR 437-002-0377](#)

[OAR 581-024-0275](#)

Lane Education Service District

Code: EBBC
Adopted: 6/28/94
Revised/Readopted: 1/22/02
Orig. Code(s): EBBC

Life-Sustaining Emergency Care

The Board recognizes its obligation under state and federal law to make educational services available to students of legal age, ~~including to provide educational services to students with disabilities, to provide reasonable accommodations that permit students with disabilities access to services and to provide a free public education to students with identified disabilities including special education and supportive services.~~

Reasonable accommodation includes ~~the~~ provision of life-sustaining emergency care.

A refusal to provide life-sustaining emergency care to a student in need of such care would be a denial of ~~supportive services and reasonable accommodations necessary for the student to benefit from his/her education and would constitute a discontinuation of further educational services, based solely on the student's disability.~~ No employee of Lane ESD shall comply with any directive from parents or others, written or verbal, that life-sustaining emergency care be withheld from a student in need of such care while under the control and supervision of Lane ESD staff.

For purposes of this policy, "life-sustaining emergency care" means any procedure or intervention applied by appropriately trained ESD staff that may prevent a student from dying who, without such procedure or intervention, faces a risk of imminent death. Examples of life-sustaining emergency care may include: efforts to stop bleeding, unblocking airways, mouth-to-mouth resuscitation and cardiopulmonary resuscitation (CPR).

In a life-threatening situation, ~~ESD~~ district staff will dial 9-1-1 for paramedic assistance and provide life-sustaining emergency care to any student requiring it in order to sustain life until relieved by paramedics or other appropriate medical personnel.

The ESD shall consider requests for alternative forms of life-sustaining emergency care but those requests must be supported by written medical substantiation by the student's physician. Determinations shall be made on such requests by a team of Lane ESD staff who are knowledgeable about the student. The team may seek such additional outside information, including an independent medical opinion when necessary, for a decision. Any determination made on such a request must be based on the likelihood that the chosen form of life-sustaining emergency care shall maintain the student's life until an ambulance arrives or the student is otherwise transported to the care of medical personnel.

END OF POLICY

Legal Reference(s):

[ORS 30.800](#)

[OAR 437-002-0161](#)

[OAR 581-024-0275](#)



Lane Education Service District

Code: EBC
Adopted: 12/07/17
Orig. Code(s): EBC



Emergency Plan (Version 1)

The superintendent will develop and maintain a plan specifying procedures to be used in emergencies such as but limited to: **E**ly conduct, unlawful assembly, disturbances at the ESD, disturbances at ESD schools, natural disasters, injury accidents, fire, chemical spills, hazardous materials, exposure to contagious diseases, firearms and other illegal acts that threaten the health and safety of staff and students. The ESD emergency **E** will be coordinated with appropriate police and fire services, ambulance services and area hospitals.

Copies of the Emergency Plan will be available at ESD operated facilities and other strategic locations throughout the ESD.

The Board may use Oregon Revised Statute (ORS) 192.660(2)(k) to conduct an executive session to consider matters related to safety **L** or a plan that responds to safety threats made toward the ESD or its school(s).

The ESD will provide an adequate internal communication system in ESD-operated facilities to transmit emergency information to staff and students in a rapid and clear manner. Periodic training will be provided to staff and students.

Appropriate first-aid supplies and at least one staff member with a current first-aid/CPR card shall be available in all ESD-operated facilities. **E**

END OF POLICY

Legal Reference(s):

[ORS 30.800](#)
[ORS 192.660\(2\)\(k\)](#)
[ORS 334.125](#)
[ORS 433.260](#)
[ORS 433.441](#)
[OAR 437-002-0042](#)

Every Student Succeeds Act, 20 U.S.C. § 7928 (2018).

[OAR 437-002-0120 - 0139](#)
[OAR 437-002-0161](#)
[OAR 437-002-0360](#)
[OAR 437-002-0377](#)
[OAR 581-022-2030\(3\)\(c\)](#)
[OAR 581-022-2220](#)

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

[OAR 581-024-0275](#)
[OAR 581-053-0003\(40\)](#)
[OAR 581-053-0220\(3\)\(e\)\(B\)\(iii\)](#)
[OAR 581-053-0320\(5\)\(b\)](#)
[OAR 581-053-0420\(2\)\(f\)\(B\)](#)

Lane Education Service District

Code: EBC
Adopted:

Emergency Procedures Plan and First Aid[**]

(Version 2)

{Highly recommended policy. This policy informs about a requirement for an emergency procedures plan (OAR 581-024-0275) and other minimum standards for providing emergency care (OAR 581-022-2220(3).}

The ESD will maintain a comprehensive safety program for all employees and students. This program will include a plan for responding to emergency situations. ~~[The ESD emergency plan will be coordinated with appropriate police and fire services, ambulance services and area hospitals.]~~

Copies of the Emergency Plan will be available in the ESD office [, ESD school(s)] and other strategic locations throughout the ESD. ~~[Parents or guardians will be informed of the ESD's plan.]~~

The ESD shall provide instruction to staff [and students] in the emergency plan and safety program. {¹}

In each ESD facility, procedures for handling health emergencies will be established and made known to staff. Each ESD facility and ESD vehicle will be equipped with appropriate first-aid supplies and equipment. All employees are expected to know where first-aid supplies and equipment are kept in their work areas.

At least one staff member with a current first-aid/CPR[/AED] card [for every 60 students enrolled] shall be available in all ESD-operated facilities. ~~[Emergency planning will include the presence of at least one staff member with a current first-aid/CPR/AED card for every 60 students for school-sponsored activities where students are present.]~~

END OF POLICY

Legal Reference(s):

[ORS 30.800](#)
[ORS 192.660\(2\)\(k\)](#)
[ORS 334.125](#)
[ORS 433.260](#)
[ORS 433.441](#)
[OAR 437-002-0042](#)

[OAR 437-002-0120 - 0139](#)
[OAR 437-002-0161](#)
[OAR 437-002-0360](#)
[OAR 437-002-0377](#)
[OAR 581-022-2030\(3\)\(c\)](#)
[OAR 581-022-2220](#)

[OAR 581-024-0275](#)
[OAR 581-053-0003\(40\)](#)
[OAR 581-053-0220\(3\)\(e\)\(B\)\(iii\)](#)
[OAR 581-053-0320\(5\)\(b\)](#)
[OAR 581-053-0420\(2\)\(f\)\(B\)](#)

Every Student Succeeds Act, 20 U.S.C. § 7928 (2018).

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

¹ {OAR 581-024-0275 requires the ESD to provide training in the “emergency plan.”}

Lane Education Service District

Code: EBCB
Adopted: 7/12/94
Revised/Readopted: 1/22/02
Orig. Code(s): EBCB

Emergency Procedure Drills and Instruction

{Highly recommended policy. This policy includes information about required instruction and drills on emergency procedures in schools¹. See ORS 336.071}

Emergency drills shall be conducted in accordance with the provisions of Oregon Revised Statutes and the applicable Oregon Fire Code.

Students served in ESD facilities shall participate in emergency procedures. The emergency procedures shall include drills and instruction on fires, earthquakes, ~~tsunami procedures~~ and safety threats.

Instruction on emergency procedures shall be conducted for at least 30 minutes each school month. The first emergency evacuation drill shall be conducted within 10 days of the beginning of classes.

~~An emergency drill or rapid dismissal for fire, earthquakes or other emergencies will be held at least once each month during the school year for all Lane ESD program students.~~

~~Special drill activities may be planned to ensure orderly movement and placement of students in the safest available building area.~~

Fire Emergencies

Drills and instruction on fire emergencies shall include routes and methods of exiting the ESD facilities.

Earthquake ~~and Tsunami~~ Emergencies

~~At least two drills on earthquakes shall be conducted each year.~~ ~~At least three drills on earthquakes that include tsunami drills shall be conducted each year.~~

Drills and instruction for earthquake emergencies shall include the earthquake emergency response procedure of “drop, cover and hold on” during the earthquake. When based on the evaluation of specific engineering and structural issues related to a building, the ESD may include additional response procedures for earthquake emergencies.

¹ {ORS 336.071 (6) As used in this section, “school” means any: (a) Kindergarten through grade 12 public or private school; or (b) Educational institution having an average daily attendance of 50 or more students.}

² {Required if school is in a designated tsunami hazard zone.}

³ {This is required action for a school not in a tsunami hazard zone.}

⁴ {This is required action for a school in a tsunami hazard zone.}

~~[[⁵]Drills and instruction on tsunami emergencies shall include immediate evacuation after an earthquake, when appropriate, or after a tsunami warning to protect students against inundation by tsunamis.]~~

Safety Threats

At least two drills on safety threats shall be conducted each year. Drills and instruction on safety threats shall include procedures related to lockdown, lockout, shelter in place and evacuation and other appropriate actions to take when there is a threat to safety, and will include the school’s communication strategy following a safety threat action (See Board policy EBCA - Safety Threats**).

[The ESD may provide additional instruction relating to other disasters such as flooding, drought, excessive snowfall or wildfires.^{6}]

Local units of government and state agencies associated with emergency procedures training and planning shall review the emergency procedures[, and assist the school with the instruction and the conducting of drills for students in these emergency procedures].

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

END OF POLICY

Legal Reference(s):

[ORS 336.071](#)

[ORS 339.324](#)

[ORS 476.030](#)

[OAR 581-024-0275](#)

[OREGON STATE FIRE MARSHAL](#), OREGON FIRE CODE.

⁵ {This is a required action for a school in a tsunami hazard zone.}

⁶ {The Oregon Department of Education has resources available at <https://www.oregon.gov/ode/schools-and-districts/grants/pages/threat-and-hazard-resources.aspx>.}

Lane Education Service District

Code: EBCD
Adopted: 1/22/02
Orig. Code(s): EBCD

Emergency Closures

(Does this still reflect current practice? Does this align with practices in GCBCC/GDBCC and AR?)

ESD Offices

The superintendent shall determine when conditions warrant delayed opening, early closure or full-day closure of the ESD offices.

ESD Sites Located in Component District Facilities

When component districts have delayed opening, early closure or full-day closure, ESD staff assigned to those sites will be governed by such action regardless of the decision made concerning the ESD district office.

Compensation

(Is this practice the same? Should it be here? Or is it already in an agreement?)

Regular employees will be paid for the full day in the event of emergency action resulting in late opening, early closure or full-day closure.

Extended closures due to emergencies may result in a modification of the work calendar.

~~[Other closure terms which may be applicable are outlined in Board policy GCBCC/GDBCC – Work Schedules and Closures and any accompanying administrative regulation.]~~

END OF POLICY

Legal Reference(s):

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

[OAR 437-002-0377](#)

[OAR 581-053-0004](#)

[OAR 437-002-0360](#)

[OAR 581-024-0240](#)

[OAR 581-024-0275](#)

Lane Education Service District

Code: EC
Adopted: 4/26/94
Readopted: 1/22/02
Orig. Code(s): EC

Management of Buildings and Grounds

(Consider this is covered by policy EB and others on safety.)

The Board recognizes that the fixed assets of Lane ESD represent a significant investment of this community and their maintenance is of prime concern to the Board.

The Board directs the conduct of a continuous program of inspection and maintenance for the upkeep of buildings, grounds and equipment to reasonably protect the health and safety of all persons using them. Wherever possible and feasible, maintenance shall be preventive.

The superintendent shall develop and implement a maintenance program which shall include:

1. A regular program of facilities repair and conditioning;
2. A critical spare parts inventory;

END OF POLICY

Legal Reference(s):

ORS 332.172	OAR 437-002-0144	OAR 437-002-0377
OAR 437-001-0760	OAR 437-002-0145	OAR 437-002-0390
OAR 437-002-0020 to -0081	OAR 437-002-0180 to -0182	OAR 437-002-0391
OAR 437-002-0140	OAR 437-002-0360	OAR 581-022-1610
	OAR 437-002-0368	

Fazzolari v. Portland School District No. 1J, 78 Or. App. 608 (1986); aff'd, 303 Or. 1 (1987).

Toxic Substances Control Act, 15 U.S.C. Sections 2601-2629, as amended by the Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. Sections 2641-2656.

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Lane Education Service District

Code: ECAAA
Adopted: 3/16/04
Revised/Readopted: 8/23/11
Orig. Code(s): ECAAA

Employee Identification Badge System

To help ensure the safety protection of staff and students, and to reduce the possibilities of theft, vandalism and loss of ESD district property, all ESD district employees shall be issued and will display and wear identification badges as required.

The district's photo identification badge system will serve as an instant identification system for security purposes and will assist staff, parents, students and other visitors to ESD school locations in identifying ESD school employees. Employees will display the identification card at all times when working with students and as required when carrying out work assignments in the performance of their duties district and community locations.

A badge system, with appropriate designation but without a photograph, shall be used for visitors to ESD facilities schools during regular school hours and for substitutes and/or temporary employees.

The superintendent is directed to develop administrative regulations as necessary to implement this policy.

END OF POLICY

Legal Reference(s):

[ORS 192.447](#)

[ORS 334.125\(5\), \(7\)](#)

Lane Education Service District

Code: ECAAA-AR
Adopted: 3/16/04
Readopted: 8/23/11
Revised/Reviewed:
Orig. Code(s): ECAAA-AR

Employee Identification Badge System

Staff members issued an identification badge will be subject to the following requirements:

1. Identification badges are the property of the ESD district for use by ESD district employees. Any employee who duplicates or lends their/his/her identification badge will be subject to disciplinary action;
 2. All identification badges are to be displayed/worn in plain sight when the employee is engaged working with students and as required when carrying out work assignments in the performance of ESD duties/district and community locations;
 3. A report of a lost or stolen badge must be made to the appropriate administrator immediately;
 4. An identification card/badge lost, stolen or damaged due to circumstances beyond the employee's control will be replaced by the ESD district at no cost to the employee. Other replacement costs will be charged to the employee;
 5. Identification badge requests must be made directly to the [program administrator]/human [personnel/human resources resources office];
 6. The appropriate administrator will be responsible for collecting staff identification badges at the end of the assigned work shift in the event of employee resignation, nonrenewal, nonextension or termination;
 7. The ESD district will not disclose the identification badge or card of an employee without the written consent of the employee if:
 - a. The badge or card contains the photograph of the employee;
 - b. The badge or card was prepared solely for internal use by the ESD district to identify employees.
- The ESD district will not disclose a duplicate of the photograph used on the badge or card.
8. The ESD may use the badge photograph for internal purposes. Any other use of the photograph requires written employee consent.

Lane Education Service District

Code: ECAB
Adopted: 1/22/02
Readopted: 6/15/04;11/15/11
Orig. Code(s): ECAB

Vandalism, Malicious Mischief, or Theft**

Students and patrons/citizens are urged to cooperate in reporting any incidents of vandalism, malicious mischief or theft and the name or names of the person or persons believed to be responsible.

Each ESD employee will report to a program supervisor or administrator incidents of vandalism, malicious mischief or theft and the name of the person or persons responsible, if known.

Program supervisors or administrators will submit a report of any incidents of vandalism, malicious mischief, theft or damage to the superintendent. The superintendent will report to the Board regarding major reports of vandalism, malicious mischief, theft or damage to any ESD district property.

~~The ESD may offer a reward to an individual(s) who provides information that results in the apprehension of a person(s) guilty of vandalism, malicious mischief, theft or other criminal acts against the ESD district. The amount of reward shall be determined by the superintendent on a case-by-case basis within any guidelines set by the Board.~~

The superintendent is authorized to sign a criminal complaint and to press charges against those committing acts of vandalism or malicious mischief against ESD property or theft of or against ESD property. ~~Because incidents of willful or malicious abuse, destruction, defacing and theft of district property are clearly contrary to the best interests of the district and injurious to the rights and welfare of the entire community, it~~ It is the policy of the Board to seek all legal remedies against persons found to have committed such acts. Full restitution for the damage will be sought from such persons, or, in the case of minors, from their parents. Until such fees or restitutions are paid, certain restrictions and/or penalties may be imposed. Records requested by another educational agency to determine a student's appropriate placement may not be withheld.

~~A student~~ Students who willfully destroys/destroy ESD property through vandalism, malicious mischief, theft or arson, who commit/commit larceny or who creates/create a hazard to the safety of other people on ESD district property will be disciplined in accordance with state law and the Board's policies/policy on student discipline¹ and referred to law enforcement/authorities.

Any staff member who willfully fails to report such an vandalism, malicious mischief or theft, or willfully destroys ESD property through vandalism, malicious mischief, theft or arson, who commits larceny or who creates a hazard to the safety of other people on ESD property will be disciplined, up to and including dismissal and referred to law enforcement.

~~The ESD is not liable or responsible for personal property brought onto ESD property.~~

¹ Use of suspension or expulsion as discipline for a student in violation of this policy is limited to criteria found in Oregon

Lane Education Service District

Revised Statute (ORS) 339.250.

END OF POLICY

Legal Reference(s):

[ORS 30.765](#)
[ORS 164.345](#)
[ORS 164.365](#)

[ORS 334.125\(7\)](#)
[ORS 326.575](#)
[ORS 339.240](#)

[ORS 339.250](#)
[ORS 339.270](#)
[ORS 419C.680](#)

Lane Education Service District

Code: ECAC
Adopted:

Video Surveillance

The Board authorizes the use of video cameras on ESD property to ensure the health, welfare and safety of all staff, students and visitors to ESD property, and to safeguard district facilities and equipment. Video cameras may be used in locations as deemed appropriate by the superintendent.

The ESD shall notify staff and students through student/parent and staff handbooks that video surveillance may occur on ESD property.

Students or staff in violation of Board policies, administrative regulations, building rules or law shall be subject to appropriate disciplinary action. Others may be referred to law enforcement.

A video recording may become a part of a student's educational record or a staff member's personnel record. The ESD shall comply with all applicable state and federal laws related to record maintenance and retention.

END OF POLICY

Legal Reference(s):

[ORS 30.864](#)
[ORS 192.420 to -192.505](#)
[ORS 326.565](#)
[ORS 326.575](#)

[ORS 334.125](#)
[ORS 336.187](#)
[ORS 342.850](#)

[OAR 166-400-0010 to -0065](#)
[OAR 581-021-0210 to -0430](#)
[OAR 581-022-2260](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1412.
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (20 Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).

Lane Education Service District

Code: ECACB
Adopted: 2/05/19
Revised/Readopted: 4/07/20
Orig. Code(s): ECACB

Unmanned Aircraft System (UAS) a.k.a. Drone

Any employee, volunteer, or representative of the ESD operating an unmanned aircraft system (UAS) shall do so in accordance with this policy, all applicable Federal Aviation Administration (FAA) and Oregon Department of Aviation (ODA) regulations and local laws.

A small unmanned aircraft, as defined by law, may be operated by the ESD. A small unmanned aircraft must weigh less than 55 pounds, including the weight of anything attached to or carried by the aircraft and must be registered through the FAA and ODA. The ESD will register as a user of such with ODA.

Publicly supported kindergarten through grade 12 school programs and publicly-supported entities that support K-12 schools or after school K-12 programs are exempt from the requirement to pay the ODA registration fee.

The ESD recognizes the academic value of student operation of a UAS as one component of curricula pertaining to principles of flight, aerodynamics and airplane design and construction, which can also serve as an academic tool in other areas such as television, film production or the arts in general.

Prior to operating a UAS, the ESD will review all airspace, certification, registration, and other requirements. When operating in the National Airspace System (NAS), the supervisor (instructor/teacher) of the educational UAS shall hold a current pilot certification described in 14 C.F.R. Part 107 or have a Certificate of Authorization as described in 49 U.S.C. § 44801, so any student(s) can fly under their direct supervision, and to be in compliance with current FAA¹ regulations. ESD staff will not operate more than one UAS at the same time.

ESD employees shall work with administrators to ensure that proper insurance, registration as required by FAA and ODA, reporting to FAA, and authorization from ESD administration are in place prior to use as part of the ESD's curriculum.

~~A UAS shall be operated in accordance with the policies of the Oregon School Activities Association (OSAA)² at OSAA-sanctioned events.~~

A student in violation of this policy may be subject to disciplinary action, up to and including suspension and/or expulsion.

A staff member in violation of this policy may be subject to disciplinary action, up to and including dismissal.

All data gathered by the ESD as part of a UAS operation will belong to the ESD. The data gathering by the ESD will follow appropriate state and federal laws. Retention of such data will follow state and federal laws.

¹ https://www.faa.gov/uas/educational_users/

² <http://www.osaa.org/governance/handbooks>

The superintendent shall develop procedures³ for the implementation of this policy. The ESD shall post a copy of this policy, associated procedures, and a copy of Oregon Revised Statute (ORS) 192.345 on the ESD's website.

The ESD will report accidents involving a UAS to FAA no later than 10 calendar days after the accident when it involves:

1. Serious injury to any person or any loss of consciousness; or
2. Damage to any property, other than the small UAS, unless the cost of repair (including materials and labor) does not exceed \$500, or the fair market value of the property does not exceed \$500 in the event of total loss.

Third Party Use

Third party use of a UAS on ESD property or at ESD-sponsored events or activities on ESD property for any purpose is prohibited, unless granted permission from the superintendent or designee.

If permission is granted by the superintendent or designee, the third party operating a UAS will comply with all FAA and ODA registration and use regulations and shall provide the following to the ESD:

1. Proof of insurance that meets the liability limits established by the ESD;
2. Proof of UAS registration and authorization (including a certificate identified in 14 C.F.R. Part 107 or a Certificate of Authorization described in 49 U.S.C. § 44801) issued by FAA, and proof of user registration with ODA when required⁴; and
3. A signed agreement holding the ESD harmless from any claims of harm to individuals or damage to property.

END OF POLICY

Legal Reference(s):

[ORS 164.885](#)
[ORS 174.109](#)
[ORS 192.345](#)

[ORS 334.125\(7\)](#)
[ORS 837.300 - 837.390](#)
[ORS 837.995](#)

[OAR 738-080-0015 - 080-0045](#)
Senate Bill 581 (2019)

Federal Aviation Administration Reauthorization Act of 2018, 49 U.S.C. §§ 44801-44810 (2012).

Small Unmanned Aircraft Systems, 14 C.F.R. Part 107 (2018).

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

OREGON SCHOOL ACTIVITIES ASSOCIATION HANDBOOK.

³ Procedures must include: the length of time data will be retained by the district; specifications for third party storage of data, including handling, security and access to the data by the third party; a policy on disclosure of data through intergovernmental agreements.

⁴ A public body, as defined in ORS 174.109, operating an unmanned aircraft system must register as a user with ODA. (ORS 837.360)

Lane Education Service District

Code: ECD
Adopted: 3/29/94
Revised/Readopted: 1/22/02
Orig. Code(s): ECD

Traffic and Parking Controls

The superintendent shall authorize parking areas and post notices on Lane ESD property designated for staff, student, visitor parking and parking for persons with disabilities and other classifications of parking areas as may be necessary.

Any vehicle not parked in authorized areas may be cited and/or towed away and stored. ~~Such action will be considered by the ESD only after a reasonable effort has been made to contact the vehicle owner or operator.~~ All charges for towing and storing will be the responsibility of the owner or operator of the vehicle.

Any person failing to abide by the ESD's parking regulations may be further prohibited from bringing any vehicle on ESD-controlled property.

Program administrators will establish rules as necessary for the use and control of staff parking areas. Such rules will be made available to the staff.

END OF POLICY

Legal Reference(s):

[ORS 334.125\(7\)](#)
[ORS 334.175](#)

[ORS 334.185](#)
[ORS 447.233](#)

[OAR 581-024-0240](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2012); 29 C.F.R. Part 1630 (2016); 28 C.F.R. Part 35 (2016).
Americans with Disabilities Act Amendments Act of 2008.

Lane Education Service District

Code: ECE
Adopted: 3/29/94
Revised/Readopted: 1/22/02
Orig. Code(s): ECE

Buildings and Grounds Records and Reports

(Does ECAB already cover this?)

Losses incurred through fire, theft, accident or vandalism will be reported to the business office as soon as they are discovered. The business office may report such losses to an appropriate agency as well as to the superintendent.

END OF POLICY

Legal Reference(s):

[ORS 332.172](#)

Toxic Substances Control Act, 15 U.S.C. Sections 2601-2629, as amended by the Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. Sections 2641-2656.

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Lane Education Service District

Code: EDC/KGF
Adopted: 8/29/00
Readopted: 1/22/02
Orig. Code(s): EDC/KGF

Authorized Use of ESD Equipment and Materials

ESD materials and equipment will be used only for ESD purposes by ESD personnel on ESD properties.

Exceptions to this policy must be approved by the {superintendent}{and/or the Board,} and shall be consistent with Oregon Revised Statute (ORS) Chapter 244 and the Oregon Government Ethics Commission guidance.

~~It shall be the policy of the Board that Lane Education Service District equipment and properties shall not be used outside the ESD Center or other ESD program sites except in accordance with this policy and the administrative rules developed to implement this policy.~~

~~The ESD property in the nature of desks, lockers, cabinets, documents, computers and computer related equipment or records pre-assigned to staff for the convenience of staff shall be used by staff subject to the ESD's right to inspection. The ESD may at any time, with or without notice, inspect any or all of such property. Any item contained in ESD's property that is not appropriately in the staff member's possession, or is an illegal or dangerous item, or an item prohibited by ESD policy or rules, may be seized by the ESD upon prompt notification thereafter to the employee. No staff member shall have any right of privacy with respect to use of any ESD property or information stored therein.~~

The ESD's equipment and properties are intended for use by employees of the ESD in carrying out the responsibilities of their assignments. In certain instances (for example, equipment and properties which are included as part of media services), such use will extend to the loaning of such ESD equipment or properties to authorized staff members of the ESD's component school districts for their use.

When fulfillment of an employee's responsibilities can be assisted by the use of certain items of ESD equipment or property at a location away from the normal workplace, such item(s) may be checked out for such off-premises use. The employee will be expected to use prescribed check-out procedures and to be responsible for safeguarding the equipment or properties during such period of use.

ESD equipment and properties which are deemed appropriate for off-premises use by ESD staff or by authorized component district employees may be rented to other entities if a current contractual agreement exists between the ESD and the entity in question. The rental fee shall cover all costs associated with making the item available.

ESD property pre-assigned to staff for the convenience of staff shall be used by staff subject to the ESD's right to inspection. The ESD may at any time, with or without notice, inspect any or all of such property. Any item contained in ESD's property that is not appropriately in the staff member's possession, or is an illegal or dangerous item, or an item prohibited by ESD policy or rules, may be seized by the ESD upon prompt notification thereafter to the employee. No staff member shall have any right of privacy with respect to use of any ESD property or information stored therein.

In all cases of public use, equipment shall not be used for private financial gain. An equipment use form must be submitted and approved, and all conditions outlined on the attached ESD equipment list must be adhered to. [There are no equipment use fees.] In the event of excessive damage, a fee will be determined according to repair or replacement costs. Transportation of borrowed equipment will be the user's responsibility.

END OF POLICY

Legal Reference(s):

[ORS Chapter 244](#)
[ORS 334.125\(7\)](#)

[OAR 581-024-0240](#)
[OAR 584-020-0040](#)

OR. ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS (2008).

Lane Education Service District

Code: EDDA
Adopted: 4/28/09
Orig. Code(s): EDDA

Sustainability

The ESD recognizes sustainability as an important principle that supports developing an ethic of sustainability in its practices. The ESD defines “sustainability” as “meeting the educational, environmental, social and economic needs of present generations without compromising the ability of future generations to meet their own needs.” Sustainability is managed through efforts in balancing the interdependent areas of education, environment, society and economy to contribute to a healthy future for our students, staff and the ESD.

Sustainability may be demonstrated through:

1. Leadership in sustainable management – striving to balance educational, economic, social and environmental issues in our daily decision-making;
2. Leadership in student achievement – incorporating environmental, social and economic sustainability concepts in our education of students;
3. Leadership in fostering student health and well-being – providing a physical environment that promotes the health, productivity and safety of students and staff;
4. Continual improvement – seeking new, expanded and improved ways to create a sustainable and restorative future.

~~To effectively achieve these commitments, the ESD may implement a Sustainability Management System (SMS)¹ that extends sustainability to ESD activities.~~

END OF POLICY

Legal Reference(s):

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

¹For more information contact www.sustainableschools.org.

Lane Education Service District

Code: EEA
Adopted:

Student Transportation Services *

(For ESDs that operate a school.)

The ESD may provide transportation for students enrolled in ESD programs when requested by the district. The extent of services shall be determined by contract.

Field trips involving transportation of students must be approved by the [program supervisor] and [superintendent]. Aides or assistants that ride a school bus shall receive training on emergency procedures and their role in the safe transportation of all students on the bus.

END OF POLICY

Legal Reference(s):

[ORS 327.006](#)
[ORS 334.125\(7\)](#)
[ORS 343.155 - 343.246](#)
[ORS 343.533](#)
[ORS 811.210](#)
[ORS 811.215](#)
[ORS 815.055](#)
[ORS 815.080](#)

[ORS 820.100 - 820.190](#)
[OAR 581-021-0050 - 0075](#)
[OAR 581-022-2345](#)
[OAR 581-024-0240](#)
[OAR 581-024-0275](#)
[OAR 581-053-0002](#)
[OAR 581-053-0003](#)

[OAR 581-053-0004](#)
[OAR 581-053-0010](#)
[OAR 581-053-0031](#)
[OAR 581-053-0040](#)
[OAR 581-053-0210](#)
[OAR 735-102-0010](#)

Every Student Succeeds Act of 2015 , 20 U.S.C. §§ 6315, 7912 (2012).

Lane Education Service District

Code: EEACD
Adopted: 4/27/10
Orig. Code(s): EEACD

Use of District ESD Activity Vehicles for Student Transportation

Transportation of students in Lane ESD programs is, as a general rule, the responsibility of the student's resident district.

The Board may provide for the use of vehicles, commonly designated as Types 10, 20 or 21 pupil transportation vehicles, which do not meet the requirements of a "school bus" for the purpose of transporting students, licensed, classified or other supervisory personnel to and from curricular and extracurricular activities sponsored by the ESD district. The use of ESD activity vehicles will be limited to circumstances where public transportation or component district transportation options are not available.

The vehicle shall be insured for bodily injury, property damage, uninsured motorist coverage and personal injury protection. The executive director of business services will recommend amounts to adequately protect the ESD district against loss.

The ESD district will meet or exceed minimum driver requirements and procedures as set forth in Oregon Administrative Rules, Section 53. OARs 581-053-0545, 581-053-0550 and 581-053-0555. The district ESD shall meet child safety system requirements and minimum standards and specifications as set forth in state law ORS 811.210, 815.055 and 815.080 and OAR 735-102-0010.

END OF POLICY

Legal Reference(s):

ORS 811.210	OAR 581-053-0220	OAR 581-053-0511
ORS 815.055	OAR 581-053-0310	OAR 581-053-0521
ORS 815.080	OAR 581-053-0320	OAR 581-053-0531
ORS 820.110	OAR 581-053-0330	OAR 581-053-0540
ORS 820.190	OAR 581-053-0340	OAR 581-053-0610
	OAR 581-053-0410	OAR 581-053-0620
OAR 437-002-0220 to -0227	OAR 581-053-0420	OAR 581-053-0630
OAR 581-053-0003	OAR 581-053-0430	OAR 735-102-0010
OAR 581-053-0010	OAR 581-053-0440	

Lane Education Service District

Code: EEAE
Adopted: 6/28/94
Revised/Readopted: 1/22/02
Orig. Code(s): EEAE

Student Transportation in Private Vehicles

School transportation services will be provided by component districts to Lane ESD students for transportation to and from school. Either component school district transportation services or appropriate public transportation may be used for school-sponsored activities that are extensions of classroom learning experiences.

~~Neither Private vehicles nor Lane ESD~~ vehicles shall not be used to transport students on field trips or other ESD-related activities.

END OF POLICY

Legal Reference(s):

[ORS 801.455](#)
[ORS 811.210](#)

[ORS 811.215](#)
[ORS 815.055](#)

[ORS 815.080](#)
[OAR 735-102-0010](#)

Lane Education Service District

Code: EEBA
Adopted: 4/26/94
Readopted: 1/22/02; 5/22/12
Orig. Code(s): EEBA

District Vehicles/~~Seat Belts~~

All Lane ESD personnel using ESD-owned vehicles (drivers and passengers) must use seat belts as required by Oregon law. Failure to do so is grounds for discipline up to and including dismissal.

The driver of any ESD-owned vehicle is responsible for determining that the number of passengers does not exceed the number of seat belts. The vehicles shall not be driven until the driver and all passengers are buckled up and properly secured.

END OF POLICY

Legal Reference(s):

[ORS 334.125](#)
[ORS 811.210](#)
[ORS 815.055](#)

[ORS 815.080](#)

[OAR 735-102-0010](#)

[OAR 437-002-0223](#)

Lane Education Service District

Code: EEBB
Adopted: 2/27/96
Readopted: 1/22/02
Orig. Code(s): EEBB

Use of Private Vehicles for ~~District~~ ESD Business

Employees who are expected to use a personal vehicle~~automobile~~ when traveling for business purposes will be reimbursed in an amount that meets requirements as set forth in accordance with mileage reimbursement rates established by the Board and/or collective bargaining agreement as applicable ESD fiscal procedures.

Employees using private vehicles for ESD business are subject to ESD policies as long as the vehicle~~car~~ is being used for ESD business.

Employees using private vehicles for ESD business must carry vehicle~~automobile~~ liability insurance in accordance with Oregon Revised Statutes~~statutes~~. The employee's personal vehicle~~automobile~~ insurance is the primary carrier in case of accident or damage. The ESD's insurance serves as the secondary carrier for liability purposes only.

~~The superintendent will develop rules for staff use of private vehicles for ESD business that will safeguard the ESD and its employees in matters of safety, insurance and liability.~~

(The following two paragraphs are from EEBB-AR. Please review to ensure it still reflects current practice.)

Employees using private vehicles for ESD business are subject to all applicable ESD policies and administrative regulations while the car is being used for ESD business.

If an employee uses a personal vehicle for ESD business and damage to the parked vehicle or loss of personal property from the vehicle occurs while the employee is conducting ESD business, the employee's personal automobile or homeowner's insurance is the primary carrier. [However, in such case, the ESD will reimburse an employee toward their personal insurance deductible in an amount up to [\$250]. Invoices showing the cost of repair or replacement and a copy of the applicable provisions in the employee's personal insurance policies shall be submitted with the expense account.]

END OF POLICY

Legal Reference(s):

[ORS 30.260 to -30.265](#)
[ORS 334.125\(7\)](#)
[ORS 801.455](#)

[ORS 811.210](#)
[ORS 815.055](#)
[ORS 815.080](#)

[OAR 581-024-0240](#)
[OAR 735-102-0010](#)

Lane Education Service District

Code: EEBB-AR
Adopted: 1/10/96
Readopted: 1/22/02
Orig. Code(s): EEBB-AR

Rules for Using Private Vehicles for ESD Business

Employees using private vehicles for ESD business are subject to all applicable ESD policies and administrative rules as long as the car is being used for ESD business.

If an employee uses a personal vehicle for ESD business and damage to the parked vehicle or loss of personal property from the vehicle occurs while the employee is conducting ESD business, the employee's personal automobile or homeowner's insurance is the primary carrier. However, in such case, the ESD will reimburse an employee toward his/her personal insurance deductible in an amount up to \$250. Invoices showing the cost of repair or replacement and a copy of the applicable provisions in the employee's personal insurance policies shall be submitted with the expense account.

Lane Education Service District

Code: EFA
Adopted: 9/26/06
Readopted: 2/24/15
Orig. Code(s): EFA

Local Wellness Program (Version 1)

The Board recognizes that childhood obesity has become an epidemic in Oregon as well as throughout the nation. Research indicates that obesity and subsequent diseases are largely preventable through diet and regular physical activity. Healthy eating patterns and increased physical activity are essential for students to achieve their academic potential, full physical and mental growth and lifelong health and well-being.

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

The input of staff (including but not limited to, physical education and school health professionals), students, parents, the public, representatives of the school food authority and public health professionals will be encouraged. The superintendent will develop administrative regulations as necessary to implement the goals of this policy throughout the ESD.

Nutrition Promotion and Nutrition Education

Nutrition promotion supports the integration of nutrition education throughout the school environment. Nutrition education topics shall be integrated within the sequential, comprehensive health education program taught at every grade level, prekindergarten through grade 12, and coordinated with the ESD’s nutrition and food services operation.

Nutrition Guidelines

It is the intent of the Board that ESD schools be proactive in encouraging students to make nutritious food choices. All food and beverage items sold in a K-12 public school as part of the regular or extended school day shall meet the minimum state and federal standards. Exceptions to this requirement include items that are part of the USDA National School Lunch Program or School Breakfast Programs. Other exceptions are foods and beverages provided in the following instances:

1. When the school is the site of school-related events or events for which parents and other adults are a significant part of an audience; or
2. The sale of food or beverage items before, during or after a sporting event, interscholastic activity, a play, band or choir concert.

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Although the Board believes that the ESD's nutrition and food services operation should be financially self-supporting, it recognizes that the nutrition program is an essential educational and support activity. Therefore, budget neutrality or profit generation must not take precedence over the nutrition needs of its students. In compliance with federal law, the ESD's NSLP and SBP shall be nonprofit.

The superintendent is directed to develop administrative regulations to implement this policy that address all food and beverage items sold and/or served to students in ESD schools, including provisions for staff development, family and community involvement and program evaluation. These food and beverage items include competitive foods, snacks and beverages sold from vending machines and school stores, and similar food and beverage items from fund-raising activities and refreshments that are made available at school parties, celebrations and meetings.

Physical Activity

The Board realizes that a quality physical education program is an essential component for all students to learn about and participate in physical activity. Instruction, provided by adequately prepared teachers, will meet the state adopted academic content standards for physical education, ORS 329.045. Teachers of physical education shall regularly participate in professional development activities.

Students with disabilities shall have suitably adapted physical education incorporated as part of the individualized education program developed for the student under ORS 343.151. A student who does not have an IEP but has chronic health problems, other disabling conditions or other special needs that preclude them from participating in regular physical education instruction shall have suitably adapted physical education incorporated as part of an individualized health plan developed for the student by the ESD.

Physical activity should be included in a school physical education program for grades pre-K through 12. Physical activity should include regular instruction in physical education as well as co-curricular activities, and recess. The ESD will develop and assess student performance standards in order to meet the Oregon Department of Education's physical education content standards.

The superintendent is directed to develop administrative regulations to implement this policy, including such provisions as may be necessary to address all food and beverages sold and/or served to students at school (i.e., competitive foods, snacks and beverages sold from vending machines, school stores and fund-raising activities and refreshments that are made available at school parties, celebrations and meetings), including provisions for staff development, family and community involvement and program evaluation.

Reimbursable School Meals

The ESD may enter into an agreement with the Oregon Department of Education (ODE) to operate reimbursable school meal programs. The superintendent will develop administrative regulations as necessary to implement this policy and meet the requirements of state and federal law. These guidelines shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to subsections (a) and (b) of section 10 of the Child Nutrition Act (42 U.S.C. 1779) and section 9(f)(1) and 17(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(f)(1), 1766(a)(0)).

School Employee Wellness

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

The ESD will work with community partners to identify programs/services and resources to compliment and enrich employee wellness endeavors.

Evaluation of the Local Wellness Policy

The Board will involve staff (including but not limited to, physical education and school health professionals), parents, students, representatives of the school food authority, public health officials, school administrators and the public in the development, implementation and periodic review and yearly update of this policy. In an effort to measure the implementation of this policy the Board designates the special education director as the person who will be responsible for ensuring the ESD meets the goals outlined in this policy. The ESD will make available to the public an assessment of the implementation, including the extent to which the schools are in compliance with policy, how the policy compares to model policy and a description of the progress being made in attaining the goals of this policy.

END OF POLICY

Legal Reference(s):

[ORS 329.531](#)
[ORS 327.537](#)
[ORS 329.496](#)
[ORS 334.125](#)

[ORS 336.423](#)
[OAR 581-051-051-0100](#)
[OAR 581-051-051-0305](#)

[OAR 581-051-051-0306](#)
[OAR 581-051-051-0310](#)
[OAR 581-051-051-0400](#)

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

Lane Education Service District

Code: EFA
Adopted:

Local Wellness (Version 2)

The ESD supports providing reimbursable meals to its component districts?

(This policy is Required if the ESD operates a school and participates in a free or reduced-priced meal program with ODE.)

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

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

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

[The superintendent or designee shall establish a Wellness Advisory Committee to advise the ESD in the development, review and update of the local wellness policy.]

POLICY IMPLEMENTATION, MONITORING, ACCOUNTABILITY AND COMMUNITY ENGAGEMENT

Implementation

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

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

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

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

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

[Record Keeping

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

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

Notification of Policy

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

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

Triennial Progress Assessments

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

1. The extent to which schools under the jurisdiction of the ESD are in compliance with the policy;
2. The extent to which the ESD's policy compares to model local school wellness policy^{1}; and
3. A description of the progress made in attaining the goals of the ESD's policy.

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

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

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

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

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

[Wellness Advisory Committee^{3}

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

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

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

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

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

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

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

NUTRITION PROMOTION AND NUTRITION EDUCATION

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

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

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

1. {⁴} [Students and staff will receive consistent nutrition messages throughout the school environment;
2. Nutrition education is provided throughout the student’s school years as part of the ESD’s age-appropriate, comprehensive nutrition program [(which includes the benefits of healthy eating, essential nutrients, nutritional deficiencies, principles of healthy weight management, the use and misuse of dietary supplements, safe food preparation, and handling and storage related to food and eating)], and is aligned and coordinated with the Oregon Health Education Standards and school health education programs;
3. Nutrition education will include culturally relevant, participatory activities that include social learning strategies and activities that are aligned and coordinated with the Oregon Health Education Standards and school health education programs;

Teachers will receive curriculum-specific training;

5. Parents and families are encouraged through school communications to send healthy snacks/meals and [reusable] water bottles with their student to school;
6. Families and community organizations are involved, to the extent practicable, in nutrition education;

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

7. Nutrition education homework that students can do with their families is assigned (e.g., reading and interpreting food labels, reading nutrition-related newsletters, preparing healthy recipes);
8. **P** Materials on how to assess one’s personal eating habits, set goals for improvement and achieve those goals.]

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

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

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

School Meals

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

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

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

[Water

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

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

Competitive Foods and Beverages

The ESD controls the sale of all competitive foods. All foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day will meet or exceed Smart Snacks Standards⁶. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, school stores, snack or food carts and fund raising.

Celebrations and Rewards/Incentives

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

[Fund Raising

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

Food and Beverage Marketing in Schools

Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the nutrition standards for competitive foods set by the USDA.

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

PHYSICAL ACTIVITY AND PHYSICAL EDUCATION

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

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

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

1. {7}[Physical education will be a course of study that focuses on students' physical literacy and development of motor skills;

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

⁷ {The goals listed are examples; ESDs are required to include goals in the policy. ESDs are encouraged to evaluate needs and resources and to develop specific goals. ESDs are required to "review and consider evidence-based strategies and techniques" (7

2. Staff encourages and provides support for parental involvement in their children’s physical education;
3. Physical education courses will be the environment where students learn, practice and are assessed on developmentally appropriate knowledge, skills and confidence to become physically literate;
4. Instruction, provided by adequately prepared teachers, i.e., licensed or endorsed to teach physical education, will meet the state adopted academic content standards for physical education (Oregon Revised Statute (ORS) 329.045). Teachers of physical education shall regularly participate in professional development activities annually;
5. {8} Every public school student in [pre-]kindergarten through grade 8 shall participate in physical education for the entire school year. Students in kindergarten through grade [5] [6] shall participate for at least 150 minutes during each school week, and students in grades [6] [7] through 8 for at least an average of 150 minutes during each school week, as calculated over the duration of a school year;
6. Physical activity will be integrated across curricula and throughout the school day. Movement will be made a part of all classes or courses as part of a well-rounded education;
7. Physical activity during the school day (including, but not limited to, recess, classroom physical activity breaks or physical education) will not be used as a punishment or a reward;
8. {9} At least 50 percent of the weekly physical education class time in grades K through 8 shall be devoted to actual physical activity;
9. Physical activity is a planned part of all school-community events;
10. Materials promoting physical activity are sent home with students and published on the ESD website.]

[{10} A student with a disability shall have suitably adapted physical education incorporated as part of their individualized education program (IEP) developed under ORS 343.151. A student who does not have an IEP but has chronic health problems, other disabling conditions or other special needs that preclude them from participating in regular physical education instruction, shall have suitably adapted physical education incorporated as part of their individualized health plan, developed by the ESD.]

Other Activities that Promote Student Wellness

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

CFR 210.31(c)(1)). Model Wellness Policy resource published by the [Alliance for a Healthier Generation](#). OSBA makes no representation of its compliance by providing this resource.}

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

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

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

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

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

[¹¹} **Employee Wellness** {¹²}

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

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

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

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

The ESD's Employee Wellness Program [may] include the following:

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

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

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

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

[DEFINITIONS

1. "Competitive food" means all food and beverages other than meals reimbursed under programs authorized by the Richard B. Russell National School Lunch Act and the Child Nutrition Act available for sale to students on the school campus during the school day.
2. "Food and beverage marketing[13]" is defined as advertising and other promotion in schools. Food and beverage marketing often includes an oral, written or graphic statement made for the purpose of

¹³ [This term includes, but is not limited to, the following: brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container; displays, such as on vending machine exteriors; corporate brand, logo, name or trademark on school equipment, such as marquee, message boards, scoreboards or backboards (Note: Immediate replacement of these items is not required; however, ESDs will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is financially possible over time so that items are in compliance.);

promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product.

3. “Oregon Smart Snacks Standards”¹⁴ means the State’s minimum nutrition standards for competitive foods and beverages (ORS 336.423).
4. “School day” means, for the purpose of competitive food standards implementation, the period from the midnight before, to 30 minutes after the end of the official school day[, i.e., at the conclusion of afternoon student activities, such as athletic, music or drama practices, clubs, academic support and enrichment activities].
5. “School campus” means, for the purpose of competitive food standards implementation, all areas of property under the jurisdiction of the school that are accessible to students during the school day.]

END OF POLICY

Legal Reference(s):

[ORS 329.531](#)
[ORS 327.537](#)
[ORS 329.496](#)
[ORS 334.125](#)

[ORS 336.423](#)
[OAR 581-051-051-0100](#)
[OAR 581-051-051-0305](#)

[OAR 581-051-051-0306](#)
[OAR 581-051-051-0310](#)
[OAR 581-051-051-0400](#)

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

[House Bill 3199](#) (2023).

corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, student assignment books or school supplies displayed, distributed, offered or sold by the ESD; advertisements in school publications or school mailings; free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.]

¹⁴ Oregon Department of Education, [Oregon Smart Snacks Standards](#)

Lane Education Service District

Code: EFAA
Adopted:

ESD Nutrition and Food Services

(Required if the ESD operates a school and receives reimbursement meal services from ODE.)

The ESD supports providing reimbursable meals to its component districts?

The ESD may enter into an agreement with the Oregon Department of Education (ODE) to operate the National School Lunch Program (NSLP) and the Commodity Food Distribution Program (CFDP) by signing a permanent Sponsor-ODE Agreement entitling the ESD to receive reimbursement for all meals that meet program requirements and to earn USDA Food entitlement based on the number of lunches served.

The permanent agreement shall be signed by the superintendent or other ESD official with authority to obligate the ESD to legally binding contracts, subject to annual ODE renewal and will include, at the ESD's option, an agreement to operate the School Breakfast Program (SBP), Summer Food Service Program (SFSP), the Child and Adult Care Food Program (CACFP) and the Special Milk Program (SMP). The ESD recognizes that meals and snacks served by the ESD will not be eligible for reimbursement until the annual program update is received and approved by ODE.

The permanent Sponsor-ODE Agreement shall include assurances by the ESD that it will follow all Child Nutrition Program regulations for which the ESD is approved to operate:

1. Free and reduced price process (updated annually);
2. Financial management of the nonprofit school food service;
3. Civil rights and confidentiality procedures;
4. Meal pattern and nutrition content of meals served;
5. Use and control of commodity foods;
6. Accuracy of reimbursement claims;

Food safety and sanitation inspections;

8. Nutrition standards for foods and beverages sold to students.

7. The superintendent will develop an administrative regulation as necessary to implement this policy and meet the requirements of state and federal law. The administrative regulation will be reviewed and adopted by the Board as required by law.

END OF POLICY

Legal Reference(s):

[ORS 327.520 to -327.537](#)

[ORS 336.423](#)

Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance, 7 C.F.R. Part 15b (2017).
U.S.D.A., ELIGIBILITY GUIDANCE FOR SCHOOL MEALS MANUAL.
U.S.D.A., FNS INSTRUCTION 765-7, REV. 2 HANDLING LOST, STOLEN AND MISUSED MEAL TICKETS.
Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. §§ 1758, 1760 (2012).
National School Lunch Program 7 C.F.R. Part 210 (2017).
U.S.D.A. Instruction 113-1 Civil Rights
Donation of Foods for Use in the United States, Its Territories and Possessions and Areas Under its Jurisdiction, 7 C.F.R. Part 250 (2017).
Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, 2 C.F.R. 200 (2017).

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Lane Education Service District

Code:
Adopted:

EFAA-AR

Reimbursable Meals and Milk Programs

(National School Lunch Program, School Breakfast Program, Special Milk Program and other meal programs)

(Required if the ESD operates a school and receives reimbursement for meal services from ODE.)

The ESD's nutrition and food services will be operated in accordance with the following requirements:

Meal Pricing Procedure

1. The ESD may operate the Special Milk Program (SMP) at schools where students do not have access to program meals. Under SMP, the ESD will choose one of the following options:
 - a. Nonpricing (serve SMP milk at no charge to all students);
 - b. Pricing programs without a free option (charge all students for SMP milk); or
 - c. Pricing programs with a free option (distribute confidential applications for free milk and charge only those students for SMP milk who do not qualify for free milk based on the household's application or direct certification from Supplemental Nutrition Assistance Programs (SNAP)).
2. Reimbursable meals ~~and afterschool snacks~~ will be priced as a unit.
3. Reimbursable meals~~,~~ ~~and~~ ~~milk~~ ~~afterschool snacks~~ will be served free or at a reduced price to all children who are determined by the ESD to be eligible for free or reduced price meals ~~and free milk~~.
4. Annually, the ESD will establish prices for reimbursable student meals~~,~~ ~~and~~ ~~afterschool snacks~~ ~~milk~~. The price charged to students who do not qualify for free or reduced price meals ~~or free milk~~ will be established annually by the ESD in compliance with state and federal laws.
5. The price charged to students who qualify for reduced price meals will be established annually by the ESD in compliance with state and federal laws.
6. ~~The ESD will offer SMP [with the free option] [without the free option] [at no charge] to students who are not able to participate in the ESD's lunch or breakfast programs.~~
- 7.6. ~~The ESD will implement claiming alternative Provision [1] [2] [3] at the following schools under its jurisdiction: (list schools) .~~
- 8.7. ~~The ESD will implement claiming alternative Community Eligibility at the following schools under its jurisdiction: Lane School (list schools) .~~

Application Procedures

1. Households receiving SNAP or Temporary Assistance to Needy Families (TANF) benefits, as identified by Oregon Department of Education (ODE), will be automatically eligible for free

meals[,] [and] [afterschool-snacks] [milk] for the students listed on the official document. The ESD must access this document at least three times per year.

2. Students receiving support through the migrant education program, Runaway and Homeless Youth Act, McKinney-Vento Homeless Assistance Act, federal Head Start and state-funded prekindergarten programs, with income eligibility criteria identical or more stringent than federal Head Start, or are in state or court placement foster care, will be automatically eligible for free meals[,] [and] [afterschool-snacks] [milk], for the students listed on the official documents.
3. Households that submit a confidential application will be notified of their student’s eligibility for free or reduced price meals [or free milk]. Households that are denied free or reduced price benefits will be notified in writing using the ODE template letter distributed to the ESD annually.
4. On a case-by-case basis, when a student is known to be eligible for free or reduced price meal [or free milk] benefits and the household fails to submit a confidential application, the superintendent or designee may complete an application for the student documenting how they know the household income qualifies the student for free or reduced price meal benefits. Parents of a student approved for free or reduced price benefits, when application is made for the student by an ESD official, will be notified of the decision and given the opportunity to decline benefits.
5. Students who do not qualify for free or reduced price meals [or free milk] are eligible to participate in the [SMP,] National School Lunch Program (NSLP) [and School Breakfast Program (SBP)] and will be charged “paid” prices set by the ESD. “Paid” category students will be treated equally to students receiving free or reduced price benefits in every aspect of the ESD’s NSLP[,] [and] [SMP] and [SBP] [Child and Adult Care Food Program (CACFP)] [Summer Food Service Program (SFSP)].
6. The ESD has established a fair hearing process under which a household can appeal a decision with respect to the household’s application for benefits or any subsequent reduction or termination of benefits.
7. In the event of major employers contemplating large layoffs in the attendance area of the ESD, the ESD will provide confidential applications and eligibility criteria for free and reduced price meals [or free milk] to the employer for distribution to affected employees.

Financial Management of the Nonprofit School Food Service

1. The ESD will maintain a nonprofit nutrition and food service operation.
2. Revenues earned by the nutrition and food services will be used only for the operation or improvement of NSLP[,] [and] [SMP] and [SBP] [CACFP] [SFSP].
3. Lunch and breakfast meals served to teachers, administrators, custodians and other adults not directly involved with the operation of the ESD’s nutrition and food services will be priced to cover all direct and indirect cost of preparing and serving the meal.¹

¹ For meals with portion sizes equivalent to student meals, the adult meal price will be no less than the amount of reimbursement for a free-eligible meal, plus the value of commodity foods used in the meal preparation.

4. The ESD nutrition and food services revenues will not be used to purchase land or buildings.
5. The ESD will limit its nutrition and food services net cash resources to an amount that does not exceed three months average expenditures.
6. The ESD will maintain effective control and accountability for, and adequately safeguard, all nutrition and food services' cash, real and personal property, equipment and other assets, and ensure they are used solely for nutrition and food services purposes.
7. The ESD will meet the requirements for allowable NSLP[,][and][SMP] and [SBP][CACFP][SFSP] costs as described in 2 C.F.R. 200.
8. In purchasing nutrition and food services goods or services, the ESD will not accept proposals or bids from any party that has developed or drafted specifications, requirements, statements of work, invitations for bids, requests for proposals, contract terms and conditions or other documents for proposals used to conduct the procurement.
9. All procurement transactions for nutrition and food services goods and services will be conducted according to state, federal and ESD procurement standards using the applicable cost thresholds.
10. In the operation of its nutrition and food services program, the ESD will purchase food products where at least 50 percent of the ingredients are produced or processed in the United States, whenever possible.
11. ~~The ESD may use facilities, equipment and personnel supported with nutrition and food services revenue to support a nonprofit nutrition program for the elderly.~~

Civil Rights and Confidentiality Procedures

1. The ESD will not discriminate against any student because of their eligibility for free or reduced
2. The ESD will not discriminate against any student or any nutrition and food services employee because of race, color, national origin, marital status, sex, sexual orientation, parental status, ^{price meals.} religion, age or disability.
3. The ESD will assure that all students and nutrition and food services employees are not subject to different treatment, disparate impact or a hostile environment.
4. Established ESD procedures will be followed for receiving and processing civil rights complaints related to applications for NSLP[,][and][SMP] and [SBP][CACFP][SFSP] benefits and services, and employment practices with regard to the operation of its NSLP[,][and][SMP] and [SBP][CACFP][SFSP]. The ESD will forward any civil rights complaint regarding the ESD's nutrition and food services to ODE's director of Child Nutrition Programs within three days of receiving the complaint.
5. The ESD will make written or oral translations of all nutrition and food services materials available to all households who do not read or speak English.
6. The ESD will maintain strict confidentiality of all information obtained through a confidential application for free and reduced price meals ~~for free milk~~ or direct certification, including students'

eligibility for free or reduced price meals and all household information. The ESD's NSLP~~[,]~~~~[and]~~ ~~[SMP]~~ and ~~[SBP]~~~~[CACFP]~~~~[SFSP]~~ operators are not required to release any information from a student's confidential application for free or reduced price meals ~~[or free milk]~~. No information may be released from a student's eligibility information without first obtaining written permission from the student's parent or legal guardian/adult household member signing the application, except as follows:

- a. An individual student's name and eligibility status may be released without written consent only to persons who operate or administer federal education programs; persons who operate or administer state education or state health programs at the state level; persons evaluating state, education assessment; or persons who operate or administer any other NSLP, SBP, SMP, CACFP, SFSP or SNAP.
- b. Any other confidential information contained in the confidential application for free and reduced price meals ~~[or free milk]~~ (e.g., family income, address, etc.) may be released without written consent only to persons who operate or administer the NSLP, SBP, SMP, CACFP, SFSP and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC); the Comptroller General of the United States for audit purposes; and federal, state or local law enforcement officials investigating alleged violation of any of the programs listed above.

Nutrition and Menu Planning

1. Meals and afterschool snacks served for reimbursement will meet the nutrition standards established by the U.S. Department of Agriculture (USDA) and Oregon Smart Snacks Standards.
2. Meals ~~[and afterschool snacks]~~ served for reimbursement will meet at least the minimum NSLP~~[,]~~ ~~[and]~~ ~~[SBP]~~ ~~[CACFP]~~ ~~[SFSP]~~ requirements for food items and quantities.
3. Meals served for reimbursement will:
 - a. Meet all calorie range requirements by grade level;
 - b. Meet the maximum standards set for saturated fat;
 - c. Meet the maximum standards set for sodium by grade level; and
 - d. Meet the requirement for zero grams of trans fats.
4. The ESD will use the offer versus serve option when serving NSLP lunches to senior high school students. High school students must take at least three of five different food items including one-half cup of fruit or vegetable offered in program lunches.
5. [The ESD will use the offer versus serve option when serving program breakfasts to senior high school students. High school students must take at least three of four food items including one-half cup of fruit or vegetable offered in program breakfasts.]
6. [The ESD will use the offer versus serve option when serving program lunches to students below senior high school grades. Students below high school grades will be required to take three of the five food items, including one-half cup of fruit or vegetable offered in program lunches.]
7. [The ESD will use the offer versus serve option when serving program breakfasts to students below senior high school grades. Students below high school grades will be required to take three of the four food items, including one-half cup of fruit offered in program breakfasts.]

8. A copy of the Board minutes adopting the offer versus serve policy for students below high school grades for program lunches and/or for all students in the ESD for program breakfasts, as applicable, will be made available upon request.

Use and Control of Commodity Foods

1. The ESD will accept and use commodity foods in as large a quantity as may be efficiently utilized in the NSLP[,] and] [SBP][SFSP].
2. The ESD will maintain necessary safeguards to prevent theft or spoilage of commodity foods.
3. The value of commodity foods used for any food production other than NSLP, SBP, SFSP or afterschool snacks shall be replaced in the food service inventory.

Accuracy of Reimbursement Claims

1. The ESD will claim reimbursement only for reimbursable meals[,] and] [afterschool snacks] [milk] served to eligible children.
2. All meals[,] and] [afterschool snacks] [milk] claimed for reimbursement will be counted at each dining site at a “point of service” where it can be accurately determined that the meal[,] and] [afterschool snack] [milk] meets NSLP[,] and] [SMP][SBP][CACFP][SFSP] requirements for reimbursement.
3. The person responsible for determining if the meals [and afterschool snacks] are reimbursable will be trained to recognize a reimbursable meal.
4. The ESD official signing the claim for reimbursement will review and analyze monthly meal[,] and] [afterschool snack] [milk] counts to ensure accuracy of the claim, before submitting the claim to ODE.
5. Annually, by November 15, the ESD will verify a random sample of applications according to NSLP verification requirements. Instructions for completing the verification process will be sent by ODE to the ESD in October each year.

Food Safety and Sanitation Inspections

1. The ESD will maintain necessary facilities for storing, preparing and serving food and milk.
2. Semiannually, the ESD will schedule food safety inspections with the county Environmental Health Department for each school or dining site under its jurisdiction.
3. The ESD will maintain health standards in compliance with all applicable state food safety regulations at each school or dining site under its jurisdiction.

General USDA NSLP/SBP/SMP Requirements

1. The ESD will ensure that no student is denied a meal as a disciplinary action.
2. Breakfast will be served in the morning hours, at or near the beginning of the student’s school day.

3. Lunch will be served between the hours of 10 a.m. and 2 p.m.
 4. The ESD will provide substitute foods for students with a disability² that restricts their diet when supported by a written statement from a state-licensed health care professional, who is authorized to write medical prescriptions. Substitutions will be provided only when a medical statement from the licensed health care professional is on file at the ESD. The medical statement must state the nature of the child's impairment so its effect on the student's diet is understood, and what must be done to accommodate the impairment. The ESD will not charge more than the price of the school meal, as determined by the child's eligibility status, for meals with the accommodation.
 5. The ESD will control the sale of competitive foods.
 6. The ESD will ensure that potable [drinking] water will be available to students, free of charge for consumption in the place where meals are served during meal service.
 7. The ESD will notify all households and appropriate staff of its meal charge requirements³ at the beginning of each school year, upon enrollment of a student or the transfer of a student. The meal charging requirements will be [posted on the ESD website,] [published in the student/parent handbook] [and made available in the information on free and reduced-priced meals].
- [⁴Regardless of the ability to pay, a student shall be provided a reimbursable meal upon request. Parents or guardians may provide written permission to the ESD to withhold a meal from a student. After five meal charges the ESD will attempt to certify the student for free or reduced price meals. At least two attempts to contact the student's parent or guardian for completing a meal application will be made by the ESD, including offering assistance filling out the application, if appropriate. Communications regarding student charges will be directed to parents or guardians, only.] [The ESD may refer delinquent meal charges to third parties for collection. Collection fees will not be charged to the parent or guardian.]
8. The sale of foods in competition with the ESD's lunch (NSLP) or breakfast (SBP) programs will be allowed in dining sites during lunch and breakfast periods with Board approval only when all income from the food sales accrues to the benefit of the ESD's nutrition and food services or accrues to a school or student organization approved by the Board. A copy of the Board minutes approving and defining competitive food sales will be made available upon request.
 9. [Students ~~will~~] [will not] be charged for second servings of meals or portions of meals served.]

² To comply with Section 504 as it relates to a student's severe food allergy, such as milk, gluten, nut or soy, and including but not limited to diabetes, colitis, etc.

³ [Federal law requires the ESD to publish meal charging requirements. The ESD's charging requirements must identify how and when the information about account balances is communicated to staff, students and parents, and what collection methods will be used in delinquent balances.]

⁴ [Pursuant to ORS 327.535 the following language reflects required practice, but the language is not required to be in policy.]

Record Keeping

The following documents will be maintained by the ESD for three years after the current school year or longer, in the event of an unresolved audit(s), until the audit(s) has been completed:

1. All currently approved and denied confidential applications for free and reduced price meals[, free milk,] all current direct certification documents, eligibility verification documents and school membership or enrollment lists;
2. Financial records that account for all revenues and expenditures of the ESD's nonprofit nutrition and food services programs, including procurement documents;
3. Records (i.e., recipes, ingredient lists and nutrition fact labels or product specifications) that document the compliance with nutrition standards for all program and competitive foods available for sale to students at a school campus;
4. Documents of participation data (i.e. meal counts) from each school operated by the ESD to support claims for reimbursement;
5. Production and menu records;
6. Records to document compliance with Paid Lunch Equity;
7. Records to document compliance with Revenue from Nonprogram Foods; and
8. Internal program monitoring documents for NSLP[,][and][SBP][afterschool snacks][CACFP][SFSP].

Lane Education Service District

Code: EGAAA
Adopted: 4/26/94
Readopted: 1/22/02
Orig. Code(s): EGAAA

Reproduction of All Copyrighted Materials (Version 1)

The Board recognizes that the unlawful copying of copyrighted materials contributes to higher costs for materials, lessens the incentives for development of qualified educational materials, fosters an attitude of disrespect for law which is in conflict with the educational goals of Lane ESD and puts the ESD at risk of litigation.

The Board directs that ESD employees adhere to the provisions of Public Law 94-553 and subsequent federal legislation and guidelines related to the duplication and/or use of copyrighted materials, only permitting copying specifically allowed by copyright law, fair use guidelines, license agreements or proprietor's permission.

Appropriate notice will be posted on or near all equipment capable of making copies.

The Board further directs that:

1. Employees shall not make unlawful copies of copyrighted materials on ESD-owned equipment;
2. Employees shall not use unlawful copies of copyrighted materials with or on ESD-owned equipment, within ESD-owned facilities or ESD-sponsored functions;
3. Employees shall not direct other employees under their supervision to make or use unlawful copies of copyrighted materials;
4. Employees who unlawfully copy and use copyrighted materials or direct others to do so are not acting within the course and scope of their employment and will be individually liable for any violation of state or federal laws;
5. Employees who willfully violate this policy will be disciplined.

The Board directs that all staff members be provided opportunities to become and remain knowledgeable about copyright law and guidelines as related to job responsibilities.

In order to implement this policy, the Board directs the superintendent to appoint a staff member or members to serve as copyright officers. It shall be the responsibility of the copyright officers to coordinate the development of administrative rules detailing what copying can and cannot be done by ESD employees, retention of appropriate copyright records, training opportunities and a collection of reference materials related to copyright.

END OF POLICY

Legal Reference(s):

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

Copyrights, 17 U.S.C. §§ 101-1332; 19 C.F.R. Part 133 (2012).

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Lane Education Service District

Code:
Adopted:

EGAAA

Reproduction of All Copyrighted Materials

Among the facilities available to teachers in carrying out their educational assignments are a variety of machines for reproducing the written and spoken word, either in single or multiple copies.

Infringement on copyrighted material, whether prose, poetry, graphic images, music, audiotape, video or computer-programmed materials, is a serious offense against federal law and contrary to the ethical standards required of staff and students alike.

Violations may result in criminal or civil suits.

The Board therefore requires that all reproduction of copyrighted material be conducted strictly in accordance with applicable provisions of law. Unless otherwise allowed as “fair use” under federal law, permission must be acquired from the copyright owner prior to reproduction of material in any form.

“Fair use” is not a rigidly defined term. “Fair use” is based on the following standards:

1. The purpose and character of the use;
2. The nature of the copyrighted work;
3. The amount of and the substantiality of the portion used;
4. The effect of the use upon the potential market for, or value of, the copyrighted work.

If an individual questions the legality of duplicating materials, they should seek permission from the copyright holders.

Employees in violation of copyright law may be required to remunerate the ESD in the event of loss due to litigation and may be subject to discipline up to and including dismissal.

The superintendent or designee will provide [guidelines] [administrative regulations] for the “fair use” of copyrighted materials that meet the requirements of Section 107 of the Copyright Act of 1976 and applicable amendments.

The superintendent or designee shall [annually] [regularly] review and update the ESD copyright guidelines, arrange for staff to have familiarity with and implement ESD copyright policy and guidelines and to act as a resource to staff members regarding copyright laws, regulations, ESD policies and ESD copyright guidelines.

END OF POLICY

Legal Reference(s):

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

Copyrights, 17 U.S.C. §§ 101-1332; 19 C.F.R. Part 133 (2012).

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Lane Education Service District

Code: EGAAA-AR
Adopted: 1/11/95
Revised/Readopted: 1/22/02
Orig. Code(s): EGAAA-AR

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Use of Copyrighted Materials

The media services manager is appointed as the ESD copyright officer.

The copyright officer shall annually review and update the ESD copyright guidelines, arrange for staff to have familiarity with and implement ESD copyright policy and guidelines and to act as a resource to staff members regarding copyright laws, regulations, ESD policies and ESD copyright guidelines.

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Lane Education Service District

Code: EGAB
Adopted: 3/29/94
Readopted: 1/22/02
Orig. Code(s): EGAB

Courier Service

(This is part of operations/internal procedure. Does not generally rise to the level of board policy.)

The Board of the Lane Education Service District recognizes the establishment of a courier program to provide approved service to its component districts and other approved agencies.

This policy prohibits the use of the courier service where other legitimate options are more appropriate and/or cost effective including but not limited to the U.S. Postal Service and private carriers such as United Parcel Service.

The courier service will provide the delivery and pick-up of ESD Media Library materials, the delivery of items from other ESD departments, interdistrict and interagency communications and the pick-up and delivery of audiovisual material and equipment.

It shall be the responsibility of the administration to develop and maintain administrative rules and guidelines which conform to the intent of this policy. These procedures will include but not be limited to the development of schedules which provide the required services in a cost effective manner, guidelines for courier use and the regulations for monitoring use of courier service.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Perry Education Association v. Perry Local Educator's Association, 460 U.S. 37 (1983).

University of California v. PERB, 485 U.S. 589 (1988).

Lane Education Service District

Code: EGAB-AR
Adopted: 4/15/94
Revised/Readopted: 1/22/02
Orig. Code(s): EGAB-AR

Guidelines for Use of Courier Service

(Does not rise to AR level; internal procedure.)

The administrative rules for courier service require standards for ESD use, interschool and interdistrict use and use by entities other than public schools.

ESD Use

1. Instruction for multiple copy mailings

Each component district will provide the ESD with the procedure to be used to provide mailings to the district. These procedures apply to all multiple copy materials which are to be disbursed and generally will be limited to the following options:

- a. Send materials to the superintendent for distribution;
- b. Send materials to the curriculum coordinator for distribution with a copy to the superintendent;
- c. Send materials to a specific division within the district for review and distribution.

2. Specific or Individual Mailings

These are to be sent directly to the individual for whom the correspondence is addressed.

3. Materials for Distribution to Students

All materials intended for direct distribution to students or for student information shall be pre-approved by the ESD media services manager under the guidelines for all other materials; however, it shall be the component district or building responsibility to determine if said materials may be distributed in the building according to individual building procedures.

Interschool and Interdistrict Correspondence

The standard format for addressing interschool correspondence is to be complied with by those individuals using the ESD courier service. This format includes:

1. Cross out all previous addresses found on both sides of any envelopes you are using;
2. Addresses should be clearly marked FROM and TO as well as legibly addressed (we prefer having the FROM on the left side and the TO on the right side as you would find it on a U.S. mailing, however, we realize some districts do have preprinted labels which are opposite);
3. Include a return address in case the mail needs to be returned due to an improper or illegible address;
4. When sending correspondence to the ESD please include the department to which it is being sent and the name of the particular person to whom the correspondence is directed, if known;

5. When sending mail to schools please include the name of the school as well as the name of the person to receive the mail;
6. If the envelope you are using is clearly marked FROM-TO or vice versa please follow the same sequencing. If you do change directions midway be very sure previous directions are thoroughly crossed out and your change is boldly marked;
7. If sending to a specific department such as accounting, please include name of the district or Lane ESD so that it does not get delivered to the wrong institution;
8. If the material is highly confidential or includes a sum of money, please use special care in sealing and clearly identifying the envelope;
9. This service is not intended to supplement or to replace the service provided by the U.S. Postal Service. The postal service must be used for all personal correspondence.

Other Agencies

The following rules apply to the use of courier service by agencies other than public schools:

1. Requests will be considered only from other governmental agencies and organizations involved in civic services with a relationship to education;
2. All requests for the use of the courier service by agencies other than Lane ESD or Lane County public schools will be directed to the media services manager;
3. Each use of the courier will be considered individually. No “standing” permission is granted to any entity;
4. All entities using the courier service will follow the communication patterns established by each of the component school districts;
5. Any entity using the courier service must prepare the material for delivery and place it at the collection points designated by the media services manager;
6. Schools may use the courier service as a freight system under the conditions listed below. Any such delivery must result in a cost savings or special convenience for the component school districts.
 - a. The ESD must receive a request for such service from the component district with whom the vendor is transacting business.
 - b. The weight and/or size of the merchandise packages must be such that they can be conveniently handled by the courier drivers.
 - c. Items may be held at the ESD office until, in the opinion of the staff, there is space available in the courier vehicles.
 - d. The ESD employees will not sign for merchandise or accept any responsibility for safe delivery.
7. It is understood the courier service is for the convenience of the school districts of Lane County only. The request for courier service shall not conflict with services normally provided the districts by the U.S. Postal Service.

Lane Education Service District

Code: EGACA
Adopted: 9/23/03
Orig. Code(s): EGACA

Cell Phones ~~Cellular Telephones~~

The Board recognizes that the use of ~~cell phones~~ ~~cellular telephones~~ may be appropriate to provide for the effective and efficient operation of the ~~ESD~~ ~~district~~ and to help ensure safety and security of ~~ESD~~ ~~district~~ property, staff and others while on ~~ESD~~ ~~district~~ property or engaged in ~~ESD~~ ~~district~~-sponsored activities. To this end, the Board authorizes the purchase and employee use of ~~cell phones~~ ~~cellular telephones~~, as deemed appropriate by the superintendent.

~~ESD~~ ~~District~~-owned ~~cell phones~~ ~~cellular telephones~~ shall be used for authorized ~~ESD~~ ~~district~~ business purposes, consistent with the ~~ESD~~ ~~district~~'s mission and goals. Personal use of such equipment is prohibited except in emergency situations. Employees do not have any expectations of privacy with ~~ESD~~-owned cell phones or any information stored on them; the phone may be confiscated and searched at any time. Employee use of an ~~ESD~~-owned cell phone shall not violate Oregon's ethics laws. Any expenses incurred for such personal use shall be reimbursed to the ~~district~~ ~~ESD~~.

If an employee's cell phone purchase is reimbursed by the ~~ESD~~, or the employee is provided a stipend to purchase a cell phone, all phone records, text messages, emails to and from the cell phone, and other communications made with the cell phone may be public records.

Employees shall not use cell phones, whether ~~ESD~~-owned or personally-owned, for non-~~ESD~~-related business while attending to and/or performing their job responsibilities.

Use of ~~cell phones~~ ~~cellular telephones~~ in violation of Board policies, administrative ~~regulations~~ ~~rules~~ and/or state and federal laws will result in discipline up to and including dismissal and/or referral to ~~Oregon~~ Government ~~Ethics Standards and Practices~~ Commission and law enforcement officials, as appropriate.

The superintendent is directed to develop administrative ~~regulations~~ ~~rules~~ for the implementation of this policy, including a uniform and controlled system for identifying employee ~~cell phone~~ ~~cellular telephone~~ needs, monitoring use and reimbursement. Provisions may also be included for staff use of privately-owned ~~cell phones~~ ~~cellular telephones~~ for authorized ~~ESD~~ ~~district~~ business.

END OF POLICY

Legal Reference(s):

[ORS 244.010](#)

[ORS 244.020\(15\)](#)

[ORS 244.040\(1\)\(a\)](#)

[ORS 244.120](#)

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

Davidson v. Or. Gov't Ethics Comm'n, 300 Or. 415 (1985)

OR. GOV'T STANDARDS AND PRACTICES COMM'N, ADVISORY OPINIONS 02S-020 (Aug. 2, 2002), 02A-1008 (July 12, 2002), 01A-1004 (June 1, 2001) and 98A-1003 (July 9, 1998).

Lane Education Service District

Code: EGACA-AR
Adopted: 9/23/03
Revised/Reviewed:
Orig. Code(s): EGACA-AR

~~Cell Phones~~Cellular Telephones

~~District~~ESD-owned ~~cell phones~~cellular telephones may be purchased and authorized for staff use in accordance with the following:

~~Cell Phone~~Cellular Telephone Authorization

Cell phones~~Cellular telephones~~ may be assigned or made available on a temporary basis by the ~~service area director~~ [superintendent] [business manager] [or designee] when it is determined that:

1. The assignment of a ~~cell phone~~cellular telephone to the employee is a prudent use of ~~ESD~~district resources;
2. The employee's job responsibilities require the ability to communicate frequently ~~and access to a district or public telephone is not readily available~~;
3. The employee's job responsibilities involve situations where immediate communication is necessary to ensure the security of ~~ESD~~district property or safety of students, staff or others while on ~~ESD~~district property or engaged in ~~ESD~~district-sponsored activities.

~~Cell Phone~~Cellular Telephone Use

1. ~~Cell phones~~Cellular telephones are provided specifically to carry out official ~~ESD~~district business ~~when other means of communications are not readily available~~.
2. ~~Cellular telephones are not to be used when a less costly alternative is readily available, unless as otherwise necessary for safety or emergency circumstances or where the phone assigned is in lieu of a desk phone.~~
- 3.2. Personal use of ~~ESD cell phones~~cellular telephones is limited to making or receiving calls for family emergency purposes, ~~including contacting a family member or child-care provider to advise that the employee is going to be late arriving home or picking up children for a reason directly related to his/her official district duties, i.e., a meeting which runs later than expected or a last minute schedule change. Where the cellular phone is assigned in lieu of a desk phone, personal use is restricted to lunch, breaks or other such times when the employee is not on duty.~~
4. ~~Cellular telephones are to be used with discretion for conversations involving district information of a confidential nature.~~
- 5.3. ~~Cellular telephones are~~ESD cell phones shall not to be loaned to others ~~not employed by the agency~~.

- 6.4. Employees issued a ~~cell phone~~ ~~cellular telephone~~ are responsible for its safekeeping at all times. Defective, lost or stolen ~~cell phones~~ ~~cellular telephones~~ are to be reported immediately to the ~~[business manager]~~ ~~[immediate supervisor]~~ who will in turn notify the service provider.
- 7.5. ~~Cell phones~~ ~~Cellular telephones~~ issued for employee use are to be returned to the ~~[business manager]~~ ~~[service area]~~ at the conclusion of the fiscal year, activity or as otherwise specified.

Privately-Owned ~~Cell Phones~~ ~~Cellular Telephones~~

1. ~~ESD~~ ~~District~~ employees may be reimbursed ~~[, or receive a stipend,]~~ for use of privately-owned ~~cell phones~~ ~~cellular telephones~~ to conduct ~~ESD~~ ~~District~~ business in accordance with Board policy and this regulation, with prior approval of the ~~[service area director]~~ ~~[superintendent]~~ ~~[or]~~ ~~[business manager]~~ ~~[or designee]~~.
2. Personal use of privately-owned ~~cell phones~~ ~~cellular telephones~~ by employees authorized to use such equipment for ~~ESD~~ ~~District~~ business is restricted to lunch, breaks or other such times when the employee is not on duty.

Reimbursement

1. Requests for reimbursement for authorized use of employee-owned ~~cell phones~~ ~~cellular telephones~~ are to be submitted on ~~ESD~~ ~~District~~-provided forms, available through the office and accompanied by a copy of the billing statement with the ~~ESD~~ ~~District~~ business-related calls highlighted. A notation for each highlighted entry, indicating the nature of the call, is required.
2. All requests for reimbursement, including the highlighted billing statement, must be submitted within {30} days of the end of the time period for which reimbursement is requested, or quarterly with advance approval from the director. Requests submitted after the reimbursement deadline has passed ~~[will]~~ ~~[may]~~ be denied.
3. District reimbursement for authorized use of employee-owned ~~cell phones~~ ~~cellular telephones~~ will be made ~~[within 30 days]~~ ~~[in conformance with~~ ~~ESD~~ ~~District~~ ~~payment procedures]~~.

Lane Education Service District

Code: EHA
Adopted: 9/28/04
Orig. Code(s): EHA



Health Insurance Portability and Accountability Act (Version 1)

(For ESDs that bill for Medicaid or use a contracted service to bill for Medicaid)

(There are three sample versions of this policy (see additional version 2 and 3); please pay special attention to the highlighted subtitle to determine which is appropriate for the ESD. This is the ESD's current policy. Based on the questionnaire, the ESD is self-insured and has a 125 plan but does not bill for Medicaid. This policy is specific to just billing for Medicaid. See the alternate version that follows.)

The Board has determined that it meets the definition of a hybrid of covered entities¹ under the Health Insurance Portability and Accountability Act (HIPAA). The ESD offers health-care provider programs and services. The ESD contracts with another entity to provide electronic billing for the reimbursement of services under Oregon Medicaid programs, and is subject to HIPAA.

As a covered entity, the ESD will ensure that electronic billing contractors meet the national electronic transaction standards and applicable requirements of federal law. In all electronic transactions involving student education records information, the ESD will adhere to the confidentiality requirements of the Family Educational Rights and Privacy Act (FERPA).

The superintendent will ensure that training is provided to appropriate staff with access to, and responsibility for, electronic transactions of student education records information as required by HIPAA. Notice will be provided to students and parents of their rights pertaining to the disclosure of personally identifiable information, complaint procedures and the ESD official to contact in the event of questions, as provided in established student education records related Board policies and administrative regulations.

END OF POLICY

Legal Reference(s):

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

Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. §§ 13 to -d-8 (2012); 45 C.F.R. Parts 160, 164 (2016).

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 (2016).

¹ A "covered entity" is an entity subject to HIPAA. These include those entities defined under the Act as a health plan, health care clearinghouse, health care provider or a hybrid entity. A hybrid of covered entities is a single legal entity that is a covered entity and whose covered functions are not its primary function. Self-insured health plans and Internal Revenue Service Section 125 plans with 50 or more participants operated or maintained by public schools entities are covered health plans for HIPAA privacy rule purposes. Similarly, any provider of services, a provider of medical or health services as defined in section 1861 of the Act, (42 U.S.C. § 1395X(s)), and any person or organization who furnishes, bills or is paid for health care in the normal course as defined by 45 C.F.R. § 160.103 is also subject to HIPAA requirements as a health-care provider. ESD's should review their programs and services with their legal counsel in determining HIPAA applicability.

Lane Education Service District

Code: EHA
Adopted:

Health Insurance Portability and Accountability Act (Version 2)

(For ESDs that self-insure a health plan and/or self-administer an Internal Revenue Service Section 125 plan)

The Board has determined that it meets the definition of a hybrid of covered entities¹ under the Health Insurance Portability and Accountability Act (HIPAA). As the ESD [self-insures a health plan] [and] [self-administers an Internal Revenue Service Section 125 plan] it meets the health plan definition under HIPAA. As a covered entity, the ESD will meet the requirements of federal law.

Accordingly, the ESD will safeguard the protected health information² of employees from use or disclosure that may violate standards and implementation specifications to the extent required by law. The electronic exchange of financial and administrative transactions related to an employee's protected health information will meet the requirements of HIPAA, including national standards for electronic transactions designed to ensure the security of health information created or received by the ESD.

The superintendent will designate an individual responsible for responding to HIPAA inquiries, complaints and for providing adequate notice of employee rights and ESD duties under the health plan provisions of the Act. Notice will include the privacy provisions of the law, and uses of employee protected health information and disclosures that may be made by the ESD.

Training will be provided to all current staff and new employees determined by the ESD to have access to the protected health information of employees. Training will be provided within a reasonable period of time after the individual's hiring, and to those employees when their duties may be impacted by a change in the ESD's policy and/or procedures.

Employees who believe their privacy rights have been violated may file a complaint in accordance with established ESD procedures. Complaints may also be filed directly with the U.S. Secretary of Health and Human Services. There shall be no retaliation by the ESD against any person who files a complaint or otherwise participates in an investigation or inquiry into an alleged violation of an individual's protected privacy rights. All complaints received will be promptly investigated and documented, including their final disposition.

¹ A "covered entity" is an entity subject to HIPAA. These include those entities defined under the Act as a health plan, health-care clearinghouse, health-care provider or a hybrid entity. A hybrid of covered entities is a single legal entity that is a covered entity and whose covered functions are not its primary function. Self-insured health plans and Internal Revenue Service Section 125 plans with 50 or more participants operated or maintained by public schools entities are covered health plans for HIPAA privacy rule purposes. Similarly, any provider of services, a provider of medical or health services as defined in section 1861 of the Act, (42 U.S.C. § 1395X(s)), and any person or organization who furnishes, bills or is paid for health care in the normal course as defined by 45 C.F.R. § 160.103 is also subject to HIPAA requirements as a health-care provider. ESD's should review their programs and services with their legal counsel in determining HIPAA applicability.

² "Protected health information" means individually identifiable health information that is: (1) transmitted by electronic media; (2) maintained in electronic media; (3) transmitted or maintained in any other form or medium. Protected health information excludes individually identifiable health information in education records covered by the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and employment records held by a covered entity in its role as employer.

The superintendent will ensure that satisfactory assurance has been obtained from any business associate³ performing HIPAA-covered activities or functions on behalf of the ESD that the protected health information it receives from the ESD will be protected. Such assurance will be in the form of a written agreement, or may be included as a part of the ESD’s contract with the business associate.

Employees in violation of this policy or procedures established to safeguard the protected health information of employees will be subject to discipline up to and including dismissal.

The superintendent is directed to ensure an assessment of ESD operations is conducted to determine the extent of the ESD’s responsibilities as a covered entity under HIPAA and to develop internal controls and procedures necessary to implement this policy and meet the requirements of law. The procedures shall include provisions for record keeping, documentation of the ESD’s compliance efforts and appropriate administrative, technical and physical safeguards to protect employee protected health information and to ensure that any request is limited to information reasonably necessary to accomplish the purpose for which the request is made.

In the event of a change in the law that may impact this policy or established ESD procedures, the superintendent shall ensure appropriate revisions are recommended for Board approval, necessary changes are implemented and notification is made to staff and others, as appropriate.

END OF POLICY

Legal Reference(s):

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

Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. §§ 1320d to -d-8 (2012); 45 C.F.R. Parts 160, 164 (2016).

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 (2016).

³ A “business associate” means a person who on behalf of such covered entity or of an organized health-care arrangement in which the covered entity participates, but other than in the capacity of a member of the workforce of such covered entity or arrangement, performs or assists in the performance of: (1) a function or activity involving the use or disclosure of individually identifiable health information, including claims processing or administration, data analysis, processing or administration, utilization review, quality assurance, billing, benefit management, practice management and repricing; or (2) any other function or activity regulated by HIPAA.

Lane Education Service District

Code: EHB
Adopted: 12/05/23
Orig. Code(s): EHB

Cybersecurity

The purpose of information security is to protect the confidentiality, integrity and availability of ESD data as well as any information systems that store, process, or transmit ESD data, and protect the information resources of the ESD from unauthorized access or damage.

The underlying principles followed to achieve that objective are:

1. Information Confidentiality: The ability to access or modify information is provided only to authorized users for authorized purposes;
2. Information Integrity: The information used in the pursuit of the ESD objectives can be trusted to correctly reflect the reality it represents; and
3. Information Availability: The information resources of the ESD, including the network, the hardware, the software, the facilities, the infrastructure, and any other such resources, are available to support the objectives for which they are designated.

The requirement to safeguard information resources must be balanced with the need to support the pursuit of legitimate ESD objectives. The value of information as a resource increases through its appropriate use; its value diminishes through misuse, misinterpretation, or unnecessary restrictions to its access.

This policy and accompanying administrative regulation applies to all staff and third-party agents of the ESD as well as any other ESD affiliate, including students, who are authorized to access ESD data and to all computer and communication devices and systems that store, process, or transmit ESD data.

END OF POLICY

Legal Reference(s):

[ORS Chapter 192](#)
[ORS 334.125](#)

[ORS 336.184](#)
[ORS 646A.600 - 646A.626](#)

Children’s Internet Protection Act, 47 U.S.C. §§ 254(h) and (l); 47 C.F.R. § 54.520.
Children’s Online Privacy Protection Act of 1998, 15 U.S.C. §§ 6501 to 6505; 16 C.F.R. § 312.
Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; 34 C.F.R. § 99.
Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. § 1320d; 45 C.F.R. §§ 160, 164.
Protection of Pupil Rights, 20 U.S.C. § 1232h; Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. § 98.

Lane Education Service District

Code: EHB-AR
Revised/Reviewed: 11/07/23
Orig. Code(s): EHB-AR

Cybersecurity

Throughout its lifecycle, an information system that stores, processes or transmits ESD data shall be protected in a manner that is considered reasonable and appropriate, as defined in documentation approved and maintained by the Technology Services Department, given the level of sensitivity, value and criticality that the ESD data has to the ESD.

Individuals who are authorized to access ESD data shall adhere to the appropriate Roles and Responsibilities, as defined in this administrative regulation.

Roles and Responsibilities

“Designated Information Security Officer (ISO)” means an employee designated by the superintendent to oversee the information security program. The ISO will be a senior-level employee in the ESD. The responsibilities of the ISO include the following:

1. Developing and implementing a ESD-wide information security program;
2. Documenting and disseminating information security policies and procedures;
3. Coordinating the development and implementation of required information security training and awareness program for staff and administrators;
4. Coordinating a response to actual or suspected breaches in the confidentiality, integrity or availability of ESD data and following statutory requirements;
5. Implementing and overseeing secure authentication processes and protocols;
6. Implementing and conducting IT security audits.

“Data owner” means a management-level employee of the ESD who oversees the lifecycle of one or more sets of ESD data. Responsibilities of a data owner include the following:

1. Assigning an appropriate classification to ESD data;
2. Determining the appropriate criteria for obtaining access to ESD data;
3. Ensuring that data custodians implement reasonable and appropriate security controls to protect the confidentiality, integrity and availability of ESD data;
4. Understanding and approving how ESD data is stored, processed, and transmitted by the ESD and by third-party agents of the ESD; and

5. Understanding how ESD data is governed by ESD policies, state and federal regulations, contracts and other legal binding agreements.

“Data custodian” means an employee of the Technology Services Department who has administrative and/or operational responsibility over ESD data. In many cases, there will be multiple data custodians. A data custodian is responsible for the following:

1. Understanding and reporting on how ESD data is stored, processed and transmitted by the ESD and by third-party agents of the ESD;
2. Implementing appropriate physical and technical safeguards to protect the confidentiality, integrity and availability of ESD data;
3. Documenting and disseminating administrative and operational procedures to ensure consistent storage, processing and transmission of ESD data;
4. Provisioning and deprovisioning access to ESD data as authorized by the data owner;
5. Understanding and reporting on security risks and how they impact the confidentiality, integrity and availability of ESD data;
6. Back up data daily; and
7. Force email and domain passwords to expire at least annually.

“User,” for the purpose of information security, means any employee, contractor or third-party agent of the ESD who is authorized to access ESD Information Systems and/or ESD data. A user is responsible for the following:

1. Adhering to policies, guidelines and procedures pertaining to the protection of ESD data;
2. Reporting actual or suspected vulnerabilities in the confidentiality, integrity or availability of ESD data to a manager or the Technology Services Department; and
3. Reporting actual or suspected breaches in the confidentiality, integrity or availability of ESD data to the Technology Services Department.

Classification of Information

Data classification, in the context of information security, is the classification of data based on its level of sensitivity and the impact to the ESD should that data be disclosed, altered or destroyed without authorization. The classification of data helps determine what baseline security controls are appropriate for safeguarding that data. All ESD data should be classified into one of three sensitivity levels or classifications: confidential, sensitive and public. In some cases, data could fall into multiple categories, i.e., salaries.

Data should be classified as confidential when the unauthorized disclosure, alteration, or destruction of that data could cause a significant level of risk to the ESD or its affiliates. Examples of confidential data include data protected by state or federal privacy regulations and data protected by confidentiality

agreements. The highest level of security controls should be applied to confidential data. Examples: student data, evaluation and disciplinary records.¹

Data should be classified as sensitive when the unauthorized disclosure, alteration or destruction of that data could result in a moderate level of risk to the ESD or its affiliates. By default, all ESD data that is not explicitly classified as confidential or public data should be treated as sensitive data. A reasonable level of security controls should be applied to private data. Examples: salaries and staff personal contact information.

Data classified as sensitive may be disclosable as public record under Oregon Revised Statute (ORS) Chapter 192. However, the sensitivity level of the data can warrant the assigned data classification and associated safeguard security controls.

Data should be classified as public when the unauthorized disclosure, alteration or destruction of that data would result in little or no risk to the ESD and its affiliates. Examples of public data include information intended for broad use within the ESD community at large or for public use. While little or no controls are required to protect the confidentiality of public data, some level of control is required to prevent unauthorized modification or destruction of public data. Examples: board minutes and policies.

Online Services and Applications

ESD employees are encouraged to research online services or applications to support the pursuit of ESD objectives. However, ESD employees are prohibited from installing or using applications, programs or other software, or online systems/websites that store, collect or share confidential or sensitive data, until the ISO approves the vendor and software or service. Before approving the use or purchase of any such software or online service, the ISO, or designee, shall verify that it meets the requirements of all applicable laws, regulations and board policies, and that it appropriately protects ESD data. This prior approval is required whether or not the software or online service is obtained or used without charge.

Implementation

The Technology Services Department is directed to develop operating policies, standards, baselines, guidelines and procedures for the implementation of this administrative regulations to include, but not limited to, addressing data encryption, logical access control, physical access control, vulnerability management, risk management and security logging and monitoring.

Violations of Policy and Misuse of Information

Violations of this administrative regulation include, but are not limited to: accessing information to which the individual has no legitimate right; enabling unauthorized individuals to access information; disclosing information in a way that violates applicable policy, procedure or other relevant regulations or laws; inappropriately modifying or destroying information; inadequately protecting information; or ignoring the explicit requirements of data owners for the proper management, use and protection of information resources.

¹ These examples are for IT purposes and may not be consistent with record request and disclosure requirements.

Violations may result in disciplinary action in accordance with ESD policies, procedures and/or applicable laws. Sanctions may include one or more of the following:

1. Suspension or termination of access;
2. Disciplinary action up to and including dismissal; and
3. Civil or criminal penalties.

Employees are to report suspected violations of this administrative regulation to the ISO or to the appropriate data owner. Reports of violations are considered sensitive information until otherwise designated.

Lane Education Service District

Code: EI
Adopted: 1/22/02
Orig. Code(s): EI

Risk and Insurance Management

(See policy EIA)

Lane ESD will maintain a risk and insurance management program for the protection of life, health, property and financial resources.

“Risk and insurance management” is defined as the art and science of minimizing the adverse effects of financial loss to the ESD, public or ESD employees. It does not include employee benefits such as accident or health insurance.

It shall be the objective of the risk and insurance management program to:

1. Identify and evaluate the ESD’s exposure to loss;
2. Reduce or eliminate the risk;
3. Identify risk areas to be assumed by the ESD through the normal operating expenses (self-insurance);
4. Transfer the risk to insurance companies within the financial resources of the ESD;
5. Meet all applicable laws or statutes for ESD coverage.

END OF POLICY

Legal Reference(s):

[ORS 30.260 - 30.265](#)
[ORS 278.005 - 278.215](#)

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

[OAR 581-024-0240](#)

Lane Education Service District

Code: EIA
Adopted: 3/29/94
Revised/Readopted: 1/22/02; 3/21/06
Orig. Code(s): EIA

Insurance Programs

ESD District insurance coverage shall be written by a company that meets industry standards with a rating of not less than Best's Key Rating of Excellent (A, A-) or the equivalent. The [director of business services] will select a company with a financial size category adequate to ensure surplus resources to protect the ESD's district's assets.

Insurance may also be written by any fully insured, partially insured or self-insured pool that is able to demonstrate satisfactory financial stability as determined by Oregon law.

Blanket building and equipment insurance will cover replacement costs with an agreed amount endorsement or as per occurrence limit and with a deductible determined by the [business manager] to provide the lowest possible premium costs consistent with adequate protection from unanticipated expenditures.

General and personal liability insurance will cover ESD District Board members and employees only while acting in their official capacity.

All employees will be covered by a blanket dishonesty bond. Tort liability endorsements may be carried or faithful performance bond.

The ESD District will provide liability coverage for all district-owned or leased vehicles.

The ESD District will not carry student accident insurance other than liability insurance.

The ESD District will not be liable for theft and damage of personal property of students that is not a requirement for attendance or participation in ESD programs. Additionally, the ESD District will not be liable for theft and damage of personal property of staff.

END OF POLICY

Legal Reference(s):

[ORS 30.260 to -30.300](#)
[ORS 278.005 to -278.215](#)

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

[OAR 581-024-0240](#)

Lane Education Service District

Code: EEAE
Adopted: 6/28/94
Revised/Readopted: 1/22/02
Orig. Code(s): EEAE

Student Transportation in Private Vehicles

School transportation services will be provided by component districts to Lane ESD students for transportation to and from school. Either component school district transportation services or appropriate public transportation may be used for school-sponsored activities that are extensions of classroom learning experiences.

~~Neither Private vehicles nor Lane ESD vehicles~~ shall ~~not~~ be used to transport students on field trips or other ESD-related activities.

END OF POLICY

Legal Reference(s):

[ORS 801.455](#)
[ORS 811.210](#)

[ORS 811.215](#)
[ORS 815.055](#)

[ORS 815.080](#)
[OAR 735-102-0010](#)

Lane Education Service District

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The following symbol is used on some policies:

** As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005(4) and 125.300-125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.

Lane Education Service District

Code: EB
 Adopted: 3/29/94
 Readopted: 1/22/02
 Orig. Code(s): EB

Safety Program

The Board recognizes its responsibility for the safety of students, Lane ESD employees and others citizens while they are on and in the facilities of the ESD.

~~The Board shall provide, publish and post rules for safety and the prevention of accidents; shall ensure that students, teachers and other staff members are instructed in safety and accident prevention; shall provide~~

protective devices where they are required for the safety of students and employees and shall provide suitable and safe equipment for the conduct of the program and the operation of the ESD. It shall be the policy of the Board to carry out the intent of the Oregon Safe Employment Act.

The Safe buildings, grounds and equipment will be maintained in order to prevent accidents or injury to students, employees and others from fire, natural disasters, mechanical and electrical malfunction superintendent shall prepare rules governing safety and the prevention when possible of accidents,

, natural disasters and other hazards which shall include as a minimum the requirements of law and the applicable rules and regulations of various departments of state government. He/She shall appoint a staff member as safety officer, charged with responsibility for implementing the ESD's safety program.

Buildings will be planned, equipped and maintained in accordance with appropriate local, state and federal safety regulations.

Buildings will be provided with alarm systems, fire extinguishers and other safety devices required by state and federal laws and regulations.

The superintendent will develop and implement a safety program which will include, but not be limited to, compliance with and enforcement of all state and federal laws, rules and regulations. [The superintendent shall appoint a staff member as safety officer, charged with responsibility for implementing the ESD's safety program.] [The superintendent is appointed as safety officer and is charged with responsibility for implementing the ESD's safety program.]

END OF POLICY

Legal Reference(s):

[ORS 654.003 to -654.022](#)

[OAR 437-001-0760](#)

[OAR 437-002-0020 to -0081](#)

[OAR 437-002-0100](#)

[OAR 437-002-0140](#)

[OAR 437-002-0144](#)

[OAR 437-002-0145](#)

[OAR 437-002-0180 to -0182](#)

[OAR 437-002-0260 to -0268](#)

[OAR 437-002-0360](#)

[OAR 437-002-0368](#)

[OAR 437-002-0377](#)

[OAR 437-002-0390](#)

[OAR 437-002-0391](#)

[OAR 581-024-0275](#)

6/01/06 | PH

Safety Program – EB

1-2

Fazzolari v. Portland Sch. Dist. No. 1J, 303 Or. 1 (1987).

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2006); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2006).

Lane Education Service District

Code: EB-AR(1)
Adopted: 4/15/94
Readopted: 4/23/02

Orig. Code(s): **D** EB-AR(1)

Reporting of Hazards

(This does not usually rise to the level of AR. Internal procedure? Is it current?)

Before purchases or requisitions of any chemical which is a physical or health hazard can be made by any

ESD personnel, a Material Safety Data Sheet (MSDS) from the supplier must be **E** on file

with the facilities manager, ESD front desk and in the work area that the material will be used.

When the purchase or requisition is made, the purchaser must do the following:

1. Request that the supplier provide a National Fire Protection Association (NFPA) label as specified in the Material Hazard Analysis (MHA) on each package shipped;
3. File the forms in the appropriate

binders. **L** 2. Request an MSDS

from the supplier;

Definitions

1. **Health Hazard:** A chemical for which there is statistically significant evidence based at least on study conducted in accordance with established scientific principles that acute or chronic health hepatotoxins, nephrotoxins, neurotoxins, agents which act on the hematopoietic system and agents

E

effects may occur in exposed employees. The term “health hazard” includes

chemicals which are carcinogens, toxic or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, which damage the lungs, skin, eyes or mucous membranes.

2. **Physical Hazard:** A chemical for which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive) or water-reactive.

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Container Labeling

1. The supervisor of each work area shall verify that all containers received for use will:
 - a. Be clearly labeled as to the contents;
 - b. Note the appropriate hazard warning;
 - c. List the name and address of the manufacturer. extra copy of the original manufacturer’s label

or with a locally produced label listing all the hazard

E

2. The supervisor of each work area will ensure that all secondary containers are labeled with either an warnings of the original label.
3. The supervisor of each work area will review the labeling requirements every month and update as required.

Written Hazard Communication Forms

1. The supervisor of each work area will be responsible for obtaining and maintaining the Material

2. **D** The supervisor of each work area will review incoming Material Hazard Analysis sheets for new and Hazard Analysis (MHA) sheets. significant health/safety information. They shall see that any new information is passed on to the affected employees.

3. Copies of Material Safety Data Sheets (MSDS's) for all hazardous chemicals to which employees may be exposed will be kept in the administrative services area. the MSDS's will be provided to the

work areas by means of the Material Hazard Analysis Sheet. If **E**

4. MSDS's will be available to all employees at the ESD front desk and that information contained on MHA sheets are not available for new chemicals in use, contact Coop Purchasing.

5. A written description identifying chemical composition and hazards of each hazardous waste shall be provided to the facilities manager.

List of Hazardous Chemicals

1. A comprehensive listing of all known hazardous chemicals shall be compiled and kept by the **L** facilities manager. Information on each listed chemical can be obtained by reviewing the MHA sheet located in the work area and the MSDS located at the ESD front desk.

Hazardous Nonroutine Tasks about hazardous chemicals to which they may be

exposed during such activity. **E**

1. Periodically, employees are required to perform hazardous nonroutine tasks. Prior to starting work on such projects, each involved employee will be given information by the work area supervisor
2. Examples of nonroutine tasks performed by employees:
 - a. Cleaning up hazardous materials spills.

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INFORMING CONTRACTORS **In the Building**

1. It is the responsibility of the administrator to provide outside contractors with the following information concerning operations:
 - a. Hazardous chemicals to which contractor personnel may be exposed while performing work

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appropriate protective measures.

within the building;

- b. Precautions the employees may take to lessen the possibility of exposure by usage of

2. Contractors shall provide the facilities manager with an MSDS for all hazardous materials to be brought on board before work is to commence.

Outside the Building 1. Each contractor shall establish a hazard control zone for outside work. It

is the responsibility of the **D** contractor to protect and inform all personnel entering the

contractor's control zone as required by state and federal regulations.

Employee Training and Information

1. The safety committee is responsible for the Hazardous Materials employee training program. The committee will make sure that all elements specified below are carried out.
2. Prior to starting work each new employee will receive information and training on the following:

a. Chemicals present in their workplace operations;

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- b. Location and availability of this written hazard communication program;
- c. Physical and health effects of the hazardous chemicals;
- d. Methods and observation techniques used to determine the presence or release of hazardous chemicals in the work area;
- e. Emergency procedures to follow if they are exposed to these chemicals;
- f. How to read labels and review MHA sheets and MSDS's to obtain appropriate hazard information;

g. Location of MSDS file and location of hazardous chemical list.

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3. After attending the training class, each employee will sign a form to verify that he/she has attended the training and understand the policy on hazardous chemicals and the hazard communication program.

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EB-AR(2)
8/17/94
Readopted: 4/23/02
Orig. Code(s): EB-AR(2)

Lockout/Tagout Regulations

(This does not usually rise to the level of AR. Internal procedure? Is it current?)

Lane ESD shall establish a program consisting of energy control procedures, employee training and periodic inspections. The program will ensure that before any employee performs any servicing or

source and rendered inoperative.

E

maintenance on a machine or equipment, the machine

or equipment shall be isolated from the energy

To further the ESD's effort to protect employees from harm, the following regulation has been established: All power equipment shall be completely isolated from all power during servicing and maintenance. This release of stored energy. This will be done for the purpose of preventing injury to all

employees during

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will be accomplished by affixing appropriate lockout or tagout devices to

energy isolating devices. Machines and equipment will also be disabled to further prevent unexpected energization, start-up or servicing or maintenance of power equipment.

1. Responsibility and Training

- a. Authorized employees are those employees authorized to implement the lockout/tagout procedure. energy sources, the type and magnitude of the energy available in the workplace

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and the

Each authorized employee will receive training in the recognition of

applicable hazardous methods and means necessary to obtain a "Zero Energy State."

Lane Education Service District

Code: **D**

Adopted:

- b. Affected employees are those employees who operate equipment from which power may be isolated so that servicing can be performed or who work in areas where servicing will be performed on energy-isolated equipment. Each affected employee will be instructed in the procedures may be utilized will be instructed about the procedure and about the prohibition

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purpose and use of the energy control procedure.

- c. Other employees whose work operations are or may be in an area where energy control relating to attempts to restart or re-energize machines or equipment which are locked out or tagged out.

Employees will also be trained in the following limitations of tags:

- a. Tags are essentially warning devices affixed to energy-isolating devices and do not provide the physical restraint on those devices that is provided by a lock;
- b. When a tag is attached to an energy-isolating device, it is not to be removed without approval

E

of the authorized person responsible for it and it is never to be bypassed, ignored or otherwise defeated;

- c. Tags will be legible and understandable by all authorized employees, affected employees and all other employees whose work operations are or may be in the area, in order to be effective;

Lockout/Tagout Regulations – EB-AR(2)

1-2

- d. Tags and their means of attachment will be made of materials which will withstand the environmental conditions encountered in the workplace;
- e. It is important that tags do not evoke a false sense of security. To avoid this, their meaning needs to be understood as part of the overall energy control program;

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- f. Tags will be securely attached to energy-isolating devices so that they cannot be inadvertently or accidentally detached during use.

2. Periodic Inspection

Period inspections of the energy control procedure will be conducted at least annually to ensure the procedure and the requirements are being followed.

- a. The periodic inspection will be performed by a designated management representative other

than the one(s) utilizing the energy control procedure being inspected.

- b. The periodic inspection is designed to correct any deviations or inadequacies observed.
- c. Where lockout is used for energy control, the periodic inspection will include a review, between the inspector and each authorized employee, of that employee's responsibilities under the energy control procedure being inspected.
- d. Where tagout is used for energy control, the periodic inspections will include a review,

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between the inspector and each authorized and affected employee, of that

employee's responsibilities under the energy control procedure being inspected and the elements set forth under Responsibilities and Training.

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Lane Education Service District

Code: **D**

Adopted:

The consequences of deviating from provisions in this rule can be severe in terms of human suffering and

loss. Deviations from these procedures will include a determination of how to improve the procedures so

that no future deviations will occur.

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Lockout/Tagout Regulations – EB-AR(2)

2-2

EB-AR(3)
1/10/96
Readopted: 4/23/02
Orig. Code(s): EB-AR(3)

Holiday Decorations

(This does not usually rise to the level of AR. Internal procedure? Is it current?)

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Decorations may be used in Lane ESD buildings in accordance with Oregon Fire Safety Regulations. The following guidelines are to be used:

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1. Candles or any other sources of open flame are not allowed;
2. Decorative lighting may be used only under the following conditions:
 - a. All decorative lighting shall conform to the Uniform Fire and Electrical Code;
 - b. Miniature electrical lights and decorations may be used in work area decorations and on trees under six feet tall. Lights must be UL-listed and in perfect condition. Only UL-listed heavy-
 - c. Electrical decorations may not be used on artificial metallic trees or decorations or on trees

L

duty extension cords in perfect condition with built-in overload protection may

be used; over six feet tall.

3. All decorations shall be either inherently fire retardant or treated with a flame-retardant to be flame resistant. Decorations shall not exceed 20 percent of a wall or door;

Lane Education Service District

D

Code:

Adopted:

4. Christmas trees shall not be placed in any required exit path and shall be mounted securely in a tree

E

stand with a water-type reservoir. Fresh water shall be added daily.

5. Natural cut trees and decorations (such as boughs and wreaths) shall be removed immediately at any indication of dryness such as brittleness, loss of color or falling needles.

The ESD safety committee may be consulted with regard to questions about decorations and is the final authority regarding the use of such decorations. In cases where decorations are deemed to be unsafe

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according to these regulations or Oregon Fire Safety Regulations, the safety committee shall require the

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decorations to be removed.

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Holiday Decorations – EB-AR(3)

1-1

Lane Education Service District

Code:

Adopted:

EBAC

1/22/02

Orig. Code(s):

EBAC

Safety Committee

A safety committee shall be established to implement Lane ESD's safety program as part of an ongoing effort to help ensure the safety of students, staff and others while on ESD property.

The superintendent [or designee] will coordinate the efforts of the ESD's safety committee efforts and maintain all necessary records.

The superintendent will develop administrative regulations/rules as may be necessary to implement this policy and meet the applicable Oregon Occupational Safety and Health Division Administration requirements.

END OF POLICY

Legal Reference(s):

[ORS 654.176](#)

[ORS 654.182](#)

[OAR 437-001-0765](#)

[OAR 581-024-0275\(3\)](#)

Safety Committee – EBAC

1-1

EBAC-AR

4/15/94

Revised/Readopted: 4/23/02

Orig. Code(s): EBAC-AR

Safety Committee

ESD Safety Officer

The superintendent shall designate an ESD safety officer. The safety officer shall:

1. Establish an ESD safety committee, advisory to advise the safety officer on implementing, to implement and monitoring/monitor the ESD's district safety program.;
2. Be responsible for writing and implementing an ESD safety program (The written program shall include reporting procedures and in-service safety training program.);
3. Coordinate all matters relating to safety and shall make, or cause to be made, periodic inspections of

Lane Education Service District

Code:

Adopted:
sites.;

4. Maintain a liaison relationship with applicable agencies outside the ESD.;
5. Assist all administrators and department supervisors as necessary in the preparation and implementation of their site safety programs.;
6. Maintain the accident record system; make necessary reports, personally investigate fatal, serious and potentially serious accidents; and check corrective action taken by teachers or other personnel to eliminate causes of accidents.;
7. Establish specific goals for the ESD's safety program and evaluate goals and accomplishments on a regular basis.

[ESD Safety Committee]

An safety committee may be established by the safety officer. The primary functions of this committee shall be to assist the safety officer in planning, implementing and evaluating a comprehensive safety program and to assist the site safety committees in the coordination of safety activities. Reasonable efforts shall be made to ensure that committee members are representative of the ESD's various sites where employees work and students and patrons of the ESD may gather. This committee shall be chaired by the safety officer. This committee shall meet at least three times each year. The members of the committee may change but shall include at least the following employees:

8. [The safety officer;]

9. [The technology services program administrator;]

[If item 1 above is selected, this section is recommended.]

10. [The special education program administrator;]

11. [The human resources program administrator;]

12. [Other program administrator;]

13. [A principal;] [and]

14. [Representatives from appropriate agencies when there is a need (e.g. workers' compensation carrier, insurance agent of record).]

ESD-Safety Committee

An ESD The safety committee shall be established by the superintendent to represent the safety and health concerns of ESD employees and students.

The district safety committee shall be composed of an equal number of employer and employee representatives [at the site]. When agreed upon by employees and the ESD, the number of employees on the committee may be greater than the number of ESD representatives. [The committee will consist of no fewer than 2 members for [an ESD] with 20 or less employees.] [The committee will consist of no fewer than 4 members for [an ESD]districts with more than 20 employees.] —, preferably from our 4 major service areas — Technology, Special Education, School Improvement and Business/HR.

A reasonable attempt will be made to ensure that committee members represent major work activities.

Employee representatives shall be volunteers or elected by their peers unless there is a provision in the collective bargaining agreement that addresses the selection of employee representatives. Members of the committee shall serve at least a continuous one-year term. Terms shall be staggered to provide continuity. There shall be a chair elected by the district safety committee.

Employee representatives attending safety committee meetings outside the regularly scheduled workday shall be compensated by the employer at the regular hourly wage.

The ESD safety committee will:

1. Hold regular meetings at least once a month except months when quarterly workplace safety inspections are made. This does not exclude other months from ESD safety committee meetings if more frequent safety inspections are conducted. Quarterly safety committee meetings may be substituted for monthly meetings when the committee's sole area of responsibility involves low hazard work environments such as the ESD district office.;
2. Provide written agendas for each meeting which shall set the order of business.;
3. Make written records of each meeting which the ESD shall review and maintain for three years for inspection.;
4. Post and send copies of meeting records to committee members.;

5. Assist in creating a hazard-free work environment by:

- a. Recommending to the ESD how to eliminate hazards in the workplace and ~~promote~~promoting employee adherence to safe work practices; and
- b. Using lines of communications to promote cooperative attitudes between all persons involved in the operations of the workplace.

Duties of the site safety committee will include:

1. Establishing procedures for minimum quarterly workplace safety inspections of a safety committee inspection team to locate and identify safety and health hazards. The safety inspection team shall include employer and employee representatives. The team shall document the location and identity of the hazards and make recommendations as to how and when the hazards will be corrected;
2. Establishing procedures for investigating all significant safety-related incidents including injury accidents, illnesses and deaths for the purpose of recommending corrective action necessary to prevent similar events from recurring;
3. Evaluating ESD policies which may affect safety and health in the workplace and make recommendations for changes to existing policies or adoption of new policies;
4. Evaluating all the accident and illness prevention programs brought to the committee's attention and making recommendations necessary to make the programs more applicable to the workplace;
5. Establishing a system whereby the safety committee can obtain information that would help in creating a hazard-free work environment, directly from all persons involved in the operations of the workplace. The information obtained shall be reviewed at the next safety committee meeting;
6. Establishing procedures for the review of all safety and health inspection reports made by the committee and making necessary recommendations;
7. Establishing procedures for the review of corrective action taken on the committee's recommendations or determining the reasons why no corrective action was taken;
8. Making all reports, evaluations and recommendations of the safety committee a part of the minutes of the safety committee; ~~and~~
9. Evaluating employee/supervisor training needs.

Degree of Authority

The ESD safety committee is authorized to make written suggestions to the ESD safety officer, based on its experiences, inspections and input from other employees, students and ESD patrons, as appropriate.

Lane Education Service District

Code: EBB
 Adopted: 11/15/11
 Readopted: 2/24/15
 Orig. Code(s): EBB

Integrated Pest Management

To ensure the health and safety concerns of student, staff and community members, the ESD shall adopt an integrated pest management plan (IPM)¹ which emphasizes the least possible risk to students, staff and community members and shall adopt a list of low-impact pesticides for use with the IPM plan.

The IPM plan is a proactive strategy that:

1. Focuses on the long-term prevention or suppression of pest problems through economically sound measures that:
 - a. Protect the health and safety of students and staff;
 - b. Protect the integrity of ESD buildings and grounds;
 - c. Maintain a productive learning environment; and

¹See Model Integrated Pest Management Plan for Oregon Schools at http://www.ipmnet.org/tim/IPM_in_Schools/Model_School_IPM_Plan_Main_Page.html

- d. Protect local ecosystem health.
- 2. Focuses on the prevention of pest problems by working to reduce or eliminate conditions of property construction, operation and maintenance that promote or allow for the establishment, feeding, breeding and proliferation of pest populations or other conditions that are conducive to pests or that create harborage for pests;
- 3. Incorporates the use of sanitation, structural remediation or habitat manipulation or of mechanical, biological and chemical pest control measures that present a reduced risk or have a low-impact and, for the purpose of mitigating a declared pest emergency, the application of pesticides that are not low-impact pesticides;
- 4. Includes regular monitoring and inspections to detect pests, pest damage and unsanctioned pesticide usage;
- 5. Evaluates the need for pest control by identifying acceptable pest population density levels;
- 6. Monitors and evaluates the effectiveness of pest control measures;
- 7. Excludes the application of pesticides on a routine schedule for purely preventive purposes, other than applications of pesticides designed to attract or be consumed by pests;
- 8. Excludes the application of pesticides for purely aesthetic purposes;
- 9. Includes ESD staff education about sanitation, monitoring, inspection and pest control measures;

10. Gives preference to the use of nonchemical pest control measures;
11. Allows the use of low-impact pesticides if nonchemical pest control measures are ineffective; and
12. Allows the application of a pesticide that is not a low-impact pesticide only to mitigate a declared pest emergency or if the application is by, or at the direction or order of, a public health official.

The ESD shall designate the [facilities manager] as the Integrated Pest Management Plan Coordinator give them the authority for overall implementation and evaluation of the IPM plan.

Integrated Pest Management Plan Coordinator

The IPM Plan Coordinator shall:

1. Attend not less than six hours of IPM training each year. The training shall include at least a general review of integrated pest management principles and the requirements of IPM as required by Oregon statute;
2. Ensure appropriate prior notices are given and posted warnings have been placed when pesticide applications are scheduled;
3. Oversee pest prevention efforts;
4. Ensuring identification and evaluation of pest situation;
5. Determine the means of appropriately managing pest damage that will cause the least possible hazard to people, property and the environment;
6. Ensure the proper use and application of pesticide applications when non-pesticide controls have been unsuccessful;
7. Evaluate pest management results; and
8. Keep for at least four years following the application date, records of applied pesticides that include:
 - a. A copy of the label;
 - b. A copy of the Data Safety Sheet (SDS);
 - c. ; and U.S. Environmental Protection Agency (USEPA)

- ² registration number of the product;
- d. The approximate amount and concentration of pesticide applied;
 - e. The location of where the pesticide was applied;
 - f. The type of application and whether the application was effective;
 - g. The name(s) of the person(s) applying the pesticide;
 - h. The pesticide applicator's license numbers and pesticide trainee or certificate numbers of the person applying the pesticide;
 - i. The dates and times for the placement and removal of warning signs; and
 - j. Copies of all required notices given, including the dates the IPM Coordinator gave the notices.
9. Respond to inquiries about the IPM plan and refer complainants to Board policy KL - Public Complaints;
10. Conduct outreach to ESD staff about the ESD's IPM plan.

END OF POLICY

Legal Reference(s):

[ORS 634.116](#)

[ORS 634.700 to -634.750](#)

²U.S. Environmental Protection Agency

Lane Education Service District

Code: EBBA
Adopted: 4/26/94

Orig. Code(s): **D** EBBA

Revised/Readopted: 1/22/02

First Aid** (Version 1)

(See revised policy EBC for information on First Aid)

In cases of sudden illness or injury to a student or staff member, assistance will be given by staff members

possible. Further medical attention to students is the responsibility of parents or of someone

the parents or trained in first aid. Staff shall notify the parent or designated contact of the emergency as quickly as guardians designate in case of emergency.

In all cases where the nature of the illness or injury is deemed so serious as to indicate the student's health would be endangered or undue suffering would be caused by delay, immediate emergency and

medical/hospital services shall be arranged. persons within his/her area of control.

Each teacher and/or program supervisor is charged with providing for the immediate care of ill or injured

Staff members shall report self-administered first-aid treatment to an immediate supervisor.

Procedures for handling health emergencies will be established and made known to the staff. Each school and district vehicle will be equipped with first-aid supplies and equipment in accordance with

Oregon All employees are expected to know where first-aid supplies and equipment are kept in their

work areas. **E** Occupational Safety and Health Administration requirements.

Designated employees shall hold current first-aid cards. The names of designated first-aid providers shall be posted in all ESD facilities.

END OF POLICY

Legal Reference(s):

ORS 329.025	ORS 336.211 - 336.214	OAR 581-021-0590
ORS 334.125	OAR 581-021-0017	OAR 581-022-2050
ORS 336.201	OAR 581-021-0031	OAR 581-022-2220
ORS 336.204	OAR 581-021-0587	OAR 581-022-2515

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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First Aid** – EBBA
1-1

Lane Education Service District

Adopted: **P**

Code: EBBA

Student Health Services**

(Version 2)

{ [REDACTED] The requirement for ESDs to develop and implement a

*(This policy would replace JHC if present in the ESD's manual. **R**)*

health services plan comes from OAR 581-022-2220.}

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. A health services plan shall be developed, implemented, and updated annually.

The plan shall be present for regular programming. **O** describe a health services program for all students at each facility that is owned or leased where students
The ESD shall maintain a written prevention-oriented health services plan for all students. The health services plan will³:

³ For exact language and complete requirement see OAR 581-022-2220(1). **E**

1. Explain available health care space that is appropriately supervised and adequately equipped for

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providing health care and administering medication or first aid;

2. Refer to available communicable disease prevention and management plan that includes school-level

protocols⁴⁵;

3. Outline an ESD-to-school communication plan **O**³;

4. Provide information about health screenings, including immunizations and TB certificate requirements;

5. Describe how services for all students, including those who are medically complex, medically

fragile and individualized health care plans or special health care needs are managed **S**⁶;

⁴ For specific protocol content requirements see OAR 581-022-2220(1)(b).

⁵ For requirements of this plan see OAR 581-022-2220(1)(c).

⁶ For more information regarding these requirements see ORS 336.201 and 339.869, OARs 581-021-0037, 581-015-2040, 581015-2045, 851-045-0040 – 0060, and 851-047-0010 – 0030.

or nursing dependent, and those who have approved 504 plans, individual education program plans,

6. Integrate school health services with school health education programs and coordinate with health
7. Describe how hearing, vision and dental screenings are managed and/or verified for required students and social service agencies, public and private;⁷
8. Include a process to assess and determine a student's health services needs, including availability of a nurse to assess student nursing needs upon, during, and following enrollment with one or more new medical diagnose(s) impacting a student's access to education, and implement a student's individual health plan prior to attending school⁸;
9. Comply with OR-OSHA Bloodborne Pathogens Standards for all persons who are assigned to job tasks which may put them at risk for exposure to body fluids⁹;

⁷ For vision screening or eye examination or dental screening information see ORS 336.211 and 336.213.

⁸ For definitions for this policy see ORS 336.201.

⁹ OAR 437-002-0360 lists various health and safety regulations that apply in the employment setting.

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- 10. Refer to adopted policy and procedures for medications in accordance with Oregon law¹⁰;
- 11. Include guidelines for the management of students who are medically complex, medically fragile, or nursing dependent as defined by ORS 336.201, including students with life-threatening food allergies and adrenal insufficiency while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before-school or after-school care programs on school-

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owned property, and in transit to or from school or school-sponsored activities¹¹;
and][.]

- 12. [List the positions in the ESD which shall be required to obtain and maintain a first-aid/CPR/AED card in accordance with OAR 581-022-2220 (3).]

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¹⁰ Medication laws can be found in ORS 339.866 – 339.874 and OAR 581-021-0037; relevant Board policy includes

JHCD/JHCDA - Medications.

¹¹ For guideline requirements see OAR 581-022-2220(1)(k).

[Any nurse(s) employed by the ESD and providing services to students and the ESD shall be licensed in

alignment with LPN supervision requirements of OAR 851-045-0050 - 0060. **P** Oregon to

practice as a registered nurse or nurse practitioner or be a licensed practical nurse (LPN) in
A nurse employed by 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 a
student

prior to delegation, providing adequate supervision during the delegation, and evaluating the skills, ability

and willingness of the delegee.¹²

A nurse employed by the ESD 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.]

[The ESD provides a menstrual product dispenser with a variety of products in every student bathroom

which meets the requirements of law.]

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END OF POLICY

Legal Reference(s):

[ORS 329.025](#) [ORS 336.211 - 336.214](#) [ORS 334.125](#)

[OAR 581-021-0017](#)

[ORS 336.201](#)

[ORS 336.204](#)

[OAR 581-021-0031](#)

[OAR 581-021-0587](#)

[OAR 581-021-0590](#)

[OAR 581-022-2050](#)

[OAR 581-022-2220](#)

[OAR 581-022-2515](#)

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

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

¹² For additional delegation requirements see OAR [851-047-0030](#).

¹³ [“Student bathroom” means a bathroom that is accessible by students, including a gender-neutral bathroom, a bathroom designated for females, and a bathroom designated for males. (OAR 581-021-0587)]

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Lane Education Service District

Code: EBBA-AR
Adopted: 6/15/94
Revised/Readopted: 1/22/02

Orig. Code(s): **D** EBBA-AR

Handling and Disposing of Contaminated Fluids

(Refer to current training requirements.)

Health Division information about the transmission of diseases including AIDS and Hepatitis B focuses on “body fluids” as a possible carrier of organisms that can infect others. The term includes drainage

from While any contact with the body fluids of **E** another person represents a risk, the level of risk is very low. cuts and scrapes, vomit, urine, feces, respiratory secretions (nasal discharge), saliva, semen and blood.

The risk is increased if the fluid comes in contact with a break in the skin of another individual. Generally, simple, consistent standards and procedures of cleanliness minimize risk.

The following procedures are precautionary measures against the transmission of diseases. Prudent actions are to be employed by all staff and students. These actions should focus primarily on steps that staff Those who administer first aid, provide physical care or may otherwise incur occupational exposure

to **L** members can take to ensure their own well-being.

blood or other potentially infectious materials as determined by the district will be specifically protected through Lane ESD’s Exposure Control Plan.

The following procedures are a review for all staff and students of appropriate hygienic and sanitation practices:

that staff and students approach infection control as if all direct contact with human blood and body

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1. Standard precautions are to be followed at all times. Standard precautions require the

assumption fluids is known to be infectious for HIV, HBV and/or other bloodborne pathogens;

2. Whenever possible, students should be directed to care for their own minor bleeding injury. This includes encouraging students to apply their own bandaids. If assistance is required, bandaids may be applied after removal of gloves if caregiver will not come into contact with blood or wound drainage;
3. Food and Drug Administration (FDA) approved gloves are required for all tasks in which an

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individual may come into contact with blood or other potentially infectious materials. Such tasks include cleaning body fluid spills, emptying trash cans, handling sharps/containers, handling contaminated broken glass, cleaning contaminated equipment and handling contaminated laundry/clothing. This also includes assisting with any minor wound care, treating bloody noses, handling clothes soiled by incontinence, diaper changing and cleaning up vomit; duration should follow any first aid or health care given a student or contact with potentially

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4. Immediate, complete and effective hand washing with soap and running water of at least 30 seconds infectious materials;
5. If exposure to blood or other potentially infectious materials occurs through coughing, any first-aid procedure, or through an open sore or break in the skin, thorough washing, preferably with germicidal soap, is necessary;

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cleanser and clean cloth/paper towels or antiseptic towelettes provided by the ESD as an

alternative 6. In the event handwashing facilities are not readily available, thorough cleaning using an antiseptic

is necessary. In the event alternatives are used, hands must be washed with soap and running water as soon as feasible;

7. Any surface contaminated with blood or other potentially infectious materials must be cleaned after each use and at the end of the day with soap and water and then rinsed with an Environmental recommended by the Center for Disease Control may be used. These surfaces include equipment,

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¹⁴Protection Agency (EPA) approved disinfectant following labeling instructions for

use, or a freshly made solution of one part bleach to nine parts water, and allowed to air dry. Other disinfectants as counters, mats (including those used in physical education and athletic events) or changing tables;

8. An EPA-approved disinfectant must be used when cleaning fluids such as blood or vomit from the floor or other such contaminated surfaces; laundered in hot or cold water and soap and placed in a

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dryer;

9. Contaminated laundry such as clothing and towels must be placed and transported in bags and containers in accordance with the ESD's standard recognized precautions. All such items must be
10. Needles, syringes, broken glassware and other sharp objects found on ESD property must not be picked up by students at any time, nor by staff without appropriate puncture-proof gloves or mechanical device such as a broom, brush and dust pan. Any such items found must be disposed of

¹⁴ Disinfectants which can be used include Lysol, Purex, Clorox, Tough Act bathroom cleaner, Dow bathroom cleaner, Real Pine liquid cleaner, Pine Sol, Spic and Span, Tackle liquid, Comet and other products with EPA numbers.

in closable puncture resistant, leakproof containers that are appropriately labeled or color-coded;

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liner that is changed daily;

11. All wastebaskets used to dispose of potentially infectious materials must be lined with a plastic bag
12. Gloves and repellent gowns, aprons or jackets are required for tasks in which exposure to blood or other potentially infectious materials can be reasonably anticipated to contaminate street clothing. Type and characteristics of such protective clothing will depend on the task. Such tasks may include diapering/toileting with gross contamination, assisting with wound care, sorting or bagging contaminated laundry/clothing and disposing of regulated waste with gross contamination;
13. Maximum protection with gloves, face and/or eye protection and gowns are required whenever

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splashes, spray, spatter or droplets of blood or other potentially infectious materials may be generated and eye, nose or mouth contamination can be reasonably anticipated. Such tasks may

14. include feeding a student with a history of spitting or forceful vomiting and assisting with severe injury and wound with spurting blood;

supervisor.

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15. If a first-aid situation occurs, students should report to a person in authority, staff should report to a **Additional Precautions**

The following additional precautions should be applied in all school settings. These procedures will help

1. **D** A sink with soap, hot and cold running water and disposable towels should be available

close to the prevent transmission of many infections in addition to HIV and HBV:
classroom;

2. Sharing of personal toilet articles, such as toothbrushes and razors, should not be permitted;
3. Skin lesions that may ooze blood or serum should be kept covered with a dressing;
4. Exchange of saliva by kissing on the mouth, by sharing items that have been mouthed and by putting

fingers in others' mouths should be discouraged.

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Lane Education Service District Lane Education Service District

Code: EBBAA/GBEBC/JHCCC
Adopted: 10/24/00
1/22/02
EBBAA/GBEBC/JHCCC

Orig.

Infection Control - HIV, AIDS, HBV

Code(s): **D**

Revised/Readopted:

(Version 1)

Lane ESD shall use standard precautions for infection control at all times. Each employee or student is

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¹ therefore treated as though an HIV, AIDS or HBV 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 Department of Human



END OF POLICY

Services, Health Services, in delivering HIV, AIDS and HBV

education.

Legal Reference(s):

[ORS 334.125](#)
[OAR 437-002-0161](#)
[OAR 437-002-0360](#)
[OAR 437-002-1030](#)

[OAR 437-002-1035](#)

[OAR 581-022-2050](#)
[OAR 581-022-2220](#)
[OAR 581-024-0275](#)

[OAR 581-053-0240\(23\)](#)
[OAR 581-053-0250\(1\)](#)
[OAR 581-053-0640\(2\)](#)

Occupational Safety and Health Standards, Bloodborne Pathogens, 29 C.F.R. §§ 1910.1020, 1910.1030.



Lane Education Service District

¹ HIV - Human Immunodeficiency Virus; AIDS - Acquired Immune Deficiency Syndrome; HBV - Hepatitis B Virus

4/04/24 | LF

Infection Control - HIV, AIDS, HBV – EBBAA/GBEBC/JHCCC

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Code: EBBAA

Adopted: **P**

Infection Control and Bloodborne Pathogens (Version 2)

R {Optional policy. Some of the requirements regarding an Exposure Control Plan and infection control are outlined below.}

The Board recognizes that staff [and 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 [and 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

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[and students] approach infection control as if all direct contact with human blood and body fluids is known to be infectious for bloodborne pathogens .

The ESD shall develop an Exposure Control Plan in accordance with the requirements in law².

The Exposure Control Plan shall be reviewed and updated at least annually and when necessary to reflect

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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:

2. Annually, document consideration and implementation of appropriate commercially available and

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1. Reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens; effective safer medical devices designed to eliminate or minimize occupational exposure.

The plan shall include training followed by an offer of 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 exposure⁴

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³ 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. Staff will receive the annual training as well as the location and a content review of first-aid and clean-up kits. Kits shall be

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readily _____

¹ “Bloodborne pathogens” are pathogenic microorganisms 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). 29 CFR

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1910.1030(b)

² See 29 CFR 1910.1030(c)(1) and OAR 437-002-1059 for more information about an Exposure Control Plan. {A template for an exposure control plan may be available from [Oregon OSHA](#).}

³ [Annual training for all employees shall be provided within one year of their previous training. (29 CFR 1910.1030(g)(2)(iv))]

⁴ See 29 CFR 1910.1030(g)(2) for information about training requirements.

Lane Education Service District

available¹⁵ in close proximity¹⁶¹⁷ to all employees in the building and for ESD [or school] vehicles, including each bus¹⁸. evaluation and follow-up shall be made available to any employee sustaining an

occupational exposure. **P**

Personal protective equipment appropriate to job tasks shall be provided by the ESD. A post-exposure

The ESD recognizes that 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

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(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. The ESD will document the solicitation of input from such staff in the plan.

Documentation, including a sharps injury log, will be maintained in accordance with law¹⁹.

¹⁵ OAR 437-002-0161 (2) First-Aid Supplies. (a) The employer shall provide first-aid supplies based upon the intended use and

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types of injuries that could occur at the place of employment. The first-aid supplies shall be available in close

proximity to all employees. Either bulk pack or unit pack supplies are acceptable. (b) “In proximity” is defined as that which is available nearby to ensure prompt treatment in the event of need.

¹⁶ “In proximity” is defined as that which is available nearby to ensure prompt treatment in the event of need. (OAR 437-002-

¹⁷ (1)(b))

¹⁸ Emergency equipment for buses, includes, but is not limited to, body fluid cleanup and first-aid kits. (OAR 581-053-0240 (23); OAR 581-053-0640)

¹⁹ See OAR 437-002-1030(3) and OAR 437-002-1035.

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The Exposure Control Plan will be accessible to employees in accordance with law

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~~[Students will be instructed in safe practices to prevent transmission of bloodborne pathogens in accordance with Oregon Health Standards.]~~

END OF POLICY

Legal Reference(s):

[ORS 33²¹²².125](#) [OAR 437-002-1035](#) [OAR 581-053-0240\(23\)](#) [OAR 437-002-0161](#) [OAR 581-022-2050](#)

[OAR 581-053-0250\(1\)](#)

[OAR 437-002-0360](#)

[OAR 581-022-2220](#)

[OAR 581-053-0640\(2\)](#)

[OAR 437-002-1030](#)

[OAR 581-024-](#)

0275

Occupational Safety and Health Standards, Bloodborne Pathogens, 29 C.F.R. §§ 1910.1020, 1910.1030.

Code: EBBAB/GBEBAA/JHCCBA

Adopted: 6/28/94

Revised/Readopted: 7/10/01, 8/27/02

²⁰ See 29 CFR 1910.1020(e) for requirements on providing access.

²¹ /04/24 | LF

Lane Education Service District

Orig. Code(s): **D** EBBAB/GBEBAA/JHCCBA

HBV/Bloodborne Pathogens

(See policy 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

any such risk as serious. **E** body fluids due to casual contact with individuals in the school

environment is very low, the Board regards

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 pathogens¹.

Control Plan. The plan shall be reviewed and updated at least annually and whenever necessary to reflect

L 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 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

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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 The ESD recognizes that, as required by OAR 437-002-1030, employees who use medical sharps in the

T

and follow-up shall be made available to any employee sustaining an occupational exposure.

Lane Education Service District

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

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ESD will implement such work practice controls, as appropriate.

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

¹ 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).

HBV/Bloodborne Pathogens – EBBAB/GBEBAA/JHCCBA

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END OF POLICY

Legal Referenc

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e(s):

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

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

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HBV/Bloodborne Pathogens – EBBAB/GBEBAA/JHCCBA

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Lane Education Service District

Code: EBBAB/GBEBAA/JHCCBA-AR
Adopted: 9/11/96
7/10/01
EBBAB/GBEBAA/JHCCBA-AR

Orig.

Bloodborne Pathogen Exposure Control Plan

Code(s): **D**

Revised/Readopted:

(Plans do not generally rise to the AR level; are usually internal documents; and published when required.

Current?
)

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

Definitions **E**

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. disease in

humans. These pathogens include, but are not limited to, Hepatitis B Virus (HBV) and Human **L**

“Bloodborne Pathogens”: Pathogenic micro-organisms that are present in human blood and can cause 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

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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,

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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. contact with blood or other potentially

infectious materials that results from the performance of any

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“Exposure Incident”: A

specific eye, mouth or other mucous membrane, nonintact skin or parenteral 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.

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“HIV”: Human Immunodeficiency Virus.

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

“Occupational Exposure”: Reasonably anticipated skin, eye, mucous membrane or parenteral contact with

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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 unfixed 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. may be a source of

occupational exposure to the employee. Examples include, but are not limited to: **E** “Source

Individual”: Any individual, living or dead, whose blood or other potentially infectious materials

- 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;

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- 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. a task is performed

(e.g., prohibiting recapping of needles by a two-handed technique). **E** “Work Practice

Controls”: Controls that reduce the likelihood of exposure by altering the manner in which

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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 **D**

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. evaluation

and follow-up as required by OSHA. Also, Lane ESD will provide training in prevention



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 of exposure to infectious situations and how to dispose of contaminated waste.

JOB CLASSIFICATION	TASK/PROCEDURE
Directors and Supervisors	Program Dependent
Custodian(s) working at ESD	General facility cleaning

<p>In OSHA listing of in which employees exposure. employees categories</p>	<p>Teachers/Educational and Behavioral Assistants working directly with students</p>	<p>Changing menstrual pads Tooth brushing</p> <p style="text-align: center;">T</p> <p>Emesis clean-up</p> <p>Cleaning nose/mouth secretions General health care Blood glucose monitoring Delegated nursing task</p>	<p>addition, OR- requires a job classifications some may have occupational Not all the in these would be to incur to blood or</p>
<p>expected exposure</p>	<p>Persons who may provide first aid to students/staff</p>	<p>First aid for injuries</p>	

other potentially infectious materials. Job classifications and tasks or **E** procedures that

would cause these employees to have occupational exposure are listed as follows:

3. Implementation Schedule and Methodology **E**

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.

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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;

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- 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 with packets which will contain latex gloves, paper towels, antiseptic towelettes, gauze pads

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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

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
- f. The use of disposable gloves is necessary for care givers who give first aid when body fluids

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membranes will wash or flush exposed areas with water as soon as feasible

following the contact;

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 for at least 30 seconds. Use paper towels to dry hands well and to turn off hand-operated

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faucet; 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

- 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;

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- 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.

Needles purposely broken. OR-OSHA allows an exception to this if the procedure would require

that the **E** Contaminated needles or other contaminated sharps will not be bent,

recapped, removed, sheared or

- 5. 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

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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

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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.

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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.

Personal Protective Equipment (PPE)

- a. General: Supervisors are responsible for ensuring that latex gloves are provided without cost to generally needed. If the employee's clothing should become contaminated with body fluids,

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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

- 8. 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.

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- 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

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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

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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. replaced as soon as

practical if they are torn, punctured or when their ability to function as a



Disposable latex gloves are not to be washed or decontaminated for re-use and are to be discarded if the 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.

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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);

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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

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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 worksite 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



- (1) Made available at no cost to the employee; vaccine and vaccination

series and post-exposure follow-up including prophylaxis, are:

- (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 Hepatitis B vaccination series, antibody testing has revealed that the employee is

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immune or **E** have occupational exposure, unless the employee has previously received the complete 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 11-20). 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, **E**

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:

- (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

will be tested and the results documented; 

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,

- (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; option of having the blood sample preserved for up to 90 days to allow the employee



- (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 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

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- d. Information Provided to the Health Care Professional: The human resources administrator will

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performed by a physician under contract with Lane ESD.

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.

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- 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 will

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be limited to the following information:

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

- (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

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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;

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- 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;

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- 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

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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 the employee;

- (2) A copy of the employee's HBV vaccination status including the dates of vaccination and

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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.
- b. Training Records: The human resources administrator is responsible for maintaining the

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training records. These records will be kept in the human resources office. Training records

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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;

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- (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.

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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

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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.

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**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.

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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.

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Print Employee's Name

Employee's Social Security Number

Employee's Signature

Date

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LANE EDUCATION SERVICE DISTRICT BLOOD OR OTHER BODY FLUID POST-EXPOSURE REPORT

Policy Statement: Any exposure incident (a specific mouth, eye or other mucous membrane, nonintact skin or parenteral contact with blood or other potentially infectious material) that results from the performance of an employee's duties will be reported immediately to the human resources administrator.

Date: _____ Time: _____ Reported by: _____

Description of incident (include route(s) and circumstances of exposure): _____

Person: _____ Title: _____ Date: _____

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EXPOSURE INFORMATION	
Source Individual	Exposed Employee
Name:	Name:
School:	School:
DOB:	Classroom/Site:
Home Address:	Home Address:

LANE EDUCATION SERVICE DISTRICT



Parent/Guardian:	Date Referred to Physician:
Home Phone: Work Phone:	Documents Sent to Physician (check below)
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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:	
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Parent Notified (date/time):	
Consent Form Sent:	
Consent Form Obtained:	
Consent Refused:	
Employee Notified of Refusal:	E
Follow-Up	Follow-Up
Physician's Statement:	Physician's Statement
Date Returned and Attached:	Date Returned and Attached:

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HEPATITIS B VACCINATION RECORD

LANE EDUCATION SERVICE DISTRICT



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:

HBsAg		Date:
HBsAg		Date:
HBsAg		Date:
HBsAg		Date:
HBsAg		Date:
HBsAg		Date:



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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:

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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

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on

bloodborne pathogens. Please return the following medical information.

HBsAg

Date:

HIV:

Date: _____

Results of:

LANE EDUCATION SERVICE DISTRICT



M.D. Signature



Date SOURCE INDIVIDUAL REFUSAL FOR BLOOD TESTING

Lane Education Service District
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. and HIV. I have been informed that if I had consented to this testing, this

information would be released to _____ I am aware of the risks to the employee and I have

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declined blood testing to be performed for Hepatitis B the employee’s medical provider and to Lane ESD’s human resources administrator.

Signature

Date

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**LANE EDUCATION SERVICE DISTRICT
BLOODBORNE PATHOGENS TRAINING SESSION ATTENDANCE ROSTER**

Date:

Conducted By: _____

ATTENDEES

NAME

JOB TITLE



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NOTE: Training summary of contents and qualification of person(s) conducting training attached. This

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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.

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If yes, please explain:

If yes, date received:

Antibody Testing

1. Date blood drawn:

2. Baseline Hepatitis B result:

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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.)

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Post-Exposure Counseling and Follow-Up

Further recommendations:

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.

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Physician's Signature

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Date

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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: _____

D

Name of Exposed: _____ Student Staff DOB: _____

Source Individual, if known: _____

Reported By: _____ Title: _____ Date: _____ Time: _____

Description of Incident: _____

E

School Health Official: Address: _____

Was consultation with health care provider sought: If so, name of health care provider: YES

NO E

Recommendation of health care provider:

LANE EDUCATION SERVICE DISTRICT
IDENTIFIED AT-RISK EMPLOYEES OFFERED THE HEPATITIS BE VACCINE

EMPLOYEE NAME		JOB DESCRIPTION/TASK DATE
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E		

Lane Education Service District

Code:

EBBB

Adopted:

10/24/00

Revised/Readopted:

1/22/02;

8/27/02;

2/25/14;

12/06/17

Orig. Code(s):

EBBB

Injury or Illness Reports

All injuries or illnesses¹, sustained by the employee while in the actual performance of the duty of the employee, occurring on ESD premises, in ESD vehicles, at a ESD-sponsored activity or involving staff members who may be elsewhere on ESD business will be reported immediately [Staff to a supervisor. members will report self-administered first-aid² treatment to an immediate supervisor.] All accidents involving employees, students, visiting public or ESD property will be reported immediately to a supervisor.

A written report will be submitted within 24 hours to the ESD's safety officer. Reports will cover property damage as well as personal injury.

In the event of a work-related²³ illness or injury to an employee resulting in in-patient overnight

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Lane Education Service District

Code:

hospitalization, loss of an eye, amputation or avulsion ~~for medical treatment²⁴ other than first aid~~, the ESD safety officer shall report the incident to the Oregon Occupational Safety and Health Division (OR-OSHA). ~~This report will be made~~ within 24 hours after notification to the ESD of an illness or injury. Fatalities or catastrophes²⁵ shall be reported²⁶ to OSHA within eight hours.

ALL injuries ~~or~~ illnesses sustained by an employee, while in the actual performance of the duty of the employee, or by a student or visiting public and accidents involving [school or] ESD property, employees,

¹ The Oregon Occupational Safety and Health Division provides: “Injury or illness” means an abnormal condition or disorder. Injuries include cases such as, but not limited to, a cut, fracture, sprain, or amputation. Illnesses include both acute and chronic illnesses, such as, but not limited to, skin disease, respiratory disorder, or poisoning (record injuries and illnesses only if they are new, work-related cases that meet one or more of the recording criteria). (OAR 437-001-0015(39))

² For employees, “first aid” means any one-time treatment and subsequent observation of minor scratches, cuts, burns, splinters, or similar injuries that do not ordinarily require medical care. Such one-time treatment and subsequent observation is considered first aid even though it is provided by a physician or registered professional personnel. (OAR 437-001-0015(34))

students or visiting public will be promptly investigated. As a result of the investigation any corrective measures needed will be acted upon.

~~The ESD safety officer will maintain records and reports on serious injuries/illnesses, including accidents involving ESD property or employees, students or visiting publics, and periodic statistical reports on the number and types of injuries/illnesses occurring in the ESD, as well as on the measures being taken to prevent such injuries/illnesses in the future.~~

~~The records will include monthly reporting information and an analysis of the data and trends will be conducted at least annually.~~ The ESD safety officer will maintain records on injuries, illnesses, and accidents involving ESD property, employees, students or visiting publics. These records will include prevention measures taken, reporting information, periodic statistical reports on the number and types of

²³ An injury or illness is work-related if an event or exposure in the work environment either caused or contributed to the ~~resulting condition or significantly aggravated a preexisting condition~~ injury or illness. (OAR 437-001-0700(6))

⁴ Amputations and avulsions are only required to be reported if they result in bone loss. (OAR 437-001-0704(4))

²⁴ ~~Medical treatment includes managing or caring for a patient for the purpose of combatting disease or disorder. The following are not considered medical treatment: visits to a doctor or health care professional solely for observation or counseling; diagnostic procedures including administering prescription medications used solely for diagnostic purposes; and any procedure that can be labeled first aid.~~

²⁵ ~~“Catastrophe”~~ A “catastrophe” is an accident in which two or more employees are fatally injured, or three or more employees are admitted to a hospital or an equivalent medical facility. (OAR 437-001-0015(11))

²⁶ Reporting must be done in person or by telephone. (OAR 437-001-0704(3))

injuries, illnesses and accidents occurring in the ESD, and monthly and annual analyses of accident data. Such reports will be submitted to the superintendent for review annually.

END OF POLICY

Legal Reference(s):

[ORS 339.309](#)

[OAR 437-001-0015](#)

[OAR 437-001-0700](#)

[OAR 437-001-0704](#)

[OAR 437-001-0760](#)

[OAR 437-002-0360](#)

[OAR 437-002-0377](#)

[OAR 581-024-0275](#)

HR05/2024 | SL

Injury/ or Illness Reports – EBBC

2-2

EBBC

Adopted: 6/28/94

Revised/Readopted: 1/22/02

Orig. Code(s): EBBC

Life-Sustaining Emergency Care

The Board recognizes its obligation under state and federal law to make educational services available to students of legal age, ~~including to provide educational services to students with disabilities, to provide reasonable accommodations that permit students with disabilities access to services and to provide a free public education to students with identified disabilities including special education and supportive services.~~

Reasonable accommodation includes ~~the~~ provision of life-sustaining emergency care.

A refusal to provide life-sustaining emergency care to a student in need of such care would be a denial of ~~supportive services and reasonable accommodations necessary for the student to benefit from his/her education and would constitute a discontinuation of further educational services, based solely on the student's disability.~~ No employee of Lane ESD shall comply with any directive from parents or others, written or verbal, that life-sustaining emergency care be withheld from a student in need of such care while under the control and supervision of Lane ESD staff.

For purposes of this policy, “life-sustaining emergency care” means any procedure or intervention applied by appropriately trained ESD staff that may prevent a student from dying who, without such procedure or intervention, faces a risk of imminent death. Examples of life-sustaining emergency care may include: efforts to stop bleeding, unblocking airways, mouth-to-mouth resuscitation and cardiopulmonary resuscitation (CPR).

In a life-threatening situation, ~~ESD district~~ staff will dial 9-1-1 for paramedic assistance and provide life-sustaining emergency care to any student requiring it in order to sustain life until relieved by paramedics or other appropriate medical personnel.

Lane Education Service District

Code:

The ESD shall consider requests for alternative forms of life-sustaining emergency care but those requests must be supported by written medical substantiation by the student’s physician. Determinations shall be made on such requests by a team of Lane ESD staff who are knowledgeable about the student. The team may seek such additional outside information, including an independent medical opinion when necessary, for a decision. Any determination made on such a request must be based on the likelihood that the chosen form of life-sustaining emergency care shall maintain the student’s life until an ambulance arrives or the student is otherwise transported to the care of medical personnel.

END OF POLICY

Legal Reference(s):

[ORS 30.800](#)

[OAR 437-002-0161](#)

[OAR 581-024-0275](#)

6/01/16 | PH

Life-Sustaining Emergency Care – EBBC

1-2

EBC
Adopted: 12/07/17
Orig. Code(s): EBC

D

Emergency Plan
(Version 1)

The superintendent will develop and maintain a plan specifying procedures to be used in emergencies such as contagious disease, firearms and other illegal acts that threaten the health and safety of staff and students.

E

as but limited to: disorderly conduct, unlawful assembly, disturbances at the ESD,

disturbances at ESD schools, natural disasters, injury accidents, fire, chemical spills, hazardous materials, exposure to

The ESD emergency plan will be coordinated with appropriate police and fire services, ambulance services and area hospitals.

Copies of the Emergency Plan will be available at ESD operated facilities and other strategic locations throughout the ESD. consider matters related to safety or a plan that responds to safety threats made

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toward the ESD or its The Board may use Oregon Revised Statute (ORS) 192.660(2)(k)

to conduct an executive session to school(s).

The ESD will provide an adequate internal communication system in ESD-operated facilities to transmit emergency information to staff and students in a rapid and clear manner. Periodic training will be provided to staff and students.

Appropriate first-aid supplies and at least one staff member with a current first-aid/CPR card shall be

E

available in all ESD-operated facilities.

END OF POLICY

Lane Education Service District

Code:

Legal Reference(s):

[ORS 30.800](#)
[ORS 192.660\(2\)\(k\)](#)
[ORS 334.125](#)
[ORS 433.260](#)
[ORS 433.441](#)
[OAR 437-002-0042](#)

Every Student Succeeds Act, 20 U.S.C. § 7928 (2018).

[OAR 437-002-0120 - 0139](#)
[OAR 437-002-0161](#)
[OAR 437-002-0360](#)
[OAR 437-002-0377](#)
[OAR 581-022-2030\(3\)\(c\)](#)
[OAR 581-022-2220](#)

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

[OAR 581-024-0275](#)
[OAR 581-053-0003\(40\)](#)
[OAR 581-053-0220\(3\)\(e\)\(B\)\(iii\)](#)
[OAR 581-053-0320\(5\)\(b\)](#)
[OAR 581-053-0420\(2\)\(f\)\(B\)](#)

T

E

HR4/04/24 | LF

Emergency Plan – EBC

1-1

Lane Education Service District

Adopted: **P**

Code: EBC

Emergency Procedures Plan and First Aid[**]

(Version 2)

{Highly recommended policy. This policy informs about a requirement for an emergency procedures plan (OAR 581-024-0275)}

R and other minimum standards for providing emergency care (OAR 581-022-2220(3).}

The ESD will maintain a comprehensive safety program for all employees and students. This program will include a plan for responding to emergency situations. ~~{The ESD emergency plan will be coordinated with appropriate police and fire services, ambulance services and area hospitals.}~~

locations throughout the ESD. [Parents or guardians will be informed of the ESD's plan.]

O

1

Copies of the Emergency Plan will be available in the ESD office [, ESD school(s)] and other strategic locations. The ESD shall provide instruction to staff [and students] in the emergency plan and safety program. { } In each ESD facility, procedures for handling health emergencies will be established and made known to staff. All employees are expected to know where first-aid supplies and equipment are kept in their

P

staff. Each ESD facility and ESD vehicle will be equipped with appropriate first-aid supplies

and work areas. At least one staff member with a current first-aid/CPR[/AED] card [for every 60 students enrolled] shall be available in all ESD-operated facilities. [Emergency planning will include the presence

Lane Education Service District

Code:

of at least one staff **O** member with a current first-aid/CPR/AED card for every 60 students for school-sponsored activities where students are present.]

END OF POLICY

Legal Reference(s):

[ORS 30.800](#)
053-0003(40)

[OAR 437-002-0120 - 0139](#)

0275

S [OAR 58²⁷-024-](#)[ORS 192.660\(2\)\(k\)](#)
[OAR 437-](#)
002-0161 [OAR 58²⁸-](#)

[ORS 334.125](#)

[OAR 437-002-0360](#)

[OAR 581-053-](#)
0220(3)(e)(B)(iii) [OAR 581-](#)

[ORS 433.260](#)

[OAR 437-002-0377](#)

[ORS 433.441](#) [OAR 581-022-2030\(3\)\(c\)](#) [OAR 437-002-0042](#) [OAR 581-022-2220](#)

Every Student Succeeds Act, 20 U.S.C. § 7928 (2018).

E
[0](#) [53-0320\(5\)\(b\)](#)

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

[OAR 581-053-0420\(2\)\(f\)\(B\)](#)

D

²⁸ {OAR 581-024-0275 requires the ESD to provide training in the “emergency plan.”}

Lane Education Service District

Code:

Adopted:

EBCB

7/12/94

Revised/Readopted: 1/22/02

Orig. Code(s): EBCB

Emergency Procedure Drills and Instruction

{Highly recommended policy. This policy includes information about required instruction and drills on emergency procedures in schools¹. See ORS 336.071}

Emergency drills shall be conducted in accordance with the provisions of Oregon Revised Statutes and the applicable Oregon Fire Code.

Students served in ESD facilities shall participate in emergency procedures. The emergency procedures shall include drills and instruction on fires, earthquakes, [²⁹]tsunami procedures] and safety threats.

Instruction on emergency procedures shall be conducted for at least 30 minutes each school month. The first emergency evacuation drill shall be conducted within 10 days of the beginning of classes.

~~An emergency drill or rapid dismissal for fire, earthquakes or other emergencies will be held at least once each month during the school year for all Lane ESD program students.~~

~~Special drill activities may be planned to ensure orderly movement and placement of students in the safest available building area.~~

Fire Emergencies

Drills and instruction on fire emergencies shall include routes and methods of exiting the ESD facilities.

Earthquake [and Tsunami] Emergencies

~~[³⁰]At least two drills on earthquakes shall be conducted each year.] [³¹³²]At least three drills on earthquakes that include tsunami drills shall be conducted each year.]~~

Drills and instruction for earthquake emergencies shall include the earthquake emergency response procedure of “drop, cover and hold on” during the earthquake. When based on the evaluation of specific engineering and structural issues related to a building, the ESD may include additional response procedures for earthquake emergencies.

²⁹ {Required if school is in a designated tsunami hazard done.}

³⁰ {This is required action for a school not in a tsunami hazard zone.}

³¹ {This is required action for a school in a tsunami hazard zone.}

Lane Education Service District

Code:

Adopted:

¹ {ORS 336.071 (6) As used in this section, “school” means any: (a) Kindergarten through grade 12 public or private school; or

(b) Educational institution having an average daily attendance of 50 or more students.}

~~[[⁵Drills and instruction on tsunami emergencies shall include immediate evacuation after an earthquake, when appropriate, or after a tsunami warning to protect students against inundation by tsunamis.]]~~

Safety Threats

At least two drills on safety threats shall be conducted each year. Drills and instruction on safety threats shall include procedures related to lockdown, lockout, shelter in place and evacuation and other appropriate actions to take when there is a threat to safety, and will include the school’s communication strategy following a safety threat action (See Board policy EBCA - Safety Threats**).

[The ESD may provide additional instruction relating to other disasters such as flooding, drought, excessive snowfall or wildfires. {⁶}]

Local units of government and state agencies associated with emergency procedures training and planning shall review the emergency procedures[, and assist the school with the instruction and the conducting of drills for students in these emergency procedures].

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

END OF POLICY

Legal Reference(s):

[ORS 336.071](#)

[ORS 339.324](#)

[ORS 476.030](#)

[OAR 581-024-0275](#)

[OREGON STATE FIRE MARSHAL](#), OREGON FIRE CODE.

⁵ {This is a required action for a school in a tsunami hazard zone.}

⁶ {The Oregon Department of Education has resources available at <https://www.oregon.gov/ode/schools-and-districts/grants/pages/threat-and-hazard-resources.aspx>.}

HR4/04/24 | LF

Emergency Procedure Drills and Instruction – EBCB

2-2

EBCD

1/22/02

Orig. Code(s):

EBCD

Emergency Closures

(Does this still reflect current practice? Does this align with practices in GCBCC/GDBCC and AR?)

ESD Offices

The superintendent shall determine when conditions warrant delayed opening, early closure or full-day closure of the ESD offices.

ESD Sites Located in Component District Facilities

When component districts have delayed opening, early closure or full-day closure, ESD staff assigned to those sites will be governed by such action regardless of the decision made concerning the ESD district office.

Compensation

(Is this practice the same? Should it be here? Or is it already in an agreement?)

Regular employees will be paid for the full day in the event of emergency action resulting in late opening, early closure or full-day closure.

Extended closures due to emergencies may result in a modification of the work calendar.

[Other closure terms which may be applicable are outlined in Board policy GCBCC/GDBCC – Work Schedules and Closures and any accompanying administrative regulation.]

END OF POLICY

Legal Reference(s):

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

[OAR 437-002-0360](#)

[OAR 437-002-0377](#)

[OAR 581-024-0240](#)

[OAR 581-024-0275](#)

[OAR 581-053-0004](#)

Lane Education Service District

Code:

D EC
Adopted:4/26/94
Readopted:
1/22/02 Orig.
Code(s): EC

Management of Buildings and Grounds

(Consider this is covered by policy EB and others on safety.)

The Board recognizes that the fixed assets of Lane ESD represent a significant investment of this community and their maintenance is of prime concern to the Board.

The Board directs the conduct of a continuous program of inspection and maintenance for the upkeep of buildings, grounds and equipment to reasonably protect the health and safety of all persons using them. Wherever possible and feasible, maintenance shall be preventive.

The superintendent shall develop and implement a maintenance program which shall include:

2. A critical spare parts inventory;
 1. A regular program of facilities repair and conditioning;
- END OF POLICY

Legal Reference(s):

[ORS 332.172](#)

[OAR 437-002-0144](#)

[OAR 437-002-0377](#)

[OAR 437-002-0145](#)

[OAR 437-002-0390](#)

Lane Education Service District

Code:

Adopted:

[OAR 437-001-0760](#) [OAR 437-002-0180 to -0182](#) [OAR 437-002-0391](#)
[OAR 437-002-0020 to -0081](#) [OAR 437-002-0360](#) [OAR 581-022-1610](#) [OAR 437-002-0140](#) [OAR 437-002-0368](#)

Fazzolari v. Portland School District No. 1J, 78 Or. App. 608 (1986); aff'd, 303 Or. 1 (1987).

Toxic Substances Control Act, 15 U.S.C. Sections 2601-2629, as amended by the Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. Sections 2641-2656.



Management of Buildings and Grounds – EC

ECAAA

3/16/04

Revised/Readopted: 8/23/11

Orig. Code(s): ECAAA

Employee Identification Badge System

To help ensure the safety protection of staff and students, and to reduce the possibilities of theft, vandalism and loss of ESD district property, all ESD district employees shall be issued and will display and wear identification badges as required.

The district's photo identification badge system will serve as an instant identification system for security purposes and will assist staff, parents, students and other visitors to ESD school locations in identifying ESD school employees. Employees will display the identification card at all times when working with students and as required when carrying out work assignments in the performance of their duties district and community locations.

A badge system, with appropriate designation but without a photograph, shall be used for visitors to ESD facilities schools during regular school hours and for substitutes and/or temporary employees.

The superintendent is directed to develop administrative regulations as necessary to implement this policy.

Lane Education Service District

Code:
Adopted:
END OF POLICY

Legal Reference(s):

[ORS 192.447](#) [ORS 334.125\(5\), \(7\)](#)

6/01/16 | PH Employee Identification Badge System – ECAAA
ECAAA-AR
3/16/04
Readopted: 8/23/11
Revised/Reviewed:
Orig. Code(s): ECAAA-AR

Employee Identification Badge System

Staff members issued an identification badge will be subject to the following requirements:

1. Identification badges are the property of the ESD district for use by ESD district employees. Any employee who duplicates or lends their/his/her identification badge will be subject to disciplinary action;
2. All identification badges are to be displayed worn in plain sight when the employee is working with students and as required when carrying out work assignments in the district and community locations;
3. A report of a lost or stolen badge must be made to the appropriate administrator immediately;
4. An identification card badge lost, stolen or damaged due to circumstances beyond the employee's control will be replaced by the ESD district at no cost to the employee. Other replacement costs will be charged to the employee;
5. Identification badge requests must be made [program administrator] human resources directly to the [personnel] human resources office];
6. The appropriate administrator will be responsible for collecting staff identification badges at the end of the assigned work shift in the event of employee resignation, nonrenewal, nonextension or termination;
7. The ESD district will not disclose the identification badge or card of an employee without the written consent of the employee if:

Lane Education Service District

Code:

Adopted:

- a. The badge or card contains the photograph of the employee;
- b. The badge or card was prepared solely for internal use by the ESD district to identify employees.

The ESD district will not disclose a duplicate of the photograph used on the badge or card.

8. The ESD may use the badge photograph for internal purposes. Any other use of the photograph requires written employee consent.

6/01/16 | PH

Employee Identification Badge System – ECAAA-AR

Lane Education Service District

Code:

Adopted:

ECAB

1/22/02

Readopted:

6/15/04;11/15/11

Orig. Code(s):

ECAB

Vandalism, Malicious Mischief, or Theft**

Students and patrons/citizens are urged to cooperate in reporting any incidents of vandalism, /malicious mischief or /theft and the name or names of the person or persons believed to be responsible.

Each ESD employee will report to a program supervisor or administrator incidents of vandalism, /malicious mischief or /theft and the name of the person or persons responsible, if known.

A program supervisor or administrator will submit a report of any incidents of vandalism, /malicious mischief, theft or damage to the superintendent. The superintendent will report to the Board regarding major reports of vandalism, /malicious mischief, /theft or damage to any ESD district property.

The ESD may offer a reward to an individual(s) who provides information that results in the apprehension of a person(s) guilty of vandalism, /malicious mischief, /theft or other criminal acts against the

apprehension

ESD district. The amount of reward shall be determined by the superintendent on a case-by-case basis within any guidelines set by the Board.]

The superintendent is authorized to sign a criminal complaint and to press charges against those committing acts of vandalism or /malicious mischief against ESD property or /theft of or against ESD property. Because incidents of willful or malicious abuse, destruction, defacing and theft of district property are clearly contrary to the best interests of the district and injurious to the rights and welfare of the entire community, it is the policy of the Board to seek all legal remedies against persons found to have committed such acts. Full restitution for the damage will be sought from such persons, or, in the case of minors, from their parents. Until such fees or restitutions are paid, certain restrictions and/or penalties may be imposed. Records requested by another educational agency to determine a student's appropriate placement may not be withheld.

A student/Students who willfully destroys/destroy ESD property through vandalism, /malicious mischief, /theft or arson, who commits/commit larceny or who creates/create a hazard to the safety of other people on ESD district property will be disciplined in accordance with state law and the Board's policies/policy on student discipline and referred to law enforcement authorities.

Any staff member who willfully fails to report such an vandalism, malicious mischief or theft, or willfully destroys ESD property through vandalism, malicious mischief, theft or arson, who commits larceny or who creates a hazard to the safety of other people on ESD property will be disciplined, up to and including dismissal and referred to law enforcement.

Lane Education Service District

[The ESD is not liable or responsible for personal property brought onto ESD property.]

¹ Use of suspension or expulsion as discipline for a student in violation of this policy is limited to criteria found in Oregon

6/01/16 | PH

Revised Statute (ORS) 339.250.

Legal Reference(s):

[ORS 30.765](#)

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

[ORS 339.250](#)

[ORS 164.345](#)

[ORS 326.575](#)

[ORS 339.270](#)

[ORS 164.365](#)

[ORS 339.240](#)

[ORS 419C.680](#)

Lane Education Service District

Adopted: **P**

Code: ECAC

Video Surveillance

The Board authorizes the use of video cameras on ESD property to ensure the health, welfare and safety of

cameras may be used in locations as deemed appropriate by the superintendent. **R** all staff, students and visitors to ESD property, and to safeguard district facilities and equipment. Video The ESD shall notify staff and students through student/parent and staff handbooks that video surveillance may occur on ESD property.

Students or staff in violation of Board policies, administrative regulations, building rules or law shall be

O subject to appropriate disciplinary action. Others may be referred to law enforcement.

A video recording may become a part of a student's educational record or a staff member's personnel record. The ESD shall comply with all applicable state and federal laws related to record maintenance and

retention. **P**

END OF POLICY

Legal Reference(s):

Lane Education Service District

Code:

Adopted:

O

[ORS 30.864](#)

[ORS 192.420](#) to -192.505

[ORS 326.565](#)

[ORS 326.575](#)

[ORS 334.125](#)

[ORS 336.187](#)

[ORS 342.850](#)

[OAR 166-400-0010](#) to -0065

[OAR 581-021-0210](#) to -0430

[OAR 581-022-2260](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2012).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34

S

C.F.R. Part 99 (2017).

E D

4/04/18 | PH

Video Surveillance – ECAC

1-1

ECACB

2/05/19

Revised/Readopted: 4/07/20

Orig. Code(s): ECACB

Unmanned Aircraft System (UAS) a.k.a. Drone

Any employee, volunteer, or representative of the ESD operating an unmanned aircraft system (UAS) shall do so in accordance with this policy, all applicable Federal Aviation Administration (FAA) and Oregon Department of Aviation (ODA) regulations and local laws.

A small unmanned aircraft, as defined by law, may be operated by the ESD. A small unmanned aircraft must weigh less than 55 pounds, including the weight of anything attached to or carried by the aircraft and must be registered through the FAA and ODA. The ESD will register as a user of such with ODA.

Publicly supported kindergarten through grade 12 school programs and publicly-supported entities that support K-12 schools or after school K-12 programs are exempt from the requirement to pay the ODA registration fee.

The ESD recognizes the academic value of student operation of a UAS as one component of curricula pertaining to principles of flight, aerodynamics and airplane design and construction, which can also serve as an academic tool in other areas such as television, film production or the arts in general.

Prior to operating a UAS, the ESD will review all airspace, certification, registration, and other requirements. When operating in the National Airspace System (NAS), the supervisor (instructor/teacher) of the educational UAS shall hold a current pilot certification described in 14 C.F.R. Part 107 or have a Certificate of Authorization as described in 49 U.S.C. § 44801, so any student(s) can fly under their direct supervision, and to be in compliance with current FAA³³ regulations. ESD staff will not operate more than one UAS at the same time.

ESD employees shall work with administrators to ensure that proper insurance, registration as required by FAA and ODA, reporting to FAA, and authorization from ESD administration are in place prior to use as part of the ESD's curriculum.

~~A UAS shall be operated in accordance with the policies of the Oregon School Activities Association (OSAA)^{34,35} at OSAA-sanctioned events.~~

A student in violation of this policy may be subject to disciplinary action, up to and including suspension and/or expulsion.

A staff member in violation of this policy may be subject to disciplinary action, up to and including dismissal.

All data gathered by the ESD as part of a UAS operation will belong to the ESD. The data gathering by the ESD will follow appropriate state and federal laws. Retention of such data will follow state and federal laws.

The superintendent shall develop procedures³⁶ for the implementation of this policy. The ESD shall post a copy of this policy, associated procedures, and a copy of Oregon Revised Statute (ORS) 192.345 on the ESD's website.

The ESD will report accidents involving a UAS to FAA no later than 10 calendar days after the accident when it involves:

1. Serious injury to any person or any loss of consciousness; or
2. Damage to any property, other than the small UAS, unless the cost of repair (including materials and labor) does not exceed \$500, or the fair market value of the property does not exceed \$500 in the event of total loss.

³³ https://www.faa.gov/uas/educational_users/

³⁴ <http://www.osaa.org/governance/handbooks>

³⁶ Procedures must include: the length of time data will be retained by the district; specifications for third party storage of data, including handling, security and access to the data by the third party; a policy on disclosure of data through intergovernmental agreements.

Lane Education Service District

Code:

Adopted:

Third Party Use

Third party use of a UAS on ESD property or at ESD-sponsored events or activities on ESD property for any purpose is prohibited, unless granted permission from the superintendent or designee.

If permission is granted by the superintendent or designee, the third party operating a UAS will comply with all FAA and ODA registration and use regulations and shall provide the following to the ESD:

1. Proof of insurance that meets the liability limits established by the ESD;
2. Proof of UAS registration and authorization (including a certificate identified in 14 C.F.R. Part 107 or a Certificate of Authorization described in 49 U.S.C. § 44801) issued by FAA, and proof of user registration with ODA when required³⁷³⁸; and
3. A signed agreement holding the ESD harmless from any claims of harm to individuals or damage to property.

END OF POLICY

Legal Reference(s):

[ORS 164.885](#)

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

[OAR 738-080-0015 - 080-0045](#)

[ORS 174.109](#)

[ORS 837.300 - 837.390](#)

[ORS 19³⁹.345](#)

[ORS 837.995](#)

Senate Bill 581 (2019)

Federal Aviation Administration Reauthorization Act of 2018, 49 U.S.C. §§ 44801-44810 (2012).

Small Unmanned Aircraft Systems, 14 C.F.R. Part 107 (2018).

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

OREGON SCHOOL ACTIVITIES ASSOCIATION HANDBOOK.

ECD

3/29/94

Revised/Readopted: 1/22/02

Orig. Code(s): ECD

Traffic and Parking Controls

The superintendent shall authorize parking areas and post notices on Lane ESD property designated for staff, student, visitor parking and parking for persons with disabilities and other classifications of parking areas as may be necessary.

³⁷ A public body, as defined in ORS 174.109, operating an unmanned aircraft system must register as a user with ODA. (ORS ³⁸ .360)

Any vehicle not parked in authorized areas may be cited and/or towed away and stored. ~~Such action will be considered by the ESD only after a reasonable effort has been made to contact the vehicle owner or operator.~~ All charges for towing and storing will be the responsibility of the owner or operator of the vehicle.

Any person failing to abide by the ESD’s parking regulations may be further prohibited from bringing any vehicle on ESD-controlled property.

Program administrators will establish rules as necessary for the use and control of staff parking areas. Such rules will be made available to the staff.

END OF POLICY

Legal Reference(s):

[ORS 334.125\(7\)](#)
[ORS 334.175](#)

[ORS 334.185](#)
[ORS 447.233](#)

[OAR 581-024-0240](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2012); 29 C.F.R. Part 1630 (2016); 28 C.F.R. Part 35 (2016).

Americans with Disabilities Act Amendments Act of 2008.

6/01/16 | PH

Traffic and Parking Controls – ECD

1-1

Lane Education Service District

Code: ECE
Adopted: 3/29/94

Orig. Code(s): **D** ECE

Revised/Readopted: 1/22/02

Buildings and Grounds Records and Reports


(Does ECAB already cover this?)

Lane Education Service District

Code:

Adopted:

Losses incurred through fire, theft, accident or vandalism will be reported to the business office as soon as

they are discovered. The business  office may report such losses to an appropriate agency as

well as to the superintendent.

END OF POLICY

Legal Reference(s): 

[ORS 332.172](#)

Toxic Substances Control Act, 15 U.S.C. Sections 2601-2629, as amended by the Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. Sections 2641-2656.



T

E

EDC/KGF
8/29/00
Readopted: 1/22/02
Orig. Code(s): EDC/KGF

Authorized Use of ESD Equipment and Materials

ESD materials and equipment will be used only for ESD purposes by ESD personnel on ESD properties. Exceptions to this policy must be approved by the [superintendent] [and/or the Board,] and shall be consistent with Oregon Revised Statute (ORS) Chapter 244 and the Oregon Government Ethics Commission guidance.

~~It shall be the policy of the Board that Lane Education Service District equipment and properties shall not be used outside the ESD Center or other ESD program sites except in accordance with this policy and the administrative rules developed to implement this policy.~~

~~The ESD property in the nature of desks, lockers, cabinets, documents, computers and computer-related equipment or records pre-assigned to staff for the convenience of staff shall be used by staff subject to the ESD's right to inspection. The ESD may at any time, with or without notice, inspect any or all of such property. Any item contained in ESD's property that is not appropriately in the staff member's possession, or is an illegal or dangerous item, or an item prohibited by ESD policy or rules, may be seized by the ESD upon prompt notification thereafter to the employee. No staff member shall have any right of privacy with respect to use of any ESD property or information stored therein.~~

The ESD's equipment and properties are intended for use by employees of the ESD in carrying out the responsibilities of their assignments. In certain instances (for example, equipment and properties which are included as part of media services), such use will extend to the loaning of such ESD equipment or properties to authorized staff members of the ESD's component school districts for their use.

When fulfillment of an employee's responsibilities can be assisted by the use of certain items of ESD equipment or property at a location away from the normal workplace, such item(s) may be checked out for

Lane Education Service District

Code:

Adopted:

such off-premises use. The employee will be expected to use prescribed check-out procedures and to be responsible for safeguarding the equipment or properties during such period of use.

ESD equipment and properties which are deemed appropriate for off-premises use by ESD staff or by authorized component district employees may be rented to other entities if a current contractual agreement exists between the ESD and the entity in question. The rental fee shall cover all costs associated with making the item available.

ESD property pre-assigned to staff for the convenience of staff shall be used by staff subject to the ESD's right to inspection. The ESD may at any time, with or without notice, inspect any or all of such property. Any item contained in ESD's property that is not appropriately in the staff member's possession, or is an illegal or dangerous item, or an item prohibited by ESD policy or rules, may be seized by the ESD upon prompt notification thereafter to the employee. No staff member shall have any right of privacy with respect to use of any ESD property or information stored therein.

HR6/01/16 | PH

Authorized Use of ESD Equipment and Materials – EDC/KGF

1-2

In all cases of public use, equipment shall not be used for private financial gain. An equipment use form must be submitted and approved, and all conditions outlined on the attached ESD equipment list must be adhered to. [There are no equipment use fees.] In the event of excessive damage, a fee will be determined according to repair or replacement costs. Transportation of borrowed equipment will be the user's responsibility.

END OF POLICY

Legal Reference(s):

[ORS Chapter 244](#) [ORS 334.125\(7\)](#)

[OAR 581-024-0240](#)
[OAR 584-020-0040](#)

OR. ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS (2008).

HR6/01/16 | PH

Authorized Use of ESD Equipment and Materials – EDC/KGF

2-2

EDDA
4/28/09

Orig. Code(s): EDDA

Sustainability

The ESD recognizes sustainability as an important principle that supports developing an ethic of sustainability in its practices. The ESD defines "sustainability" as "meeting the educational, environmental, social and economic needs of present generations without compromising the ability of

future generations to meet their own needs.” Sustainability is managed through efforts in balancing the interdependent areas of education, environment, society and economy to contribute to a healthy future for our students, staff and the ESD.

Sustainability may be demonstrated through:

1. Leadership in sustainable management – striving to balance educational, economic, social and environmental issues in our daily decision-making;
2. Leadership in student achievement – incorporating environmental, social and economic sustainability concepts in our education of students;
3. Leadership in fostering student health and well-being – providing a physical environment that promotes the health, productivity and safety of students and staff;
4. Continual improvement – seeking new, expanded and improved ways to create a sustainable and restorative future.

[To effectively achieve these commitments, the ESD may implement a Sustainability Management System (SMS)¹ that extends sustainability to ESD activities.]

END OF POLICY

Legal Reference(s):

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

¹For more information contact www.sustainableschools.org.

Lane Education Service District

Code: EEA

Adopted: **P**

Student Transportation Services *

(For ESDs that operate a school.)

district. The extent of services shall be **R** determined by contract. The ESD may provide transportation for students enrolled in ESD programs when requested by the Field trips involving transportation of students must be approved by the [program supervisor] **and** [superintendent]. Aides or assistants that ride a school bus shall receive training on emergency procedures

and their role in the safe transportation **O** n of all students on the bus.

END OF POLICY

Legal Reference(s):

[ORS 327.006](#)

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

[ORS 820.100 - 820.190](#)

[OAR 581-053-0004](#)

[OAR 581-053-0010](#)

[OAR 581-053-0031](#)

[OAR 581-053-0040](#)

[OAR 581-053-0210](#)

[ORS 343.155 - 343.246](#)

P

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

Lane Education Service District

Code:

Adopted:

[ORS 343.533](#)

[ORS 811.210](#)

[OAR 581-022-2345](#)

[OAR 581-024-0240](#)

[OAR 735-102-0010](#)

[ORS 811.215](#)

[OAR 581-024-0275](#)

[ORS 815.055](#)

[ORS 815.080](#)

[OAR 581-053-0002](#)

[OAR 581-053-0003](#)

Every Student Succeeds Act of 2015 , 20 U.S.C. §§ 6315, 7912 (2012).

R6/01/16 | PH

EEACD

4/27/10

Orig. Code(s):

EEACD

Student Transportation Services * – EEA

Use of District-ESD Activity Vehicles for Student Transportation

Transportation of students in Lane ESD programs is, as a general rule, the responsibility of the student's resident district.

The Board may provide for the use of vehicles, commonly designated as Types 10, 20 or 21 pupil transportation vehicles, which do not meet the requirements of a "school bus" for the purpose of transporting students, licensed, classified or other supervisory personnel to and from curricular and extracurricular activities sponsored by the ESD district. The use of ESD activity vehicles will be limited to circumstances where public transportation or component district transportation options are not available.

Lane Education Service District

Code:

Adopted:

The vehicle shall be insured for bodily injury, property damage, uninsured motorist coverage and personal injury protection. The [executive director of business] services will recommend amounts to adequately protect the ESD district against loss.

The ESD district will meet or exceed minimum driver requirements and procedures as set forth in Oregon Administrative Rules, Section 53. OARs ~~581-053-0545, 581-053-0550 and 581-053-0555~~. The district ESD shall meet child safety system requirements and minimum standards and specifications as set forth in state law ~~ORS 811.210, 815.055 and 815.080 and OAR 735-102-0010~~.

END OF POLICY

Legal Reference(s):

[ORS 811.210](#)

[ORS 815.055](#)

[ORS 815.080](#)

[ORS 820.110](#)

[ORS 820.190](#)

[OAR 437-002-0220 to -0227](#)

[OAR 581-053-0003](#)

[OAR 581-053-0010](#)

[OAR 581-053-0220](#)

[OAR 581-053-0310](#)

[OAR 581-053-0320](#)

[OAR 581-053-0330](#)

[OAR 581-053-0340](#)

[OAR 581-053-0410](#)

[OAR 581-053-0420](#)

[OAR 581-053-0430](#)

[OAR 581-053-0440](#)

[OAR 581-053-0511](#)

[OAR 581-053-0521](#)

[OAR 581-053-0531](#)

[OAR 581-053-0540](#)

[OAR 581-053-0610](#)

[OAR 581-053-0620](#)

[OAR 581-053-0630](#)

[OAR 735-102-0010](#)

R6/01/16 | PH

Use of ESD Activity Vehicles for Student Transportation – EEACD

1-1

EEAE

6/28/94

Revised/Readopted: 1/22/02

Orig. Code(s): EEAE

Student Transportation in Private Vehicles

School transportation services will be provided by component districts to Lane ESD students for transportation to and from school. Either component school district transportation services or appropriate public transportation may be used for school-sponsored activities that are extensions of classroom learning experiences.

Lane Education Service District

Code:

Adopted:

~~Neither Private vehicles nor Lane ESD~~ vehicles shall not be used to transport students on field trips or other ESD-related activities.

END OF POLICY

Legal Reference(s):

[ORS 801.455](#)
[ORS 811.210](#)

[ORS 811.215](#)
[ORS 815.055](#)

[ORS 815.080](#)
[OAR 735-102-0010](#)

HR2/16/12 | RS

Student Transportation in Private Vehicles – EEAE

1-1

Lane Education Service District

Code:

Adopted:

Readopted:

Orig. Code(s):

EEBAA

4/26/94

1/22/02; 5/22/12

EEBAA

District Vehicles/~~Seat Belts~~

All Lane ESD personnel using ESD-owned vehicles (drivers and passengers) must use seat belts as required by Oregon law. Failure to do so is grounds for discipline up to and including dismissal.

The driver of any ESD-owned vehicle is responsible for determining that the number of passengers does not exceed the number of seat belts. The vehicles shall not be driven until the driver and all passengers are buckled up and properly secured.

END OF POLICY

Legal Reference(s):

[ORS 334.125](#)

[ORS 811.210](#)

[ORS 815.055](#)

[ORS 815.080](#)

[OAR 735-102-0010](#)

[OAR 437-002-0223](#)

District Vehicles – EEBAA

1-1

EEBB

2/27/96

1/22/02

EEBB

Use of Private Vehicles for ~~District~~ ESD Business

Employees who are expected to use a personal ~~vehicle~~ automobile when traveling for business purposes will be reimbursed in an amount that meets requirements as set forth in accordance with mileage reimbursement rates established by the Board and/or collective bargaining agreement as applicable ~~ESD~~ fiscal procedures.

Employees using private vehicles for ESD business are subject to ESD policies as long as the ~~vehicle~~ car is being used for ESD business.

Employees using private vehicles for ESD business must carry ~~vehicle~~ automobile liability insurance in accordance with Oregon Revised Statutes. ~~statutes~~. The employee's personal ~~vehicle~~ automobile insurance

Lane Education Service District

Code:

Adopted:

Readopted:

Orig. Code(s):

is the primary carrier in case of accident or damage. The ESD's insurance serves as the secondary carrier for liability purposes only.

~~The superintendent will develop rules for staff use of private vehicles for ESD business that will safeguard the ESD and its employees in matters of safety, insurance and liability.~~

(The following two paragraphs are from EEBB-AR. Please review to ensure it still reflects current practice.)

Employees using private vehicles for ESD business are subject to all applicable ESD policies and administrative regulations while the car is being used for ESD business.

If an employee uses a personal vehicle for ESD business and damage to the parked vehicle or loss of personal property from the vehicle occurs while the employee is conducting ESD business, the employee's personal automobile or homeowner's insurance is the primary carrier. [However, in such case, the ESD will reimburse an employee toward their personal insurance deductible in an amount up to [\$250]. Invoices showing the cost of repair or replacement and a copy of the applicable provisions in the employee's personal insurance policies shall be submitted with the expense account.]

END OF POLICY

Legal Reference(s):

[ORS 30.260 to -30.265](#)

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

[ORS 801.455](#)

[ORS 811.210](#)

[ORS 815.055](#)

[ORS 815.080](#)

[OAR 581-024-0240](#)

[OAR 735-102-0010](#)

HR6/01/16 | PH

Use of Private Vehicles for ESD Business – EEBB

1-1

EEBB-AR

1/10/96

1/22/02

EEBB-AR

Rules for Using Private Vehicles for ESD Business

Employees using private vehicles for ESD business are subject to all applicable ESD policies and

administrative rules as long as the car is being used for ESD business.

E

Lane Education Service District

Code:

Adopted:

Orig. Code(s): **D**

Readopted:

If an employee uses a personal vehicle for ESD business and damage to the parked vehicle or loss of personal property from the vehicle occurs while the employee is conducting ESD business, the employee's personal automobile or homeowner's insurance is the primary carrier. However, in such case, the ESD will reimburse an employee toward his/her personal insurance deductible in an amount up to \$250. Invoices showing the cost of repair or replacement and a copy of the applicable provisions in the employee's personal insurance policies shall be submitted with the expense account.

L

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Lane Education Service District

Code:

Adopted:

Readopted:

Orig. Code(s):



Rules for Using Private Vehicles for ESD Business – EEBB-AR

1-1

Lane Education Service District

Code:

Adopted:

Orig. Code(s): **D**

Readopted:

EFA
9/26/06
2/24/15
EFA

Local Wellness Program

(Version 1)

The Board recognizes that childhood obesity has become an epidemic in Oregon as well as throughout the regular physical activity. Healthy eating patterns and increased physical activity are essential for students

Enation. Research indicates that obesity and subsequent diseases are largely preventable

through diet and to achieve their academic potential, full physical and mental growth and lifelong health and well-being.

To help ensure students possess the knowledge and skills necessary to make healthy choices for a lifetime, the superintendent shall prepare and implement a comprehensive ESD nutrition program consistent with state and federal requirements for ESDs sponsoring the National School Lunch Program (NSLP) and/or appealing foods at ESD schools, developing food-use guidelines for staff and establishing liaisons with

Lthe School Breakfast Program (SBP). The program shall reflect the Board's commitment to

providing adequate time for instruction that promotes healthy eating through nutrition education, serving healthy and nutrition service providers, as appropriate.

D

The input of staff (including but not limited to, physical education and school health professionals), students, parents, the public, representatives of the school food authority and public health professionals will be encouraged. The superintendent will develop administrative regulations as necessary to

implement **Nutrition Promotion and Nutrition Education** **E** the goals of this policy throughout the ESD.

Nutrition promotion supports the integration of nutrition education throughout the school environment. Nutrition education topics shall be integrated within the sequential, comprehensive health education program taught at every grade level, prekindergarten through grade 12, and coordinated with the ESD's

nutrition and food services operation. **T**

Nutrition Guidelines

It is the intent of the Board that ESD schools be proactive in encouraging students to make nutritious food choices. All food and beverage items sold in a K-12 public school as part of the regular or extended school day shall meet the minimum state and federal standards. Exceptions to this requirement include items that are part of the USDA National School Lunch Program or School Breakfast Programs. Other exceptions are 1. When the school is the site of school-related events or events for which parents and

other adults are a **E** foods and beverages provided in the following instances:

- significant part of an audience; or
- 2. The sale of food or beverage items before, during or after a sporting event, interscholastic activity, a play, band or choir concert.

E L E T E

Although the Board believes that the ESD’s nutrition and food services operation should be financially self-supporting, it recognizes that the nutrition program is an essential educational and support activity. Therefore, budget neutrality or profit generation must not take precedence over the nutrition needs of its The superintendent is directed to develop administrative regulations to implement this policy that

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D

address students. In compliance with federal law, the ESD’s NSLP and SBP shall be

nonprofit.

all food and beverage items sold and/or served to students in ESD schools, including provisions for staff development, family and community involvement and program evaluation. These food and beverage items include competitive foods, snacks and beverages sold from vending machines and school stores, and similar food and beverage items from fund-raising activities and refreshments that are made available at

E

school parties, celebrations and meetings.

Physical Activity

The Board realizes that a quality physical education program is an essential component for all students to learn about and participate in physical activity. Instruction, provided by adequately prepared teachers, will meet the state adopted academic content standards for physical education, ORS 329.045. Teachers of physical education shall regularly participate in professional development activities. individualized

L

education program developed for the student under ORS 343.151. A student who does not

Students with disabilities shall have suitably adapted physical education incorporated as part of the have an IEP but has chronic health problems, other disabling conditions or other special needs that preclude them from participating in regular physical education instruction shall have suitably adapted physical education incorporated as part of an individualized health plan developed for the student by the ESD.

and recess. The ESD will develop and assess student performance standards in order to meet the Oregon

E

Physical activity should be included in a school’s daily education program for grades pre-K

through 12. Physical activity should include regular instructional physical education as well as co-curricular activities, Department of Education’s physical education content standards.

The superintendent is directed to develop administrative regulations to implement this policy, including such provisions as may be necessary to address all food and beverages sold and/or served to students at school (i.e., competitive foods, snacks and beverages sold from vending machines, school stores and fund- raising activities and refreshments that are made available at school parties, celebrations and

T

meetings), including provisions for staff development, family and community involvement

and program evaluation.

Reimbursable School Meals

The ESD may enter into an agreement with the Oregon Department of Education (ODE) to operate reimbursable school meal programs. The superintendent will develop administrative regulations as necessary to implement this policy and meet the requirements of state and federal law. These guidelines

E

shall not be less restrictive than regulations and guidance issued by the Secretary of

Agriculture pursuant to subsections (a) and (b) of section 10 of the Child Nutrition Act (42 U.S.C. 1779) and section 9(f)(1) and 17(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(f)(1), 1766(a)(0).

D

School Employee Wellness

The ESD encourages school staff to pursue a healthy lifestyle that contributes to their improved health status, improved morale and a greater personal commitment to the ESD’s overall wellness program. Many actions and conditions that affect the health of school employees may also influence the health and program will promote health and reduce risk behaviors of employees and identify and correct conditions

D in learning of students. The physical and mental health of school employees is integral to promoting and protecting the health of students and helps foster their academic success. The ESD’s employee wellness the workplace that can compromise the health of school employees, reduce their levels of productivity, impede student success and contribute to escalating health-related costs such as absenteeism.

The ESD will work with community partners to identify programs/services and resources to compliment

and enrich employee wellness endeavors. **E**

Evaluation of the Local Wellness Policy

The Board will involve staff (including but not limited to, physical education and school health professionals), parents, students, representatives of the school food authority, public health officials, school administrators and the public in the development, implementation and periodic review and yearly update of this policy. In an effort to measure the implementation of this policy the Board designates the including the extent to which the schools are in compliance with policy, how the policy compares to

L model special education director as the person who will be responsible for ensuring the ESD meets the goals outlined in this policy. The ESD will make available to the public an assessment of the implementation, policy and a description of the progress being made in attaining the goals of this policy.

END OF POLICY

E T

[OAR 581-051-051-0306](#)
[OAR 581-051-051-0310](#)
[OAR 581-051-051-0400](#)

Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. § 1758b (2018). National School Lunch

Legal Reference(s):

[ORS 329.531](#)
[ORS 327.537](#)
[ORS 329.496](#)
[ORS 334.125](#)

[ORS 336.423](#)
[OAR 581-051-051-0100](#)
[OAR 581-051-051-0305](#)

Program, 7 C.F.R. Part 210 (2022).
School Breakfast Program, 7 C.F.R. Part 220 (2022).
[House Bill 3199](#) (2023).

E

Lane Education Service District

Adopted: **P**

Code: EFA

Local Wellness (Version 2)

The ESD supports providing reimbursable meals to its component districts?

(This policy is Required if the ESD operates a school and participates in a free or reduced-priced meal program with ODE.)

{Title 7 C.F.R. 210.31(a) requires local education agencies to “establish a local school wellness policy for all schools

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participating in the National School Lunch Program and/or School Breakfast Program...”. The law describes the policy as “a written plan that includes” various components intended to improve student wellness. This policy is designed to meet the requirements for a wellness policy and provide the framework for the ESD’s plan. Previously these requirements were split between the policy and an administrative regulation (AR). All required and/or related content is now included in the model

policy, therefore OSBA recommends deleting the AR if the ESD previously included it in the board’s policy manual. ESDs



should consult with stakeholders in the process of adoption and incorporate language that meets the unique needs of the ESD.}


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

To help ensure students possess the knowledge and skills necessary to make healthy choices for a lifetime,



the superintendent shall prepare and implement a comprehensive ESD nutrition program

consistent with state and federal requirements for ESDs sponsoring the National School Lunch Program (NSLP) and/or the School Breakfast Program (SBP). The program shall reflect the Board’s commitment to providing adequate time for instruction that fosters healthy eating through nutrition education and

promotion, serving liaisons with nutrition service providers, as appropriate.  healthy and

appealing foods at ESD schools, developing food-use guidelines for staff and establishing

[The superintendent or designee shall establish a Wellness Advisory Committee to advise the ESD in

the development, review and update of the local wellness policy.] ENGAGEMENT 

POLICY IMPLEMENTATION, MONITORING, ACCOUNTABILITY AND COMMUNITY

Implementation

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

E

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

1. Delineating roles, responsibilities, actions and timelines specific to each school;
2. Generating and disseminating information about who will be responsible to make what change, by

D

how much, where and when;

3. Establishing standards for all foods and beverages provided (but not sold) to students during the
4. Establishing standards and nutrition guidelines for all foods and beverages sold to students during the school day on participating school campuses that meet state and federal nutrition standards for NSLP and SBP, competitive foods, permit marketing of same that meets the competitive food nutrition standards, and promotes student health and reduces child obesity; and
5. Establishing specific goals for nutrition promotion and education, physical activity[, physical education] and other school-based activities that promote student wellness.

meets the goals outlined and complies with this policy.

P

The Board designates the

[superintendent] [ESD principal(s)] to be responsible for ensuring each school

[Record Keeping

The ESD will retain the following records to document compliance with the local wellness policy

R

requirements at the ESD's administrative offices:

1. The written local wellness policy;
2. Documentation to demonstrate the policy has been made available to the public; who participates in

the update and the methods the ESD uses to make stakeholders aware of their

O

3. Documentation of efforts to review and update the local wellness policy, including an indication of ability to participate;
4. Documentation to demonstrate compliance with the annual public notification requirements; policy;

P

5. Documentation of the ESD's most recent assessment on the implementation of the local wellness
6. Documentation to demonstrate the most recent assessment on the implementation of the local wellness policy has been made available to the public.]

Notification of Policy

The ESD will inform the public about the content and implementation of the local wellness policy,

and **O**

post the policy and any updates to the policy on the ESD website annually. Included will be, if available, the most recent assessment of the implementation, and a description of the progress being made in attaining the goals of the policy. coordinating the policy and information on how the public can get

involved with the local wellness policy. **S**

The ESD will publicize the name and contact information of the ESD or school official(s) leading and This information will be published on the ESD’s website and in ESD communications.

Triennial Progress Assessments

At least once every three years, the ESD will evaluate the implementation of this policy and its progress

E with a triennial assessment and produce a progress report that will include:

1. The extent to which schools under the jurisdiction of the ESD are in compliance with the policy;

2. The extent to which the ESD’s policy compares to model local school wellness policy{ **D** 1};

and

3. A description of the progress made in attaining the goals of the ESD’s policy.

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

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

Community Involvement, Outreach and Communications (Review of, and Updating

Policy) **P**

{41}

The ESD will actively communicate ways in which the community can participate in the development, implementation and periodic review and update of the local wellness policy. The ESD will communicate information about opportunities [in community news, on the ESD’s website, on school websites, and/or

in linguistically appropriate to the community. **R** ESD or school communications]. The ESD will ensure that communications are culturally and Parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the Board, school administrators, and the general public will be solicited to participate in the periodic review and update of the local school wellness policy.

⁴¹ {USDA Local school wellness policy [resource](#); CDC [resource](#); CDC Healthy Schools [resource](#); USDA Local school wellness

D policy [outreach toolkit](#) and communication resource from [Alliance for a Healthier Generation](#).}

[Wellness Advisory Committee **O** ^{42}

The ESD supports a wellness advisory committee to assist the development, implementation, and periodic review and update of the local wellness policy. The superintendent or designee will be a member of this committee. The ESD will publicize information about the wellness advisory committee [in community

news, in **P** communications to parents, and/or on websites operated by the ESD] to communicate to parents, students and the community at large to explain the committee’s purpose, process and an invitation to volunteer.

1. The wellness advisory committee membership will include, to the extent possible, but not be limited

O to:

- a. Parents, caregivers and students;
- b. Representatives of the school nutrition program (e.g., school nutrition director);
- c. Physical education and/or health education teachers;
- d. School health professionals (e.g., school nurses, physicians, dentists, health educators and
- e. Mental health and social services staff (e.g., school counselors, psychologists, social workers,

S other allied health personnel who provide school health services);

⁴² {A Wellness Advisory Committee is not required. If the ESD chooses to have a committee, the ESD should amend the language here to establish the membership and responsibilities of the committee. [School Wellness Committee Toolkit](#) published by the Alliance for a Healthier Generation}

- or psychiatrists);
- f. School administrators (e.g., superintendent, assistant superintendent, principal, vice principal);
- g. Board members;
- h. Supplemental Nutrition Assistance Program (SNAP) education coordinators;
- i. Healthcare professionals and/or other health related professionals (e.g., dietitians, doctors, nurses, dentists); and

E

- j. Members of the general public.
2. The committee, appointed by the superintendent or designee, will meet to organize and vote on a committee chair and a secretary prior to or at the beginning of the school year. The chair and secretary will serve for one year minimum and may be reappointed.

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3. The wellness advisory committee will meet [four] times per year to review of the local wellness policy.

4. The committee will facilitate the development, review and update of the wellness policy, and evaluate each participating school’s compliance with the policy.

The ESD will create building-level committees to establish school-specific goals and activities that

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implement this policy. A school coordinator will be designated to support compliance with

this policy.] **NUTRITION PROMOTION AND NUTRITION EDUCATION**

evidence-based strategies and techniques and nutrition messages and by creating food environments that

O

Nutrition promotion and nutrition education positively influence lifelong eating behaviors by using support healthy nutrition choices.

[Nutrition promotion and nutrition education shall be a sequential and integrated focus on improving students’ eating behaviors, reflect evidence-based strategies and be consistent with state and local district

health education standards.]

P

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

1. ^{43}[Students and staff will receive consistent nutrition messages throughout the school environment;
2. Nutrition education is provided throughout the student’s school years as part of the ESD’s age-

O

appropriate, comprehensive nutrition program[(which includes the benefits of healthy eating, essential nutrients, nutritional deficiencies, principles of healthy weight management, the use and misuse of dietary supplements, safe food preparation, and handling and storage related to food and eating)], and is aligned and coordinated with the Oregon Health Education Standards and school health education programs;

3. Nutrition education will include culturally relevant, participatory activities that include social

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learning strategies and activities that are aligned and coordinated with the Oregon Health Education Standards and school health education programs;

Teachers will receive curriculum-specific training;

4. and [reusable] water bottles with their student to school;
5. Parents and families are encouraged through school communications to send healthy snacks/meals

E

⁴³ {The goals listed are examples; ESDs are required to include goals in the policy. ESDs are encouraged to evaluate needs and resources and to develop specific goals. ESDs are required to “review and consider evidence-based strategies and techniques” (7 CFR 210.31(c)(1)). Model Wellness Policy resource published by the [Alliance for a Healthier Generation](#). OSBA makes no representation of its compliance by providing this resource.}

6. Families and community organizations are involved, to the extent practicable, in nutrition

education; _____ **D**

7. Nutrition education homework that students can do with their families is assigned (e.g., reading and interpreting food labels, reading nutrition-related newsletters, preparing healthy recipes);
8. Materials on how to assess one’s personal eating habits, set goals for improvement and achieve those

P goals.]

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

To ensure adequate nutrition promotion, the following goals will be implemented:⁴⁴ **R**

1. { } [Information about available meal programs is distributed prior to or at the beginning of the school year and at other times throughout the school year;

⁴⁴ {The goals listed are examples; ESDs are required to include goals in the policy. ESDs are encouraged to evaluate needs and resources and to develop specific goals. ESDs are required to “review and consider evidence-based strategies and techniques” (7 CFR 210.31(c)(1)). Model Wellness Policy resource published by the [Alliance for a Healthier Generation](#). OSBA makes no representation of its compliance by providing this resource.}

2. Information about availability and location of a Summer Food Service Program (SFSP) is



distributed;

3. Nutrition promotion materials are sent home with students, published on the ESD website, and distributed at parent-teacher conferences;
4. Families are invited to attend exhibitions of student nutrition projects or health fairs;

5. Physical activity is a planned part of all school-community events.]



School Meals

[Schools within the ESD participate in U.S. Department of Agriculture (USDA) child nutrition program(s), [and] [the SBP,] [Fresh Fruit & Vegetable Program (FFVP),] [After School Snack Program (ASSP),]

O administered through the Oregon Department of Education (ODE)[.] [which may include the NSLP[,] [Special Milk Program (SMP),] [Summer Food Service Program (SFSP),] [Supper programs] [or others].] [The ESD also operates additional nutrition-related programs and activities including Farm-to-School programs, school gardens, Breakfast in the Classroom, Mobile Breakfast carts or Grab ‘n’ Go Breakfast.] specifications in accordance with the Healthy, Hunger-Free Kids Act and applicable federal laws and

S The school’s available meal program(s) operate to meet meal pattern requirements and dietary regulations.

The [principal(s)] will support nutrition and food services operation as addressed in Board policy EFAA

– ESD Nutrition and Food Services and its accompanying administrative regulation EFAA-AR –

E

Reimbursable Meals and Milk Programs.

[Water

Free, safe, unflavored, drinking water will be available to all students throughout the school day and

served during mealtimes.]

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throughout every school campus. The ESD will make drinking water available where school meals are
Competitive Foods and Beverages

The ESD controls the sale of all competitive foods. All foods and beverages outside the reimbursable exceed

Smart Snacks Standards ⁴⁵. These standards will apply in all locations and through all services
where school meal programs that are sold to students on the school campus during the school day will meet
or
foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias,
vending machines, school stores, snack or food carts and fund raising.

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Celebrations and Rewards/Incentives

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

⁴⁵ Oregon Department of Education, [Oregon Smart Snacks Standards](#)

[Fund Raising



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

Food and Beverage Marketing in Schools



Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the nutrition standards for competitive foods set by the USDA. new contracts and

equipment, and product purchase or replacement to reflect the applicable food and



[The

ESD (i.e., school nutrition services, athletics department, PTA, PTO) will review existing contracts, beverage marketing guidelines.]

PHYSICAL ACTIVITY AND PHYSICAL EDUCATION

A quality physical education program is an essential component for all students to learn about and



participate in physical activity. The ESD will develop and assess student performance standards and program minute requirements in order to meet ODE's physical education content standards and state law.

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

In order to ensure students are afforded the opportunity to engage in physical education and physical

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activity in the school setting, the following goals are established:

1. ^{46}[Physical education will be a course of study that focuses on students’ physical literacy and

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development of motor skills;

2. Staff encourages and provides support for parental involvement in their children’s physical education;

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3. Physical education courses will be the environment where students learn, practice and are assessed on developmentally appropriate knowledge, skills and confidence to become physically literate;

4. Instruction, provided by adequately prepared teachers, i.e., licensed or endorsed to teach physical education, will meet the state adopted academic content standards for physical education (Oregon Revised Statute (ORS) 329.045). Teachers of physical education shall regularly participate in professional development activities annually;

5. {8}Every public school student in [pre-]kindergarten through grade 8 shall participate in physical

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education for the entire school year. Students in kindergarten through grade [5] [6] shall participate for at least 150 minutes during each school week, and students in grades [6] [7] through 8 for at least an average of 150 minutes during each school week, as calculated over the duration of a school

year; be made a part of all classes or courses as part of a well-rounded education;

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⁴⁶ {The goals listed are examples; ESDs are required to include goals in the policy. ESDs are encouraged to evaluate needs and resources and to develop specific goals. ESDs are required to “review and consider evidence-based strategies and techniques” (7

6. Physical activity will be integrated across curricula and throughout the school day. Movement will
7. Physical activity during the school day (including, but not limited to, recess, classroom physical activity breaks or physical education) will not be used as a punishment or a reward;
8. {9} At least 50 percent of the weekly physical education class time in grades K through 8 shall be

P devoted to actual physical activity;

9. Physical activity is a planned part of all school-community events;
10. Materials promoting physical activity are sent home with students and published on the ESD website.]

[{10} A student with a disability shall have suitably adapted physical education incorporated as part of their

O individualized education program (IEP) developed under ORS 343.151. A student who does

not have an IEP but has chronic health problems, other disabling conditions or other special needs that preclude them from participating in regular physical education instruction, shall have suitably adapted physical education incorporated as part of their individualized health plan, developed by the ESD.]

Other Activities that Promote Student Wellness

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The ESD will integrate wellness activities throughout the entire school environment. The ESD will coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicated and work toward the same set

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of goals promoting student well-being, optimal development and strong educational outcomes.

CFR 210.31(c)(1)). Model Wellness Policy resource published by the [Alliance for a Healthier Generation](#). OSBA makes no representation of its compliance by providing this resource.}

⁸ {ESDs are required to provide the specified number of physical education minutes, but are not required to include them as

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goals or in this policy. If the ESD operates K-5 elementary schools, select “5” in the first bracket and “6” in the

second bracket. If the ESD operates K-6 elementary schools, select “6” in the first bracket and “7” in the second bracket.}

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

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

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

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1. [Scoliosis screenings;
2. Safe Routes to Schools Program;

3. Physically active family and community engagement activities for families to learn about healthy eating or to practice being active together (e.g., skate night, fun run, dance night);

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4. Nonfood-related fund raisers;
5. Physical activity energizers during transitions from one subject to another;
6. Intramural sports;

O

7. Monthly/Weekly school walks;
8. Assemblies which focus on wellness issues such as the importance of breakfast, healthy beverages, and how students and staff can incorporate 60 minutes of physical activity into their day;
9. Use of alternates to food as rewards in the classroom;
10. Creation of connections between out-of-school time (OST) programs that involve staff members

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from OST programs, both school- and community-based, in school initiatives that

address healthy eating, such as school wellness teams or wellness committees;

11. Integration of social, emotional and mental health supports into school programs (e.g., promote a positive school climate where respect is encouraged and students can seek help from trusted adults);
12. Communication between classroom teachers and nutrition staff, so that menus and nutrition

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promotion can be tied into classroom learning and coursework;

13. Include wellness as a standing agenda item for school-based meetings (e.g., staff meetings, site council meetings, PTO).]

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[⁴⁷Employee Wellness⁴⁸]

The ESD encourages staff to pursue a healthy lifestyle that contributes to their improved health status, improved morale and a greater personal commitment to the school’s overall wellness program. Many actions and conditions that affect the health of staff may also influence the health and learning of students. helps foster their academic success. The ESD’s Employee Wellness Program will promote health, reduce

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The physical and mental health of staff is integral to promoting and protecting the health of students and

risky behaviors of employees and identify and correct conditions in the workplace that can compromise the health of staff, reduce their levels of productivity, impede student success and contribute to

escalating health-related costs such as absenteeism.

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

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The ESD’s Employee Wellness Program [may] include the following:

1. Health education and health promoting activities that focus on skill development and lifestyle behavior that change along with awareness building, information dissemination, access to facilities, and are preferably tailored to employees’ needs and interests; healthy behavior, and implementation of policy

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that promotes health and safety and reduces the risk 2. Safe, supportive social and physical environments including organizational expectations about of disease;

⁴⁷ {This language is optional and is not required by state or federal law.}

⁴⁸ {CDC resources for [school employee wellness](#) and [workplace health promotion](#)}

3. Linkage to related programs such as employee assistance programs, emergency care and programs that help employees balance work life and family life;



4. Education and resources to help employees make decisions about health care; and
5. Nutrition and fitness educational opportunities that may include but are not limited to, the distribution of educational and informational materials, and the arrangement of presentations and workshops that focus on healthy lifestyles, health assessments, fitness activities and other appropriate nutrition and physical activity related topics.

The ESD encourages participation from all employees. “Employees” are not limited to instructional staff



(i.e., teachers and instructional assistants), but includes all administrators and support staff.

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

1. School personnel who implement existing wellness programs in the ESD (i.e., employee wellness



committee);

2. ESD personnel who implement health programs for students (e.g., school health coordinator, school nurses, psychologist, health and physical educators, nutrition professionals, counselors and other staff); and

3. Decision makers who have the authority to approve policy and provide administrative support

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essential for a school wellness program (e.g., Board members, superintendents, human resource administrators, fiscal services administrators and principals).]

[DEFINITIONS

1. “Competitive food” means all food and beverages other than meals reimbursed under programs

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authorized by the Richard B. Russell National School Lunch Act and the Child

Nutrition Act available for sale to students on the school campus during the school day.

2. “Food and beverage marketing[13]” is defined as advertising and other promotion in schools. Food and beverage marketing often includes an oral, written or graphic statement made for the

purpose of **D**

¹³ [This term includes, but is not limited to, the following: brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container; displays, such as on vending machine exteriors; corporate brand, logo, name or trademark on school equipment, such as marquees, message boards, scoreboards or backboards (Note: Immediate replacement of these items is not required; however, ESDs will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is financially possible over time so that items are in compliance.);

promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product.

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3. “Oregon Smart Snacks Standards”¹⁴ means the State’s minimum nutrition standards for competitive foods and beverages (ORS 336.423).

4. “School day” means, for the purpose of competitive food standards implementation, the period from the midnight before, to 30 minutes after the end of the official school day[, i.e., at the conclusion of afternoon student activities, such as athletic, music or drama practices, clubs, academic support and enrichment activities].

5. “School campus” means, for the purpose of competitive food standards implementation, all areas of

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property under the jurisdiction of the school that are accessible to students during the school day.]

END OF POLICY

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Legal Reference(s):

[ORS 329.531](#)
[ORS 327.537](#)
[ORS 329.496](#)

[ORS 336.423](#)

[OAR 581-051-051-0100](#)

[OAR 581-051-051-0306](#)
[OAR 581-051-051-0310](#)
[OAR 581-051-051-0400](#)

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[ORS 334.125](#)

[OAR 581-051-051-0305](#)

Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. § 1758b (2018).

National School Lunch Program, 7 C.F.R. Part 210 (2022).

School Breakfast Program, 7 C.F.R. Part 220 (2022).

[House Bill 3199](#) (2023).

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corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other

food **D** service equipment; as well as on posters, book covers, student assignment books or school supplies

displayed, distributed, offered or sold by the ESD; advertisements in school publications or school mailings; free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.]

¹⁴ Oregon Department of Education, [Oregon Smart Snacks Standards](#)

Lane Education Service District

Adopted: **P**

Code: EFAA

ESD Nutrition and Food Services

(Required if the ESD operates a school and receives reimbursement meal services from ODE.)

The ESD supports providing reimbursable meals to its component districts?

National School Lunch Program (NSLP) and the Commodity Food Distribution Program **R**

(CFDP) by The ESD may enter into an agreement with the Oregon Department of Education (ODE) to operate the signing a permanent Sponsor-ODE Agreement entitling the ESD to receive reimbursement

for all meals served. **O**

that meet program requirements and to earn USDA Food entitlement based on the number of lunches

The permanent agreement shall be signed by the superintendent or other ESD official with authority to obligate the ESD to legally binding contracts, subject to annual ODE renewal and will include, at the ESD's option, an agreement to operate the School Breakfast Program (SBP), Summer Food Service Program (SFSP), the Child and Adult Care Food Program (CACFP) and the Special Milk Program (SMP). The ESD recognizes that meals and snacks served by the ESD will not be eligible for reimbursement until

the annual program update is received and approved by ODE. **P**

The permanent Sponsor-ODE Agreement shall include assurances by the ESD that it will follow all Child Nutrition Program regulations for which the ESD is approved to operate:

1. Free and reduced price process (updated annually);

2. Financial management of the nonprofit school food service; **O**

- 3. Civil rights and confidentiality procedures;
- 4. Meal pattern and nutrition content of meals served;

S

- 5. Use and control of commodity foods;
- 6. Accuracy of reimbursement claims;

Food safety and sanitation inspections;

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- 8. Nutrition standards for foods and beverages sold to students.

7.

The superintendent will develop an administrative regulation as necessary to implement this policy and meet the requirements of state and federal law. by the Board as required by law.

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END OF POLICY

The

administrative regulation will be reviewed and adopted

Legal Reference(s):

[ORS 327.520 to -327.537](#)

[ORS 336.423](#)

CR1/31/17 | PH

ESD Nutrition and Food Services – EFAA

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[OAR 581-022-1530\(2\)](#)
[OAR 581-022-1530\(2\)](#)

[OAR 581-051-0305](#)

[OAR 581-051-0400](#)

[OAR 581-051-0100](#)

[OAR 581-](#)

[051-0310](#)

15b (2017).

P

Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance, 7

C.F.R. Part 101.11.1000-101.11.1000
 U.S.D.A.,E G S M M .
 U.S.D.A.,FNS I 765-7, R . 2 H L ,S M M T .
 Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. §§ 1758, 1760 (2012).

National School Lunch Program 7 C.F.R. Part 210 (2017).
U.S.D.A. Instruction 113-1 Civil Rights

250 (2017). **R**

Donation of Foods for Use in the United States, Its Territories and Possessions and Areas Under its Jurisdiction, 7 C.F.R. Part
Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, 2 C.F.R. 200 (2017).

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Lane Education Service District

Adopted: **P**

Code: **EFAA-AR**

Reimbursable Meals and Milk Programs

(National School Lunch Program, School Breakfast Program, Special Milk Program and other meal programs)
(Required if the ESD operates a school and receives reimbursement for meal services from ODE.)

The ESD's **R** nutrition and food services will be operated in accordance with the following requirements:

Meal Pricing Procedures **O**

1. The ESD may operate the Special Milk Program (SMP) at schools where students do not have access to program meals. Under SMP, the ESD will choose one of the following options:
 - a. Nonpricing (serve SMP milk at no charge to all students);
 - b. Pricing programs without a free option (charge all students for SMP milk); or
 - c. Pricing programs with a free option (distribute confidential applications for free milk and

charge only those students for SMP milk who do not qualify for free milk based on the **P**

household's application or direct certification from Supplemental Nutrition Assistance Programs (SNAP)).

2. Reimbursable meals [~~and afterschool snacks~~] will be priced as a unit.

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3. Reimbursable meals~~[,] [and] [milk] [afterschool snacks]~~ will be served free or at a reduced

price to all children who are determined by the ESD to be eligible for free or reduced price meals ~~[and free milk]~~.

4. Annually, the ESD will establish prices for reimbursable student meals~~[,] [and] [afterschool snacks] [milk]~~. The price charged to students who do not qualify for free or reduced price meals ~~[or free~~

~~milk]~~ will be established annually by the ESD in compliance with state and federal laws.

5. The price charged to students who qualify for reduced price meals will be established annually by the ESD in compliance with state and federal laws.

6. ~~[The ESD will offer SMP [with the free option] [without the free option] [at no charge] to students~~

~~who are not able to participate in the ESD's lunch or breakfast programs.]~~

- 7.6. ~~[The ESD will implement claiming alternative Provision [1] [2] [3] at the following schools under its jurisdiction: (list schools).]~~

- 8.7. ~~[The ESD will implement claiming alternative Community Eligibility at the following schools under~~

~~its jurisdiction: Lane School (list schools).]~~

Application Procedures

1. Households receiving SNAP or Temporary Assistance to Needy Families (TANF) benefits, as identified by Oregon Department of Education (ODE), will be automatically eligible for free meals~~[,] [and] [afterschool snacks] [milk]~~ for the students listed on the official document. The ESD must access this document at least three times per year.

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2. Students receiving support through the migrant education program, Runaway and Homeless Youth Act, McKinney-Vento Homeless Assistance Act, federal Head Start and state-funded prekindergarten programs, with income eligibility criteria identical or more stringent than federal Head Start, or are in state or court placement foster care, will be automatically eligible for free meals[,][and][afterschool-snacks][milk], for the students listed on the official documents.
3. Households that submit a confidential application will be notified of their student’s eligibility for

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free or reduced price meals ~~[or free milk]~~. Households that are denied free or reduced

price benefits will be notified in writing using the ODE template letter distributed to the ESD annually.

4. On a case-by-case basis, when a student is known to be eligible for free or reduced price meal ~~for~~ designee may complete an application for the student documenting how they know the household

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~~free milk~~ benefits and the household fails to submit a confidential application, the

superintendent or income qualifies the student for free or reduced price meal benefits. Parents of a student approved for free or reduced price benefits, when application is made for the student by an ESD official, will be notified of the decision and given the opportunity to decline benefits. in the ~~[SMP,]~~

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National School Lunch Program (NSLP) ~~[and School Breakfast Program (SBP)]~~ and

5. Students who do not qualify for free or reduced price meals ~~[or free milk]~~ are eligible to participate

will be charged “paid” prices set by the ESD. “Paid” category students will be treated equally to students receiving free or reduced price benefits in every aspect of the ESD’s NSLP[,][and][SMP] and ~~[SBP][Child and Adult Care Food Program (CACFP)][Summer Food Service Program 6. The~~

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ESD has established a fair hearing process under which a household can appeal a decision with (SFSP).

respect to the household’s application for benefits or any subsequent reduction or termination of benefits.

- 7. In the event of major employers contemplating large layoffs in the attendance area of the ESD, the

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ESD will provide confidential applications and eligibility criteria for free and reduced price meals [or free milk] to the employer for distribution to affected employees.

Financial Management of the Nonprofit School Food Service

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- 1. The ESD will maintain a nonprofit nutrition and food service operation.
- 2. Revenues earned by the nutrition and food services will be used only for the operation or improvement of NSLP[,] [and] [SMP] and [SBP] [CACFP] [SFSP].
- 3. Lunch and breakfast meals served to teachers, administrators, custodians and other adults not directly involved with the operation of the ESD’s nutrition and food services will be priced to cover

all direct and indirect cost of preparing and serving the meal.⁴⁹

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- 4. The ESD nutrition and food services revenues will not be used to purchase land or buildings.
- 5. The ESD will limit its nutrition and food services net cash resources to an amount that does not exceed three months average expenditures.

⁴⁹ For meals with portion sizes equivalent to student meals, the adult meal price will be no less than the amount of reimbursement for a free-eligible meal, plus the value of commodity foods used in the meal preparation.

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6. The ESD will maintain effective control and accountability for, and adequately safeguard, all nutrition and food services' cash, real and personal property, equipment and other assets, and ensure they are used solely for nutrition and food services purposes.

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7. The ESD will meet the requirements for allowable NSLP ~~[,]~~ ~~[and]~~ ~~[SMP]~~ and ~~[SBP]~~

~~[CACFP]~~ ~~[SFSP]~~ costs as described in 2 C.F.R. 200.

8. In purchasing nutrition and food services goods or services, the ESD will not accept proposals or bids from any party that has developed or drafted specifications, requirements, statements of work,

proposals used to conduct the procurement. ~~]~~ invitations for bids, requests for proposals,

contract terms and conditions or other documents for

9. All procurement transactions for nutrition and food services goods and services will be conducted according to state, federal and ESD procurement standards using the applicable cost thresholds. where at least 50 percent of the ingredients are produced or processed in the United States, whenever

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10. In the operation of its nutrition and food services program, the ESD will purchase food products possible.

11. ~~[The ESD may use facilities, equipment and personnel supported with nutrition and food services revenue to support a nonprofit nutrition program for the elderly.]~~

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Civil Rights and Confidentiality Procedures

1. The ESD will not discriminate against any student because of their eligibility for free or reduced
2. The ESD will not discriminate against any student or any nutrition and food services employee because of race, color, national origin, marital status, sex, sexual orientation, parental status, price meals. religion, age or disability.
3. The ESD will assure that all students and nutrition and food services employees are not subject to

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different treatment, disparate impact or a hostile environment.

4. Established ESD procedures will be followed for receiving and processing civil rights

complaints **E** related to applications for NSLP[,][and][SMP] and [SBP] [CACFP] [SFSP]

benefits and services, and employment practices with regard to the operation of its NSLP[,][and][SMP] and [SBP] [CACFP][SFSP]. The ESD will forward any civil rights complaint regarding the

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ESD's nutrition and food services to ODE's director of Child Nutrition Programs within three days

of receiving the **D** complaint.

5. The ESD will make written or oral translations of all nutrition and food services materials available to all households who do not read or speak English.
6. The ESD will maintain strict confidentiality of all information obtained through a confidential application for free and reduced price meals ~~or free milk~~ or direct certification, including students' eligibility for free or reduced price meals and all household information. The ESD's NSLP~~,~~ ~~and~~ ~~[SMP] and [SBP]~~~~[CACFP]~~~~[SFSP]~~ operators are not required to release any information from a student's confidential application for free or reduced price meals ~~or free milk~~. No information may be released from a student's eligibility information without first obtaining written permission from the student's parent or legal guardian/adult household member signing the application, except as follows:
 - a. An individual student's name and eligibility status may be released without written consent administer state education or state health programs at the state level; persons evaluating state,

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- only to persons who operate or administer federal education programs; persons who operate or education assessment; or persons who operate or administer any other NSLP, SBP, SMP, CACFP, SFSP or SNAP.
- b. Any other confidential information contained in the confidential application for free and reduced price meals ~~or free milk~~ (e.g., family income, address, etc.) may be released without SFSP and the Special Supplemental Nutrition Program for Women, Infants and Children

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written consent only to persons who operate or administer the NSLP, SBP, SMP, CACFP, (WIC); the Comptroller General of the United States for audit purposes; and federal, state or local law enforcement officials investigating alleged violation of any of the programs listed above.

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Nutrition and Menu Planning **P**

1. Meals and afterschool snacks served for reimbursement will meet the nutrition standards established by the U.S. Department of Agriculture (USDA) and Oregon Smart Snacks Standards.
2. Meals ~~and afterschool snacks~~ served for reimbursement will meet at least the minimum

NSLP[**O**] ~~and~~ ~~[SBP]~~ ~~[CACFP]~~ ~~[SFSP]~~ requirements for food items and quantities.

3. Meals served for reimbursement will:
 - a. Meet all calorie range requirements by grade level;
 - b. Meet the maximum standards set for saturated fat;
 - c. Meet the maximum standards set for sodium by grade level; and **S**
 - d. Meet the requirement for zero grams of trans fats.

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4. The ESD will use the offer versus serve option when serving NSLP lunches to senior high school students. High school students must take at least three of five different food items including one-half

cup of fruit or vegetable offered in program lunches.

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- 5.[The ESD will use the offer versus serve option when serving program breakfasts to senior high school students. High school students must take at least three of four food items including one-half cup of fruit or vegetable offered in program breakfasts.]
- 6.[The ESD will use the offer versus serve option when serving program lunches to students below five

food items, including one-half cup of fruit or vegetable offered in program lunches.]

senior high school grades. Students below high school grades will be required to take three of the

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- 7.[The ESD will use the offer versus serve option when serving program breakfasts to students below senior high school grades. Students below high school grades will be required to take three of the four food items, including one-half cup of fruit offered in program breakfasts.]
8. A copy of the Board minutes adopting the offer versus serve policy for students below high school grades for program lunches and/or for all students in the ESD for program breakfasts, as applicable, will be made available upon request.

Use and Control of Commodity Foods

1. The ESD will accept and use commodity foods in as large a quantity as may be efficiently utilized in the NSLP[,] [and] [SBP] [SFSP].
2. The ESD will maintain necessary safeguards to prevent theft or spoilage of commodity

foods.

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3. The value of commodity foods used for any food production other than NSLP, SBP, SFSP or afterschool snacks shall be replaced in the food service inventory. **Accuracy of Reimbursement**

Claims O

1. The ESD will claim reimbursement only for reimbursable meals[,] [and] [afterschool snacks] [milk] served to eligible children.
2. All meals[,] [and] [afterschool snacks] [milk] claimed for reimbursement will be counted at each

[afterschool snack] [milk] meets NSLP P [,] [and] [SMP] [SBP] [CACFP] [SFSP] requirements for dining site at a “point of service” where it can be accurately determined that the meal[,] [and] reimbursement.

3. The person responsible for determining if the meals [and afterschool snacks] are reimbursable will be trained to recognize a reimbursable meal.
4. The ESD official signing the claim for reimbursement will review and analyze monthly

meal O

meal [,] [and]

[afterschool snack] [milk] counts to ensure accuracy of the claim, before submitting the claim to ODE.

5. Annually, by November 15, the ESD will verify a random sample of applications according to NSLP

the ESD in October each year. S

verification requirements. Instructions for completing the verification process will be sent by ODE to

Food Safety and Sanitation Inspections

1. The ESD will maintain necessary facilities for storing, preparing and serving food and milk.

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2. Semiannually, the ESD will schedule food safety inspections with the county Environmental Health

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Department for each school or dining site under its jurisdiction.

3. The ESD will maintain health standards in compliance with all applicable state food safety

regulations at each school or dining site under its jurisdiction.

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General USDA NSLP/SBP/SMP Requirements

1. The ESD will ensure that no student is denied a meal as a disciplinary action.
2. Breakfast will be served in the morning hours, at or near the beginning of the student's school day.
3. Lunch will be served between the hours of 10 a.m. and 2 p.m.
4. The ESD will provide substitute foods for students with a disability⁵⁰ that restricts their diet when supported by a written statement from a state-licensed health care professional, who is authorized to write medical prescriptions. Substitutions will be provided only when a medical statement from the licensed health care professional is on file at the ESD. The medical statement must state the nature of the child's impairment so its effect on the student's diet is understood, and what must be done to accommodate the impairment. The ESD will not charge more than the price of the school meal, as

determined by the child's eligibility status, for meals with the accommodation.

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5. The ESD will control the sale of competitive foods.

⁵⁰ To comply with Section 504 as it relates to a student's severe food allergy, such as milk, gluten, nut or soy, and including but

not limited to diabetes, colitis, etc.

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6. The ESD will ensure that potable {drinking} water will be available to students, free of charge for consumption in the place where meals are served during meal service.

charging requirements will be ~~posted on the ESD website,~~ ~~published in the student/parent handbook~~ ~~and made available in the information on free and reduced-priced meals~~.

7. The ESD will notify all households and appropriate staff of its meal charge requirements[

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⁵¹] at the beginning of each school year, upon enrollment of a student or the transfer of a student.

The meal

⁵¹ [Federal law requires the ESD to publish meal charging requirements. The ESD's charging requirements must identify how and when the information about account balances is communicated to staff, students and parents, and what collection methods will be used in delinquent balances.]

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Parents or guardians may provide written permission to the ESD to withhold a meal from a student.⁵²

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~~[[Regardless of the ability to pay, a student shall be provided a reimbursable meal upon request.~~

~~After five meal charges the ESD will attempt to certify the student for free or reduced-price meals. At least two attempts to contact the student's parent or guardian for completing a meal application will be made by the ESD, including offering assistance filling out the application, if appropriate. Communications regarding student charges will be directed to parents or guardians, only.][The ESD may refer delinquent meal charges to third parties for collection. Collection fees will not be charged~~

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~~to the parent or guardian.]~~

8. The sale of foods in competition with the ESD's lunch (NSLP) or breakfast (SBP) programs will be allowed in dining sites during lunch and breakfast periods with Board approval only when all income from the food sales accrues to the benefit of the ESD's nutrition and food services or accrues

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to a school or student organization approved by the Board. A copy of the Board minutes

approving and defining competitive food sales will be made available upon request.

9. ~~Students_ [will]] [will not]~~ be charged for second servings of meals or portions of meals served.]

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⁵² ~~[Pursuant to ORS 327.535 the following language reflects required practice, but the language is not required to be in policy.]~~

Record Keeping

The following documents will be maintained by the ESD for three years after the current school year

or **P** longer, in the event of an unresolved audit(s), until the audit(s) has been completed:

1. All currently approved and denied confidential applications for free and reduced price meals[, free milk,] all current direct certification documents, eligibility verification documents and school membership or enrollment lists;
2. Financial records that account for all revenues and expenditures of the ESD's nonprofit nutrition and

R food services programs, including procurement documents;

3. Records (i.e., recipes, ingredient lists and nutrition fact labels or product specifications) that document the compliance with nutrition standards for all program and competitive foods available

for sale to students at a school campus;

4. Documents of participation data (i.e. meal counts) from each school operated by the ESD to support claims for reimbursement;

Lane Education Service District

5. Production and menu records;

6. Records to document compliance with Paid Lunch Equity;

7. Records to document compliance with Revenue from Nonprogram Foods; and

8. Internal program monitoring documents for NSLP[,][and][SBP][~~after-school snacks~~][CACFP]

[SFSP].

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Code: EGAAA
Adopted: 4/26/94
1/22/02
EGAAA

Orig.


Reproduction of All Copyrighted Materials

Code(s):

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Readopted:

(Version 1) The Board recognizes that the unlawful


copying of copyrighted materials contributes to higher costs for  materials, lessens the

incentives for development of qualified educational materials, fosters an attitude of disrespect for law which is in conflict with the educational goals of Lane ESD and puts the ESD at risk of litigation.

The Board directs that ESD employees adhere to the provisions of Public Law 94-553 and subsequent federal legislation and guidelines related to the duplication and/or use of copyrighted materials, only permitting copying specifically allowed by copyright law, fair use guidelines, license agreements or Appropriate notice will be posted on or near all equipment capable of making

copies.  proprietor's permission.

The Board further directs that:

1. Employees shall not make unlawful copies of copyrighted materials on ESD-owned equipment;
2. Employees shall not use unlawful copies of copyrighted materials with or on ESD-owned  equipment, within ESD-owned facilities or at ESD-sponsored functions;
3. Employees shall not direct other employees under their supervision to make or use unlawful copies of copyrighted materials;
4. Employees who unlawfully copy and use copyrighted materials or direct others to do so are not acting within the course and scope of their employment and will be individually liable for any

Lane Education Service District

violation of state or federal laws;

5. Employees who willfully violate this policy will be disciplined.

The Board directs that all staff members be provided opportunities to become and remain knowledgeable about copyright law and guidelines as related to job responsibilities.

In order to implement this policy, the Board directs the superintendent to appoint a staff member or employees, retention of appropriate copyright records, training opportunities and a collection of reference

E members to serve as copyright officers. It shall be the responsibility of the copyright

officers to coordinate the development of administrative rules detailing what copying can and cannot be done by ESD materials related to copyright.

END OF POLICY

1-2

Legal Reference(s):

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

Copyrights, 17 U.S.C. §§ 101-1332; 19 C.F.R. Part 133 (2012).

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Code: EGAAA

Adopted: P

Reproduction of All Copyrighted Materials

Among the facilities available to teachers in carrying out their educational assignments are a variety of machines for reproducing the written and spoken word, either in single or multiple copies.(Version 2)

Lane Education Service District

computer-programmed materials, is a serious offense against federal law and contrary to the ethical

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Infringement on copyrighted material, whether prose, poetry, graphic images, music,

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audiotape, video or standards required of staff and students alike.

Violations may result in criminal or civil suits.

The Board therefore requires that all reproduction of copyrighted material be conducted strictly in accordance with applicable provisions of law. Unless otherwise allowed as “fair use” under federal law, permission must be acquired from the copyright owner prior to reproduction of material in any

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form.

“Fair use” is not a rigidly defined term. “Fair use” is based on the following standards:

1. The purpose and character of the use;

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2. The nature of the copyrighted work;

3. The amount of and the substantiality of the portion used;

4. The effect of the use upon the potential market for, or value of, the copyrighted work. copyright

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holders.

If an individual questions the legality of duplicating materials, they should seek permission from the

Employees in violation of copyright law may be required to remunerate the ESD in the event of loss due to litigation and may be subject to discipline up to and including dismissal.

The superintendent or designee will provide ~~[guidelines]~~ ~~[administrative regulations]~~ **E** for the “fair use” of copyrighted materials that meet the requirements of Section 107 of the Copyright Act of 1976 and applicable amendments.

The superintendent or designee shall ~~[annually]~~ ~~[regularly]~~ review and update the ESD copyright and to **D** act as a resource to staff members regarding copyright laws, regulations, ESD policies and ES **D** guidelines, arrange for staff to have familiarity with and implement ESD copyright policy and guidelines copyright guidelines.

END OF POLICY

1-2

Legal Reference(s):

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

Copyrights **P**, 17 U.S.C. §§ 101-1332; 19 C.F.R. Part 133 (2012).

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Lane Education Service District

Code: **D**

Adopted:

EGAAA-AR

1/11/95

Revised/Readopted: 1/22/02

Orig. Code(s): EGAAA-AR

Use of Copyrighted Materials

The media services manager is appointed as the ESD copyright officer. **E**

The copyright officer shall annually review and update the ESD copyright guidelines, arrange for staff to have familiarity with and implement ESD copyright policy and guidelines and to act as a resource to staff members regarding copyright laws, regulations, ESD policies and ESD copyright guidelines.

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Lane Education Service District

Code: **D**

Adopted:

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Use of Copyrighted Materials – EGAAA-AR

1-1

EGAB

3/29/94

Readopted: 1/22/02

Orig. Code(s): EGAB

Courier Service

(This is part of operations/internal procedure. Does not generally rise to the level of board policy.)

The Board of the Lane Education Service District recognizes the establishment of a courier program to provide approved service to its component districts and other approved agencies.

This policy prohibits the use of the courier service where other legitimate options are more appropriate

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and/or cost effective including but not limited to the U.S. Postal Service and private carriers such as United Parcel Service. The courier service will provide for the delivery and pick-up of ESD Media

Lane Education Service District

Code: **D**

Adopted:

Library materials, the delivery **L** of items from other ESD departments, interdistrict and

interagency communications and the pick-up and delivery of audiovisual materials and equipment.

It shall be the responsibility of the administration to develop and maintain administrative rules and guidelines which conform to the intent of this policy. These procedures will include but not be limited to the development of schedules which provide the required services in a cost effective manner, guidelines for courier use and the regulations for monitoring use of courier service.

END OF POLICY

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Legal Reference(s):

[ORS 332.107](#)

Perry Education Association v. Perry Local Educator's Association, 460 U.S. 37 (1983).

University of California v. PERB, 485 U.S. 589 (1988).

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Lane Education Service District

Code: **D**

Adopted:

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Courier Service – EGAB
1-1

EGAB-AR
4/15/94
Revised/Readopted: 1/22/02
Orig. Code(s): EGAB-AR

Guidelines for Use of Courier Service

(Does not rise to AR level; internal procedure.)

The administrative rules for courier service require standards for ESD use, interschool and interdistrict use and use by entities other than public schools.

ESD Use **E**

1. Instruction for multiple copy mailings

Each component district will provide the ESD with the procedure to be used to provide mailings to the district. These procedures apply to all multiple copy materials which are to be disbursed and

- a. Send materials to the superintendent for distribution; **L** generally will be limited to the following options:
- b. Send materials to the curriculum coordinator for distribution with a copy to the superintendent;
 - c. Send materials to a specific division within the district for review and distribution.

Lane Education Service District

Code: **D**

Adopted:

2. Specific or Individual Mailings

These are to be sent directly to the individual for whom the correspondence is addressed.

3. Materials for Distribution to Students **E**

All materials intended for direct distribution to students or for student information shall be pre-approved by the ESD media services manager under the guidelines for all other materials; however, it shall be the component district or building responsibility to determine if said materials may be distributed in the building according to individual building procedures.

Interschool and Interdistrict Correspondence **T**

The standard format for addressing interschool correspondence is to be complied with by those individuals using the ESD courier service. This format includes:

1. Cross out all previous addresses found on both sides of any envelopes you are using; however, we

realize some districts do have preprinted labels which are opposite); **E**

2. Addresses should be clearly marked FROM and TO as well as legibly addressed (we prefer having the FROM on the left side and the TO on the right side as you would find it on a U.S. mailing,
3. Include a return address in case the mail needs to be returned due to an improper or illegible address;

Lane Education Service District

D

Code:

Adopted:

4. When sending correspondence to the ESD please include the department to which it is being sent and the name of the particular person to whom the correspondence is directed, if known;

Guidelines for Use of Courier Service – EGAB-AR

1-2

5. When sending mail to schools please include the name of the school as well as the name of the person to receive the mail;

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crossed out and your change is boldly marked; 6. If the envelope you are using is

clearly marked FROM-TO or vice versa please follow the same sequencing. If you do change directions midway be very sure previous directions are thoroughly

7. If sending to a specific department such as accounting, please include name of the district or Lane ESD so that it does not get delivered to the wrong institution;
8. If the material is highly confidential or includes a sum of money, please use special care in sealing and clearly identifying the envelope;
9. This service is not intended to supplement or to replace the service provided by the U.S. Postal

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Service. The postal service must be used for all personal correspondence.

Other Agencies

The following rules apply to the use of courier service by agencies other than public schools:

1. Requests will be considered only from other governmental agencies and organizations involved in

civic services with a relationship to education;

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2. All requests for the use of the courier service by agencies other than Lane ESD or Lane County public schools will be directed to the media services manager;
3. Each use of the courier will be considered individually. No “standing” permission is granted to any entity;

Lane Education Service District

4. All entities using the courier service will follow the communication patterns established by each of

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the component school districts;

5. Any entity using the courier service must prepare the material for delivery and place it at the collection points designated by the media services manager;
6. Schools may use the courier service as a freight system under the conditions listed below. Any such

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delivery must result in a cost savings or special convenience for the component school

districts.

- a. The ESD must receive a request for such service from the component district with whom the vendor is transacting business.
- b. The weight and/or size of the merchandise packages must be such that they can be conveniently handled by the courier drivers.
- c. Items may be held at the ESD office until, in the opinion of the staff, there is space available in

delivery. **E**

- d. The ESD employees will not sign for merchandise or accept any responsibility for safe

7. It is understood the courier service is for the convenience of the school districts of Lane County only. The request for courier service shall not conflict with services normally provided the districts by the U.S. Postal Service.

Code: EGACA
 Adopted: 9/23/03
 Orig. Code(s): EGACA

Cell Phones

~~Cellular Telephones~~

The Board recognizes that the use of cell phones~~cellular telephones~~ may be appropriate to provide for the effective and efficient operation of the ESD~~district~~ and to help ensure safety and security of ESD~~district~~ property, staff and others while on ESD~~district~~ property or engaged in ESD~~district~~-sponsored activities. To this end, the Board authorizes the purchase and employee use of cell phones~~cellular telephones~~, as deemed appropriate by the superintendent.

ESD~~District~~-owned cell phones~~cellular telephones~~ shall be used for authorized ESD~~district~~ business purposes, consistent with the ESD's~~district's~~ mission and goals. Personal use of such equipment is prohibited except in emergency situations. Employees do not have any expectations of privacy with ESD-owned cell phones or any information stored on them; the phone may be confiscated and searched at any time. Employee use of an ESD-owned cell phone shall not violate Oregon's ethics laws. Any expenses incurred for such personal use shall be reimbursed to the ~~district~~ESD.

If an employee's cell phone purchase is reimbursed by the ESD, or the employee is provided a stipend to purchase a cell phone, all phone records, text messages, emails to and from the cell phone, and other communications made with the cell phone may be public records.

Employees shall not use cell phones, whether ESD-owned or personally-owned, for non-ESD-related business while attending to and/or performing their job responsibilities.

Lane Education Service District

Use of cell phones ~~cellular telephones~~ in violation of Board policies, administrative ~~regulations~~ rules and/or state and federal laws will result in discipline up to and including dismissal and/or referral to Oregon Government ~~Ethics Standards and Practices~~ Commission and law enforcement officials, as appropriate.

The superintendent is directed to develop administrative ~~regulations~~ rules for the implementation of this policy, including a uniform and controlled system for identifying employee ~~cell phone~~ ~~cellular telephone~~ needs, monitoring use and reimbursement. Provisions may also be included for staff use of privately-owned cell phones ~~cellular telephones~~ for authorized ~~ESD~~ district business.

END OF POLICY

Legal Reference(s):

[ORS 244.010](#)
[ORS 244.020\(15\)](#)

[ORS 244.040\(1\)\(a\)](#)
[ORS 244.120](#)

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

Davidson v. Or. Gov't Ethics Comm'n, 300 Or. 415 (1985)
OR. GOV'T STANDARDS AND PRACTICES COMM'N, ADVISORY OPINIONS 02S-020 (Aug. 2, 2002), 02A-1008 (July 12, 2002), 01A-1004 (June 1, 2001) and 98A-1003 (July 9, 1998).

2/28/13 | RS

Cell Phones – EGACA

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Lane Education Service District

Code: EGACA-AR

Adopted: 9/23/03

Revised/Reviewed:

Orig. Code(s): EGACA-AR

Cell Phones

~~Cellular Telephones~~

District ~~ESD~~-owned ~~cell phone~~ ~~cellular telephones~~ may be purchased and authorized for staff use in accordance with the following:

Cell Phone ~~Cellular Telephone~~ Authorization

Cell phones ~~Cellular telephones~~ may be assigned or made available on a temporary basis by the [service area director] [~~superintendent~~] [~~business manager~~] [~~or designee~~] when it is determined that:

1. The assignment of a ~~cell phone~~ ~~cellular telephone~~ to the employee is a prudent use of ~~ESD~~ district resources;
2. The employee's job responsibilities require the ability to communicate frequently ~~and access to a district or public telephone is not readily available~~;
3. The employee's job responsibilities involve situations where immediate communication is necessary to ensure the security of ~~ESD~~ district property or safety of students, staff or others while on ~~ESD~~ district property or engaged in ~~ESD~~ district-sponsored activities.

Cell Phone Cellular Telephone Use

1. Cellular telephones are provided specifically to carry out official ESD district business when other means of communications are not readily available.
2. Cellular telephones are not to be used when a less costly alternative is readily available, unless as otherwise necessary for safety or emergency circumstances or where the phone assigned is in lieu of a desk phone.
- 3.2. Personal use of ESD cell phones cellular telephones is limited to making or receiving calls for family emergency purposes, including contacting a family member or child care provider to advise that the employee is going to be late arriving home or picking up children for a reason directly related to his/her official district duties, i.e., a meeting which runs later than expected or a last minute schedule change. Where the cellular phone is assigned in lieu of a desk phone, personal use is restricted to lunch, breaks or other such times when the employee is not on duty.
4. Cellular telephones are to be used with discretion for conversations involving district information of a confidential nature.
- 5.3. Cellular telephones are ESD cell phones shall not to be loaned to others not employed by the agency.

6.4. Employees issued a cell phone cellular telephone are responsible for its safekeeping at all times. Defective, lost or stolen cell phonescellular telephones are to be reported immediately to the [business manager] [immediate supervisor] who will in turn notify the service provider.

7.5. Cell phonesCellular telephones issued for employee use are to be returned to the [business manager] [service area] at the conclusion of the fiscal year, activity or as otherwise specified.

Privately-Owned Cell PhonesCellular Telephones

1. ESDDistrict employees may be reimbursed[, or receive a stipend,] for use of privately-owned cell phonescellular telephones to conduct ESDdistrict business in accordance with Board policy and this regulation, with prior approval of the [service area director] [superintendent] [or] [business manager] [or designee].
2. Personal use of privately-owned cell phonescellular telephones by employees authorized to use such equipment for ESDdistrict business is restricted to lunch, breaks or other such times when the employee is not on duty.

Reimbursement

1. Requests for reimbursement for authorized use of employee-owned cell phonescellular telephones are to be submitted on ESDdistrict-provided forms, available through the office and accompanied by a copy of the billing statement with the ESDdistrict business-related calls highlighted. A notation for each highlighted entry, indicating the nature of the call, is required.
2. All requests for reimbursement, including the highlighted billing statement, must be submitted within [30] days of the end of the time period for which reimbursement is requested, or quarterly with advance approval from the director. Requests submitted after the passed [wil] [may] reimbursement deadline has be denied.
3. District reimbursement for authorized use of employee-owned [within [30] days] [cell phonescellular telephones will be made in conformance with ESDdistrict payment procedures].

Lane Education Service District

Code: **D**

EHA
9/28/04
EHA

Health Insurance Portability and Accountability Act

(Version 1)
(For ESDs that bill for
Medicaid or use a
contracted service to
bill for Medicaid)

Adopted:
Orig. Code(s):

(There are three sample versions of this policy (see additional version 2 and 3); please pay special attention to the highlighted subtitle to determine which is appropriate for the ESD. This is the

ESD' **E**

1 s current policy. Based on the questionnaire, the ESD is self-insured and has

a 125 plan but does not bill for Medicaid. This policy is specific to just billing for Medicaid. See the alternate version that follows.)

The Board has determined that it meets the definition of a hybrid of covered entities under the Health Insurance Portability and Accountability Act (HIPAA). The ESD offers health-care provider programs and services. The ESD contracts with another entity to provide electronic billing for the reimbursement of services under Oregon Medicaid programs, and is subject to HIPAA. transaction standards and applicable

requirements of federal law. In all electronic transactions involving **L** As a covered entity, the

ESD will ensure that electronic billing contractors meet the national electronic student education records information, the ESD will adhere to the confidentiality requirements of the Family Educational Rights and Privacy Act (FERPA).

The superintendent will ensure that training is provided to appropriate staff with access to, and responsibility for, electronic transactions of student education records information as required by HIPAA. provided in established student education records related Board policies and administrative

regulations. **E**

Notice will be provided to students and parents of their rights pertaining to the

disclosure of personally identifiable information, complaint procedures and the ESD official to contact in the event of questions, as

END OF POLICY

Legal Reference(s):

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

Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. §§ 1320d to -d-8 (2012); 45 C.F.R. Parts 160, 164

T

(2016).

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 (2016).

¹ A “covered entity” is an entity subject to HIPAA. These include those entities defined under the Act as a health plan,

health **E**

care clearinghouse, health care provider or a hybrid entity. A hybrid of covered entities is a single legal entity that is a covered entity and whose covered functions are not its primary function. Self-insured health plans and Internal Revenue Service Section 125 plans with 50 or more participants operated or maintained by public schools entities are covered health plans for HIPAA privacy rule purposes. Similarly, any provider of services, a provider of medical or health services as defined in section 1861 of the Act, (42 U.S.C. § 1395X(s)), and any person or organization who furnishes, bills or is paid for health care in the normal course as defined by 45 C.F.R. § 160.103 is also subject to HIPAA requirements as a health-care provider. ESD’s should review their programs and services with their legal counsel in determining HIPAA applicability.

Lane Education Service District

Adopted: **P**

Code: EHA

Health Insurance Portability and Accountability Act (Version 2)

(For ESDs that self-insure a health plan and/or self-administer an Internal Revenue Service Section 125 plan)

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The Board has determined that it meets the definition of a hybrid of covered entities

under the Health

Insurance Portability and Accountability Act (HIPAA). As the ESD [self-insures a health plan] [and] [self-administers an Internal Revenue Service Section 125 plan] it meets the health plan definition under HIPAA. As a covered entity, the ESD will meet the requirements of federal law.

Accordingly, the ESD will safeguard the protected health information⁵³ of employees from use or disclosure that may violate standards and implementation specifications to the extent required by law. The electronic exchange of financial and administrative transactions related to an employee's protected health information will meet the requirements of HIPAA, including national standards for electronic transactions designed to ensure the security of health information created or received by the ESD.

⁵³ "Protected health information" means individually identifiable health information that is: (1) transmitted by electronic media; (2) maintained in electronic media; (3) transmitted or maintained in any other form or medium. Protected health information excludes individually identifiable health information in education records covered by the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and employment records held by a covered entity in its role as employer.

The superintendent will designate an individual responsible for responding to HIPAA inquiries,

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complaints and for providing adequate notice of employee rights and ESD duties under the health plan provisions of the Act. Notice will include the privacy provisions of the law, and uses of employee protected health information and disclosures that may be made by the ESD. the protected health

information of employees. Training will be provided within a reasonable period of

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Training

will be provided to all current staff and new employees determined by the ESD to have access to time after the individual's hiring, and to those employees when their duties may be impacted by a change in the ESD's policy and/or procedures.

Employees who believe their privacy rights have been violated may file a complaint in accordance with Human Services. There shall be no retaliation by the ESD against any person who files a complaint or

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established ESD procedures. Complaints may also be filed directly with the U.S. Secretary of

Health and

otherwise participates in an investigation or inquiry into an alleged violation of an individual's protected privacy rights. All complaints received will be promptly investigated and documented, including their final

disposition. care clearinghouse, health-care provider or a hybrid entity. A hybrid of covered entities is a single legal entity

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that is a covered

¹ A "covered entity" is an entity subject to HIPAA. These include those entities defined under

the Act as a health plan, health-

entity and whose covered functions are not its primary function. Self-insured health plans and Internal Revenue Service Section 125 plans with 50 or more participants operated or maintained by public schools entities are covered health plans for HIPAA privacy rule purposes. Similarly, any provider of services, a provider of medical or health services as defined in section 1861 of course as defined by 45 C.F.R. § 160.103 is also subject to HIPAA requirements as a health-care provider. ESD's should review

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the Act, (42 U.S.C. § 1395X(s)), and any person or organization who furnishes, bills or is paid for health care in

the normal their programs and services with their legal counsel in determining HIPAA applicability.

The superintendent will ensure that satisfactory assurance has been obtained from any business associate³

performing HIPAA-covered activities or functions on behalf of the ESD that the protected health

information it receives from the ESD will be protected. Such assurance will be in the form of a written

P agreement, or may be included as a part of the ESD's contract with the business associate.

Employees in violation of this policy or procedures established to safeguard the protected health information of employees will be subject to discipline up to and including dismissal. extent of the ESD's

responsibilities as a covered entity under HIPAA and to develop internal controls and **R**

The superintendent is directed to ensure an assessment of ESD operations is conducted to determine the procedures necessary to implement this policy and meet the requirements of law. The procedures shall include provisions for record keeping, documentation of the ESD's compliance efforts and appropriate administrative, technical and physical safeguards to protect employee protected health information and to ensure that any request is limited to information reasonably necessary to accomplish the purpose for which

O the request is made.

In the event of a change in the law that may impact this policy or established ESD procedures, the superintendent shall ensure appropriate revisions are recommended for Board approval, necessary changes are implemented and notification is made to staff and others, as appropriate.

END OF POLICY

P

Legal Reference(s):

Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. §§ 1320d to -d-8 (2012); 45 C.F.R. Parts 160, 164

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

(2016).

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 (2016). **S E**

³ A “business associate” means a person who on behalf of such covered entity or of an organized health-care arrangement in

D which the covered entity participates, but other than in the capacity of a member of the workforce of such covered

entity or arrangement, performs or assists in the performance of: (1) a function or activity involving the use or disclosure of individually identifiable health information, including claims processing or administration, data analysis, processing or administration, utilization review, quality assurance, billing, benefit management, practice management and repricing; or (2) any other function or activity regulated by HIPAA.

Lane Education Service District

Code: EHB
Adopted: 12/05/23
Orig. Code(s): EHB

Cybersecurity

The purpose of information security is to protect the confidentiality, integrity and availability of ESD data as well as any information systems that store, process, or transmit ESD data, and protect the information resources of the ESD from unauthorized access or damage.

The underlying principles followed to achieve that objective are:

1. Information Confidentiality: The ability to access or modify information is provided only to authorized users for authorized purposes;
2. Information Integrity: The information used in the pursuit of the ESD objectives can be trusted to correctly reflect the reality it represents; and
3. Information Availability: The information resources of the ESD, including the network, the hardware, the software, the facilities, the infrastructure, and any other such resources, are available to support the objectives for which they are designated.

The requirement to safeguard information resources must be balanced with the need to support the pursuit of legitimate ESD objectives. The value of information as a resource increases through its appropriate use; its value diminishes through misuse, misinterpretation, or unnecessary restrictions to its access.

This policy and accompanying administrative regulation applies to all staff and third-party agents of the ESD as well as any other ESD affiliate, including students, who are authorized to access ESD data and to all computer and communication devices and systems that store, process, or transmit ESD data.

END OF POLICY

Legal Reference(s):

[ORS Chapter 192](#)
[ORS 334.125](#)

[ORS 336.184](#)
[ORS 646A.600 - 646A.626](#)

Children's Internet Protection Act, 47 U.S.C. §§ 254(h) and (l); 47 C.F.R. § 54.520.

Children's Online Privacy Protection Act of 1998, 15 U.S.C. §§ 6501 to 6505; 16 C.F.R. § 312.

Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; 34 C.F.R. § 99.

Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. § 1320d; 45 C.F.R. §§ 160, 164.

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

Cybersecurity – EHB

1-1

Lane Education Service District

Code: EHB-AR
Revised/Reviewed: 11/07/23

3/15/23 | RS

Cybersecurity

Throughout its lifecycle, an information system that stores, processes or transmits ESD data shall be protected in a manner that is considered reasonable and appropriate, as defined in documentation approved and maintained by the Technology Services Department, given the level of sensitivity, value and criticality that the ESD data has to the ESD.

Individuals who are authorized to access ESD data shall adhere to the appropriate Roles and Responsibilities, as defined in this administrative regulation.

Roles and Responsibilities

“Designated Information Security Officer (ISO)” means an employee designated by the superintendent to oversee the information security program. The ISO will be a senior-level employee in the ESD. The responsibilities of the ISO include the following:

1. Developing and implementing a ESD-wide information security program;
2. Documenting and disseminating information security policies and procedures;
3. Coordinating the development and implementation of required information security training and awareness program for staff and administrators;
4. Coordinating a response to actual or suspected breaches in the confidentiality, integrity or availability of ESD data and following statutory requirements;
5. Implementing and overseeing secure authentication processes and protocols;
6. Implementing and conducting IT security audits.

“Data owner” means a management-level employee of the ESD who oversees the lifecycle of one or more sets of ESD data. Responsibilities of a data owner include the following:

1. Assigning an appropriate classification to ESD data;
2. Determining the appropriate criteria for obtaining access to ESD data;
3. Ensuring that data custodians implement reasonable and appropriate security controls to protect the confidentiality, integrity and availability of ESD data;
4. Understanding and approving how ESD data is stored, processed, and transmitted by the ESD and by third-party agents of the ESD; and
5. Understanding how ESD data is governed by ESD policies, state and federal regulations, contracts and other legal binding agreements.

“Data custodian” means an employee of the Technology Services Department who has administrative and/or operational responsibility over ESD data. In many cases, there will be multiple data custodians. A data custodian is responsible for the following:

1. Understanding and reporting on how ESD data is stored, processed and transmitted by the ESD and by third-party agents of the ESD;
2. Implementing appropriate physical and technical safeguards to protect the confidentiality, integrity and availability of ESD data;
3. Documenting and disseminating administrative and operational procedures to ensure consistent storage, processing and transmission of ESD data;
4. Provisioning and deprovisioning access to ESD data as authorized by the data owner;
5. Understanding and reporting on security risks and how they impact the confidentiality, integrity and availability of ESD data;
6. Back up data daily; and
7. Force email and domain passwords to expire at least annually.

“User,” for the purpose of information security, means any employee, contractor or third-party agent of the ESD who is authorized to access ESD Information Systems and/or ESD data. A user is responsible for the following:

1. Adhering to policies, guidelines and procedures pertaining to the protection of ESD data;
2. Reporting actual or suspected vulnerabilities in the confidentiality, integrity or availability of ESD data to a manager or the Technology Services Department; and
3. Reporting actual or suspected breaches in the confidentiality, integrity or availability of ESD data to the Technology Services Department.

Classification of Information

Data classification, in the context of information security, is the classification of data based on its level of sensitivity and the impact to the ESD should that data be disclosed, altered or destroyed without authorization. The classification of data helps determine what baseline security controls are appropriate for safeguarding that data. All ESD data should be classified into one of three sensitivity levels or classifications: confidential, sensitive and public. In some cases, data could fall into multiple categories, i.e., salaries.

Data should be classified as confidential when the unauthorized disclosure, alteration, or destruction of that data could cause a significant level of risk to the ESD or its affiliates. Examples of confidential data include data protected by state or federal privacy regulations and data protected by confidentiality agreements. The highest level of security controls should be applied to confidential data. Examples:

student data, evaluation and disciplinary records.⁵⁴

Data should be classified as sensitive when the unauthorized disclosure, alteration or destruction of that data could result in a moderate level of risk to the ESD or its affiliates. By default, all ESD data that is not explicitly classified as confidential or public data should be treated as sensitive data. A reasonable level of security controls should be applied to private data. Examples: salaries and staff personal contact information.

Data classified as sensitive may be disclosable as public record under Oregon Revised Statute (ORS) Chapter 192. However, the sensitivity level of the data can warrant the assigned data classification and associated safeguard security controls.

Data should be classified as public when the unauthorized disclosure, alteration or destruction of that data would result in little or no risk to the ESD and its affiliates. Examples of public data include information intended for broad use within the ESD community at large or for public use. While little or no controls are required to protect the confidentiality of public data, some level of control is required to prevent unauthorized modification or destruction of public data. Examples: board minutes and policies.

Online Services and Applications

ESD employees are encouraged to research online services or applications to support the pursuit of ESD objectives. However, ESD employees are prohibited from installing or using applications, programs or other software, or online systems/websites that store, collect or share confidential or sensitive data, until the ISO approves the vendor and software or service. Before approving the use or purchase of any such software or online service, the ISO, or designee, shall verify that it meets the requirements of all applicable laws, regulations and board policies, and that it appropriately protects ESD data. This prior approval is required whether or not the software or online service is obtained or used without charge.

Implementation

The Technology Services Department is directed to develop operating policies, standards, baselines, guidelines and procedures for the implementation of this administrative regulations to include, but not limited to, addressing data encryption, logical access control, physical access control, vulnerability management, risk management and security logging and monitoring.

Violations of Policy and Misuse of Information

Violations of this administrative regulation include, but are not limited to: accessing information to which the individual has no legitimate right; enabling unauthorized individuals to access information; disclosing information in a way that violates applicable policy, procedure or other relevant regulations or laws; inappropriately modifying or destroying information; inadequately protecting information; or ignoring the explicit requirements of data owners for the proper management, use and protection of information resources.

Violations may result in disciplinary action in accordance with ESD policies, procedures and/or applicable laws. Sanctions may include one or more of the following:

⁵⁴ These examples are for IT purposes and may not be consistent with record request and disclosure requirements.

1. Suspension or termination of access;
2. Disciplinary action up to and including dismissal; and
3. Civil or criminal penalties.

Employees are to report suspected violations of this administrative regulation to the ISO or to the appropriate data owner. Reports of violations are considered sensitive information until otherwise designated.

Lane Education Service District

Code: **D** EI

Adopted: 1/22/02 Orig.
Code(s): EI

Risk and Insurance Management

(See policy EIA)

Lane ESD will maintain a risk and insurance management program for the protection of life, health, property and financial resources. financial loss to the ESD, public or ESD employees. It does not

include employee benefits such as **E** “Risk and insurance management” is defined as the art and science of minimizing the adverse effects of accident or health insurance.

It shall be the objective of the risk and insurance management program to:

1. Identify and evaluate the ESD’s exposure to loss;

2. Reduce or eliminate the risk; **L**

3. Identify risk areas to be assumed by the ESD through the normal operating expenses (self-insurance);

4. Transfer the risk to insurance companies within the financial resources of the ESD; 5. Meet all

applicable laws or statutes for ESD coverage.

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END OF POLICY

Legal Reference(s):

[ORS 30.260 - 30.265](#)
[ORS 278.005 - 278.215](#)

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

[OAR 581-024-0240](#)

T E

Risk and Insurance Management – EI

1-1

Lane Education Service District

Code: EIA
Adopted: 3/29/94
Revised/Readopted: 1/22/02; 3/21/06
Orig. Code(s): EIA

Insurance Programs

ESD District insurance coverage shall be written by a company that meets industry standards with a rating of not less than Best's Key Rating of Excellent (A, A-) or the equivalent. The [director of business services] will select a company with a financial size category adequate to ensure surplus resources to protect the ESD's district's assets.

Insurance may also be written by any fully insured, partially insured or self-insured pool that is able to demonstrate satisfactory financial stability as determined by Oregon law.

Blanket building and equipment insurance will cover replacement costs with an agreed amount endorsement or as per occurrence limit and with a deductible determined by the [business manager] to provide the lowest possible premium costs consistent with adequate protection from unanticipated expenditures.

General and personal liability insurance will cover ESD district Board members and employees only while acting in their official capacity.

All employees will be covered by a blanket dishonesty bond. Tort liability endorsements may be carried on faithful performance bond.

The ESD district will provide liability coverage for all district-owned or leased vehicles.

The ESD district will not carry student accident insurance other than liability insurance.

The ESD district will not be liable for theft and damage of personal property of students that is not a requirement for attendance or participation in ESD programs. Additionally, the ESD district will not be liable for theft and damage of personal property of staff.

END OF POLICY

Legal Reference(s):

[ORS 30.260 to -30.300](#)
[ORS 278.005 to -278.215](#)

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

[OAR 581-024-0240](#)

6/01/16 | PH

Insurance Programs – EIA

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School Improvement Team | Board Report | 03-03-26

Curriculum Leaders February Meeting

Dr Leah Dunbar opened the meeting with a fun and informative Lane County Black History quiz game that could be used and shared by participants in their own districts.

ODE representatives Dan Farley and Andrea Lockhard gave updates on the rules and rollout of new guidelines for interim assessments.

Junction City School District's Erika Vaughn (Curriculum Director) and Stephanie Rabago (Middle School Principal) provided an overview of the district's approach to interim assessment use and the successes and challenges they face.

Finally, Education Northwest representatives Jacob and Ashely gave an overview of the MTSS needs assessment they will be conducting in our districts this spring to help us develop our plan for MTSS support.

Link to full [agenda](#).

School Improvement Team Meetings

This year the SI team has been inviting other departments to join our monthly team meetings in order to foster community within the agency and foster collaboration between departments. With our guest department, we run a focused discussion about data use for continuous improvement, then invite our guest department to share a problem of practice. We have had Human Resources and Business Services participate so far this year and Special Education is coming in March. See the [agenda](#) for more details.

CTE Tours

We have had a blast this past month touring several Career Technical Education programs across Lane County including Oakridge, Lowell, Fern Ridge, Blachly, South Lane, Creswell, and Junction City! These student-led events showcase the investments our districts are making in CTE and the profound impact these programs have on students and the school community. Photos and videos coming soon. Shout out to Rose Wilde for joining us for the fun!

SpEd Board Report | March 2026

Special Education Staffing – Intent to Return

The Special Education (SpEd) Department is preparing to distribute Intent to Return forms to all staff. This process is a critical component of our annual staffing review and planning cycle for the upcoming school year. Collecting this information early allows us to:

- Project staffing vacancies and hiring needs
- Align personnel allocations with projected student enrollment and service levels
- Plan for program adjustments and potential expansions

This proactive approach supports timely recruitment and helps ensure continuity of services for students.

Review of Nursing Service Levels in Life Skills Classrooms

We are actively collaborating with partner school districts to review current nursing service levels within life skills classrooms. The purpose of this review is to:

- Evaluate student medical and health support needs
- Ensure appropriate staffing ratios and coverage
- Maintain compliance with student IEPs and health plans
- Promote safe and supportive learning environments

Discussions are ongoing, and adjustments will be made as needed to ensure service levels appropriately reflect student needs and program design.

2025–2026 MLK Instructional Program Review

In preparation for the 2026–2027 school year, we are working with districts to review the MLK instructional program. This process includes:

- Evaluating current program structure and outcomes
- Identifying areas for instructional improvement
- Gathering district and stakeholder feedback
- Collaboratively refining program components

Our goal is to strengthen instructional delivery and ensure the program continues to effectively meet student and district needs. Feedback collected this year will directly inform program enhancements for next year.

Potential New LTCT Program

The county may soon open a new LTCT program. Planning discussions are underway, including conversations with Eugene School District 4J regarding

responsibility for the instructional components of the program. Funding is currently with the legislature.

Key considerations include:

- Instructional staffing and oversight
- Program governance and accountability
- Service coordination
- Fiscal implications

We will continue to provide updates as planning progresses and decisions are finalized.



February 2026, IT Board Report

Staffing

- In collaboration with ESD executive leadership, IT has developed a strategic plan to enhance service delivery to the ESD and our districts while maintaining cost neutrality. Following the plan's approval last week, we have begun a methodical restructuring of the department. This new alignment increases staff availability for internal support and expands our capacity for regional and statewide involvement.
- **Technology Operations Manager:** Position posted on March 1, 2026.
- **Network/Systems Administrator II:** Appointed Jose Pleitez-Sanchez (Congratulations, Jose!).
- **Network/Administrator I:** Recruitment for this role will launch following the hire of the new Operations Manager to ensure their involvement in the selection process.

Classrooms

- **Printer Replacement Cycle-** IT is replacing the printers as the toner runs out so we do not waste any of the remaining toner.
- **Smartboards-** Smartboards have been ordered to replace the outdated ones as well as extra pens for the boards.
- **Clever-** This is a software platform designed to streamline the logging in and access experience for our classroom staff and students. We are working with the vendor to integrate and test as many of the classroom applications as possible.

System Upgrades and Improvements

- **eFax-** We have started testing a proof of concept for eFax solutions. Proof of concept for this particular vendor is not going to meet the ESD's needs. We are working on starting our next proof of concept as soon as the next vendor can schedule the time.
- **Internet Cutovers-** We have finalized the cutovers before the end of February and we are waiting for the vendors to turn off the old circuits.
- **Securly-** We have completed all phases of testing and we have the filtering agent on all devices. This agent provides us with an increased ability to protect the students while they are working online. We have started the next roll out phase that will install a module called REVEAL. Reveal will provide IT with analytics and insight into internet browsing habits at the ESD allowing for a more proactive approach to online safety.
- **Student Information System (SIS)-** IT and SpEd have teamed up to consider the best path forward for handling the student data that resides in our aging system. We just had our second meeting and we are scheduling vendor demos next week.



Regional Initiatives and Support

- **EDUROAM-** Our joint presentation with Link Oregon on Eduroam was well received at the Quilt conference.
- **Security Service Development:** In collaboration with district IT leaders, we are developing a new internal vulnerability scanning service. This initiative will empower district teams to identify and remediate security weaknesses within their networks more effectively.
- **ESD IT Service Offerings:** We are conducting a comprehensive, line-by-line review of our services with IT directors to eliminate ambiguity. Simultaneously, we are establishing Service Level Agreements (SLAs) to define clear expectations for our districts and provide internal staff with documented protocols for regional support.
- **Education Nexus-** This non profit is run by a board of ESD CIO's, including myself, that are dedicated to innovative support and development of products to support education. The "Broker" is our first product in development and will act as the transfer agent that will relieve some of the burden for registrars. The Broker will transfer entire student cume files between student information systems and across state lines instantaneously. We have voted on and approved a pricing structure while still finalizing how the ESD's might handle this on behalf of the districts in their region.